
Please find attached the Public Committee Minutes in respect of Item 6 on the agenda for the above meeting

6.	<p>Committee Minutes (Pages 3 - 54)</p> <p>Consider Minutes of the following Committees:-</p> <table><tr><td>(a)</td><td>Local Review Body</td><td>17 August 2020</td></tr><tr><td>(b)</td><td>Civic Government Licensing</td><td>21 August 2020</td></tr><tr><td>(c)</td><td>Police, Fire & Rescue and Safer Communities Board</td><td>28 August 2020</td></tr><tr><td>(d)</td><td>Selkirk Common Good Fund</td><td>2 September 2020</td></tr><tr><td>(e)</td><td>Duns Common Good Fund</td><td>3 September 2020</td></tr><tr><td>(f)</td><td>Sustainable Development</td><td>4 September 2020</td></tr><tr><td>(g)</td><td>Planning & Building Standards</td><td>7 September 2020</td></tr><tr><td>(h)</td><td>Galashiels Common Good Fund</td><td>10 September 2020</td></tr></table> <p>(Copies attached.)</p>	(a)	Local Review Body	17 August 2020	(b)	Civic Government Licensing	21 August 2020	(c)	Police, Fire & Rescue and Safer Communities Board	28 August 2020	(d)	Selkirk Common Good Fund	2 September 2020	(e)	Duns Common Good Fund	3 September 2020	(f)	Sustainable Development	4 September 2020	(g)	Planning & Building Standards	7 September 2020	(h)	Galashiels Common Good Fund	10 September 2020	5 mins
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| (h) | Galashiels Common Good Fund | 10 September 2020 |

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Public Document Pack

SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY conducted remotely by Microsoft Teams Live Event on Monday, 17 August 2020 at 10.00 am

- Present:- Councillors J. A. Fullarton, S. Hamilton, H. Laing, S. Mountford, C. Ramage, N. Richards and E. Small
- Apologies:- Councillors T. Miers and A. Anderson
- In Attendance:- Principal Planning Officer – Major Applications/Local Review, Chief Legal Officer, Democratic Services Team Leader, Democratic Services Officer (F. Walling).

CHAIRMAN

In the absence of Councillor Miers, the meeting was opened by Vice Chairman Councillor S. Hamilton. After welcoming Members of the Local Review Body and members of the public to the Scottish Borders Council's open on-line meeting he explained that, due to possible interruption of his internet connection and the fact that he was declaring an interest in one of the reviews, he proposed that Councillor S. Mountford take the chair for the meeting. This proposal was seconded by Councillor Laing and in the absence of any other nominations Councillor Mountford accepted the role of Chairman.

1. CONTINUATION OF REVIEW OF 19/01784/FUL

With reference to paragraph 4 of the Minute of 25 May 2020, there had been re-circulated copies of the request from Mr Stephen Cranston, per Stuart Patterson Building & Timber Frame Design, 5 Burnflat Lane, Hawick, to review refusal of the planning application for part change of use from garage/storage and alterations to form a workshop and storage for joinery business at the Buccleuch Hotel, Trinity Street, Hawick. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; Consultations; representation; and a list of policies. Also circulated were copies of further information requested by the Local Review Body, in the form of a bat and breeding bird survey and drawings and statements relating to the mitigation of noise breakout to adjoining areas of the building; and responses to the additional information from the Council's Ecology and Environmental Health Officers. Members reiterated their views expressed when the review was first considered and noted the responses of the Council's officers to the further information submitted by the applicant. They concluded that the proposal represented an appropriate use within a mixed commercial and residential area and approved the application, subject to conditions, including the requirement for a noise impact assessment being carried out prior to development being commenced.

DECISION

AGREED that:-

- (a) **the review could be considered without the need for any further procedure on the basis of the papers submitted and the additional written submissions;**

- (b) the proposal would be consistent with the Development Plan and that there were no other material considerations that would justify departure from the Development Plan; and**
- (c) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix I to this Minute.**

MEMBER

Councillor S. Hamilton declared an interest in the following review of application 20/00132/PPP in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion.

2. REVIEW OF 20/00132/PPP

There had been circulated copies of the request from Sandystones Ltd, per Murray Land & Buildings, Hillside, Dean Place, Newstead, to review the decision to refuse the planning application for erection of treehouse and walkway for use as holiday let accommodation and associated works on land south west of Sandystones Farmhouse, Ancrum, Jedburgh. The supporting papers included the Notice of Review (including the Decision Notice); Officer's Report; papers referred to in the Officer's Report; consultations; and a list of policies. Members welcomed the proposal which represented a unique holiday accommodation offering and recognised that the proposed site had been chosen to meet this bespoke offering. However Members also noted that both SEPA and the Council's Flood Risk Officer had objected to the proposal on the grounds of flood risk and, after consideration of the applicant's Flood Risk Assessment and a lengthy debate about the opposing submissions, opinion remained divided about whether the application should be refused on the grounds of flood risk.

VOTE

Councillor Laing, seconded by Councillor Ramage moved that the decision to refuse the application be upheld.

Councillor Richards, seconded by Councillor Fullarton, moved as an amendment that the decision to refuse the application be reversed and the application approved.

Members voted as follows:-

*Motion - 2 votes
Amendment - 4 votes*

The amendment was accordingly carried and the application approved, subject to notification to Scottish Ministers, due to the outstanding objection from SEPA.

DECISION

DECIDED that:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be consistent with the Development Plan; and**

- (d) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix II to this Minute, but further subject to notification to the Scottish Ministers in relation to the objection on flood risk from SEPA**

3. REVIEW OF 20/00453/FUL

There had been circulated copies of the request from Mr & Mrs D & C Morrison, Per Ferguson Planning, 54 Island Street, Galashiels, to review the decision to refuse the planning application for demolition of garage and erection of dwellinghouse on garden ground of Clifton Cottage, High Street, Kirk Yetholm. The supporting papers included the Notice of Review (including the Officer's Report and Decision Notice); papers referred to in the Officer's Report; consultations; support comments; objections comments; a general comment; additional representation from objector and response from applicant; and a list of policies. Members noted that the proposed development site was within a garden on the opposite side of the street from Clifton Cottage and was within the settlement boundary and Conservation Area of Yetholm. They noted the historical character of the site setting and that the area had also been identified as Key Greenspace. They recognised that this could be regarded as an appropriate infill site but discussed whether there would be an impact on the character of the village from the proposed development in terms of its scale, particularly relating to the height of the proposed dwellinghouse. After further discussion, Members concluded that they could not determine the review without further procedure in the form of additional information from the applicant on the ridge height of the proposed dwellinghouse and a drawing to show the levels/ridge height in comparison to the neighbouring house to the north. They also asked for an unaccompanied site visit to be arranged to enable them to assess the site of proposed development in the context of the surrounding area.

DECISION

AGREED that:-

- (a) the request for a review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could not be considered without further procedure in the form of an unaccompanied site visit and written submissions;**
- (c) the applicant be requested to provide further information as follows:**
- Confirmation of the ridge height of the proposed dwellinghouse and a cross section drawing showing the levels/ridge height of the proposed dwellinghouse in comparison to the neighbouring house to the north of the proposed site.**
- (d) an unaccompanied site visit and a continuation of consideration of the review to be carried out on dates to be arranged.**

The meeting concluded at 11.55 am

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APPENDIX I

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

Local Review Reference: 20/00004/RREF

Planning Application Reference: 19/01784/FUL

Development Proposal: Part change of use from garage/storage and alterations to form workshop and storage for joinery business

Location: Buccleuch Hotel, Trinity Street, Hawick

Applicant: Mr Stephen Cranston

DECISION

The Local Review Body reverses the decision of the appointed officer and grants planning permission for the reasons set out in this decision notice and subject to conditions.

DEVELOPMENT PROPOSAL

The application relates to part change of use from garage/storage and alterations to form workshop and storage for a joinery business. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	19-673-1003
Existing Site Plan	19-673-1001
Existing Plans & Elevations	19-673-1002
Proposed Site Plan	19-673-2001 rev A
Proposed Elevations	19-673-2002 rev A
Proposed Sections & Elevations	19-673-3002 rev A
Project Specification	19-673-3003
Proposed Ground and First Floor Layouts	19-673-4001

PRELIMINARY MATTERS

The Local Review Body initially considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 25th May 2020. After examining the review documentation at that meeting, which included a) Notice of Review and associated documents; b) Decision Notice; c) Officer's Report; d) Papers referred to in Officer's Report; e) Consultations; f) Representation and g) List of Policies, the Review Body considered that, in view of the applicant's declared longer-term intention of converting the two upper floors to residential or retail use, further information was required about the construction of the workshop in terms of materials to mitigate against the impact of noise breakout into those areas. Members also noted that the Ecology Officer had sought further information, specifically a survey for bats, ahead of the determination of the planning application and this information was also, therefore, required before the Review could be considered.

The Review was, therefore, continued to the Local Review Body meeting on 17th August 2020 when the Review Body considered the further information relating to a bat and breeding bird survey, and drawings and statements from the applicant relating to noise suppression measures between the proposed use, upper and adjoining floors of the building. Members also considered the responses to this information from the Ecology and Environmental Health Officers and then proceeded to determine the Review.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, PMD5, ED2, ED3, HD3, EP1, EP2, EP16, IS1 and IS7

Other Material Considerations

- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- SBC Supplementary Planning Guidance on Waste Management 2015
- SBC Supplementary Planning Guidance on Biodiversity 2005

The Review Body noted that the proposal was for planning permission to part change of use from garage/storage and alterations to form workshop and storage for a joinery business

Members firstly considered the location of the site and noted that it was a proposal for employment use outwith designated business or industrial land and should be assessed primarily against Policy ED2. The Review Body also noted the location of the site within the defined town centre area under Policy ED3. Taking into account all the circumstances of the case and noting the applicant's submissions and photographs of the site and surroundings, Members were of the opinion that the area was of mixed use and that the proposal would be generally compatible with the surrounding uses, thus complying with Policy ED2. It was also

considered that the use pattern was changing over time in the area and that the site could be considered to be consistent with uses encouraged within the defined town centre.

The Review Body were particularly concerned that the building had been subdivided a number of years ago, was empty and could fall further into disrepair unless a new use was found and encouraged. In this respect, they welcomed the proposal which also would benefit the economy of the area through creation of employment and business space. They also noted the support of the Economic Development Officer towards the proposals. Members concluded that the proposal was compliant with Policies ED2 and ED3 for these reasons.

The Review Body recognised that there may be potential noise impacts on the surroundings which, whilst mixed, did contain existing and proposed residential properties. In that regard, they noted the Appointed Officer's concerns over potential residential amenity impacts and the additional sound suppression information submitted by the applicant. They noted that the information had led to an objection from the Environmental Health Officer who, in the absence of a Noise Impact Assessment, could not accept the potential noise impacts on surrounding residential property.

Whilst Members had been reassured by the various noise suppression measures outlined by the applicant and noted that the use of the upper floors was still to be the subject of a future planning application, they accepted the advice of the Environmental Health Officer that a Noise Impact Assessment was still necessary. It was determined that this could be required by condition, seeking its submission and agreement before the development commenced, with any mitigation then being put in place before the commencement of the use itself. In this way, the Review Body were content that Policies PMD2 and HD3 would be complied with in terms of residential amenity.

The Review Body finally considered the issue of bats and breeding birds at the site. They noted the findings of the submitted survey and the comments of the Ecology Officer who felt that bat and breeding bird interests could be addressed by conditions. They agreed that appropriate conditions should be attached to control these issues.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD2, ED2, HD3 and EP1 of the Local Development Plan and relevant Supplementary Planning Guidance. The proposal represented an appropriate use within a mixed commercial and residential area and potential impacts on surrounding uses could be minimised through conditions including noise assessment and mitigation. Consequently, the application was approved.

DIRECTION

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. No development shall commence until a scheme of external materials (including specifications and samples of materials, colours and window details), has first been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.

2. Prior to the commencement of development, the developer shall provide to the Planning Authority:
 - a. a copy of the relevant European Protected Species licence, or written confirmation that works can be carried out under a Bat Low Impact Licence, or
 - b. a copy of a statement in writing from Scottish Natural Heritage (licensing authority) stating that such a licence is not necessary for the specified development

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1 and EP3.

3. Prior to the commencement of development, the developer shall submit for approval in writing by the Planning Authority written confirmation that the Species Protection Plan for bats, as outlined in the *Bat and Breeding Bird Survey, Buccleuch Hotel, Hawick, Findlay Ecology Services, July 2020* shall be implemented in full. Thereafter, no development shall take place except in strict accordance with the outlined Species Protection Plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policy EP3.

4. No development shall be undertaken during the breeding bird season (March to August), unless the developer submits for approval in writing by the Planning Authority written confirmation that the detailed Species Protection Plan for breeding birds, as outlined in the *Bat and Breeding Bird Survey, Buccleuch Hotel, Hawick, Findlay Ecology Services, July 2020* shall be implemented in full. Thereafter, no development shall take place except in strict accordance with the approved plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

5. Notwithstanding the terms of Class 5 of The Town and Country Planning (Use Classes) (Scotland) Order 1997, this consent is only for the use of the premises for joinery workshop and storage and not for any other use within Use Class 5 or any other Use Class.

Reason: To protect surrounding residential amenity.

6. No development to be commenced until a Noise Impact Assessment is submitted to, and approved in writing by the Planning Authority. The use not to be commenced until all sound attenuation measures are implemented in accordance with the approved Assessment and the use then operated in accordance with any controls and mitigation identified.

Reason: To protect surrounding residential amenity.

7. No development to be commenced until a scheme of waste storage is submitted to, and approved in writing by, the Planning Authority. The scheme then to be implemented and operated in accordance with the approved details.

Reason: To ensure adequate provision of waste storage and to safeguard the amenity of the area.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD

Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA

Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU

British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND

Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA

Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL

BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH

THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD

Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

Notice Under Regulation 22 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2013.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
 2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.
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Signed...Councillor S Mountford
Acting Chairman of the Local Review Body

Date.....21 August 2020

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APPENDIX II

SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY INTENTIONS NOTICE

APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

Local Review Reference: 20/00017/RREF

Planning Application Reference: 20/00132/PPP

Development Proposal: Erection of treehouse and walkway for use as holiday let accommodation and associated works

Location: Land South West of Sandystones Farmhouse, Ancrum, Jedburgh

Applicant: Sandystones Ltd

DECISION

The Local Review Body is minded to reverse the decision of the appointed officer and indicates that it intends to grant planning permission for the reasons set out in this intentions notice subject to conditions, but further subject to notification to the Scottish Ministers in relation to the objection on flood risk from SEPA

DEVELOPMENT PROPOSAL

The application relates to the erection of a treehouse for use as holiday let accommodation, walkway and associated works. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	
Proposed Site Plan	

PRELIMINARY MATTERS

The Local Review Body considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 17th August 2020. After examining the review documentation which included: a) Notice of Review

(including Decision Notice); b) Officer's Report; c) Papers referred to in officer's report; d) Consultations; and e) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a hearing and site visit but did not consider further procedure was necessary in this instance and proceeded to determine the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, ED7, HD3, EP1, EP2, EP3, EP13, EP15, IS7, IS8 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- Scottish Planning Policy
- National Planning Framework 3

The Review Body noted that the proposal was for planning permission in principle to erect a treehouse for holiday let accommodation, walkway and associated works on a site south-west of Sandystones Farmhouse, Ancrum, Jedburgh.

Members noted that the application was for holiday accommodation and that the Appointed Officer had accepted the business case put forward for the development. They also noted the support of the Economic Development Officer and were content that the proposal complied with Policy ED7, the Review Body welcoming the proposal to introduce holiday accommodation in an attractive wooded setting and representing positive farm diversification. Members also accepted that the proposal was aimed at a niche market and, given the intended treehouse and walkway design, considered that the proposed site was specifically chosen to meet the design, involving riverside woodland alongside an old mill lade with changes in levels and existing mature trees. Provided the trees were retained and protected by condition, Members considered that the landscape and visual impacts of the development would be acceptable.

The Review Body then considered the issue of flood risk and noted that both SEPA and the Council's Flood Risk Officer had objected to the proposals, after considering the applicant's Flood Risk Assessment and associated submissions. They noted that Policy IS8 seeks to avoid placing development within defined functional flood plain and that the purpose of the Policy was to not place people at risk of flooding. However, they also noted the applicant's submissions which demonstrated that the level of the treehouse and walkway were above the 1 in 200 year risk inclusive of freeboard. They were not persuaded that it was justifiable to apply the less frequent and much higher level 1 in 1000 year flood risk, as requested by SEPA. Members felt this was excessive and that consultees were being overly cautious in respect to the development. The Review Body also accepted the applicant's contention that the

treehouse and walkway design were bespoke for the tree and riverbank setting and could not simply be moved elsewhere onto land outwith the defined functional flood plain.

Members also considered the issue of the stilted foundations and the final design of the proposal. Given that the current proposal was seeking planning permission in principle, they noted that final design and constructional specification were matters for the detailed planning and building warrant stages and that full and suitable engineering details would be able to be assessed at those stages.

Members concluded that the proposal was compliant with Policy IS8 on flood risk and that the applicant's submissions had demonstrated minimisation of impacts from flooding, subject to detailed design at the next planning and building warrant stages and a condition ensuring floor and walkway levels were above the defined flood risk levels, as advised by the applicant's consultants. The Review Body were aware that there remained a SEPA objection and that, under the regulations governing notification of planning applications, the intention to approve the application must be notified to the Scottish Ministers.

The Review Body finally considered other material issues relating to the proposal including access, tree protection, ecology, water and drainage but were of the opinion that appropriate conditions could address them satisfactorily.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD2, ED7, EP13 and IS8 of the Local Development Plan and relevant Supplementary Planning Guidance. There was justification for holiday accommodation on the site and there would be no significant impacts on the landscape subject to appropriate tree retention, siting and design. Flood risk had been demonstrated by the applicant to a sufficient and safe level, the details of the support structure and stability of the building and walkway to be addressed within any subsequent building warrant application. Consequently, the Local Review Body was minded to approve the application subject to notification to the Scottish Ministers, due to the outstanding objection from SEPA.

DIRECTIONS

1. Application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:
 - a. the expiration of three years from the date of this permission, or
 - b. the expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.

Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the matters specified in the conditions set out in this decision.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
3. The finished floor level of the treehouse and walkway to be no lower than 102.55m AOD as identified in the Flood Risk Assessment by Kaya Consulting Limited dated 12 August 2019.
Reason: To safeguard against flood risk at the site.
4. The occupation of the treehouse shall be restricted to genuine holidaymakers, any person staying for a maximum of 4 weeks within any consecutive period and for no more than three months in total within the calendar year. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
5. No development to be commenced until further details are submitted to, and approved in writing by, the Planning Authority regarding vehicular access to the site and parking and turning for two vehicles. Once approved, the access and parking/turning to be completed in accordance with the approved details before the building is occupied.
Reason: To ensure the provision of adequate access and parking for the development.
6. No development to be commenced until details of water supply and both foul and surface water drainage are submitted to, and approved in writing by, the Planning Authority. Once approved, provision to be made in accordance with the approved details prior to occupation of the development.
Reason: To ensure the site is adequately serviced.
7. No development to be commenced until a tree survey identifying the existing mature trees within the site, an Arboricultural Impact Assessment and Method Statement are submitted to, and approved by, the Planning Authority. The identified trees then agreed for retention to be protected at all times during construction and building operations, by protection measures to be agreed around the trees. Details of the methods it is proposed to use shall be submitted by the applicant to the Local Planning Authority and be approved by them in writing. The approved protective measures shall be undertaken before any works commence on the site and must, thereafter be observed at all times until the development is completed.
Reason: To ensure that adequate precautions are taken to protect trees during building operations.

8. A Preliminary Ecological Appraisal to be submitted with the application for approval of matters specified as conditions. No development to be commenced until the Appraisal and any subsequent surveys or mitigation are approved and implemented as agreed.
Reason: To safeguard ecological interests at the site.
9. No development to be commenced until a scheme of waste storage has been submitted to, and approved in writing by, the Planning Authority. Once approved, provision to be made in accordance with the approved details prior to occupation of the development.
Reason: To ensure adequate provision for waste storage within the site.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD

Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA

Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU

British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND

Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

Notice Under Regulation 22 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2013.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed....Councillor S Mountford
Acting Chairman of the Local Review Body

Date.....21 August 2020

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SCOTTISH BORDERS COUNCIL CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held via Microsoft Teams on Friday, 21
August 2020 at 10.00 a.m.

- Present:- Councillors J. Greenwell (Chairman), J. Brown, D. Paterson, N. Richards,
S. Scott, R. Tatler, E. Thornton-Nicol, T. Weatherston.
- Apologies:- Councillor G. Turnbull.
- In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader,
Licensing Standards and Enforcement Officer (Mr M. Wynne), Democratic
Services Officer (F. Henderson), Inspector S. Granger and PC S. Lackenby -
Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 26 June 2020 had been circulated.

DECISION

APPROVED and signed by the Chairman.

PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 14 of part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

ORDER OF BUSINESS

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

1.0 Hearing to consider suspension of Taxi Driver Licence

There had been circulated copies of a letter requesting suspension of a taxi driver licence dated 22 July 2020, from Police Scotland on the grounds that the licenceholder was no longer a fit and proper person to hold a licence. The licenceholder was present via Microsoft Teams. After hearing both parties, the Committee agreed that no action be taken.

2.0 Hearing to consider grant of Taxi Driver Licence

There had been circulated copies of an application for the grant of a Taxi Driver Licence together with a letter of representation, dated 10 June 2020, from Police Scotland. The applicant was unable to join the meeting via Microsoft teams and had agreed that the application be considered in their absence. After considering the application and the Police letter of representation, the Committee agreed that the application for a Taxi Driver's Licence be granted.

3.0 **Hearing to consider revocation or suspension of Taxi Driver Licence**

Prior to the meeting, the matter had been withdrawn from the Agenda.

4.0 **Minute**

The Private section of the Minute of 26 June 2020 was approved.

The meeting concluded at 10.38 a.m.

SCOTTISH BORDERS COUNCIL POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD

MINUTES of Meeting of the POLICE, FIRE &
RESCUE AND SAFER COMMUNITIES
BOARD held via Microsoft Teams on Friday,
28 August 2020 at 9.30 am.

Present:- Councillors H Scott, (Chairman), D Moffat, N. Richards, E Robson, H Scott, E Small.

Mr M Dickson - NHS Borders and Ms M Simpson - Voluntary Sector

Apologies:- Councillor G Turnbull.

In Attendance:- Chief Superintendent J McKenzie, Chief Inspector S Reid, Police Scotland; Local Senior Officer S Gourlay, Group Commander M Jaffray, Scottish Fire & Rescue Service; Safer Communities and Community Justice Manager, Senior Policy Advisor, Communities and Partnership Manager and Democratic Services Officer, J Turnbull, SBC.

1. **WELCOME**

The Chairman opened the meeting and welcomed everyone to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the Covid-19 pandemic.

2. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 7 February 2020.

DECISION

APPROVED the Minute.

3. **MATTERS ARISING FROM THE MINUTE**

It was noted that all matters arising from the Minute of 7 February were included in the reports to the Board.

DECISION

NOTED.

4. **PROGRESS REPORTS/UPDATES ON SERVICE MATTERS - POLICE SCOTLAND**

4.1 Chief Superintendent McKenzie began his report by referring to the impact of Covid-19 and the changes to the police response service as a result. An approach to non-attendance involving partners had been implemented at the end of March as part of Police Scotland's Contact Assessment Model. This had reduced calls to the front line by 20-25%. The mental health pathway had also been implemented over the past week, redirecting calls to ensure the public received the assistance they required. Chief Superintendent McKenzie further advised that this year's performance figures would not be comparable to previous years, for example the 62% rise in anti-social behaviour related to Covid-19 activity (people not wearing masks, group gatherings). In addition, domestic abuse in March had reduced within the Scottish Borders, which had also been reflected nationally. However, over the last few weeks incidents had risen and were comparable to the number of incidents reported during festive periods. Domestic abuse remained a police priority and perpetrators continued to be pursued, with appropriate support given to domestic abuse victims. Chief Superintendent McKenzie went on to

advise that another challenge, during the period, had been inclement weather conditions resulting in damage to the road transport network, particularly the A68. Additional patrols and deployment of mobile camera units supported local communities affected by the diversion. Chief Superintendent McKenzie then referred to the Chief Constable's Pledge which related to criminality perpetrated to emergency service workers. Within Scottish Borders there had been 19 assaults on emergency workers, three of which were against NHS staff. The Pledge had been supported by the Scottish Government and he asked that the Board consider supporting the Pledge. With regard to 101 calls, he acknowledged that there had been on occasions some challenges regarding achieving the 'call answer' timescale, however significant work has been undertaken regarding increasing routes of accessibility such as online reporting. The Covid-19 factor has contributed through public seeking advice and guidance and utilising the 101 route in an effort to secure such guidance. Chief Superintendent McKenzie concluded his report by advising that the consultation on Coldstream Police Station had been delayed and would be undertaken once the Coldstream Community Council had been elected. In response to a questions, Chief Superintendent McKenzie advised that the Pledge had been widely supported with the issue of legislation part of ongoing discussions. With regard to speeding in Greenlaw, he would discuss the matter raised by Councillor Moffat out-with the meeting.

- 4.2 Chief Inspector Stuart Reid then explained that in Quarter 2019/20, there had been a reduction in crimes of violence, serious assaults, house break-ins, traffic casualties and anti-social behaviour incidents. There had been circulated copies of the Quarter 1 (2020/2021) performance report. The report showed there had been a reduction of 19% in crimes and offences, with reductions in common assault, crimes of dishonesty, road casualties and missing people. There had been rises in incidents of sexual crime, anti-social behaviour (majority Covid-19 incidents), crimes of violence, cruelty to children and serious assaults, details of which were included within the report. Referring to the work of the Community Action Team (CAT), he advised that parents were now sent a letter highlighting their child's involvement in any anti-social behaviour incidents. The CAT had also carried out road checks, drug searches and issued parking tickets during the period.
- 4.3 Board members then raised a number of questions which were answered by officers. With regard to the substantial amount of cannabis detected in Hawick, the premises involved were private lets and the offence linked to serious organised crime on a national scale. With regard to anti-social behaviour by motorcycles at Moneynut Forest, near Duns, the issue would be raised with Sergeant Rourke to ensure more patrols visited the area. The speed of motorcyclists on the Kelso to Cornhill route would be reported to the local Roads Policing Team for a prevention plan to be implemented. With regard to vandalism, it was explained that it was caused primarily by youths, with alcohol being a factor. With regard to County lines crime, cuckooing had been prevalent in the Eyemouth area and a number of successful operations had taken place with a recent arrest made the previous week. With regard to the 25% rape detection rate this was as a result of a delay in forensic results because of the pandemic.
- 4.4 Chief Superintendent McKenzie then discussed The Lothian and Scottish Borders Local Police Plan 2020 – 23 and The Scottish Borders Local Police Plan 2020 – 23. Both Plans were 'live' Plans, copies of which had been circulated for comment. He explained that the Scottish Borders Local Police Plan reflected the local areas' priorities, outlining specific activities, objectives and partnership work to achieve these aims. The five priorities identified within the Scottish Borders were:- Protecting the most vulnerable people; Reducing violence and anti-social behaviour; Reducing acquisitive crime; Improving road safety; and, Tackling serious and organised crime. In response to questions, Chief Superintendent McKenzie explained that Special Police Constables were valuable within local communities. Unfortunately, numbers had depleted over the years with recruitment continuing to be challenging. In terms of organised criminality in relation to wildlife crime, there were a number of areas not included in the Plan, which would be tackled as part of ongoing operational policing.

DECISION

- * (a) **AGREED TO RECOMMEND TO COUNCIL approval of the Scottish Borders Local Police Plan 2020 - 2023.**
- (b) **AGREED to request the Chair bring a Motion to Council in support of the Pledge.**

ADJOURNED

The meeting was adjourned between 10.50 am to 11.50 am.

5. PROGRESS REPORTS UPDATE ON SERVICE MATTERS - SCOTTISH FIRE & RESCUE SERVICE

- 5.1 With reference to paragraph 6 of the Minute of 7 February 2020, Local Senior Officer Gourlay advised that the report on Peebles High School Fire had been concluded. The visit to Newbridge had been delayed because of Covid-19 restrictions. With regard to the pay offer, this had been rejected. The offer was now part of the National Joint Council negotiation and would be subject to a national ballot.
- 5.2 Local Senior Officer Gourlay went on to advise that Prevention and Protection activities with high risk individuals, had resumed with appropriate PPE. With regard to Rural Watch Commanders (RWC), appointments had been made for West Linton and Duns clusters, an appointment for the Hawick area was progressing. He explained that the RWC duties were dependent on the requirements of their local area e.g. swift water rescues skills, but they would also assist with recruitment, staffing and intelligence. In response to a question regarding Unwanted Fire Alarm Signals (UFAS) he advised that during lockdown, there had been a downturn in the numbers received from relevant premises, with 9% of UFAS calls received during Q1 involving education premises. Work continued with partner organisations on managing UFAS. LSO Gourlay then went on to discuss the Local Community Fire and Rescue Plan Review 2020, copies of which had been circulated with the agenda, explaining that local priorities would form the basis of the next local plan and were: making people safe in the home; promoting community resilience in terms of non-fire emergencies; making roads safer; challenging anti-social behaviour; and reducing UFAS.
- 5.3 Group Commander (GC) Jaffray then presented the SFRS Local Plan Performance reports for Q4 (1 April 2019 to 31 March 2020) and Q1 (1 April to 30 June 2020), copies of which had been circulated with the agenda. With regard to Q4 he summarised: there had been an increase in fire casualties and a slight increase in road traffic collisions. There had been a decrease in special service casualties and UFAS (equipment failure still being the main cause).
- 5.4 GC Jaffray then summarised Q1 explaining there had been an increase in dwelling fires, fire casualties and deliberate fires. However, significant decreases in RTCs, special service casualties and UFAS. During Q1 the Fire Services had attended 327 incidents, 41 less than last year. There had been no major incidents, although a slight increase of one from previous year for dwelling fires, with cooking the main cause.
- 5.5 Prevention and Protection activities
GC Jaffray then went on to discuss the SFRS Prevention and Protection activities, which had been impacted with many workplaces closed. The auditing program would shortly commence and would prioritise high risk premises such as care homes. Delivery of the Home Fire safety programme had also been impacted, but was still provided when high risk individuals were identified from partners and referrals were welcomed. To conclude, GC Gourlay explained that new working practices were being introduced to restart community engagement and maintain contact with partners. It was hoped over the next few months the SFRS would be able to return to their normal engagement with the community.

DECISION

- (a) NOTED the reports.**
- (b) AGREED progression of the draft Local Plan.**

MEMBER

Mrs Simpson left the meeting during consideration of the above report.

6. SAFER COMMUNITIES UPDATE AND KEY ACTIVITIES

- 6.1 There had been circulated copies of the Safer Communities Performance reports for Q4 (1 April 2019 to 31 March 2020) and Q1 (1 April 2020 to 30 June 2020) The Safer Communities and Community Justice Manager, Mr Jones, advised that the office relocation to Langlee had not taken place because of Cobid-19 restrictions. With regard to the domestic abuse service, previously funded by the Big Lottery, Scottish Government and partner contributions, future reoccurring funding had been provided by SBC and restructuring of the advocates had taken place. Working practices had also been adjusted to allow services to continue during the pandemic.
- 6.2 Referring to the Q4 report, Mr Jones summarised the main points, explaining that domestic abuse incidents had risen but referrals to all domestic abuse services was lower than 2018/19. This was, in part, due to the Court Advocacy Service no longer being operational. This function was rolled up in the new arrangements. The number of domestic abuse repeat victims was being monitored given the repeat victimisation but also quality of response. Referrals are contacted within 24 hours if it came from the police or 48 hours from other sources. With regard to Cedar, the regular staff member had returned and group work would recommence in September. Anti-social behaviour incidents had decreased by 4.9%, likely as a result of mediation, CAT and the Safety Advisory Group.
- 6.3 Mr Jones then went on to discuss the Q1 report highlighting that there had been a decrease in group 1-5 crimes. Anti-social behaviour incidents had increased partly due to the number of calls relating to breaches of guidelines during lockdown. With regard to wildlife crime, discussions had taken place with East Lothian and Midlothian Council around hare coursing, the council community safety officer attends this meeting due to the cross border nature of these types of crime. With regard to the CAT he explained that locations with habitual speeding had been identified for a concentrated, consistent presence. In response to questions, Mr Jones explained that a report on CAT activity would be presented to the September/October Audit and Scrutiny Committee. The Board suggested that the report also detailed the value of the second CAT e.g. additional areas covered. Publicising the work of the CAT was also suggested. With regard to court advocates, Mr Jones explained these were bespoke posts within the domestic abuse service. CMT had agreed a budget and staff previously on temporary contracts were now employed on a permanent basis.

DECISION

NOTED the report.

MEMBER

Councillor Moffat left the meeting during consideration of the above report. .

7. DATE OF NEXT MEETING

The next meeting was scheduled to be held on Friday, 6 November 2020 at 9.30 am.

The meeting concluded at 12.50 pm

SCOTTISH BORDERS COUNCIL

SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the SELKIRK
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams Live
Event on Wednesday, 2 September 2020 at
10.00 am

Present:- Councillors G. Edgar (Chairman), C. Cochrane and E. Thornton-Nicol

In Attendance:- Treasury Business Partner (S. Halliday), Solicitor (J. Webster), Estates
Surveyor (T. Hill), Property Officer (F. Scott), Democratic Services Officer (F.
Walling).

CHAIRMAN

The Chairman opened the meeting and welcomed Members of Selkirk Common Good Fund Sub Committee and members of the public to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the Covid-19 pandemic.

1. **MINUTE**

There had been circulated copies of the Minute of 2 July 2020.

DECISION

APPROVED the Minute for signature by the Chairman.

2. **FINANCIAL MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2020**

There had been circulated copies of a report by the Executive Director Finance & Regulatory providing the details of income and expenditure for the Selkirk Common Good Fund for the three months to 30 June 2020, a full year projected out-turn for 2020/21, and projected balance sheet values as at 31 March 2021. Treasury Business Partner, Sara Halliday, highlighted the main points of the report and appendices. Appendix 1 provided the projected income and expenditure position for 2020/21. This showed a projected deficit of £44,426 for the year. Included in the outturn position were dividends from the Common Good Funds investment in Aegon Asset Management (formerly Kames Capital) amounting to £5,273, with the current projection estimated at a 2.5% return. As a result of the market value dropping due to the impact of the COVID-19, this projected 2.5% return was less than the 5% target and the monthly distribution profile projections provided by Aegon. In terms of the proposed property repair budget the report referred to a detailed record from Estates on the condition of all farms which was circulated to Members. Appendix 2 of the report, provided the balance sheet value to 31 March 2020, the projected movement in year and a projected balance as at 31 March 2021. All fixed assets of the Common Good Fund were revalued every 5 years as part of the Council's rolling programme. The fixed assets were revalued at 1 April 2019. Appendix 3 showed the values of the individual properties at 31 March 2020, projected depreciation charges 2020/21 and projected value at 31 March 2021. Ms Halliday confirmed that, following a rebranding exercise, from 7 September, Kames Capital would change its name to that of its parent company, Aegon Asset Management. This change did not affect the way in which the Fund was managed or invested. The current position of the Aegon Asset Management Investment Fund was shown in Appendix 4 to the report.

- 2.2 A question was asked about the amount of wayleave payments received for electricity poles situated on land owned by Selkirk Common Good. The Estates Surveyor, Tricia Hill, agreed to check this.

DECISION

- (a) **AGREED** the projected income and expenditure for 2020/21 in Appendix 1 as the revised budget for 2020/21
- (b) **NOTED** within the appendices to the report the:-
- (i) **projected balance sheet value as at 31 March 2021 in Appendix 2;**
 - (ii) **summary of the property portfolio in Appendix 3; and**
 - (iii) **current position of the Aegon Asset Management Investment Fund in Appendix 4.**
- (c) **NOTED** that the Estates Surveyor would check the detail of wayleave payments received for electricity poles situated on land owned by Selkirk Common Good.

3. PROPERTY

With reference to paragraph 4.1 and 4.2 of the Minute of 2 July 2020, the Property Officer, Frank Scott, gave the following update:

3.1 Green Shed

The locks had been changed on both doors and five sets of keys delivered to Council HQ where a record was being kept of who has possession of these. For any further keys to be cut, written permission would be required. Work on the roof had commenced although the speed of progress was weather dependent.

3.2 Victoria Hall

The inspection of the external condition of the building from the cherry picker had started during the current week. Mr Scott explained that any urgent work needed, in terms of health and safety consideration, would be completed by the end of the week and that the builder/roofer would come back after the inspection with a Phase 2 Plan.

3.3 Smedheugh Farm

With reference to paragraph 4.3 of the Minute of 2 July 2020, Mr Scott referred to his emails to Members which explained that, once started, the work to replace the lintel was a much larger job than anticipated. He advised that the work had been completed at a cost of just over £8k.

DECISION

NOTED

4. ITEMS LIKELY TO BE TAKEN IN PRIVATE

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

5. MINUTE

The private section of the Minute of 2 July 2020 was approved.

6. **PROPERTY**

Members considered a briefing note by the Estates Surveyor giving an update on repair and maintenance issues relating to Common Good property.

The meeting concluded at 3.30 pm

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SCOTTISH BORDERS COUNCIL DUNS COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the DUNS COMMON
GOOD FUND SUB-COMMITTEE held via
Microsoft Teams on Thursday 3 September
2020 at 5.00pm

Present:- Councillors J. Greenwell (Chairman), D. Moffat, M Rowley.

Absent:- Community Councillor A Mitchell

In Attendance:- Solicitor (F. Rankine), Pensions and Investments Manager
Democratic Services Officer (F. Henderson)

1. **MINUTE.**

There had been circulated copies of the Minute held on 31 October 2019.

DECISION

APPROVED for signature by the Chairman.

2. **FINANCIAL MONITORING FOR 12 MONTHS TO 31 MARCH 2020 AND PROPOSED BUDGET FOR FINANCIAL YEAR 2020/2021**

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of the income and expenditure for the Duns Common Good Fund for the year 2019/20 including balance sheet values at 31 March 2020 and proposed budget for 2020/21. Appendix 1 to the report provided the actual Income and Expenditure position for 2019/20 which currently showed a surplus of £654 in 2019/20, which was slightly less than the projected surplus figure due to a decrease in dividend income towards the end of the financial year. Appendix 2 to the report contained a balance sheet value to 31 March 2020 and projected a decrease in the reserves of £2,050 due to the unrealised loss on the Aegon Asset Management (formerly Kames Capital) Investment Fund. Appendix 3 to the report showed the value of the Aegon Asset Management Fund to 31 March 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions. There was discussion with regard to publicising that Grants were available through the Common Good and what The best way to achieve this was. The Sub-Committee agreed that it be discussed with the Community Council prior to taking any action.

DECISION

AGREED:-

- (a) to note the actual income and expenditure for 2019/20 in Appendix 1 to the report;
- (b) the proposed budget for 2020/21;
- (c) to note the final Balance Sheet value as at 31 March 2020, as detailed in Appendix 2 to the report; and
- (d) to note the current position of the investment in the Aegon Asset Management Investment Fund in Appendix 3 to the report

The meeting concluded at 5.10 p.m.

SCOTTISH BORDERS COUNCIL SUSTAINABLE DEVELOPMENT COMMITTEE

MINUTE of Meeting of the SUSTAINABLE
DEVELOPMENT COMMITTEE held remotely
by Microsoft Teams on Friday, 4 September
2020 at 10.00 am

Present:- Councillors S. Aitchison (Chairman), H. Anderson, G. Edgar (from para 3),
J. Greenwell, S. Haslam (from para 3), H. Laing, D. Paterson, E. Robson and
S. Scott

In Attendance:- Service Director Customer & Communities (J. Craig), Chief Planning &
Housing Officer (I. Aikman), Corporate Policy Advisor (M. Cook), Ecology
Officer (A. Tharme), Environmental Strategy Officer (L. Cox), Chief Officer
Roads (J. Hedley), Energy & Building Services Officer (J. Caldwell),
Democratic Services Officer (F. Walling).

WELCOME

Chairman, Councillor Aitchison, welcomed Members, officers and members of the public to the on-line meeting of the Sustainable Development Committee. In his introduction, he referred to the first meeting of the Committee held in January and the proposal at that meeting to take a report on the climate emergency to Council. That report had been produced but delayed due to being overtaken by events in the form of the Covid-19 outbreak. Hopefully the report would now go to Council at the end of this month. The paper had been amended slightly in reflection of the emergency response to the pandemic and Councillor Aitchison referred to the question “was Covid-19 a dress rehearsal for the climate emergency?” He explained that the purpose of this meeting was to catch-up and to gather information. He welcomed the guest speakers to the meeting and strongly recommended that Members accessed all the supporting papers referred to in the presentations via the links provided in the agenda (also included in the text below).

1. **MINUTE**

There had been circulated copies of the Minute of the meeting of 31 January 2020.

DECISION

APPROVED for signature by the Chairman.

MEMBERS

Councillors Edgar and Haslam joined the meeting during the discussion below.

2. **BIODIVERSITY**

- 2.1 The Chairman introduced Charles Dundas, Chief Executive of Borders Forest Trust (BFT) and Chair of Scottish Environment LINK. Mr Dundas was in attendance to give a presentation, accompanied by slides, entitled “The Climate and Biodiversity Crises – globally and at home”. He explained that, in 2019, the UN established Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) released a global assessment of humanity’s relationship with nature. This was written by more than 500 experts from over 100 countries. It concluded that such was the rate of decline that the risks posed by biodiversity loss should be considered on the same scale as those of climate change. This alarming trend endangered economies, livelihoods, food security and the quality of life of people everywhere. It was estimated that we were losing around 135 plant, animal

and insect species every day. The seven principle drivers of loss were identified as: the changing use of the land and sea; over-exploitation of species; climate change; pollution; invasive non-native species; and indirect effects arising from people's disconnect with nature; and a lack of value and importance placed on nature. Mr Dundas explained that, on a more local level, Scottish Environment LINK was the forum for Scotland's voluntary environment community, with over 35 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society. LINK and SNH's the State of Nature Scotland report 2019 revealed that, since recording began, 49% of Scottish species had decreased whilst 28% had increased. The presentation went on to look at historical losses incurred within Scotland, relating to changes in land use within the 20th century. Between the 1940s and 1980s the area of broadleaved and mixed woodland fell by 23% and 37% respectively and native Caledonian pine forests now covered less than 90,000 hectares – just over 6% of the original area. The current situation, in terms of woodland, was that just 22% of the total woodland area in Scotland was native, the rest was non-native. In the Scottish Borders just 7% of the total woodland area was native, which represented 1.4% of the total land area of the Scottish Borders. Mr Dundas concluded his presentation by showing slides of areas of the borders where work was being carried out to plant native woodland. BFT owned over 3000ha of land in the border area and to date 738ha of that land had been planted with native woodland and over 1000ha planted on privately owned land. With most of the work being carried out by volunteers, BFT worked alongside landowners and other organisations in the borders to restore and protect natural habitats.

- 2.2 Members welcomed the presentation and discussed the challenges raised, with Mr Dundas answering questions on particular points. Members expressed concern about the south of Scotland's wooded area being dominated by non-native species and an apparent national policy for the planting of large areas of commercial woodland in this area. Mr Dundas referred to the need for an alternative vision to present to landowners and to Scottish Government to look at longer term rewards by supporting the planting of commercial broad-leaved trees. He emphasised the importance of strategic land use planning and that an agreed Land Use Strategy should be at the top of the land use planning structure overriding the Local Development Plan, Forestry and Agriculture. Mr Aikman confirmed that regional land use planning was on the agenda for discussion with partners, including with the new South of Scotland Enterprise agency, Dumfries and Galloway Council and as part of the Borderlands initiative. It was anticipated that a regional land use strategy would follow. Discussions included looking at a pilot programme with Scottish Forestry to develop more effective ways of producing woodland which could be formulated into a Supplementary Planning Guidance (SPG) which could perhaps be used as a grant funding base. The Chairman thanked Mr Dundas for his presentation.

Supporting Documents:

1. IPBES report <https://ipbes.net/global-assessment>
2. State of Nature Scotland <https://www.nature.scot/state-nature-scotland-report-2019>
3. ScotLink: Nature on Red Alert <https://www.scotlink.org/publication/scotlands-nature-on-red-alert-climate-change-impacts-on-biodiversity/>

DECISION

NOTED the presentation

3. CLIMATE CHANGE: A JUST TRANSITION

- 3.1 The Chairman introduced Kate Rowell, who in addition to being a Just Transition Commissioner, was Chair of Quality Meat Scotland, a livestock farmer in the Scottish Borders and qualified vet. She was also on the South of Scotland Enterprise agency Board. The Just Transition Commission was established by Scottish Ministers in January 2019 to advise on how just transition principles could be applied to climate change action in Scotland. As an explanation Ms Rowell referred to the quote: "The imperative of a just transition is that Governments design policies in a way that ensures the benefits of climate

change action are shared widely, while the costs do not unfairly burden those less able to pay, or whose livelihoods are directly or indirectly at risk as the economy shifts and changes". Just Transition was an internationally recognised movement but Scotland was first to look at the principles on a whole country basis and, with climate change as a focus, to also use opportunities presented to adjust existing inequalities. The Commission was made up of academics, environmentalists and representatives from organisations including Trade Unions, agriculture, industry including oil and gas and representing youth groups - the 2050 Climate Group. The Commission had also been asked by the Cabinet Secretary for advice on a green recovery from the Covid-19 outbreak. To gather information and with the realisation that it would be useful to meet groups on an informal basis, meetings had been held in different locations within Scotland, focusing on different groups and sectors; for example a meeting was held in Melrose focusing on land use and agriculture. The Commission's interim report, summarising emerging themes, initial recommendations and plans for the year ahead, was published in February 2020 (see link below to the interim report). During the summer in a 'Call for Evidence', the Commission invited written submissions to inform the development of final recommendations. The submission from Scottish Borders Council had been circulated with the agenda.

- 3.2 Ms Rowell referred to three main themes, described within the interim report:
- Planning ahead – the need for clear transition plans to be developed. Ms Rowell emphasised the importance of a strategic vision and transition plans for each sector to provide certainty and empowerment to encourage buy-in from all stakeholders.
 - Engagement - the need for on-going and proactive dialogue with all areas of society as the behaviour of everyone would need to change to meet Scotland's climate change ambition.
 - Equity – action to tackle climate change had the potential to create both winners and losers – this transition must be fair. An example was the potential inequality faced in rural communities and the importance of paying attention to connectivity when changing transport systems, where networks in rural areas may be less resilient.

- 3.3 In the ensuing discussion Members expressed their keen support for the principles behind the Just Transition movement and asked Ms Rowell for more information about particular issues. With regard to help that could be given to farmers for transition Ms Rowell emphasised that farmers were part of the solution to climate change and not the problem. She gave the example of Rumbleton Rigg Farm in the Scottish Borders where it was being demonstrated that there were lots of small changes in practice that could be put in place to make a difference and bring about improvements in the environment whilst maintaining production. In response to a question about the cost of conversion to low carbon heating systems in houses Ms Rowell advised the scale and cost of transition of heating throughout Scotland had not yet been identified. In terms of carbon efficiency there may be more inequalities in rural areas and it may be prudent for houses not on the gas network to be converted first. Members discussed the use of money routinely provided by companies involved in commercial renewable developments for the benefit of the local community. Rather than this being used to fund individual projects it was suggested that it could be used strategically and in a more constructive way, within the area of the development, for example to pay for house insulation. In a conclusion of the discussion Mr Aikman confirmed that many of the points raised by the presentation aligned with work being developed by officers and the report being put forward to Council. The next steps, once the report had been considered, would be to establish baseline indicators, formulate an action plan and set targets and ambitions. The Chairman thanked Ms Rowell for her presentation.

Supporting documents:

1. Just Transition Commission Interim Report, February 2020
<https://www.gov.scot/publications/transition-commission-interim-report/>
2. SBC Response to the Just Transition Commission Interim Report (copy attached)

3. Just Transition Commission Advice for a Green Recovery, July 2020
<http://www.gov.scot/publications/transition-commission-advice-green-recovery/>
4. Report of the Advisory Group on Economic Recovery
<https://www.gov.scot/publications/towards-robust-resilient-wellbeing-economy-scotland-report-advisory-group-economic-recovery/>
5. Infrastructure Commission: Key Findings Exec Summary (Jan 2020)
https://infrastructurecommission.scot/storage/278/Phase1_ExecutiveSummary.pdf
6. CERG – Climate Emergency Report (Aug 2019)
<https://www.changeworks.org.uk/sites/default/files/Climate-Emergency-Statement.pdf>
7. CERG – 8 policy Packages for a Green Recover (July 2020)
https://www.changeworks.org.uk/sites/default/files/CERG_Green%20Recovery_Final%20report_July2020_0.pdf

DECISION
NOTED the presentation

The meeting concluded at 12.35 pm

SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of Meeting of the PLANNING AND
BUILDING STANDARDS COMMITTEE held
by Microsoft Teams on Monday, 7
September 2020 at 10.00 am

Present:- Councillors S Mountford (Chairman), A. Anderson, J. Fullarton, S. Hamilton, H. Laing, C. Ramage, N. Richards .

Apologies:- Councillor E. Small.

In Attendance:- Chief Planning Officer, Planning & Development Standards Manager, Lead Roads Planning Officer, Chief Legal Officer (N, McKinlay), Democratic Services Officers (F. Henderson and F. Walling).

1.0 DECLARATIONS OF INTEREST

Councillors J Fullarton and H. Laing declared an interest in Application 20/00523/FUL in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion.

2.0 APPOINTMENT OF VICE CHAIRMAN

With reference to paragraph 2 of the Minute of 26 June 2017, The Chairman proposed and it was unanimously agreed that Councillor Helen Laing be appointed to serve as the only Vice Chairman of the Committee. The Chairman thanked Councillors Aitchison, Anderson and Hamilton for undertaking Vice Chairmen duties in the past.

AGREED that Councillor H Laing be appointed to serve Vice Chairman of the Planning and Building Standards Committee.

3.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 3 August 2020.

DECISION

APPROVED for signature by the Chairman.

ADJOURNMENT

The meeting adjourned at 1.30 p.m. and reconvened at 2 p.m.

4.0 APPLICATIONS

There had been circulated copies of a report by the Chief Planning and Housing Officer on an applications for planning permission requiring consideration by the Committee.

DECISION

DEALT with the applications as detailed in Appendix I to this Minute.

5.0 INDICATIVE REGIONAL SPATIAL STRATEGIES FOR SOUTH OF SCOTLAND AND SOUTH EAST SCOTLAND

The Chief Planning Officer was present at the meeting and gave a presentation on the two Indicative Regional Spatial Strategies (IRSS) that had been prepared to inform the development of the National Planning Framework (NPF). He explained that the Scottish

Borders Council was in the unique position of being involved in the preparation of two such strategies. The IRSS for the South of Scotland had been prepared jointly with Dumfries and Galloway Council and the IRSS for the South East Scotland in association with the five other SESplan authorities (City of Edinburgh, West Lothian, East Lothian, Midlothian and Fife Councils).

6.1 It was explained that the formal duty to prepare Regional Spatial Strategies had not yet been enacted but that Scottish Government had asked that indicative or interim strategies be prepared to inform the NPF. Regional Spatial Strategies are long term spatial strategies which identify:

- the need for strategic development
- the outcomes to which strategic development will contribute
- priorities for the delivery of strategic development
- proposed locations, shown in the form of a map or diagram

6.2 What had been prepared in both instances are 'light touch' but overarching documents that reflect existing projects, programmes and strategies such as SESplan, Scottish Borders Local Development Plan, the Borderlands Inclusive Growth Deal and the Edinburgh and South East Scotland City Region Deal. The IRSS was not promoting any new policies or projects but it was the opportunity to bring together existing strategic planning issues, economic development strategy and connectivity projects and give an indication of where we would want to see our region in 2050.

The South of Scotland IRSS focusses on the following themes:

- **Climate** - What development will we need to address climate change?
- **People** - How can planning support our quality of life, health and wellbeing in the future?
- **Economy** - What does planning need to do to enable an economy that benefits everyone?
- **Place** - How can planning improve and strengthen the special character of our places?
- **Connectivity** - What infrastructure do we need to plan to realise our long term aspirations?

The South East of Scotland IRSS builds on the strategy set out in SESplan and takes into account the emerging City Deal Regional Growth Framework and focusses on:

- **Regional Recovery and Renewal** - Tackling inequality, environmental improvement, economic renewal
- **Adaptable, a more resilient region** - Tackling climate change, building design and conservation
- **Accessible Region** - Tackling connectivity, infrastructure delivery, sustainable housing sites

6.3 Mr Aikman confirmed that both documents would be presented to Council on 25th September 2020 for ratification and that the South East of Scotland IRSS would also be considered by the SESplan Joint Committee on 21 September 2020.

**DECISION
NOTED.**

7.0 **APPEALS AND REVIEWS**

There had been circulated copies of a briefing note by the Chief Planning Officer on Appeals to the Scottish Ministers and Local Reviews.

DECISION

NOTED that:-

- (a) there had been received an Appeal in respect of:-
- (i) **Erection of 52 holiday lodges with office, reception/shop and formation of associated roads and parking on Land North West of Willowdean House, Foulden – 20/00067/FUL**
- (b) there remained 2 appeals outstanding in respect of :-
- (i) **Land North of Carcant Lodge, Wull Muir Wind Farm, Heriot;**
 - (ii) **Land West of 1 Linthaugh Farm Cottage, Jedburgh**
- (c) Review requests had been received in respect of:-
- (i) **Erection of 15 No huts with associated access and car parking on Land East of Wester Deans, West Linton- 19/01256/FUL;**
 - (ii) **Siting of 3 No glamping pods and associated works on Land South West of Stouslie Farmhouse, Hawick – 20/00343/FUL;**
 - (iii) **Erection of dwellinghouse with detached garage on Land North West of Strathmyre, Old Belses, Jedburgh – 20/00486/FUL**
- (b) the decision of the Appointed Officer had been overturned in respect of:-
- (i) **part change of use from garage/storage and alterations to form workshop and storage for joinery business at Buccleuch Hotel, Trinity Street, Hawick – 19/01784/FUL, subject to conditions;**
 - (ii) **Erection of treehouse and walkway for use as holiday let accommodation and associated works on Land South West of Sandystones Farmhouse, Ancrum, Jedburgh - 20/00132/PPP, subject to conditions and Notification to Scottish Ministers);**
- (c) there remained two reviews previously reported on which decisions were still awaited when the report was prepared on 17 July 2020.

<ul style="list-style-type: none">• Garden Ground of 7 Heriot House, Heriot
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<ul style="list-style-type: none">• Garden Ground of Clifton Cottage, High Street, Kirk Yetholm
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The meeting concluded at 4.10 p.m.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00523/FUL	Erection of mixed use building comprising of office (Class 4) and storage (Class 6) and associated development including servicing, parking, re-profiling of existing shelter mound and demolition of adjacent harbour	Land North West of Fishmarket, Gunsgreen Quay Eyemouth

Decision: Approved, subject to the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. No development shall commence until a scheme of details for the rerouting of the dive site access road has first been submitted to and agreed in writing by the Planning Authority. The scheme of details shall include plans and drawings of the rerouting and a timetable for delivery that ensures vehicular access is provided during the construction and operational stages of the development hereby approved. Thereafter, the rerouting of the dive site access road shall be delivered in strict accordance with the scheme of details, unless otherwise agreed in writing by the Planning Authority.
Reason: So that vehicular access to the dive site is maintained during the construction and operational stages of the development hereby approved.
3. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition; and thereafter
- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).

- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

4. No demolition works shall take place to Smeaton's Wall until the applicant has secured the implementation of a programme of archaeological works (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been formulated by, or on behalf of, the applicant and submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons nominated by the developer and agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report.

Reason: To preserve by record a wall of historical interest.

5. Prior to any works to the existing screening mound, the precise details of any alterations to this mound shall first be submitted to and agreed in writing by the Planning Authority. The details shall include proposals any seeding/ planting details and a timetable for delivery, completion and ongoing maintenance. Thereafter, the development shall be carried out wholly in accordance with the approved details.

Reason: To secure control over the precise details of any alterations required to the existing screening mound, in the interests of landscape and visual interest.

6. Prior to the construction of the building hereby approved, precise details of the following items shall be submitted to and approved in writing by the Planning Authority:

- All external materials, colours and finishes including those of walls, roofs and windows (including details of glass colour/ tint and specification);
- West elevation mullion design;
- PV panels, including the colour of the frames, and details of any associated equipment;
- Antennae and any other rooftop plant or equipment;
- Guttering and rainwater goods;
- Surface materials (including details of Smeaton's Wall line reinstatement in paving stone);
- Fencing, gates, walls and edge protection, including car park screening;
- Crane;
- External lighting of the site; and
- Substation details.

Thereafter, the development hereby approved shall be carried out wholly in accordance with details that have first been agreed in writing by the Planning Authority.

Reason: To secure control over detailed design considerations and ensure a satisfactory form of development that contributes appropriately to its setting.

7. Prior to commencement of development, a Species Protection Plan (SPP) for otter, badger and breeding birds shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved SPP.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.
8. Prior to commencement of development, a Construction Environmental Management Plan incorporating the latest good practice guidelines and statutory advice (as outlined in *Nearr Na Gaoithe Operations & Maintenance Facility Outline Construction Environmental Management Plan, ITP Energised, 15/05/2020*) to protect the Berwickshire & North Northumberland Coastal SAC shall be submitted to and approved in writing by the Planning Authority. Any works shall thereafter be carried out strictly in accordance with a scheme that has first been approved in writing by the Planning Authority.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.
9. Prior to construction of the building hereby approved a Biodiversity Enhancement Plan shall be submitted to and approved in writing in writing by the Planning Authority. Any works shall thereafter be carried out strictly in accordance with the approved scheme.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.
10. Prior to construction of the building hereby approved, precise details of surface water drainage, and written evidence on behalf of Scottish Water that mains water and foul drainage connections shall be made available to serve the development, shall be provided for the written agreement of the Planning Authority. Thereafter, the agreed servicing and surface water drainage arrangements shall be made operational prior to occupancy of the development, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure the development is adequately serviced.
11. Prior to the development hereby approved becoming operational, the car parking arrangements shown on the approved site plan Reference 100 P-02 shall be formed and thereafter so retained, in perpetuity, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure adequate parking is provided prior to the development becoming operational.
12. Prior to the development hereby approved becoming operational, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland. The Travel Plan shall identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan.
Reason: To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.
13. Prior to the development hereby approved becoming operational, details of siting and design of the proposed cycle storage facilities, including details of implementation and completion, shall be submitted to and agreed in writing by the Planning Authority. The facilities shall be implemented in accordance with the agreed scheme of details and shall be retained in perpetuity thereafter, unless otherwise agreed in writing by the Planning Authority.

Reason: To control the detail of the proposed cycle storage facilities, and to ensure they are delivered as part of the development.

Information for the applicant

1. It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.
2. Flood Risk Officer Advice: adoption of water resilient materials and construction methods are strongly recommended.
3. SEPA Advice: The storage of fuel should comply with CAR General Binding Rule 28 to minimise pollution risk. We refer the applicant to pollution guidelines at: <https://www.netregs.org.uk/media/1475/gpp-2-pdf-jan-2018.pdf>. The car parking area should be designed to comply with GBR10. If the existing screen mound is contaminated and reused appropriately as part of the planning permission on site there are no waste implications. If the soils are contaminated or soils are needing to be discarded for any reason then they will be classed as waste. Therefore, there will be waste management licencing implications and SEPA's local regulatory team should be consulted. Details of regulatory requirements and good practice can be found on the SEPA website or contact a member of the regulatory services team at: ELB@sepa.org.uk

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00413/FUL	Construction of earthen bank slurry lagoon	Legars Farm, Hume

Decision: Approved subject to the following conditions and informative, as follows:-

1. No development shall commence until precise details of the colour(s) (to include BS or RAL numbers) for the fence and gates to be erected has first been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved details.
Reason: In the interests of the visual amenities of the area.
2. No development shall take place except in strict accordance with a scheme of tree and shrub planting on the areas immediately surrounding the proposed slurry lagoon, which shall first have been submitted to and approved in writing by the Local Planning Authority, and shall include:
 - i. location of new trees, shrubs, hedges and grassed areas
 - ii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iii. programme for completion and subsequent maintenance
 - iv. specific provision on the north-eastern side for dense planting to assist in the potential for limiting smell nuisance and visibility in that direction
Reason: To enable the effective assimilation of the development into its wider surroundings and to assist in limiting impacts on residential properties.

Informative:

The grant of planning permission does not alter the need for the applicant (or any operator) to comply with any other regulations or guidance pertaining to the use and operation of the development hereby approved, including in relation to any requirements associated with environmental pollution or nuisance.

NOTE

1. Mrs Elaine Scott-Mitchell, Neighbour spoke against the application and David Mair, Agri Design spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00378/PPP	Erection of dwellinghouse	Land North East of Burnside Lower Green West Linton

Decision: Refused, against Officer recommendation, for the following reasons:-

1. The proposed development represents an overdevelopment of a small site, giving rise to a cramped form of development, out of character with the surrounding Conservation Area and resulting in unacceptable impacts upon neighbouring residential properties, contrary to Policies PMD2, PMD5, EP9 and HD3 of the Scottish Borders Local Development Plan 2016.
2. The submitted application has not adequately demonstrated that safe access and satisfactory off-street parking provision can be achieved and therefore it is considered that vehicle movements associated with the development would give rise to road safety concerns, including interference with the free passage of vehicles and pedestrians using Back Road, contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016.
3. Insufficient evidence has been submitted to demonstrate that the proposed development can achieve an appropriate level of scale, massing, design and appearance that would be necessary to preserve and enhance the character of the West Linton Conservation Area at this location and therefore the application is contrary to the requirements of Policies EP9 and PMD2 of the Scottish Borders Local Development Plan 2016.

NOTE

1. Councillor Heather Anderson spoke against the application
2. Mr Ian Reid, West Linton Board of Trustees, Mrs Glenda Barton, Resident and Mr Graham Tulloch, Chairman of West Linton Community Council spoke against the application.

VOTE

Councillor Fullarton, seconded by Councillor Mountford moved that the application be approved as per the Officer recommendation.

Councillor Richards, seconded by Councillor Laing moved as an amendment, that the application be refused on the grounds that the development was contrary to Policies PMD2, PMD5, EP9 and HD3 of the Scottish Borders Local Development Plan 2016.

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion – 2 votes

Amendment – 5 votes

The amendment was accordingly carried.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00331/FUL	Demolition of existing building and erection of 14 No residential apartments and associated parking	Main Building West Grove Waverley Road Melrose

Decision: Continued to seek revisions to enable an increase in on-site parking provision.

NOTE

Gavin Yuill, Camerons spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
19/01138/FUL	Erection of 4 No dwellinghouses	The Orchard Back Road Newstead

Decision: Approved subject to a legal agreement addressing contribution towards education, affordable housing and the Borders railway and the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured a Written Scheme of Investigation (WSI) detailing a programme of archaeological works. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA). The WSI shall be submitted by the developer no later than 1 month prior to the start of development works and approved by the Planning Authority before the commencement of any development. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results are undertaken per the WSI.
Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
3. A sample of all materials/colour finishes to be used on all exterior surfaces of the development hereby approved (walls, roofs, windows, doors) shall be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved samples.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting and to the character of the Conservation Area.
4. The existing boundary walls (shown on the drawings hereby approved) shall be retained and repaired as necessary (with the exception of the section of wall required to be removed for the vehicular access or lowered to achieve the junction visibility splays) in accordance with a scheme of works that shall first be submitted to and approved in writing by the Planning Authority before the development commences. The repairs shall be completed before the first dwellinghouse hereby approved is occupied.
Reason: To secure the retention and repair of the historic wall, which contributes to the character of the Conservation Area.
5. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Local Planning Authority, and shall include (as appropriate):
 - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration

- ii. location of new trees, shrubs, hedges and grassed areas
- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iv. programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

6. Details of the surfacing materials for the vehicular access, internal access road, visitor parking spaces and driveways/parking spaces shall be submitted to and approved in writing by the Planning Authority before the development commences. The development shall then be completed in accordance with the approved details.

Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting and to the character of the Conservation Area.

7. Two parking spaces shall be provided within the curtilage of each dwellinghouse prior to the occupation of the dwellinghouse and then retained thereafter in perpetuity. The visitor parking spaces shall be provided before the first dwellinghouse is occupied.

Reason: To ensure the development is served by satisfactory on-site parking, in the interests of road safety.

8. No drainage system other than the public mains sewer shall be used to service the dwellinghouses hereby approved without the written consent of the Planning Authority. Prior to occupation of the dwellinghouses, written evidence shall be submitted to and approved in writing by the Planning Authority that the dwellinghouses have been connected to the public water drainage network.

Reason: To ensure that the development does not have a detrimental effect on public health.

9. No development shall commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the dwellinghouses, written confirmation shall be submitted to and approved in writing by the Planning Authority that the development has been connected to the public mains water supply. No water supply other than the public mains shall be used to supply the development without the written agreement of the Planning Authority.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

10. Details of all surface water drainage shall be submitted to and approved in writing by the Planning Authority before the development commences. The surface water drainage arrangements shall follow sustainable urban drainage techniques and shall ensure that pre-development Greenfield run-off rates are not increased. The surface water drainage shall then be installed as approved before the dwellinghouses are occupied.

Reason: To ensure that the development is adequately serviced, does not increase run-off rates and does not have a detrimental effect on public health.

11. The site shall be cleared of vegetation outwith the bird breeding season (March to September) unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall first be submitted to and approved in writing by the Planning Authority.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

12. Details of the proposed culvert shall be submitted to and approved in writing by the Planning Authority before the development commences. The development shall then be completed in accordance with the approved details/drawings.

Reason: Further information is required to ensure a satisfactory form of development.

13. Notwithstanding the details indicated on the approved drawings, the finished floor levels of the building(s) hereby permitted shall be consistent with those indicated on a scheme of details which shall first have been submitted to and approved in writing by the Local Planning Authority. Such details shall indicate the existing and proposed levels throughout the application site in relation to Ordnance Datum and shall indicate the position of burn and culvert running through the site and show the cross-sections described in Table 9 of the FRA.

Reason: To ensure that any risk to the proposed development from flood risk is minimised.

Informatives

1. With respect to Condition 4, no repair works to the boundary wall enclosing the site to the north-west are to take place until the cavities have been inspected by a licenced bat worker.

The applicant is advised that, under the Conservation Regulations (Natural Habitats & c.) 1994 (as amended) it is an offence to deliberately or recklessly damage or destroy a breeding site or resting place of bats (whether or not deliberately or recklessly), capture, injure or kill a bat, harass a bat or group of bats, disturb a bat in a roost (any structure or place it uses for shelter or protection), disturb a bat while it is rearing or otherwise caring for its young, obstruct access to a bat roost or otherwise deny an animal use of a roost, disturb a bat in a manner or in circumstances likely to significantly affect the local distribution or abundance of the species, disturb a bat in a manner or in circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact Scottish Natural Heritage (tel: 01896-756652 or 01463 725 364) for further guidance. Works can only recommence by following any guidance given by SNH. The developer and all contractors to be made aware of accepted standard procedures of working with bats at www.bats.org.uk. Further information and articles available at:

http://www.bats.org.uk/pages/bats_and_buildings.html

http://www.bats.org.uk/pages/existing_buildings.html

<https://cdn.bats.org.uk/pdf/Bats-Trees.pdf?mtime=20181101151317>

All wild birds are afforded protection and it is an offence to deliberately or recklessly kill, injure and destroy nests and eggs of wild birds. Additionally for those species protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any bird whilst it is nest-building or at or near a nest containing eggs or young, or to disturb any of its dependent young.

2. The Council's Heritage and Design Officer advises that there are references to historic sundials in Newstead; should these or other historic elements remain, or be found during the course of the works, the Planning Authority should be notified to agree the best way forward.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
19/00819/FUL	Erection of dwellinghouse & installation of opaque panels to windows in Clinic building The Orchard	Garages South of Clinic and Clinic, Greenside Park St Boswells
19/853/CON	Demolition of 3 Garages	

DECISION: 19/00819/FUL - Approved subject to a legal agreement addressing development contributions towards education and the Borders railway and the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. The development hereby approved shall only be carried out in strict accordance with details of the materials to be used on the external walls, roofs, window frames and doors of the proposed dwellinghouse, which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting and safeguards the character and appearance of the Conservation Area.
3. The garden area to the front of the dwellinghouse hereby approved is to be enclosed by a hedge, as shown on Drawing Number 9366.1.02 Rev B (not a fence or wall or other means of enclosure). Details of the proposed hedge (species, plant sizes and proposed numbers/density) and a programme for completion and subsequent maintenance to be submitted to and approved in writing by the Planning Authority before the development commences.
Reason: To enhance the setting of the development and safeguard the character and appearance of the Conservation Area.
4. All planting, seeding or turfing comprised in the approved details of landscaping (lawn and hedge) shall be carried out in the first planting season following the occupation of the dwellinghouse or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.
Reason: To ensure that the proposed landscaping is carried out as approved.
1. The developer shall give notice to the Planning Authority once the approved landscaping works have been completed.
Reason: To allow the Planning authority to inspect the works, in order to ensure that the works have been carried out as approved.
2. Details of how the pedestrian access strip (shown as No. 8 on Drawing Number 9366.1.02 Rev B) is to be demarcated and details of the materials for the paved area (shown as No. 10 on Drawing Number 9366.1.02 Rev B) to be submitted to and approved in writing by the Planning Authority before the development commences. The pedestrian access strip and paved area shall be completed in accordance with the approved details before the dwellinghouse is occupied.
Reason: To ensure safe pedestrian access is provided within the site.
3. The two parking spaces shown on Drawing Number 9366.1.02 Rev B to be completed and made available for use prior to the occupation of the dwellinghouse hereby approved and be retained thereafter in perpetuity.
Reason: To ensure that the development hereby approved does not have a detrimental impact on the parking available within the vicinity of the site, in the interests of road safety.
4. Engineering details for the new sections of tarmac footway (including dropped kerbs for pedestrians coming off the end of the footway) in Greenside Park are to be submitted to and approved in writing by the Planning Authority before the development commences. The sections of footway are then to be constructed in accordance with the approved details prior to the occupation of the dwellinghouse.
Reason: To ensure the footway is fit for pedestrian use.

5. Any damage to the footway in Greenside Park caused by the development hereby approved must be repaired prior to the occupation of the dwellinghouse, in accordance with a scheme of details which shall first be submitted to and approved in writing by the Planning Authority.
Reason: To ensure the integrity of the adjacent footway is not compromised.
6. No water supply other than the public mains water supply shall be used to supply the development without the written agreement of the Planning Authority.
Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.
7. No drainage system other than the public mains sewer shall be used to service the property without the written consent of the Planning Authority.
Reason: To ensure that the development does not have a detrimental effect on public health.
8. Access to the remaining garage and to the rear of the adjoining houses (former police houses) shall not be obstructed during the demolition of the garages or the construction of the dwellinghouse hereby approved.
Reason: To maintain existing rights of way.

Informatives

1. In respect of condition 6, the paved area (10) on the plan may be better suited if it was raised, rather than level with the surrounding area and be continued to meet the existing footway on Greenside Park. This would provide a safe access for pedestrians to and from the dwelling.
2. In respect of condition 8, all works within the road (including footway) must be carried out by a contractor first approved by the Council.

19/00853/CON: Approved subject the following conditions:

1. The development hereby permitted shall be carried out within three years of the date of this consent.
Reason: To comply with the provision of Section 66 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.
2. Any damage to the adjacent public footway caused by the demolition hereby approved must be repaired (in accordance with a scheme of details first submitted to and approved in writing by the Planning Authority) within 2 months of completion of the demolition, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the integrity of the adjacent public footway is not compromised.
3. A scheme of works to protect the remaining garage during the demolition of the three garages and once the garages have been demolished (and before works commence on the dwellinghouse) shall be submitted to and approved in writing by the Planning Authority before the demolition commences. The scheme of works shall be implemented during and after demolition.
Reason: To ensure the existing garage is protected and left in a wind and water tight condition prior to the erection of the dwellinghouse.

Informative

1. All works within the road (including footway) must be carried out by a contractor first approved by the Council.

NOTE

1. Mr Denis Rodwell, Neighbour spoke against the application
2. Neil Mochrie, Agent spoke in support of the application

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00611/FUL	Variation of Condition 2 of planning consent 19/00945/FUL to allow car parking on approved site to comply with Covid 19 social distancing guidelines.	St Boswells Garage Border Toyota St Boswells

DECISION: Approved, subject to the following conditions as follows:

1. The site hereby approved shall at all times be used in connection with, and ancillary to, the existing use of the premises as a garage and car showroom.
Reason: The Planning Authority does not consider the establishment of a separate planning unit to be appropriate in this edge of settlement location, to retain effective control of the site and to protect visual and residential amenity.
2. The existing hedge on the north east boundary of the site with the A68 trunk road as well as the existing trees within the site shall be retained unless otherwise agreed in writing by the Planning Authority.
Reason: To safeguard the visual amenities of the area.
3. This consent specifically excludes any type of lighting for the demonstration/training area, charging points, staff parking and car storage areas shown on approved drawing 191565/02 dated May 2020.
Reason: To safeguard the visual and residential amenities of the area.
4. No development shall take place except in strict accordance with a scheme of details indicating a physical buffer area, toward the south-eastern boundary with Hawthorn Lodge, which shall include measures to prevent vehicle movements within the agreed area and screen planting close to the boundary with the adjacent residential property.
Reason: To minimise any potential impacts of the development on the neighbouring residential property

NOTE

1. Mr Andrew Dow, Neighbour spoke against the application
2. Mr Archie MacLean, Applicant spoke in support of the application

SCOTTISH BORDERS COUNCIL GALASHIELS COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the GALASHIELS
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Thursday 10 September 2020 at 10.00 am.

Present:- Councillors S. Aitchison (Chairman), A. Anderson, E. Jardine, H. Scott and
R. Kenney

In Attendance:- Pension & Investment Manager, Principal Solicitor (H. Macleod), Estates
Surveyor (J. Stewart), Democratic Services Officer (F. Walling).

1. **MINUTE.**

There had been circulated copies of the Minute of 20 June 2019.

DECISION

APPROVED the Minute for signature by the Chairman.

2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2020 AND PROPOSED
BUDGET FOR 2020/21**

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of income and expenditure for the year 2019/20 including balance sheet values as at 31 March 2020 and proposed budget for 2020/21. The Pension & Investment Manager, Kirsty Robb, highlighted the main points of the report and appendices. Appendix 1 to the report provided actual income and expenditure for 2019/20. This showed a surplus of £5,161 for the year which was slightly better than the surplus figure reported at the 20 June 2019 meeting, as a result of a drop in investment income being offset by an underspend in Grants & Donations. Appendix 2 provided an actual balance sheet as at 31 March 2020. It showed an increase in the reserves of £144,133, due to the revaluation of properties offset slightly by unrealised loss on the Aegon Asset Management Fund (formerly Kames Capital Fund). A breakdown of the property portfolio showing the effect of the revaluation was shown in Appendix 3 and the value of the Aegon Asset Management Fund to 31 March 2020 was detailed in Appendix 4. Ms Robb explained that from following a rebranding exercise, from 7 September, Kames Capital changed its name to that of its parent company, Aegon Asset Management. This change did not affect the way in which the fund was managed or invested. The fund had a 15.16% unrealised loss in market value since investment, largely due to continued volatility in investment markets. Overall, however taking account of the income received the fund had achieved a return of -5.98% since investment in February 2018. As a result of the COVID-19 global markets across most asset classes have seen a drop, resulting in an overall negative return for 2019/20. Markets have however seen a bounce back during April, May and June which had resulted in some of the unrealised loss being negated. In response to a question Ms Robb explained that the amount put in the 2020/21 budget for grants and donations of £500 was an average taken from the last 3 years. However, Members could spend more if they wished. The projected cash balance was projected to be just over £11k at 31 March 2021.

DECISION

- (a) **NOTED within the appendices to the report:-**
- (i) **the actual income and expenditure for 2019/20 in Appendix 1;**
 - (ii) **the final balance sheet value as at 31 March 2020 in Appendix 2**
 - (iii) **the summary of the property portfolio in Appendix 3; and**
 - (iv) **the current position of the investment in the Aegon Asset Management Fund in Appendix 4.**
- (b) **AGREED the proposed budget for 2020/21 as shown in Appendix 1 to the report.**

3. **MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2020**

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of income and expenditure for the three months to 30 June 2020, a full year projected out-turn for 2020/21 and projected balance sheet values as at 31 March 2021. Ms Robb summarised the main points of the report and appendices. Appendix 1 to the report provided the projected income and expenditure position for 202/21 showing a projected surplus of £1,277 for the year. A projected balance sheet as at 31 March 2021 was provided in Appendix 2, showing a projected decrease in the reserves of £53,032. Appendix 3 provided a breakdown of the property portfolio. All fixed assets of the Common Good Fund were revalued every 5 years as part of the Council's rolling programme. The fixed assets were revalued at 1 April 2019. Appendix 3 showed the values of the individual properties at 31 March 2020, projected depreciation charges for 2020/21 and projected value at 31 March 2021. There had been no property expenditure in the three months to 30 June 2020. Appendix 4 to the report showed the value of the Aegon Asset Management investment Fund to 30 June 2020.

DECISION

NOTED within the appendices to the report:-

- (a) **the projected income and expenditure for 2020/21 in Appendix 1;**
 - (b) **the projected balance sheet value as at 31 March 2021 in Appendix 2**
 - (c) **the summary of the property portfolio in Appendix 3; and**
 - (d) **the current position of the investment in the Aegon Asset Management Fund in Appendix 4.**
4. **PROVISION OF CHARGING POINTS FOR ELECTRIC CARS IN GALASHIELS.**
- Members had asked for the provision of charging points to be on the agenda for discussion, in order to obtain more information about any plans for roll-out and to provide support to any proposals for Galashiels. Estates Surveyor, Josephine Stewart, explained that Scottish Government was responsible for roll-out of electric charging points through the Chargeplace Scotland network. The provision of charging points was not seen as a cash generating project. In order to obtain more information Members welcomed Ms Stewart's suggestion that they meet with the relevant Scottish Borders Council officer who was in liaison with Scottish Government about the roll-out in this area. It was noted that this meeting would be with the Councillors in their capacity as Members of the Galashiels Ward. The Common Good would be involved only if a charging point was installed on Common Good property or if a contribution was made from the Common Good Fund towards an installation.

**DECISION
NOTED**

5. **DRAFT REVISED APPLICATION FORM FOR FUNDING**

There had been circulated copies of a draft revised application form, for funding from all the Council's Common Good Funds, which had been re-designed to a format similar to the form used for applications to the Community Fund. The draft form was being presented to all Common Good Fund Sub Committees for comment. Members were content with the revised application form and did not request any changes.

DECISION

APPROVED the use by Galashiels CG of the revised application form

6. **ITEMS LIKELY TO BE TAKEN IN PRIVATE**

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7. **PROPERTY**

Members considered an update on property issues from the Estates Surveyor, including a matter relating to a piece of land adjacent to Ladhope Golf Course.

The meeting concluded at 10.45 am

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