

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

6.	<p>Committee Minutes (Pages 3 - 110)</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> (a) Hawick Common Good Fund 7 June 2022 (b) Chambers Institution Trust 8 June 2022 (c) Peebles Common Good Fund 8 June 2022 (d) Audit & Scrutiny 9 June 2022 (e) Berwickshire Area Partnership 9 June 2022 (f) Police, Fire & Rescue and Safer Communities Board 10 June 2022 (g) Planning & Building Standards 13 June 2022 (h) Jedburgh Common Good Fund 13 June 2022 (i) Executive 14 June 2022 (j) Community Planning Strategic Board 16 June 2022 (k) Local Review Body 20 June 2022 (l) Kelso Common Good Fund 21 June 2022 (m) Coldstream Common Good Fund 22 June 2022 (n) Melrose Common Good Fund 27 June 2022 (o) Tweeddale Area Partnership 27 June 2022 (p) Pension Fund 29 June 2022 (q) Pension Board 29 June 2022 (r) William Hill Trust 29 June 2022 (s) Lauder Common Good Fund 29 June 2022 (t) Cheviot Area Partnership 29 June 2022 (u) Eildon Area Partnership 30 June 2022 (v) Planning & Building Standards 4 July 2022 (w) Peebles Common Good Fund 12 July 2022 (x) Local Review Body 18 July 2022 (y) Hawick Common Good Fund 27 July 2022 <p>(Copies attached.)</p>	5 mins
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(a)	Hawick Common Good Fund	7 June 2022
(b)	Chambers Institution Trust	8 June 2022
(c)	Peebles Common Good Fund	8 June 2022
(d)	Audit & Scrutiny	9 June 2022
(e)	Berwickshire Area Partnership	9 June 2022
(f)	Police, Fire & Rescue and Safer Communities Board	10 June 2022
(g)	Planning & Building Standards	13 June 2022
(h)	Jedburgh Common Good Fund	13 June 2022
(i)	Executive	14 June 2022
(j)	Community Planning Strategic Board	16 June 2022
(k)	Local Review Body	20 June 2022
(l)	Kelso Common Good Fund	21 June 2022
(m)	Coldstream Common Good Fund	22 June 2022
(n)	Melrose Common Good Fund	27 June 2022
(o)	Tweeddale Area Partnership	27 June 2022
(p)	Pension Fund	29 June 2022
(q)	Pension Board	29 June 2022
(r)	William Hill Trust	29 June 2022
(s)	Lauder Common Good Fund	29 June 2022
(t)	Cheviot Area Partnership	29 June 2022
(u)	Eildon Area Partnership	30 June 2022
(v)	Planning & Building Standards	4 July 2022
(w)	Peebles Common Good Fund	12 July 2022
(x)	Local Review Body	18 July 2022
(y)	Hawick Common Good Fund	27 July 2022

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SCOTTISH BORDERS COUNCIL HAWICK COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the HAWICK
COMMON GOOD FUND SUB-COMMITTEE
held in via Microsoft Teams on Tuesday, 7
June 2022 at 4.00 pm

Present:- Councillors S. Marshall, W. McAteer, C. Ramage, N. Richards, A. Smart,
Mr J Campbell (Hawick) and Mr W Fletcher (Burnfoot)

Apologies:- Councillor J. Cox

In Attendance:- Chief Legal Officer, Pensions and Investments Manager (K. Robb), Estates
Strategy Manager (N. Curtis), Property Officer (F. Scott), Graduate Trainee
Surveyor (A. Watson) and Democratic Services Officer (W. Mohieddeen).

1. **CHAIRMAN**

Councillor McAteer, seconded by Councillor Richards, moved that Councillor Ramage be appointed as Chairman. There being no other nominations, Councillor Ramage was unanimously appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Ramage be appointed as Chairman.

2. **VICE CHAIRMAN**

Councillor McAteer, seconded by Councillor Richards, moved that Councillor Cox be appointed as Vice Chairman. There being no other nominations, Councillor Cox was unanimously appointed as Vice Chairman.

DECISION

AGREED that Councillor Cox be appointed as Vice Chairman.

3. **MINUTE**

There had been circulated copies of the Minutes of the Meeting held on 15 March 2022 and the Special Meeting held on 29 March 2022.

DECISION

AGREED to:

(a) **Approve the Minute of the Meeting held on 15 March 2022 for signature by the Chairman; and,**

(b) **Approve the Minute of the Special Meeting held on 29 March 2022 for signature by the Chairman.**

4. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022**

There had been circulated copies of a report by Director Finance and Corporate Governance which provided the details of the income and expenditure for the Hawick Common Good Fund for the year 2021-22 which included balance sheet values as at 31 March 2022, a full year projected out-turn for 2022-23, and projected balance sheet values as at 31 March 2023. Appendix 1 of the report provided the actual income and expenditure for 2021-22. This showed a deficit of £4,181 for the year, which was better than the previously reported deficit on 15 March 2022, as a result of an underspend in the Grants and Donations budget. Appendix 2 of the report provided an actual balance sheet

value as at 31 March 2022 which showed a decrease in the reserves of £204,389, partly due to the annual release from Revaluation Reserve, as well as the re-valuation of some assets in conjunction with the consultation and re-classification exercise carried out by Estates and Legal. Appendix 3a of the report provided a breakdown of the property portfolio which showed actual rental income and net return for 2021-22. Appendix 3b of the report provided a breakdown of the property portfolio which showed actual property expenditure for 2021-22. Appendix 4 of the report provided a breakdown of the property portfolio which showed actual property valuations at 31 March 2022. Appendix 5 of the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2022.

**DECISION
NOTED**

- (a) the actual income and expenditure for 2021-22 in Appendix 1 of the report;
- (b) the projected income and expenditure for 2022-23 in Appendix 1 of the report;
- (c) the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 of the report;
- (d) the summary of the property portfolio in Appendices 3 and 4 of the report;
and,
- (e) the current position of the Aegon Asset Management Investment Fund in Appendix 5.

5. **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 it involved the likely disclosure of exempt information as defined in Paragraph 2 of Part I of Schedule 7A to the Act.

6. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 15 March 2022 and the Private Section of the Special Meeting held on 29 March 2022.

7. **COMMON GOOD LEASES**

Members considered the update by the Estates Strategy Manager.

8. **PROPERTY UPDATE**

Members considered the update by the Property Officer.

The meeting concluded at 4.20 pm.

SCOTTISH BORDERS COUNCIL
CHAMBERS INSTITUTION TRUST

MINUTE of MEETING of the
CHAMBERS INSTITUTION TRUST held
via Microsoft Teams on 8 June 2022 at
6.00 p.m.

Present:- Councillors D. Begg, M. Douglas, J. Pirone, E Small, R Tatler.
Apologies:- Councillor V. Thomson.
In Attendance:- Chief Legal Officer (Monitoring Officer), Capital and Investments
Manager, Projects Manager (S. Renwick), Estates Surveyor (T.
Hill), Democratic Services Team Leader.

1. **CHAIRMAN**

Councillor Marshall, seconded by Councillor Pirone, moved that Councillor Tatler be appointed as Chairman and this was unanimously approved.

DECISION

AGREED that Councillor Tatler be appointed as Chairman.

2. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 16 March 2022.

DECISION

NOTED for signature by the Chairman.

3. **PLACE MAKING FUNDING**

With reference to paragraph 2 of the Minute of 16 March 2022, the Estates Surveyor advised that the works to the ceiling at the Burgh Hall would require planning permission. Assistance from the Architects section would be required and it was hoped that this would be achieved within the next 4 weeks. The Chairman advised that there was concern regarding the length of the closure which might be required for the works. Ms Hill advised she would ask the Property Officer to email details of the length of closure to Members. Live Borders would discuss the closure with users. The Chairman further advised that although there had been lots of positive feedback about the works to the kitchen there had also been some negative comments regarding the facilities available. Members discussed this and the Chairman agreed that he would speak to users about their experiences and ascertain if the hall was likely to be used for weddings on a regular basis.

DECISION

(a) **NOTED the need for planning permission for the works to the ceiling in the Burgh Hall and that this was being progressed.**

(b) **AGREED that the Property Officer provide information on the likely length of the ceiling works and that the Chairman ascertain the likely use of the Hall for weddings.**

4. CONSULTATION PROCESS

- 4.1 With reference to paragraph 3 of the Minute of 16 March 2022, the Chairman shared an update provided by Mr Harrow which advised that the Stakeholder group was to be formed and new group would nominate a chair and determine the name of the group. Communication to key stakeholders was ready and could happen once there was approval to start the Stakeholder group. A first meeting could be set up by June 30th. This group would be open to all. Key stakeholders of the Chambers Institute will be encouraged to be part of this group. The Community Co-ordinator and Community Engagement officer covering the Tweeddale area could support the set-up of this group and to help facilitate the early meetings.
- 4.2 An Initial meeting with Live Borders had taken place on how to shape 'community conversations' around the use of the Chambers Institute. These conversations would be based on the plans from Page and Park and would allow for a fuller discussion as to how best to utilise space and also maximise the potential of the Chambers Institute. These conversations would take place with the Stakeholder group but would also be expanded upon to cover the wider Tweeddale community and encompass targeted focus group sessions to online drop ins, which had proved successful in other areas. A plan for these conversations would be completed using the VOICE planning tool; [VOiCE \(voicescotland.org.uk\)](http://VOiCE (voicescotland.org.uk)). The VOICE tool was a planning tool that assisted individuals and organisations to design and deliver effective engagement. This tool would allow the Trustees to see the proposed plans for engagement, challenges and as the project progresses, any successes.
- 4.3 Members welcomed the proposals but noted that the Stakeholder Group should be named the "Beneficiaries Group" and the first meeting would need to be held later as the Members had a meeting with Peebles Community Council on 28th June. It was also suggested that in light of reduced Covid restrictions that more consultation events could be held in person. The need for good communications was also highlighted.

DECISION

AGREED to approve the proposed way forward.

5. USE OF FORMER TOURIST INFORMATION CENTRE

The Estates Survey advised that Tweed Valley Business Improvement District had requested to use the space previously occupied by the TIC to provide tourist information and asked if Members approved the principle of this use before she provided a detailed report on the terms of the use. Members confirmed that they supported this request in principle.

DECISION

AGREED that a detailed report on the use of the former TIC space be provided for consideration at the next meeting.

6. CENTENARY OF PEEBLES WAR MEMORIAL

The Chairman advised that he had been approached by Live Borders regarding the Centenary of the War Memorial which would be on 5 October 2022. It was noted that the Lord-Lieutenant had also expressed an interest. Members suggested that the British Legion and Poppy Scotland should also be contacted.

DECISION

AGREED that the Trustees would take this forward.

7. FINANCIAL MONITORING FOR THE 12 MONTHS TO 31 MARCH 2022 AND PROPOSED BUDGET FOR 2022/23

There had been circulated copies of a report by the Director Finance and Corporate Governance providing details of the income and expenditure for the Chambers Institution Trust for the year 2021/22 including balance sheet values as at 31 March 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 provided the actual income and expenditure position for 2021/22 which showed a surplus of £23,799 for the year, which was better than the previously reported surplus on 16 February 2022 as a result of an underspend in the Property Costs budget. Appendix 2 provides an actual balance sheet value as at 31 March 2022 which showed a decrease in reserves of £44,749, mainly due to the annual release from Revaluation Reserve, as well as the correction to some asset values from the last re-valuation on 1 April 2019. Appendix 3a provided a breakdown of the property portfolio showing actual rental income and net return for 2021/22 and Appendix 3b provided a breakdown of the property portfolio showing actual property expenditure for 2021/22. Appendix 4 provided a breakdown of the property portfolio showing actual property valuations at 31 March 2022. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 31 March 2022. Given the level of cash held by the Trust Ms Robb suggested that Members consider investing more with Aegon as these funds could be accessed quickly if required. Members agreed that £60k be transferred to the Aegon Asset Management Fund.

**DECISION
AGREED:-**

- (a) to note the actual income and expenditure for 2021/22 in Appendix 1 to the report;
- (b) the proposed budget for 2022/23 in Appendix 1 to the report;
- (c) to note the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 to the report;
- (d) to note the summary of the property portfolio in Appendices 3 and 4 to the report;
- (e) to note the current position of the investment in the Aegon Asset Management Investment Fund in Appendix 5 to the report; and
- (f) that £60k be transferred to the Aegon Asset Management Fund.

8. **PRIVATE BUSINESS**

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 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

9. **MINUTE**

The private section of the Minute of the meeting held on 16 March 2022 was approved.

10. **LEVELLING-UP FUNDING**

Members received an update on the progress of the proposed project being funded from the Levelling-up funding.

11. **DATE OF NEXT MEETING**

Agreed that a date in early August be arranged.

The meeting concluded at 6.50p.m.

SCOTTISH BORDERS COUNCIL

PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Wednesday, 8
June 2022 at 5.00 p.m.

Present:- Councillors D, Begg, M. Douglas, J. Pirone, E. Small (from paragraph 8), R. Tatler and Community Councillor P. Maudsley
Apologies:- Councillor V. Thomson
In Attendance:- Chief Legal Officer (Monitoring Officer), Treasury Business Partner (S. Wilson), Estates Surveyor (T. Hill), Democratic Services Team Leader

1. **APPOINTMENT OF CHAIRMAN**

Councillor Douglas, seconded by Councillor Begg, proposed that Councillor Tatler be appointed as Chairman. This was unanimously approved.

DECISION

AGREED that Councillor Tatler be appointed as the Chairman of the Peebles Common Good Fund Sub-Committee.

2. **APPOINTMENT OF VICE CHAIRMAN**

Councillor Pirone, seconded by Councillor Begg, proposed that Councillor Thomson be appointed as Vice Chairman and this was unanimously approved.

DECISION

AGREED that Councillor Thomson be appointed as the Vice Chairman of the Peebles Common Good Fund Sub-Committee.

3. **MINUTES**

The Minutes of Meetings of Peebles Common Good Fund Sub-Committee held on 23 February and 16 March 2022 had been circulated.

DECISION

NOTED for signature by the Chairman.

4. **FINANCIAL MONITORING FOR THE 12 MONTHS TO 31 MARCH 2022**

There had been circulated copies of a report by the Director Finance and Corporate Governance providing details of the income and expenditure for the Peebles Common Good Fund for the year 2021/2022 including balance sheet values as at 31 March 2022, a full year projected outturn for 2022/2023 and projected balance sheet values as at 31 March 2023. Appendix 1 provided the actual income and expenditure position for 2021/22 and showed a surplus of £11,858 for the year. Appendix 2 provided an actual balance sheet value as at 31 March 2022 and showed an increase in the reserves of £7,844,603. Appendix 3a provided a breakdown of the property portfolio showing actual rental income and net return for 2021/22. Appendix 3b provided a breakdown of the property portfolio showing actual property expenditure for 2021/22. Appendix 4 provided a breakdown of the actual property valuations at 31 March 2022. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 31 March 2022. The Treasury Business Partner highlighted the main points in the report

and explained that the increase in reserves was partly due to the annual release from the Revaluation reserve but in the main due to the reclassification exercise being carried out by Estates and Legal Services. It was noted that the final accounts were still subject to audit.

**DECISION
AGREED:-**

- (a) to note the actual income and expenditure for 2021/22 in Appendix 1 to the report;**
- (b) the projected income and expenditure for 2022/23 in Appendix 1 to the report as the revised budget for 2022/23;**
- (c) to note the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 to the report;**
- (d) to note the summary of the property portfolio in Appendices 3 and 4 to the report;**
- (e) to note the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.**

5. JEDDERFIELD FARM UPDATE

There had been circulated copies of a report by the Director Infrastructure and Environment providing an update on the terms of the lease that had been entered into by Scottish Borders Council on behalf of Peebles Common Good regarding Jedderfield Farm, Peebles as approved by the Committee in private on 17 November 2021. The report explained that Jedderfield Farm was a Common Good Asset that became available following the death of the previous agricultural tenant. The successors to the tenancy had indicated they did not wish to take on the tenancy resulting in the tenancy falling from 4th June 2020. Jedderfield farm was advertised for lease and seven applications for the lease were received. These applications were reviewed and scored using a scoring scheme approved by the Peebles Common Fund Sub-Committee and a preferred tenant was selected and approved by the Sub-Committee. A Lease had been agreed with Susanne McIntosh, the owner of Kailzie Equestrian Centre for 10 years for an annual rent of £17,500. The lease was a Modern Limited Duration agricultural tenancy; with the land being used for pastoral agriculture, with the tenant entitled to grow grain and crops and for grazing of horses, sheep and ponies. The Estates Surveyor answered Members questions. With regards to checking of the farm, Ms Hill advised that this was normally carried out by the Estates Section every 5 years when revaluations were due but the property team could perhaps carry out a more regular inspection. Members were keen that this was done on a more regular basis so Ms Hill undertook to discuss this with the Property Maintenance Team and report back at the next meeting. In response to a question on the potential level of clawback by the tenants for works carried out to the property and concerns that this would result in an overall loss to the Common Good Fund over the 10 year period, Ms Hill advised that it was impossible to predict what level of compensation for improvements there would be but agreed to provide a copy of the lease to Members for their information.

**DECISION
AGREED:-**

- (a) to note the terms of the Lease agreed with Susanne McIntosh; and**
- (b) that proposals for regular inspection of the property be considered at the next meeting.**

6. **PROPERTY UPDATE**

With reference to paragraph 4 of the Minute of 23 February 2023, the Estates Surveyor advised that the cost of opening the Haylodge toilets at weekends over the winter period would be £2,600 for cleaning plus approximately a further £250 for utilities. Members were supportive of the opening but expressed some concerns regarding the pipes freezing and asked that the need to insulate the pipes be checked and actioned if required. The Chairman advised that he would ask the Communications section to publicise this additional opening.

DECISION

AGREED to approve the opening of the Haylodge toilets at weekends over the winter period subject to appropriate insulation of the pipes.

7. **REQUEST TO LOCATE PEEBLES MEMORIAL TO “WITCHCRAFT” ACCUSED ON TWEED GREEN**

The Chairman welcomed Elisa Smith to the meeting. She advised that there was support in Peebles for the erection of a memorial to mark the victims who had been executed as a result of accusations of witchcraft. The memorial would be a granite slab approximately 2 feet by 1 foot that would lie close to the ground with a firm foundation. It would be designed to look like the pages of a book and would contain the names of all the victims from the Tweeddale Area. Any ongoing maintenance would be carried out by William Purves Funeral Directors. Members were supportive of the proposal and asked Ms Smith to bring back details of the design and possible siting together with a written agreement from William Purves regarding future maintenance.

DECISION

AGREED in principle to the siting of a memorial to the “witchcraft” accused on Tweed Green subject to the provision of details regarding siting, design and future maintenance.

MEMBER

Councillor Small joined the meeting.

8. **INTEREST LINK GRANT REPORT**

With reference to paragraph 2 of the Minute of 24 February 2021, there had been circulated for information a copy of a report from Interest Link on the outcome of the grant funding provided by the Common Good Fund.

DECISION

NOTED the report

9. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

10. **PEEBLES HIGHLAND GAMES 50th ANNIVERSARY**

The Chairman advised that he had been approached regarding the erection of a memorial stone to mark the 50th anniversary of Peebles Highland Games. It was proposed that the memorial be located next to the benches in Haylodge Park. Members agreed to approve the request in principle subject to further details being provided.

DECISION

AGREED in principle to the siting of a 50th anniversary memorial in Haylodge Park subject to further details being provided.

11. **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 it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

12. **MINUTES**

Members approved the private sections of the Minutes for the meetings held on 23 February and 16 March 2022.

The meeting concluded at 5.50 p.m.

SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTE of Meeting of the AUDIT AND SCRUTINY COMMITTEE held via Microsoft Teams on Thursday, 9 June 2022 at 10.00 a.m.

Present:- Councillors E. Thornton-Nicol (Chair), J. Anderson, M. Douglas, J. Paton Day, N. Richards, E. Robson, S. Scott, F. Sinclair.
Also Present:- Councillor J. Greenwell.
Apologies:- Councillors P. Brown, J. Cox.
In Attendance:- Infrastructure Manager, Network Team Leader, Clerk to the Council, Democratic Services Officer (W. Mohieddeen).

CHAIR

Councillor Thornton-Nicol welcomed everyone to the meeting and advised that the public business in this meeting was being livestreamed for public view and also recorded. By participating in the meeting, attendees have given consent for this. The recording would be available through the link to the event livestream on the Council website for public viewing for 180 days afterwards. The recording would then be automatically deleted after this time. Everyone was reminded that the Council did not allow any other recording of the meeting than this one.

1. JEDBURGH TRAFFIC PETITIONS

1.1 Petitions Procedure

Copies of the Audit and Scrutiny Committee Petitions procedure had been circulated. The Chair outlined the procedure to be followed at the meeting and the conclusions which the Committee could reach. The Chair explained that two similar petitions had been received relating to the current traffic management system in operation in Jedburgh, so they would be heard together. The Chair welcomed Mr Graham Hayward and Ms Lindsay Wilson from Jedburgh Community Council, and Mr David Greer to the meeting. There was a round of introductions.

1.2 Temporary Traffic Flow, Jedburgh

Copies of a petition entitled "Temporary Traffic Flow, Jedburgh" from Mr John Taylor, on behalf of Jedburgh Community Council, had been circulated. In the statement within the petition, it was explained that due to the dismantle and re-build of the "Corner buildings" on Market Place, a footpath had been closed causing risk to pedestrians on Market Place, Canongate, Abbey Place, lower Castlegate and the top end of the High Street. The Community Council had recommended changes to the flow of traffic in the centre of Jedburgh to alleviate some of the risk at Market Place, which would include the re-opening of two-way traffic in Exchange Street and the lower part of the High Street, but suggestions had been turned down by SBC Roads Department. It was the view of the Community Council that there was less overall risk to the community by the suggestions put forward than the arrangements that had been put in place by SBC.

1.3 The Chair invited Mr Graham Hayward, on behalf of Mr John Taylor (Chair of Jedburgh CC), to present the petition. Mr Hayward firstly passed on Mr Taylor's apologies to the meeting as he had a prior engagement and advised that he was assuming that all members of the Committee would have visited the site. Mr Hayward explained that the Community Council worked for the benefit of the town and its people and in November 2021 had asked Council officers to consult with the Community Council on the Corner Building works. In early February 2022 the pedestrian walkway under the scaffolding around the building had closed with no prior consultation with the Community Council.

The Community Council had then received a number of reports of near misses and Mr Henderson, SBC Road User Engineer, had attended a meeting with the Community Council where it had been agreed at that time on the signage to be erected which included a warning about pedestrians being in the roadway. After receiving further complaints of near misses, the Community Council had written to Ms Gilhooly, SBC Network Team Leader, asking that Exchange Street be re-opened to two-way traffic to reduce the risk. The Community Council had also spoken to the local Co-op manager about the possibility of using the Co-op car park as a turning head to ease traffic and had asked the Council for a draft plan of this for further discussion. A further meeting had taken place with Mr Henderson and Mr Nicholson from the Architects team where Mr Nicholson had advised that the risk assessment for the building meant nothing more could be done and suggested internal discussions continued to establish if anything further could be done. The Community Council had discussed the matter with Cllr Scott Hamilton who had suggested the petition. Mr Hayward expressed disappointment that the Community Council had not been invited to meet with the consultants who had been commissioned by the Council to provide a report on traffic flow in Jedburgh. Mr Hayward then referred to a number of points contained in the briefing paper provided by the Director Infrastructure and Environment and the Road Safety Review which had been provided to the Council by Wyllie:Lodge Road Safety Consultants. These points included:

- A photo of a pedestrian and mobility scooter user on the road out-with the barriers next to the scaffolding
- The identified road safety issues and the community concerns in the Consultants review

1.4 **Restore Access to Exchange Street**

Copies of a petition entitled “Restore Access to Exchange Street from Market Place, Jedburgh” from Mr David Greer, had been circulated. In the statement within the petition it was explained that for the last number of years, Exchange Street, Jedburgh had had a “No Entry” sign, stopping traffic entering from Market Place. This had brought additional traffic onto The Friars, from vehicles needing to access properties on and adjacent to Lanton Road, such as Cairnmount, Exchange Street properties, 5 businesses, the redevelopment of Port House, and residents of Burn Wynd. It had also meant that residents of The Friars had to drive the length of the road to turn at the car park adjacent to Willow Court, and double back on themselves to access their driveways. Drivers had been witnessed ignoring the no entry sign and causing an accident risk by driving up Exchange Street from Market Place. This situation had to be resolved immediately, so that traffic could enter Exchange Street from Market Place safely. This could be achieved by use of traffic lights, a priority ‘Give Way’ system, or another solution to manage the traffic appropriately. This would benefit drivers who needed to use Exchange Street and Lanton Road, reduce traffic on The Friars, and allow residents to access their properties with greater ease than during past years.

1.5 The Chair invited Mr Greer to present his petition. Mr Greer explained that he was bringing the voices of the people of Jedburgh to the meeting. For several years the no entry sign had been in place and while he agreed that safety was of paramount importance, placing the sign was not enough as driver were ignoring the sign and driving the wrong way into Exchange Street. These vehicles, up to 30 in a day, included cars, taxis, tractors/trailers and SBC vehicles, so there was a high potential for accidents. To alleviate this, the proposal was that a priority give-way system was put in place. Mr Greer then gave an explanation of the narrowness of the road and historic use of Exchange Street, which was a busy thoroughfare. Parking had previously been permitted on the north side of the road where the scaffolding now was. The priority give-way system worked in Berwick and in Melrose, so should be possible in Jedburgh.

1.6 The Chair then invited questions from Members to both petitioners. In response to a question around feedback from the police if 30 vehicles were ignoring the no entry sign on a daily basis, Mr Hayward advised that the police no longer attended Community Council meetings. Mr Greer further advised that he had personally taken photographs and

reported drivers to the police but was not aware of any action having been taken. While examples could be given of near misses, there had been no reported accidents in the area. Mr Brian Young, Infrastructure Manager, advised that the scaffolding around the corner building was more or less to the centre line and when cars had been previously parked there they had been quite a bit inside the centre line. The current situation of the scaffolding required a one-way flow of traffic. Ms Gilhooly, Network Team Leader, further advised that the photographs used in the report showing pedestrians walking outside the barriers on the road had been taken at a time when the pedestrian walkway was open, so members of the public had chosen to walk on the road. Ms Gilhooly also confirmed that there was an entrance to the walkway at the junction.

- 1.7 Officers were then invited to respond to the Petition on behalf of the Council. The paper which had been circulated gave a brief history of the scaffolding on site and an explanation of the traffic management plan. Ms Gilhooly advised that safety was of paramount concern and while officers had absolute sympathy with residents, businesses, and visitors to Jedburgh for the disruption they were having to endure, the Council had to adhere to legislation, regulations and codes of practice in relation to traffic management. The scaffolding had had to be reconfigured a number of times due to the dangerous nature of the building. Officers had corresponded with the Community Council since 2020 in trying to find solutions but the rules had to be followed. Ms Gilhooly apologised that the dropped kerbs had not yet been amended and confirmed she would arrange for this to be done as soon as possible. While understanding the inconvenience caused by the current traffic system, opening up Exchange Street would not be safe and could not be signed off. Ms Gilhooly expressed concern that pedestrians were walking round the barriers but that was a personal choice for them. The Architects/Demolition team had confirmed that the demolition was likely to take until February 2023, given the dangerous nature of the building, and the site insurance company would not allow the walkway to re-open at the moment. Ms Gilhooly had emailed the Co-op estates department and was happy to let the Community Council have a copy of that email, but she had yet to receive a response. With regard to the possible use of the Co-op car park as a turning area, this was a private car park, so not under the control of the Roads Authority, it had no walkways and no escape route so it was extremely unlikely it could be used. The independent Road Safety auditors would not sanction its use. Mr Young confirmed that the Council needed to make the area as safe as possible, and unfortunately, none of the suggestions were workable.
- 1.8 Officers then provided responses to questions from Members and the petitioners. All comments from the Community Council regarding road safety matters had been passed on to the police and there had been no recorded reported injuries/accidents on this section of road. The signage had been brought down to the minimum so that Jedburgh did not look “closed” but officers would investigate amending the signage to make it semi-permanent and removal of the barriers. With regard to a give way priority system, the code of practice required a place for a vehicle to sit and with 3 different routes it would not be possible to show the priority order. There needed to be clear visibility in all directions and that was not possible at this site. Traffic lights would have similar issues, with at least a 3-way set needed, and account taken of pedestrians and all this would likely lead to traffic build up. Temporary traffic lights had been considered initially but it was felt the disruption would be unacceptable as it would also require the removal of existing parking. The biggest issue seemed to be individuals choosing to ignore the current signage in place. The petitioners expressed disappointment that their suggestions had not been accepted by officers and referred to the inconvenience caused to a local farmer, the cost to each property of the detour, and that the same risk seemed to be tolerated in Castlegate in Jedburgh. Any traffic management system needed to take account of the stakeholders and the Council needed to be more pro-active in this regard.
- 1.9 Having heard from everyone, Members then discussed what recommendations they would wish to make. While expressing huge sympathy for the disruption and inconvenience caused to the people of Jedburgh, the majority of Members favoured no further action being taken. The main concern was safety and the Council had to adhere

to the legislation and regulations in place regarding traffic management with which it had to comply, and the priority had to be safety over inconvenience. Cllr Robson asked officers to reconsider a traffic light system, especially the timings, to reduce the risk to pedestrians by slowing traffic down. Mr Young confirmed that officers would revisit this. Members also asked that the signage be reviewed, the police be asked to provide better enforcement, and the dropped kerbs be installed as soon as possible and the old zebra crossing markings/zig-zags be removed. Members then unanimously agreed that once these actions had been taken, no further action would be taken on the petitions.

- 1.10 The Chairman thanked Mr Hayward and Mr Greer for their presentation of the Petitions and Ms Gilhooly and Mr Young for their input.

**DECISION
AGREED that:**

- (a) **officers would revisit the use of traffic lights at the Exchange Street junction and share their findings with Jedburgh Community Council and the appropriate committee if required;**
- (b) **Police Scotland would be asked to ensure better enforcement of the current no entry system to stop vehicles going the wrong way into Exchange Street with the possible use of mobile CCTV to assess the scale of the problem;**
- (c) **officers would review the overall signage to ensure a more visible 'no entry' sign at the bottom of Exchange Street;**
- (d) **officers would ensure drop kerbs were installed as soon as possible, and that old zebra crossing and zig-zag lines would be burnt off; and,**
- (e) **once the above actions had been undertaken, the issues raised required no further action to be taken.**

2. MINUTE

- 2.1 The Minute of the meeting held on 14 March 2022 had been circulated.

**DECISION
AGREED to approve the Minute for signature by the Chair.**

- 2.2 Copies of the Scrutiny Business Action Tracker had been circulated. The Clerk to the Council advised that she would work with the relevant Directors to bring to the Audit & Scrutiny Committee after the summer recess a timeline for the outstanding actions.

**DECISION
NOTED.**

The meeting concluded at 11.20 am

SCOTTISH BORDERS COUNCIL BERWICKSHIRE AREA PARTNERSHIP

MINUTES of Meeting of the
BERWICKSHIRE AREA PARTNERSHIP
held in via Microsoft Teams on Thursday, 9
June 2022 at 6.30 pm

Present:- Councillors J. Anderson (Chairman), J. Greenwell, C. Hamilton, A. Orr and
M. Rowley

Other organisations attendees: Ms J. Amaral (BAVS), Mr J. Brown (Swinton
and Ladykirk CC), Mr K. Dickinson (Gavinton, Fogo & Polwarth CC), Ms P.
Hood (Cockburnspath and Cove CC), Mr L. Inglis (Reston CC), Mrs A.
McNeill (Heart of Duns), Ms R. Parker, Mr S. Sanderson (The National
Lottery), Ms J. Sutton (Cockburnspath and Cove CC), Mr L. Wood (A Heart
for Duns).

Apologies:- Councillor D. Moffat

In Attendance:- Communities and Partnership Manager, Community Co-ordinator (G.
Jardine), Community Engagement Officer (J. Purves), Portfolio Manager (J.
Lamb), Community Place Planning and Regeneration Officer (J. Houghton),
Democratic Services Officer (W. Mohieddeen).

1. **WELCOME AND MEETING PROTOCOLS**

The Chairman welcomed everyone to the Meeting of the Berwickshire Area Partnership. The meeting was held via Microsoft Teams and the Chairman outlined how the meeting would be conducted and how those both in the meeting and watching via the Live Stream could take part. Ward councillors were invited to introduce themselves to those present.

2. **FEEDBACK FROM MEETING OF 3 MARCH 2022**

Copies of the Minute of the Meeting held on 3 March 2022 had been circulated.

DECISION

AGREED to approve the Minute for signature by the Chairman.

3. **PLACE MAKING**

Copies of the report from Mr Dickinson were circulated that described the formation of the Berwickshire Area Partnership Place Making Working Group, summarised initial discussion related to communication and terminology, discussed prioritising of community support, proposed a model for supporting communities in Berwickshire and indicated next steps. Mr Dickinson advised that it was important there was an understanding of what Place Making was and that terms should be simplified and that he was seeking endorsement on the principles outlined in appendix 3 of the report. The working group proposed that a group of champions be identified to assist the development of place plans. The working group circulated a questionnaire to all community councils in Berwickshire and community groups to identify interest in Place Making and received eleven responses. The Working Group would be meeting later to look at community groups that may be able to work together in clusters. Mr Dickinson noted that two or three Area Partnership ward councillors were requested to join the working group and that the Area Partnership was requested to endorse an 'opt-in' model where interested parties in Place Making were not turned away and were supported by Place Making champions. The Working Group requested that written feedback was submitted from attendees before

Friday 17 June. Councillors Greenwell, Anderson, Hamilton and Orr indicated they would be willing to participate in the Place Making Working Group. The Area Partnership agreed to endorse the opt-in approach of the Place Making Working Group.

DECISION

- (a) NOTED the progress of the working group;**
- (b) NOTED that feedback was requested to the working group on the draft Place Making definition and Principles set out in Appendices 2 and 3 of the report by Friday 17 June;**
- (c) NOTED the next steps of the working group; and,**
- (d) AGREED to endorse the 'opt-in' approach of the working group**

4. FINANCIAL INCLUSION FUND - FOOD CONVERSATION

The Community Co-ordinator delivered a presentation on Borders Wide Food Conversation and explained that conversations had been taking place regarding food security and this would likely form a regular item on agendas for the Area Partnership so that attendees were aware of developments and could contribute to discussions. Ms Jardine explained that rurality presented an additional challenge to food security in the Borders. Community partners and volunteers had met 3 times so far looking at areas of good practice to address food security to assess what solutions could be developed. The Low and Slow Project was highlighted as one example alongside financial inclusion support through foodbanks and Fareshare. Ms Amaral explained that Berwickshire Alliance secured funding from Covid Recovery to support third sector recovery and highlighted examples of support including for mental health, education, food larders and community fridges. There was now a focus on securing sustainable approaches to support. Premises were being sought for Duns foodbank to establish a share shop for surplus food as it was highlighted that some food being donated to foodbanks was not always appropriate and sometimes were going to waste. Community fridges was highlighted a good example to help people obtain food.

DECISION

NOTED the update.

5. OVERVIEW OF COMMUNITY FUNDING

The Community Co-ordinator delivered a presentation on Community Funding that provided an overview for the Area Partnership on an overview of the Communities and Partnerships Team. The Communities and Partnerships Team supports communities to take forward activities they would like to see in their area and to bring about change. Support took the form of planning, supporting through funding and develop connections with different services and agencies to support partnership working. The team was also the first point of contact with people in relation to the Community Empowerment Act. An overview of the priorities of the Communities and Partnership Team was provided. The Community Engagement Officer explained that his role was to meet as many community groups as possible to support them to apply for funds. The Neighbourhood Support Fund was the largest fund that had £100,000 available at April 2022 for community projects to apply for awards up to £5,000. It was explained that awards were assessed by an assessment panel of volunteers that make recommendations for the Area Partnership. The next round of applications was to close on 24 July and would be heard at the 1 September Berwickshire Area Partnership meeting. Mr Purves explained that the Welfare Trust was a bespoke fund for relief of poverty and for those with ill-health or disability which could award £1,000 to individuals and £2,500 to constituted groups. The Community Enhancement Fund and the Small Schemes Fund was also highlighted.

DECISION

NOTED the update.

6. BERWICKSHIRE FUNDING TABLE 2022-23

There had been circulated copies of the Berwickshire Funding Table, which showed the available funding for funds available in the Berwickshire area. There were two funding applications to the Neighbourhood Support Fund to be determined and if these were successful then there would be £93,223.19 funds remaining. Further applications had been received after the closing date which would be heard at the 1 September meeting of the Berwickshire Area Partnership. Ms Jardine explained that £810 was remaining from the Build Back a Better Borders Recovery Fund which had since closed which would be added to the Neighbourhood Support Fund.

DECISION

NOTED the update.

7. NEIGHBOURHOOD SUPPORT FUND

7.1 There had been circulated copies of a report from the Berwickshire Neighbourhood Support Fund Assessment Panel that summarised the Panel's meeting held on 7 June 2022 and included proposals to the function of the assessment panel, the frequency of funding rounds, and a review of applications submitted to the Fund. Mr Dickinson explained that changes had been made to the application form which was hoped to have been available as an online form, but was available as a downloadable form for the meeting's round of applications. The Panel had difficulty with one application as a member of the Panel declared an interest which led to the Panel not reaching quorum. The Panel had eight spaces for Area Partnership members and three places for ward councillors, and at the last meeting, there were four members in attendance. The Panel wished to increase its membership however formal applications had not started yet. With reference to paragraph 4 of the Minute of the Meeting held on 4 March 2021, Mr Dickinson explained that the Berwickshire Area Partnership agreed to the creation of a sub-committee with delegated powers to undertake the assessment of applications and make awards, however feedback was given that progress had been too fast compared to other area partnerships in the Borders. Mr Dickinson explained that the paper proposed that the Berwickshire Area Partnership seek delegated powers again based on the work of the Panel over the previous year.

7.2 Mr Dickinson summarised the two applications presented for grant award from the Neighbourhood Support Fund. The applications to the Neighbourhood Support Fund were considered:

- Burnmouth Community Council
- ReTweed

The Assessment Panel's recommendations, which were detailed in Appendix 1 of the report, were as follows:

(a) Burnmouth Community Council

It was agreed to recommend that the Berwickshire Area Partnership award a grant of £1,064 to Burnmouth Community Council.

(b) ReTweed

It was noted that the Panel did not reach quorum for this discussion, however the application was discussed. It was agreed to recommend that the Berwickshire Area Partnership award a grant of £4,900 to ReTweed.

DECISION

AGREED to:

- (a) approve the award of a grant of £1,064 to Burnmouth Community Council;
- (b) approve the award a grant of £4,900 to ReTweed;
- (c) seek the granting of delegated powers for the Berwickshire Neighbourhood Support Fund Assessment Panel to undertake the assessment of applications and subsequently make awards from Scottish Borders Council in consultation with officers; and,
- (d) approve the recommendation for three, equally spaced funding rounds per year.

8. THE NATIONAL LOTTERY - COMMUNITY FUNDING

- 8.1 The Chair introduced Stewart Sanderson, Funding Officer for South of Scotland Team, National Lottery to the meeting who delivered a presentation on funding opportunities with The National Lottery Community Fund. There were four live funding programmes, with two closing soon which Mr Sanderson presented. Awards for All offered groups awards up to £10,000 which has been used for projects such as the repair of village halls, community growing projects and to cover costs such as staff time and for activities. Community groups did not need to liaise with the funding team beforehand although it was encouraged to establish a relationship with the funding team and offer support. Young Start offered awards of up to £100,000 and was not raised through lottery ticket sales but through money in dormant bank accounts. The fund was aimed at younger people to encourage them to make change in their lives. This fund required applicants to be in touch with the funding team in the first instance so that a conversation could take place about what applicants wanted to achieve with their project. Community Led and Improving Lives funds were closing on 30 September 2022. Community Led offered awards of up to £150,000 over three years for activities that communities led on such as improving wellbeing and connecting communities. Groups had to have an elected board that anyone could join and awards could cover salary costs and limited building costs. Improving Lives offered awards up to £200,000 over three years directed at supporting communities to overcome challenging circumstances and led by the people concerned to ensure their voices were heard as far as possible. New projects would be launched by The National Lottery which were still in development and consultation with the Scottish Government, communities and the third sector to ensure the new programmes are as relevant as possible. A funding surgery was to be held on 23 June 2022 in Duns.
- 8.2 Responding to questions from attendees, Mr Sanderson noted that funding in the Borders fluctuated year-to-year but there wasn't numbers to hand for the rate of successful applications from the Borders. Ms Amaral raised the concerns of member organisations of BAVS that funders prefer to fund new projects rather than for core funding. Mr Sanderson advised that core funding was possible for 2023 and that a conference was being held in Glasgow where the National Lottery portfolio team would be receiving views on the question of core funding. Ms Amaral advised that she was raising the issue with the Scottish Government.

DECISION

NOTED the update.

9. PARTICIPATORY BUDGETING

The Community Co-ordinator provided an update on participatory budgeting which all local authorities were required to have 1% of its budget reserved for. Participatory budgeting at Scottish Borders Council was to be called community choices. Community choices aimed to involve community members in shaping services being delivered and having a say in how public money was spent. An e-learning module had been created for staff so that all departments understood Community Choices and the decision-making process to support involving the community in the decision-making process. Ms Jardine advised that anyone who wished to know more about Community Choices could be in

touch with her or Mr Purves. Ms Jardine explained the Covid-19 pandemic had impacted SBC reaching its 1% target however there were examples of participatory budget in action such as pupils at Peebles High School using funding from the Tweeddale Community Fund to run a Community Choices event aimed at improving the school environment. Ms Jardine introduced the Community Engagement Officer to highlight how grant funding of £60,000 had been used to allow the Gavinton community improve their playpark. Cllr Rowley highlighted the funding for Gavinton playpark was secured through the playpark budget and that there was a need on the Council to present a pot of money to communities to determine what they want public money spent on. Councillor Rowley further highlighted that the money reserved for participatory budgeting was 1% of the council's discretionary spend outside of its statutory obligations and that the Berwickshire Area Partnership was instrumental for councillors recognising what communities' priorities were.

DECISION

NOTED the update.

10. ADDITIONAL INFORMATION DOCUMENT

The Chairman advised that additional information was included in the agenda pack which contained information on current consultations and links to useful information highlighting the School Meal Survey, Improving Mental Health in the Scottish Borders, the NHS Borders Money Worries application.

11. NEXT MEETING OF THE BERWICKSHIRE AREA PARTNERSHIP

It was noted that the next meeting of the Berwickshire Area Partnership was on 1 September 2022 and the agenda would be issued on 18 August 2022.

12. ANY OTHER BUSINESS

12.1 A Heart for Duns

The Community Co-ordinator advised that A Heart for Duns had accrued an underspend on their Build Back a Better Borders Recovery Fund grant award to support community events in Duns to recover from the period of self-isolation. Due to further Covid-19 restrictions, some events were cancelled so the full allocation was not spent and the full underspend was £1,916. Administration costs related to the cancelled events were incurred which totalled £1,289 if the Area Partnership approved that spend, leaving £628 which A Heart for Duns have suggested could be put to delivering community event with the consent of the Berwickshire Area Partnership.

DECISION

AGREED to:

(a) Approve the spend of £1,289 of underspend on administration costs; and,

(b) Approve use of the £628 of remaining underspend on community events to be delivered by A Heart for Duns.

12.2 Eat Sleep Ride

The Chairman advised that Eat Sleep Ride were having a wellbeing-themed open day on 11 June 2022.

12.3 SBC Greener Gateway

The Chairman advised that the Greener Gateway awards was to launch which would replace the floral awards.

12.4 Citizen's Advice Bureau Roxburghshire and Berwickshire

The Chairman advised that Citizen's Advice Roxburghshire and Berwickshire were looking for more board members.

12.5 **Community Councils**

Councillor Orr encouraged attendees to consider becoming members of their local community councils.

13. **MEETING EVALUATION VIA MENTI**

Attendees concluded the meeting with submission of meeting evaluations using the software Menti.

The meeting concluded at 8.15 pm.

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

MINUTES of Meeting of the POLICE, FIRE &
RESCUE AND SAFER COMMUNITIES
BOARD held in via MS Teams on Friday,
10th June, 2022 at 9.30 am

Present:- Councillors J. Pirone (Chairman), J. Anderson, N. Richards, E. Small, A. Orr,
H. Steel and Ms M Simpson - Voluntary Sector.

Apologies:- James Ayling – NHS Borders.

In Attendance:- Chief Inspector Vincent Fisher, SFRS Group Commander David Girrity, SFRS
Local Senior Officer Hilary Sangster, Safer Communities and Community
Justice Manager, Communities and Partnership Manager, Dan Blake (RSL),
Democratic Services Officer (F. Henderson).

1. MINUTES AND MATTERS ARISING

There had been circulated copies of the Minute of the Meeting held on 4 February 2022.

DECISION

APPROVED the Minute

2. PROGRESS REPORTS/UPDATES ON SERVICE MATTERS - POLICE SCOTLAND

2.1 There had been circulated copies of a report by the Divisional Commander, Chief
Superintendent Catriona Paton for Quarter 4 – 2021/22.

2.2 Chief Inspector Vincent Fisher presented the Quarter 4 Police Scotland Report and explained that the return to normality, post pandemic, had continued throughout quarter four, although it had been a difficult start with the hangover of the Omicron variant. While that had abated for the time being, there was a new challenge in the form of the 'McLeod Remedy.' The recent press articles, in which the Chief Constable described the impact of Police pension changes that allowed officers who were over the age of fifty and had 25 years' service or more to retire sooner than they might have otherwise done were highlighted. The numbers retiring from policing were higher than normal year on year averages, the implications of which continued to be assessed by the organisation on an ongoing basis. Supporting frontline policing (in all its forms) and ensuring those who required police assistance receive, not just a response, but a quality service, was, and always would be, the priority. As a single national service, Police Scotland were able to identify resources and manage recruitment to provide support and stability where it was needed most. Likewise, local resources were managed on a daily basis, to ensure that the demands of local communities were being met, although maybe not always expectations. The Chief Constable had undertaken to recruit around 300 new recruits each quarter in the year ahead to support the return to overall policing numbers and the Borders would receive a share. This would build on the work already done more locally in recent years to target recruitment specifically at those already living in the Borders, which improved staff retention and reduced the likelihood of officers moving to other divisions, or areas of the division as soon as their probationary period ended. Notwithstanding, it may take some time to build back full strength and therefore locally there would be ongoing assessment of what was needed most and how the police could work with partners and communities to achieve the best possible outcomes and keep the people, places and communities within the Scottish Borders safe.

- 2.3 Chief Inspector Vincent Fisher went on to report on the impact Covid had had on year-on-year comparisons, or even five year averages, rendering such comparisons fairly meaningless. ASB for instance rocketed during the pandemic as households reported other households for breaches of restrictions. Road traffic collisions on the other hand absolutely plummeted as traffic on roads all but dried up. These events skewed performance figures, and it would be unfair to make comparisons between any pre-covid, covid and post covid years.
- 2.4 In terms of under reported crime, it had been regarded that a number of types of criminal behaviour were underreported and great efforts had been made to encourage more victims to report particularly domestic crime, sexual crime and hate crime. The establishment of third party reporting mechanisms had also assisted in encouraging more victim's to come forward and report concerns to the police. This could be seen, not only in the numbers of crimes now being reported, but also in the types of behaviours being reported; people report matters now that they simply wouldn't have 20 years ago, and this was encouraging. The result of this, was that there may be a misconception that offending behaviour was changing dramatically when in fact it was more to do with victims' increased willingness to report. It was also important to recognise that a proportion of crime, particularly sexual and domestic crimes were non-recent, and although committed sometimes decades ago, they featured in the more recent performance figures.
- 2.5 Other misconceptions centred around the term 'Violent Crime' which conjured up images of weapons, fists, cuts and bruises. Group 1 Crime, or violent crime, included the Domestic Abuse Scotland Act offence of coercive and controlling behaviour, which recognised the psychological harm of domestic offending, not just the harm caused by assaults and other forms of physical violence. This crime didn't exist prior to 2019, and it's made its mark on our Group 1 figures since, with approximately 1700 such offences recorded last year across the country. It was expected, as the public become more aware of the legislation, that Police Scotland would receive more and more reports of this type of behaviour. Also included within Group 1 crime was extortion, or as was more often the case nowadays, 'Sextorsion', where victims were befriended by strangers online, encouraged to share intimate images of themselves before being held to ransom over their publication for friends and family to see. This offence required no physical contact, and was the case too for a growing number of Group 2, or sexual crimes, that were committed online and involved no direct contact with the complainer.
- 2.6 It was important to understand too, that at any given time, a high proportion of work was in progress and crimes where enquiries were ongoing, and although recorded as unsolved meantime, would in the fullness of time, be returned as a detection. This was particularly true of any enquiry with a forensic element to it. The lead times for laboratory analysis, particularly around drugs offences and blood work in relation to drink and drug driving could be lengthy. These crimes sit as unsolved, although once the lab work was done, there was a high chance of solving these crimes and this was particularly evident in the drugs cultivation and supply charges. The detection rate was sitting at 81.25%, when in reality, this number should be sitting nearer 100%. Missing persons were up slightly on last year, but again that was Covid related, but overall, since 2017, there was still a decline. There was progress in terms of implementing missing person protocols, all of which were designed to reduce the risk of persons going missing in the first place, or if they do, speed up the process of tracing and returning them.
- 2.7 As detailed in the report, domestic incidents were up, as were detections, as were bail offences; the latter significantly. Bail offences were a measure of our proactivity and every offence was an opportunity to lock up offenders and ensure victims' safety. In terms of Hate Crimes, as a result of a greater willingness among the public to report such incidents, there was an increase year on year and against the five year average, while detections had dipped. The deputy area commander maintained oversight and

responsibility for all reported hate crime and each incident received a high degree of scrutiny before the enquiry was eventually closed as solved or otherwise. The high proportion of incidents where Police Officers were the victim should be noted.

- 2.8 Reported sexual crimes continued to increase in the Scottish Borders, as they do elsewhere in the country; that rise mostly fuelled by online offending (covered by 'Other Group 2') and again that increased confidence to report. It should be noted that a proportion were non-recent and a proportion were domestic related, about 22%. Most of these crimes were committed in private spaces, which brings its own complications, and often there was a forensic component to the enquiry, which could increase enquiry times.
- 2.9 In terms of Drug Cultivation and supply, the CAT teams were responsible for the lion's share of these detections, and successes in earlier quarters had led to disruption and a recent dip in drug supply activity. There was good public support and the intelligence received continued to be triaged to ensure that those likely to cause most harm to our communities were targeted. Anti-social behaviour was down overall as was fire raising although vandalism and breaches of the peace were showing a slight increase. Overall, acquisitive crime was down slightly on the five year average, although there was a significant rise in on-line fraud. There was also a rise, albeit far less significant, in opening lock fast places (not motor vehicles) and attempted theft of motor vehicles. Overall housebreakings were down and detection rates were pretty respectable, especially compared to some other forces in England and Wales. Of particular concern was the rise in high value pedal cycle thefts and there had been significant thefts in recent weeks from teams competing in world cycling events in Fort William and more locally in Innerleithen. This was a national issue and crimes committed by travelling, organised crime groups who follow the events and competitors, made easier by social media and tracking apps. Crime prevention messaging continued through various cycling organisations and event organisers and work with colleagues in other parts of the country to share intelligence and piece together evidence left at various crime scenes to improve the chances of identifying and apprehending perpetrators.
- 2.10 As highlighted previously, traffic volumes had returned to pre-pandemic levels and so had casualty numbers. There had been eight deaths on Borders roads in the last twelve months, with varying causation factors and at a variety of locations. In terms of tackling serious and organised crime SOCGs most definitely operated in the Borders and police Scotland had some significant results in terms of disrupting them in the last twelve months. Working closely with colleagues in other parts of the country, particularly the forces in the north of England, where many of the most prolific SOCGs were based and with other partner agencies; SW, Health, Education, Housing etc. to help them spot the early signs of SOCG infiltration and exploitation, often referred to as cuckooing. The figures in the complaints section were self-explanatory and the 7.5% drop in overall complaints was to be welcomed, although the rise in complaints of assault was obviously of concern. Every complaint was investigated thoroughly and where there was evidence of wrong-doing, officers or staff were held to account.
- 2.11 In response to a question regarding the increase of rural crime, Chief Inspector Fisher advised that there was a good flow of information at a National level and could see patterns emerging. The crimes were being committed by highly organised travelling criminals using drones to identify locations and locate equipment. Lots of the investigative work involved was not visible in nature and that where there was scope for a follow up visit with victims one would be undertaken. Regarding the locations in which sexual assaults occurred, the Chief Inspector explained that investigations did not indicate any particular hotspots for that sort of crime. Incidents were constantly analysed to detect patterns or trends to proactively police areas where offences occurred. With specific reference to the "black path" in Galashiels, a walk through was planned with the Community Council in response to a recent incident in order to assess what could be done to improve the environment and make the public feel safer. In response to a question regarding the effectiveness of CCTV in the Scottish Borders given the

prevalence of the use of face masks in response to Covid, Chief Inspector Fisher explained that discussions were ongoing at Governmental level to ascertain whether CCTV represented good value for money. The popularity of private devices using CCTV, dash cams, doorbells etc., represented a useful resource when beginning an investigation and would normally be harvested by the CCTV co-ordinator.

DECISION

AGREED to note the Report.

3. PROGRESS REPORTS/UPDATES ON SERVICE MATTERS - SCOTTISH FIRE AND RESCUE SERVICE

- 3.1 There had been circulated copies of the Scottish Fire and Rescue Service performance report 1 April 2021 to 31 March 2022. Area Commander Hilary Sangster explained that in terms of staff resources, Firefighters who were over the age of 50 years and had 25 years service could retire. This was being managed through national recruitment, changing shift patterns, transferring staff and streamlining promotion pathways. The ongoing consultation was highlighted and those present were encouraged to complete it.
- 3.2 Group Commander Girrity advised that the priorities contained within the Local Fire and Rescue Plan and the strategies for service delivery were clearly aligned to the Community Planning Structure, which supported the delivery of Community Planning Partnership priorities and activities in the Scottish Borders. The priorities in the Local Fire and Rescue Plan also contributed towards Scottish Government National Outcomes.
- 3.3 Group Commander David Girrity presented the report and provided context to the key figures contained within. SFRS had responded to 1636 incidents in the Scottish Borders during the reporting period, an increase of 140 incidents compared to the same period in the previous year. 59% of emergency call outs were for false alarms. There had been 75 dwelling fires recorded, compared to 80 for the same period last year. Deliberate fire setting continued to be a priority for the SFRS in the Scottish Borders. 92 deliberate fire incidents had been recorded, a decrease of 26 in comparison to the same reporting period of the previous year. Road traffic collisions attended had seen an increase of 17 on the previous year to 69, although this should be considered in the context that last year, due to Covid related lockdowns, there was far less activity on local roads. Two people died within the reporting period, a total of 4 in the reporting year. There had been 86 special service casualties during the reporting period, an increase from 2020/1, during the Pandemic and associated lockdowns. 24 casualties injuries appeared to be serious and required hospital treatment, 34 casualties injuries were slight but attended hospital and on 6 occasions first aid provided by Ffs was sufficient to deal with the injury. Prevention and Protection activities were below target, attributed to Covid impacts and retirements, however, visits were increasing each quarter. The Community Action Team were now resuming partnership work to restart fire skills programmes. In terms of Unwanted Fire Alarm Signals (UFAS), the SFRS were committed to working with partners and other stakeholders to reduce UFAS and the introduction of new procedures and mobilisation to UFAS was planned for April 2023 which would reduce the burden on SFRS crews and create capacity for community safety and training opportunities.
- 3.4 In response to a question with regards to new fire regulations, Mr Girrity advised that there had not been an increase in calls since the implementation of the new legislation in February 2022 and an increase was not anticipated. The Fire Service had been fitting alarms in homes where the occupants were considered high risk, however they would not be policing this in terms of compliance with the legislation. Insurance Companies may investigate if the appropriate alarms had been fitted. There appeared to be a problem with the availability of alarms and concern was expressed with regard to the financial burden of fitting the alarms for low income families.

DECISION

AGREED to note the Report.

4. SAFER COMMUNITIES UPDATE AND KEY ACTIVITIES

- 4.1 There had been circulated copies of a Report by the Safer Communities and Community Justice Manager. In 2021/22 there was an increase in group 1-5 crime of 6.7% when compared to 2020/21. However in 2020/21 the country was still recovering from pandemic restrictions and recorded crimes were lower than would normally have been expected. In 2021/22 there was a decrease in antisocial behaviour incidents of 25.8% when compared to 2020/21. The increase in antisocial behaviour incidents in 2020/21 was in large due to the increased number of calls to Police Scotland during lockdown where breaches of government guidelines were being regularly reported. The 2021/22 were more closely aligned to those recorded 2019/20, pre-pandemic. In 2021/22 there was a 1.5% decrease in people being monitored for antisocial behaviour and the number of early interventions undertaken by ASB partners decreased by 7.6% when compared to 2020/21. Mediation referrals were 69.4% lower in 2021/22 when compared to 2020/21. There had also been a drop in the percentage of mediation cases that had a successful outcome. The downturn in performance was due to the continued impact of COVID-19 lockdown restrictions and the vacancy in the mediation officer post from quarter 3 of 2021/22. In terms of key successes, three of the four ASB Officers had been trained and accredited in Mediation, the remaining officer would undertake and complete training in June. Antisocial Behaviour Officers now had Areas of Responsibility (AOR), broadly in line with Police areas and this would greatly enhance the exchange of information between all partners as well as foster good working relationships. System development for a new database to support the work of the Antisocial Behaviour Unit was making good progress although it may take a little longer to transition than initially expected. Multi-Agency Face-to-Face warnings were now back in place Database development in MOSIAC continued and changes to the web pages, leaflets and referral forms had been completed.
- 4.2 Mr Jones went on to provide some insight into the key highlights, explaining that the number of domestic abuse incidents reported to police in 2021/22 was 1284, an increase of one since 2020/21. The number of referrals to the Domestic Abuse Advocacy Support (DAAS) service in 2021/22 was 462, which was 9 referrals higher than 2020/21 and the repeat referrals to the DAAS service in 2021/22 stood at 33%, slightly higher than the target of 30%. The number of clients contacted within agreed timescales was significantly higher than the 80% baseline and stood at 92.8%. In terms of successes, an appointment had been made for the 21hr advocate post and induction was progressing well. Leading Lights accreditation was progressing and the assessment of standards was planned for December 2022. DAAS continued to pursue available funding to alleviate hardship, poverty and costs of safety and a successful partnership bid by DAAS to the Hardship fund on behalf of Border Women's Aid, Children1st and Scottish Border Rape Crisis Service saw all specialist services receive over £10,000 of supermarket vouchers. A further application to the Nat West Circle fund had been submitted for £5,000 to support clients with specific activities, which would support their recovery but were ordinarily out with their budget. Work was underway to implement a Suicide Protocol into the DAAS as a result of a significant increases in the number of calls from clients expressing suicidal ideation. The protocol had been developed with the NHS Borders Suicide Prevention lead and had been welcomed by staff due to the impact of managing such calls, was available for sharing nationally to other IDAA services. DAAS Service Exit interviews for 2021/22 show continued positive outcomes for clients after working with DAAS in relation to safety, confidence, impact on children and accessing support. The key issues were highlighted in terms of court processes, delays and case disposals which were having a significant impact on the time taken to support clients and help them understand the court decisions. There had been an increase in MARAC referrals and work was underway to ascertain the best model to ensure a maintained focus and risk management model to address the increase. DAAS continued to deliver the required support in the given timeframes but Staff continued to work from home. Redevelopment of the safety

planning template and recorded consent forms on the DAAS database was underway as a result of an in-depth review of safety planning and to bring Consent into line with GDPR.

- 4.3 In terms of reducing injury and preventing accidents, Mr Jones explained that the priority areas of focus, accidents involving motorcyclists showed an increase in casualties in 2021/22 when compared to 2020/21, with 16 additional casualties reported. Accidents involving older drivers had resulted in 3 killed or seriously injured in 2021/22, lower than 2020/21. Younger drivers aged 17-25 involved in accidents had resulted in 5 killed or seriously injured in 2021/22, higher than 2020/21. Following an appraisal of the role of Community Safety Officer and changing business needs, adjustments had been made to the function within the post. The Community Safety/Policy Officer post had been filled and a review of the reporting requirement into Scrutiny for this post was being conducted.
- 4.4 Mr Jones referred to the Ukrainian refugee re-settlement scheme and in response to a question about interpreters advised that there were staff who spoke Russian and Ukrainian and so this had not presented as a problem.

DECISION

AGREED to note the Report.

5. **DATE OF FUTURE MEETING**

The next meeting was scheduled for 2 September 2022.

The meeting concluded at 12.30 p.m.

SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Headquarters, Newtown St. Boswells on Monday, 13 June 2022 at 10.00 a.m.

Present:- Councillors S Mountford (Chairman), M. Douglas, A. Orr, S. Scott, E. Small, V. Thomson.
Apologies:- Councillor J. Cox, D. Moffat, N. Richards
In Attendance:- Planning and Development Standards Manager, Lead Planning Officer (B. Fotheringham), Solicitor (F. Rankine), Democratic Services Team Leader.

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 28 March 2022.

DECISION

APPROVED for signature by the Chairman.

2. **APPLICATION**

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

DECISION

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

3. **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) an Appeal had been received in respect of the refusal of Listed Building Consent for replacement windows, 18-19 Slitrig Crescent, Hawick**
- (b) Review requests had been received in respect of :-**
 - (i) Replacement Windows, Craigard, Cannongate, Denholm;**
 - (ii) Erection of dwellinghouse, Land South East of Hardens Hall, Duns;**
 - (iii) Erection of dwellinghouse, Land North East of Woodend Farmhouse, Duns;**
 - (iv) Replacement windows. 18-19 Slitrig Crescent, Hawick;**
 - (v) Erection of dwellinghouse, Land South West of Windrush Highend, Hawick;**
 - (vi) Erection of two dwellinghouses, Land North of Ivanhoe, Dingleton Road, Melrose**
 - (vii) Erection of two dwellinghouses, Garden Ground of Greenrig, Blair Avenue, Jedburgh;**

- (viii) Change of use from agricultural store, alterations and extension to form dwellinghouse with garage, The Blue House near Swansfield Farm, Reston, Eyemouth; and
- (ix) Change of use from Industrial (Class 4,5,6) to Fitness Studio (Class 11) (retrospective), Unit C, Whinstone Mill, Netherdale Industrial Estate, Galashiels.
- (c) the following reviews had been determined as shown:-
- (i) Erection of dwellinghouse, Land West of Causewayfoot Cottage Wolflee, Hawick – Decision of Appointed Officer upheld (terms of refusal varied);
- (ii) Erection of new dwelling with garage (Approval of all matters specified in condition of planning permission 18/01632/PPP), Land North Of Old Manor Inn, Lanton - Decision of Appointed Officer Overturned (Subject to Conditions);
- (iii) Change of use of amenity land to garden ground and erection of bike/log store (retrospective) - Decision of Appointed Officer upheld;
- (iv) Erection of dwellinghouse with access, landscaping and associated works Site, Land South and West of Greywalls, Gattonside - Decision of Appointed Officer upheld;
- (v) Partial change of use of shop and alterations to form manager's flat, shop 43 High Street, Hawick - Decision of Appointed Officer Overturned (Subject to Conditions);
- (vi) Erection of pergola and boundary fencing (retrospective), 58 George Street, Peebles - Decision of Appointed Officer upheld;
- (vii) Removal of Condition 2 of planning permission 18/01000/FUL pertaining to use as holiday let accommodation, Warlawbank Steading, Reston, Eyemouth - Decision of Appointed Officer upheld;
- (viii) Change of use from Industrial (Class 4,5,6) to a Functional Fitness Gym (Class 11), Unit B, Whinstone Mill, Netherdale Industrial Estate, Galashiels - Decision of Appointed Officer Overturned (Subject to Conditions and informative); and
- (ix) Demolition of steading and farmhouse and erection of two dwellinghouses, Land at Haughhead Farm and Steading Building, Innerleithen - Decision of Appointed Officer Overturned (Subject to Conditions and a legal agreement).
- (d) there remained two reviews previously reported on which a decision was still awaited when the report was prepared on 1 June 2022 relating to sites at:-
- Land East of Delgany, Old Cambus, Cockburnspath
 - East Lodge, Netherurd, Blyth Bridge, West Linton
- (e) there remained one Section 36 PLI previously reported on which a decision was still awaited when the report was prepared on 1 June 2022 relating to Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick

The meeting concluded at 10.30 a.m.

SCOTTISH BORDERS COUNCIL
JEDBURGH COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the
JEDBURGH COMMON GOOD FUND
SUB-COMMITTEE held via Microsoft
Teams on Monday, 13 June 2022 at
4.30 p.m.

Present: - S. Hamilton, S. Scott, P. Brown and Community Councillor J. Taylor.

In Attendance: - Solicitor - Scott Archibald, Democratic Services Officer (F. Henderson).

Apologies:- Pensions and Investments Manager.

Members of the Public: - 0

1.0 APPOINTMENT OF CHAIRMAN

Councillor Hamilton, seconded by Councillor Brown, proposed that Councillor Scott be appointed as Chairman. There being no other nominations, Councillor Scott was appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Scott be appointed as the Chairman of the Jedburgh Common Good Fund Sub-Committee.

2.0 MINUTE

There had been circulated copies of Minute of the Jedburgh Common Good Fund Sub-Committee held on 21 March 2022.

DECISION

AGREED Minute of Meeting held on 21 March 2022.

3.0 MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022

3.1 There had been circulated copies of a report by the Director - Finance and Corporate Governance which provided the income and expenditure for the Jedburgh Common Good Fund for the year 2021/22 including balance sheet values as at 31 March 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 provided the projected income and expenditure for 2021/22 which showed a projected surplus of £23,438 for the year, which was better than the previously reported surplus on 28 February, as a result of an increase in the return from Aegon Investment Fund and an underspend in the Grants and Donations budget. Appendix 2 provided an actual balance sheet value as at 31 March 2022 and showed an increase in the reserves of £10,737. Appendix 3(a) provided a breakdown of the property portfolio showing actual rental income and net return for 2021/22. Appendix 3(b) provided a breakdown of the property portfolio showing actual property expenditure for 2021/22 and actual property expenditure to 31 December 2021. Appendix 4 provided a breakdown of the property portfolio showing actual property valuations at 31 March 2022. Appendix 5 showed the value of the Aegon

Asset Management Investment Fund to 31 March 2022. The Chairman advised caution in terms of drawing down money from capital to be paid out as Financial Assistance.

DECISION

- (a) AGREED the projected income and expenditure for 2022/23 in Appendix 1 as the revised budget for 2022/23;**
- (b) NOTED**
 - (i) the actual income and expenditure for 2021/22 in Appendix 1;**
 - (ii) the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2;**
 - (iii) the summary of the property portfolio in Appendices 3 and 4; and**
 - (iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5.**

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 it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

2.0 MINUTE

The Private Section of the Minute of 21 March 2022 had been circulated.

The meeting closed at 5.00 p.m.

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of Meeting of the EXECUTIVE
COMMITTEE held via MS Teams on
Tuesday, 14th June, 2022 at 10.00 am

Present:- Councillors E. Jardine (Chairman), L. Douglas, J. Greenwell, S. Hamilton, J. Linehan, S. Mountford, D. Parker, J. Pirone, E. Robson, M. Rowley, R. Tatler, E. Thornton-Nicol and T. Weatherston

Also Present:- Councillor W. McAteer

Apologies:- Councillors C. Cochrane, C. Hamilton

In Attendance:- Chief Executive, Director Education and Lifelong Learning, Director Infrastructure & Environment, Director People Performance and Change, Financial Services Manager, Democratic Services Team Leader, Democratic Services Officer (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 14 March 2022.

DECISION

APPROVED for signature by the Chairman.

2. **2021/22 UNAUDITED REVENUE OUTTURN**

2.1 There had been circulated copies of a report by the Director, Finance & Corporate Governance which provided a statement comparing final revenue outturn expenditure and income for 2021/22 with the final approved budget for the year along with explanations for significant variances. A net, unaudited outturn underspend of £1.427m was achieved in the 2021/22 revenue budget. The £1.427m net underspend (less than 0.5% of final approved budget) was delivered following a number of earmarked balances carried forward from 2021/22 into 2022/23. In total, those amounted to £37.189m and related to a number of initiatives across the Council and specifically included £9.465m of carry forward into the Council's COVID-19 reserve and £1.599m of carry forward by schools under the Devolved School Management scheme (DSM). Council services had delivered an underspend position whilst delivering significant financial plan savings totalling £9.301m. A high level summary of the outturn position in each Service was detailed from section 3.16 of the report. The Council's finances and operating model had continued to be affected by the COVID-19 emergency situation during 2021/22 as well as unprecedented market conditions and inflationary pressures, pressures from pay award and staff recruitment and retention challenges. The Council had administered £73.9m of funding which had been passed to over 5,770 businesses through a variety of business grants. The COVID-19 reserve was utilised during 2021/22 to maintain public services utilising further specific support from Scottish Government to support individuals and businesses during the pandemic. The challenging operating environment had included significant recruitment and retention issues across the Council which contributed to the year-end underspend position but resulted in capacity issues with a number of teams experiencing recruitment issues in filling vacant positions. During 2021/22 detailed revenue monitoring reports were reviewed by the Strategic Leadership Team (SLT) allowing proactive corporate management action to be taken during the year where required. In line with Financial Regulations quarterly monitoring reports were approved by the Executive Committee, authorising the necessary adjustments to the budget throughout the year. There had been an impact on the delivery of approved Financial Plan savings during 2021/22, mainly as a result of the COVID-19 response and recovery phase with slippage experienced in the delivery of planned savings. The level of savings required by the financial plan, totalled £9.301m, in 2021/22. An analysis of delivery of

savings was provided in Appendix 3 to the report. The outturn position showed that £3.489m (37%) savings were delivered permanently in line with approved plans, £1.932m (21%) were delivered in 21/22 with no requirement for the savings to be delivered from 2022/23, with the remaining £3.880m (42%) delivered on a temporary basis through alternative savings.

- 2.2 The Financial Services Manager, Ms Suzanne Douglas, presented the report and responded to Members questions. Regarding the shift in position from an underspend to an overspend within the learning disability service, the Chief Executive explained that the financial reporting reflected that in the last Quarter there had been underspend within that Quarter, however across the year there had been the overspend reflected within the report. In response to a question regarding funds earmarked for Devolved School Management (DSM), Ms Douglas explained that there had been a higher than expected amount of carry forward of budget by schools, a new DSM scheme was being developed and was expected to come to full Council following the summer recess. Members requested a briefing on the DSM Review. In response to further questions regarding the overspend within the learning disability service, Ms Douglas explained that the difficulties the service faced had been raised early in the financial year, work was ongoing to manage the issues – action plans were in place to contain costs and specific plans designed to deliver savings. The financial position had improved within the final Quarter of the year, with an improved income position and reduced client care packages providing financial benefits. In response to a question regarding the underspend listed under “generic services”, Ms Douglas agreed to investigate and provide further details, and suggested that the underspend was due to lower than expected costs incurred related to the Carers Act. Regarding issues with recruitment and an underspend on staffing costs, the Director – People, Performance and Change explained that work was ongoing to address recruitment and retention problems, and that a report would be brought to the Committee outlining the steps that were being taken to address those problems.

**DECISION
AGREED :-**

- (a) the content of the report and noted the favourable outturn position for 2021/22 prior to Statutory Audit;**
- (b) to note that the draft unaudited outturn position would inform the budgetary control process during 2022/23 and inform the financial services planning process for future years;**
- (c) to approve the sums earmarked under delegated authority by the Director, Finance and Corporate Governance as well as adjustments to previously approved earmarked balances as shown in Appendix 1 to the report; and**
- (d) to note the range of pressures associated with the current operating environment will be reported through the monitoring process during 2022/23.**

3. CAPITAL FINANCIAL PLAN 2021/22 - FINAL UNAUDITED OUTTURN

There had been circulated copies of a report by the Director, Finance and Corporate Governance which provided a statement comparing the final capital outturn for 2021/22 with the final budget for the year and identified the main reasons for any significant variations. The final capital outturn statement for 2021/22 was included at Appendix 1 to the report and included the reasons identified by the Project Managers and Budget Holders for the variances to the final approved budget. This identified an outturn expenditure of £59.634m which was £7.134m below the final revised budget of £66.766m including timing movement in the final quarter of £7.474m. A number of macro-economic factors affected the Capital Plan during 2021/22. Construction materials supply chain had been subject to unprecedented disruption in recent months. A surge in demand coupled with constraints on supply had led to price increases, shortages and longer lead times.

Any financial implications from those market conditions were reported within the final outturn report with the final financial position for 2021/22. The outturn position provided the basis to inform the Capital Plan requirements in 2022/23, with any longer term impacts reflected in the financial planning process for future years. In recognition of the market conditions experienced in 2021/22 and continuing into 2022/23, the approach to slippage of block allocations within the Capital Plan had been reconsidered. From the 2021/22 outturn, the elements of projects which were legally committed would transfer budget into the next financial year to fund those commitments. All other underspend in block allocations would be carried forward on a pooled basis to benefit the wider Capital Plan. This carry forward from 2021/22 into 2022/23 of £1.253m would be used to establish an inflation contingency in light of the market condition concerns highlighted in the report. In response to a question regarding the potential for any further increases to the costs related to the repair of the Union Chain Bridge, the Director, Infrastructure and Environment, Mr John Curry, explained that work was ongoing with the project partners to manage and mitigate risks, but that material costs continued to increase. Regarding electric vehicles, the Director explained that work was ongoing with fleet management regarding the servicing of the vehicles, and that work was required to assess the impact of disposal costs of the car batteries once they had reached the end of their usage. The Director added that the management and disposal of the batteries would be part of the revenue budget rather than capital.

DECISION

(a) AGREED:-

- (i) the final outturn statement in Appendix 1 to the report;**
- (ii) the allocation of the remaining budget of £0.660m from Emergency & Unplanned to Union Chain Bridge as reflected in Appendix 1 to the report; and**
- (iii) the block allocations detailed in Appendix 3 of the report.**

(b) NOTED:-

- (i) the adjustments to funding in Appendix 1 to the report;**
- (ii) the final block allocations in Appendix 2 to the report**
- (iii) the whole project costs detailed in Appendix 4 to the report.**

5. BALANCES AT 31 MARCH 2022

There had been circulated copies of a report by the Director, Finance and Corporate Governance which provided an analysis of the Council's balances as at 31 March 2022. The Council's General Fund useable reserve (non-earmarked) balance was £9.848m at the end of the financial year. The 2021/22 balances were before a series of technical accounting adjustments, the effect of which were expected to be broadly neutral. Adjustments required as a result of the Statutory Audit process would be reported at the conclusion of the Audit. The total of all useable balances, excluding developer contributions, at 31 March 2022 was £64.481m compared to £48.264m at 31 March 2021.

DECISION

NOTED:-

- (a) the revenue balances as at 31 March 2022 as contained in Appendices 1 & 2 to the report, including movement in the allocated Reserve since the last reporting period; and**
- (b) the balance in the Capital Fund as contained in Appendix 3 to the report.**

5. **CORPORATE DEBTS - WRITE-OFFS IN 2021/22**

There had been circulated copies of a report by the Director, Finance and Corporate Governance which detailed the aggregate amounts of debt written off during 2021/22 under delegated authority. The report covered the areas of Council Tax, Non-Domestic Rates, Sundry Debtors, Housing Benefit Overpayments and aged debt from the balance sheet. The total value of write-offs decreased from £0.726m in 2020/21 to £0.39m in 2021/22. There were ongoing risks associated with the management of the Council's debts and those may lead to an increase in the levels of debts that may be required to be written off as irrecoverable in future years. Those were identified in paragraph 5.2 of the report. The Council maintained an appropriate bad debt provision to manage those risks. The Treasury Business Partner, Ms Sara Wilson and Customer Services Manager, Mr Les Grant, presented the report and answered Members questions. Ms Wilson clarified that the reports concerning write-offs are mid-year reports. Members requested that officers provide updates to Elected Members on an informal basis to provide a clear picture throughout the budget setting process. Regarding time barred debts, Ms Wilson explained that any debt not recognised by a debtor in a 5 year period became time barred, and that work was ongoing in partnership with the legal department to ensure that debts were pursued, in court if necessary, and invoices were sent to individuals to ensure that debts did not become time barred. In response to a question regarding the drop in the amount of housing benefit overpayments written off, Mr Grant explained that housing benefit overpayments were pursued differently from other debts, with the overpayment often reclaimed from an ongoing benefit over a longer period of time. Following a change to the benefits scheme, principally the shift to universal credit, the ease with which debts relating to overpayment of benefits could be recovered had increased, and the expectation was that the value of future write offs would be lower. Mr Grant undertook to investigate what "miscellaneous" referred to in the table provided at 5.1 of the report and provide clarity to Members.

DECISION

NOTED that the debtor balances written off during 2021/22 under delegated authority were reduced due to staff being moved to other Covid-related duties and that the level of write offs were likely to increase back to previous levels in 2022/23.

6. **OUR PLAN AND YOUR PART IN IT: SCOTTISH BORDERS COUNCIL'S CORPORATE PERFORMANCE AND IMPROVEMENT REPORT QUARTER 4 & ANNUAL REPORT 2021/22**

- 6.1 With reference to paragraph 2 of the Minute of the meeting held on 1 March 2022, there had been circulated copies of a report by the Director – People, Performance and Change which presented a high level summary of Scottish Borders Council's (SBC) Quarter 4 2021/22 with Annual performance information with more detail contained within Appendices 1 and 3 to the report. A summary of the Community Action Team's activity was provided in Appendix 6 to the report. Highlights on the progress of change and improvement projects across SBC under the Fit for 2021 programme was included in appendix 2 to the report, and monitoring of the progress of the Recovery Plan in appendix 4. SBC approved a revised Corporate Plan (Our Plan and Your Part in it 2018- 2023) in February 2018, with four corporate themes. In order to monitor progress against the four themes, performance and context information had been presented quarterly to the Executive Committee, with an annual summary in June each year. Further, the new Council Plan was developed and agreed by SBC in February 2022. As such, the quarterly performance report was being reviewed to ensure alignment with the revised Council Plan. The revised Quarterly Council Performance Report would be presented to SBC on 23 June and therefore, the report would be the last in the current format. During Quarter 4 and throughout 2021/22 SBC had continued to press ahead with a range of important initiatives and innovations, including utilising technology to automate and streamline processes; the replacement programme for synthetic pitches in the region; the continued roll out of the Inspire Learning programme; and Health and Social Care projects working with partners and the wider community.

- 6.2 The Director – People, Performance and Change presented the report, highlighting that the process to develop the revised framework was ongoing, and the need to align performance against the new Council Plan. It had not been possible to update some of the indicators in the report. Planning permission data was not available until July 2022, and the figures for adults using self-directed support were not available due to a change in the recording system. Members in attendance thanked the Director for the breadth of the report, and praised that the data in the report allowed Members to identify areas that required improvement. In response to a question regarding the reported decrease in mediation referrals, the Director explained that the drop off was expected to be a temporary dip related to covid-19, with a return to the normal trend predicted. Regarding the Eat Well Age Well project, the Director explained that the project was live, and was focussed on ensuring that people ate well and stayed hydrated. Councillor Thornton-Nicol undertook to share the details of the project, and encouraged elected Members to get trained. Regarding the lack of data for adults receiving care at home being unavailable despite the implementation of Total Mobile, the Director, Strategic Commissioning and Partnerships, explained that the reporting system had been fully set up, and that work had been undertaken to make sure that staff were reporting and using the system correctly to ensure that reported data was accurate. The Director – People, Performance and Change provided a definition of volunteers referred to in the report and undertook to define that clearly in future reports.

DECISION

AGREED to:-

- (a) **Note the progress update relating to Change and Improvement Projects, referenced at section 4 and detailed further in Appendix 2 to the report;**
- (b) **Note the changes to performance indicators outlined in Section 5 of the report; and**
- (c) **Note the performance summarised in Sections 7 and 8, and Approves the Annual Reports set out at Appendices 1, 2 and 3 and the action that is being taken within services to improve or maintain performance.**

7. STRATEGIC HOUSING INVESTMENT PLAN PROGRESS FOR 2021-2022

With reference to paragraph 2 of the meeting of the Executive Committee held on 14 September 2021, there had been circulated copies of a report by the Director, Infrastructure and Environment which advised Members of the affordable housing annual completions, and progress made in the delivery of the Strategic Housing Investment Plan (SHIP) projects for the period 2021-2022. The SHIP was the sole document for targeting affordable housing investment in the Scottish Borders. It provided a rolling 5 year planning horizon of identified and prioritised affordable housing development intentions. Current Scottish Government Guidance required that each Council submit a SHIP on an annual basis. In common with previous submissions, SBC's SHIP had received very positive feedback from Scottish Government Officials. For the financial period 2021-22, 314 affordable homes were delivered against envisaged projects set out in the current SHIP 2022-2027. This exceeded the Council's Local Housing Strategy 2017-2022 (LHS) annual target of 128 new affordable homes. Of the 314 homes delivered, Registered Social Landlords delivered 237 additional homes through new building and conversion, plus 60 via purchases of existing homes. In addition, 16 individual house purchases were assisted by Scottish Government's Open Market Shared Ownership scheme. The Scottish Government's Rural Housing Fund assisted a long term empty home to be brought back into use. This represented a 5 year average annual delivery of 180 affordable homes., As at 31 March 2022, 329 affordable homes were under construction, an additional 246 had secured Planning Consent, and Planning Applications were being considered for a further 46 homes. The Chief Planning Officer, Mr Ian Aikman, presented the report, explained that a typographical error at paragraph 1.3 of the report referred to 31 March 2021, the report should have read 31 March 2022, and outlined that he expected the next SHIP to

be submitted in October 2022. Mr Aikman advised that Mr. Begg, Lead Officer for Housing Strategy was retiring at the end of June. Mr Begg had been heavily involved in the preparation of the SHIP and Members thanked him and wished him well for the future. In response to a question regarding pre-screening assessments, Mr Aikman explained that the assessments were carried out by Council Officers on a project basis. With regard to a question on the size of houses built and the lack of those with 4 bedrooms, Mr Aikman advised that housing needs assessments were carried out but he would raise this with RSLs.

DECISION

AGREED to endorse the progress made in the delivery of affordable housing in 2021-22.

8. WHEELCHAIR ACCESSIBLE HOUSING DELIVERY 2021/2022

With reference to paragraph 7 of the Minute of the Meeting of the Executive Committee held on 17 November 2020, there had been circulated copies of a report by the Director, Infrastructure and Environment which provided an annual update regarding the number of wheelchair accessible homes delivered against the Council target for the period 2021/2022. Revised Scottish Government Guidance required Councils to set all tenure wheelchair accessible housing targets. On 17 November the Executive Committee agreed an annual target of 20 houses. During 2021-2022 Registered Social Landlords delivered 48 wheelchair accessible homes, and the private sector delivered zero. In response to a question regarding what measures could be used to encourage the private sector to deliver more wheelchair accessible homes, Mr Aikman explained that whilst measures such as planning informatives and conditions could be used, building regulations were considered the most appropriate means to persuade developers to act. Regarding targets to deliver other types of accessible homes, Mr Aikman explained that reporting on the number the wheelchair accessible homes delivered was required by the Scottish Government, and that he would investigate whether more information could be provided on specific and general needs within future reports.

DECISION

AGREED to welcome the 48 wheelchair standard homes delivered by Registered Social Landlords during 202/21 and express disappointment that no wheelchair standard homes were delivered by the private sector in the same period.

9. PRIVATE BUSINESS

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 Appendix 1 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

10. MINUTE

The Private section of the Minute of the Meeting held on 22 March 2022 was approved.

11. PROPOSED INFLATIONARY LIFT FOR CARE AT HOME PROVIDERS

A report by the Director, Strategic Commissioning and Partnerships was approved.

The meeting concluded at 12.15 pm

Date: 16 June 2022 from 2.00 to 3:15 p.m.

Location: Via Microsoft Teams

Attendees: Councillor C. Cochrane (Chair), Ms A. Cox (Borders College), Chief Insp. V. Fisher (Police Scotland), Councillor J. Greenwell, Mrs K. Hamilton (NHS Borders), Cllr S. Hamilton, Mrs M. Hume (Third Sector), Ms K. Jackson (SOSE), Cllr E. Jardine, Ms H. Sangster (Fire & Rescue Service), Councillor E. Thornton-Nicol.

Also in attendance: Chief Executive, Director Resilient Communities, Director Social Work & Practice, Communities and Partnership Manager, Clerk to the Council (all SBC); Ms S. Mitchell (SDS); Dr T. Paterson (Public Health); Ms M. Walker (Third Sector).

MINUTE AND ACTION POINTS

1. **WELCOME AND APOLOGIES**

Councillor Cochrane welcomed everyone to the meeting and advised that Apologies had been received from Prof. Griggs (SOSE).

2. **MINUTE**

2.1 Copies of the Minute of 3 March 2022 had been circulated.

DECISION

AGREED to approve the Minute.

2.2 Copies of the Action Tracker for the Strategic Board had been circulated.

**DECISION
NOTED.**

3. **COMMUNITY PLANNING PARTNERSHIP TASK GROUP – IMPROVEMENT PLAN
UPDATE**

3.1 With reference to paragraph 3 of the Minute of 3 March 2022, copies of a discussion paper on the Community Planning Partnership (CPP) review and an Improvement Plan had been circulated. SBC Director Resilient Communities, Mrs J. Craig, gave a presentation on progress:

- The CPP Improvement Plan had been approved at the meeting on 3 March 2022. There were 3 main areas of action: prioritise, governance and performance. It was also agreed that a Task Group be formed to progress this Plan.
- The Task Group membership included a range of partners and had now met 3 times.
- Improvement Plan Action 1 (Prioritise): there was a need to refresh the Community Plan to account for the significant changes in the operating landscape as a result of the pandemic. A rapid review of the existing Community Plan was to be undertaken to reduce this to a few key priorities. This would require a strong community engagement piece of work and a clear framework for discussion.

- Existing Community Plan (4 themes with 15 outcomes) – during Covid this was extended to 7 themes and many action levels. As the full impact of the pandemic was not yet known, the Task Group would focus on the emerging cost of living crisis; climate emergency; lack of up to date national statistics; and the responses to the public survey. There was a proposal to modify and rename the Key Priorities Action Plan to an interim CPP Work Plan to address the current shift in the strategic context for the Borders, the current known impact and effects of the pandemic, and the cost of living crisis, particularly in relation to the increased risk of poverty and inequality. In parallel, the Group would plan and agree the preparatory work required to undertake a review of the current Community Plan during 2023/24, establishing a strong evidence base to support any proposed changes.
- Proposed CPP Work Plan Themes – the four themes were proposed as: Enough money to live on; access to work, learning and training; enjoying good health and wellbeing; and a good place to grow up and live in. There would not be the only areas for the CPP to look at as there would be other matters for the CPP to consider, but this was about the CPP coming together over the next year to work collectively as well as individually in supporting communities. Members welcomed the themes and the planned way forward.
- Proposals from the Task Group – details were given on the thematic sub-groups, with each chaired by a partner with relevant specialist knowledge, and update reports coming forward to the quarterly Programme and Strategic Boards. Themes would be worked on by more than one sub-group as there were various aspects to each theme. It was anticipated that a detailed progress report on each theme would be presented once per year.

3.2 Members considered a number of aspects relating to the themes, including the role of the Third Sector and trying to ensure there were no gaps in progressing work on the themes. In terms of next steps, the Task Group would continue to develop the CPP Improvement Plan and develop a CPP Work Plan, along with a governance structure and performance framework which would reflect the Work Plan. A timetable would be developed and preparation work undertaken by the Task Group over the summer to set out the required resources, key actions, strategic assessment and milestones that were needed to refresh the Community Plan during 2023/24. A further report would be brought to the Strategic Board at its next meeting. Members then discussed how to get the message of the work that was being undertaken by the CPP out to the community. The CPP was not as visible as it could be and in resetting priorities this was an opportunity to re-engage and communicate more with communities. The various partner organisations' communications teams could work together on a better way of getting the message out. This could make use of village coffee mornings, pop up hubs within communities, community newsletters, etc. to ensure that all communities were reached.

DECISION

(a) AGREED:

- (i) the revised themes and priorities detailed in section 4 of the report which reflected the findings of the CPP Task Group work to date (including the key priorities that were emerging from the public survey); and**
- (ii) that a draft Work Plan would be developed over the summer for consideration by the CPP Programme Board in August 2022 before being presented for approval to the Strategic Board in September 2022.**

(b) NOTED:

- (i) that a further report on a CPP governance structure and performance framework which reflected the Work Plan would also be considered by**

the CPP Programme Board in August 2022 before being presented for approval to the Strategic Board in September 2022;

- (ii) that in parallel to the Work Plan, a full review of the current Community Plan was being proposed to be undertaken in 2023/24, including a refreshed Strategic Assessment and the Health Needs Strategic Assessment, which would provide an evidence base for future changes to the Community Plan; and
- (iii) that this could/would require formal agreement of individual partners through their own governance arrangements.

4. UPDATE ON THRID SECTOR INTERFACE

4.1 Ms Morag Walker, of The Bridge, gave a presentation to the Board on The Third Sector Interface Reimagined. Ms Walker explained that work had started in September 2021, with support provided by the Scottish Government's Third Sector Unit, on how to bring together the current 4 organisations to work collectively and talk with one voice. The role of the Third Sector Interface (TSI) was to provide intelligence to individuals and organisations, to act as a voice and networking link between third sector organisations and statutory bodies, and to help with capacity. The TSI had 4 partners: Berwickshire Association for Voluntary Service (BAVS), The Bridge, Volunteer Centre Borders, and Borders Social Enterprise Chambers (SBSEC). The partners were working towards the creation of a different structure to deliver the TSI. SBSEC had taken the opportunity through that process to seek an SLA as opposed to being a full partner and the remaining partners were pleased to accede to this with the details to be agreed. Details were also given on the different work of each of the partners, including their geographic coverage. To re-establish the TSI in the Borders, a steering group had been established with representatives from each partner organisation and had agreed terms of reference, a code of conduct, schedule of meetings, method for shared communications and updates, and this group continued to work through options for the future. A draft strategy for 2022/23 had been developed, legal advice had been procured on the options for a new structure, and the impacts of change on services, staff and assets were being examined. The boards of all organisations had been invited to an event to hear about the Re-imagined project's progress and to gauge their responses to the future options. Details were also given of the Borders TSI Draft Strategy's vision, mission, values and content.

4.2 Members congratulated the TSI on the work they were undertaking which would give the support and profile of the TSI that the Borders needed in moving forward. In terms of progress, this was now well on the way to demonstrating the willingness of the TSI to improve. The draft Strategy was going out for consultation asking:

- What can we do better to serve you as a TSI organisation going forward?
- What do you need from us as a TSI organisation?
- What else would you like to share?

The consultant was due to submitted a report at the end of June to Scottish Government and it was hoped to have all changed made by April 2023. Mrs Hume advised that there was still a long way to go and a lot to think about, including how to balance finances, with funding for next year uncertain.

DECISION NOTED.

5. ANY OTHER BUSINESS

No other matters were raised.

6. NEXT MEETING

The Strategic Board noted that its next meetings were scheduled to take place on 8 September and 17 November 2022 at 2pm. These meetings would be held online via Microsoft Teams and would be livestreamed.

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY held in the Council Chamber at Newtown St Boswells on Monday, 20 June 2022 at 10 a.m.

Present:- Councillors S Mountford (Chair), M. Douglas, D. Moffat, A. Orr, V. Thomson, N. Richards, S. Scott.

Apologies:- Councillors J. Cox, E Small.

In Attendance:- Principal Planning Officer (Paragraphs 2 - 6) Assistant Planning Officer (S. Shearer – paragraph 1), Solicitor (S. Thompson), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1. REVIEW 21/00448/FUL

This application was considered by the previous Local Review Body on the 18th April 2022. It was the intention of the LRB to support the proposal but a determination was not reached because it was found that further procedure was required to seek the submission of a bat survey. Due to the local elections held on 5 May, it would not have been appropriate for that Local Review Body to continue the application so that further information could be provided and then considered by the new Local Review Body. The Local Review Body considered the request from Camerons Strachan Yuill Architects, 1 Wilderhaugh, Galashiels to review the decision to refuse alterations and extensions to dwellinghouse and formation of access at East Lodge, Netherurd Blyth Bridge, West Linton. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; consultee comments; consultation replies and List of Policies. The Planning Adviser drew attention to information, in the form of additional information with regard to the possibility of bats, which had been submitted with the Notice of Review but had not been before the Appointed Officer at the time of determination. The Review Body considered that the new evidence met the test set out in Section 43B of the Town and Country Planning (Scotland) Act 1997, and that this new information was material to the determination of the review and could be considered. However, they also agreed that the matter could not be considered without enabling the Planning Officer and Ecology Officer the opportunity to respond to the Bat Emergence Survey submitted with the Notice of review, and therefore agreed that the application be continued for further procedure in the form of written submission from the Planning Officer and Ecology Officer.

DECISION

AGREED 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) new evidence submitted with the Notice of Review in the form of a Bat Emergency Survey met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;
- (c) the review could not be considered without the need for further procedure in the form of written submissions;

- (d) the Planning Officer and Ecology Officer be given the opportunity to comment on the Bat Emergence Survey provided by the Applicant; and**
- (e) consideration of the review be continued to a future meeting on date to be confirmed.**

2. REVIEW 21/00739/PPP

There had been circulated copies of a request from F J Usher's Children Trust, c/o Hannah Belford, Agent, Wemyss House, 8 Wemyss Place, Edinburgh to review the decision to refuse the planning application for the erection of two dwellinghouses on Land East of Delgany, Old Cambus, Cockburnspath. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; additional information, correspondence, consultation replies; objection comments, general comments, further representations and list of policies. The Planning Adviser drew attention to information, in the form of noise levels of machinery in operation at TD Trees and Land Services, Old Cambus, West Mains submitted by an objector but which had not been before the Appointed Officer at the time of determination. The Review Body considered that the new evidence met the test set out in Section 43B of the Town and Country Planning (Scotland) Act 1997, and that this new information was material to the determination of the review and could be considered. However, they also agreed that the matter could not be considered without enabling the Planning Officer and Environmental Health to respond to the details in the noise levels submitted by the objector, and therefore agreed that the application be continued for further procedure in the form of written submission from the Planning Officer and Environmental Health.

DECISION

AGREED 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) new evidence submitted by an objector in the form of noise levels of machinery in operation at TD Trees and Land Services, Old Cambus, West met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;**
- (c) the review could not be considered without the need for further procedure in the form of written submissions;**
- (d) the Planning Officer and Environmental Health be given the opportunity to comment on the noise level of machinery Level Survey provided by an Objector ; and**
- (e) consideration of the review be continued to a future meeting on a date to be confirmed.**

3. REVIEW 21/01588/FUL

There had been circulated copies of a request from Hamad Aloswadian c/o Amy Knowles Brown, Agent, 21 Snowdon Place, Stirling to review the decision to refuse the planning application for the erection of a dwellinghouse on Land South West of Windrush, Highend, Hawick. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; additional information, consultation replies; supporting statement and list of policies. In their initial discussions, Members considered whether there was a building group under Part A of Policy HD2 and noted that the site lay adjoining the applicant's own house. The members noted from the aerial slides and applicant's map submission that there were other houses and buildings in the wider vicinity, but felt these were well separated and that not all

buildings in the wider area were houses and concluded that there was not a building group. The Review Body then considered whether there was a justified business case for a dwellinghouse on the site but concluded that as the falconry facility was operated as a hobby, there was no such justification. Finally the Review Body considered other material issues relating to the proposal including siting and design, impact on trees, impact on the landscape, road access, water and drainage. After considering all relevant information, the Local Review Body concluded that the development was contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was refused.

DECISION

AGREED 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 development was contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that the proposal was not well related to an existing building group of at least three houses and no overriding economic case had been made that a house was required in this isolated location for essential rural business purposes; and**
- (d) the officer's decision to refuse the application be upheld for the reasons set out in Appendix I to this Minute.**

4. REVIEW OF 21/01068/FUL

There had been circulated copies of a request from Mr and Mrs M J Fox, c/o Stuart Patterson Building and Timber Frame Design, 5 Burnflat Lane, Hawick to review non-determination of a planning application for replacement windows at Craigard, Canongate, Denholm TD9 8NF. The supporting papers included the Notice of Review; additional information; support comments objection comments, correspondence and List of Policies. The Review Body noted that the review was submitted against non-determination of the planning application, as the Council had not determined the application within the agreed extended processing period, this constituted a deemed refusal of the application and they were required to make a 'De Novo' decision on the application. The Review Body noted that the proposal related to a property within Denholm Conservation Area but that it was positioned outwith the Prime Frontage part of the Conservation Area. Given that timber sash and case window styles were not predominant in the vicinity and as the existing windows were casement, Members considered that the proposed windows would maintain the character of Denholm Conservation Area. After considering all relevant information, the Local Review Body concluded that the proposed replacement windows were consistent with Policies PMD2 and EP9 of the Local Development Plan and Supplementary Planning Guidance on Replacement Windows and Doors and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was approved subject to conditions.

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 proposed replacement windows were consistent with Policies PMD2 and EP9 of the Local Development Plan and Supplementary Planning Guidance on Replacement Windows and Doors and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was approved subject to conditions as detailed in Appendix II to this Minute.**

5. REVIEW OF 21/01439/FUL

There had been circulated copies of a request from Mr Bryce Crawford, 18-19 Slitrig Crescent, Hawick TD9 0EN to review the decision to refuse the planning application for replacement windows at 18-19 Slitrig Crescent, Hawick. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; additional information and list of policies. Members firstly noted that the Review was submitted against refusal of planning permission for the windows but that there was also an appeal against refusal of listed building consent for the windows, submitted to the Department of Planning and Environmental Appeals and currently undetermined. Whilst the Review Body noted the position and the fact that the property was also a statutorily listed building, they proceeded to consider and determine the Review only in relation to the refusal of planning permission, which was required as the property was also within Hawick Conservation Area. Members were aware that the replacement windows would need both planning permission and listed building consent in order to be installed. The Review Body noted that the property lay outwith the Prime Frontage part of the Conservation Area. Given that timber sash and case window styles were not predominant in the vicinity and as the adjoining existing windows were of differing style and pattern, Members considered that the proposed windows would maintain the character of the property and Hawick Conservation Area, subject to conditions on framing, colour and glazing bars. After considering all relevant information, the Members concluded that the proposed replacement windows were consistent with Policies PMD2 and EP9 of the Local Development Plan and Supplementary Planning Guidance on Replacement Windows and Doors and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was approved subject to conditions.

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) **that the proposed replacement windows were consistent with Policies PMD2 and EP9 of the Local Development Plan and Supplementary Planning Guidance on Replacement Windows and Doors and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was approved subject to conditions.**
- (d) **the officer's decision to refuse the application be overturned and the application approved, subject to conditions, for the reasons detailed in Appendix III to this Minute.**

6. REVIEW OF 21/01846/PPP

There had been circulated copies of a request from Aitken Turnbull Architects, 5 Castle Terrace, Edinburgh EH1 2DP to review non determination of a planning application for the erection of two dwellinghouses on Land North of Ivanhoe, Dingleton Road, Melrose. The Review Body noted that the review was submitted against non-determination of the

planning application, as the Council had not determined the application within the application processing period, this constituted a deemed refusal of the application and they were required to make a 'De Novo' decision on the application. The supporting papers included the Notice of Review; additional information; consultation replies; objection comments; correspondence and List of Policies. The Planning Adviser drew attention to information, in the form of a Bat Potential and Breeding Bird Survey which had been submitted with the Notice of Review but had not been before the Appointed Officer during the processing of the application. The Review Body considered that the new evidence met the test set out in Section 43B of the Town and Country Planning (Scotland) Act 1997, and that this new information was material to the determination of the review and could be considered. However, they also agreed that the matter could not be considered without enabling the Planning Officer and Ecology Officer the opportunity to respond to the Bat Potential and Breeding Bird Survey submitted with the Notice of review. Members, therefore, agreed that the application be continued for further procedure in the form of written submission from the Planning Officer and Ecology Officer. Members further agreed that a site visit would also assist them in their determination and agreed that this be arranged while the written submissions were being obtained.

DECISION

AGREED 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 new evidence submitted with the Notice of review in the form of a Bat Potential and Breeding Bird Survey met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;**
- (c) the review could not be considered without the need for further procedure in the form of written submissions and an unaccompanied visit to the site;**
- (d) the Planning Officer and Ecology Officer be given the opportunity to comment on the Bat Potential and Breeding Bird Survey submitted with the review and that a site visit be arranged; and**
- (e) Consideration of the review be continued to a future meeting on a date to be confirmed.**

The meeting concluded at 12.20 p.m.

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SCOTTISH BORDERS COUNCIL
KELSO COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the KELSO COMMON
GOOD FUND SUB-COMMITTEE held via Microsoft
Teams on Tuesday, 21 June 2022 at 5.15 p.m.

Present: - Councillors E. Robson (Chairman), T. Weatherston, S. Mountford.

Apologies:- Community Councillor G. Horsburgh.

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

Members of the Public: - 0

1.0 APPOINTMENT OF CHAIRMAN

Councillor Weatherston, seconded by Councillor Mountford, proposed that Councillor Robson be appointed as Chairman. There being no other nominations, Councillor Robson was appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Robson be appointed as the Chairman of the Kelso Common Good Fund Sub-Committee.

2.0 MINUTE

There had been circulated copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 22 March 2022.

DECISION

AGREED to note the Minute for signature by the Chairman.

3.0 MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022

There had been circulated copies of a report by the Director - Finance and Corporate Governance providing details of the income and expenditure for the Kelso Common Good Fund for the year to 31 March 2022, a full year projected out-turn for 2022/23, including balance sheets values as at 31 March 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 to the report provided the projected Income and Expenditure position for 2021/22 which showed a projected surplus of £9,541 for the year, which was better than the previously reported surplus on 22 March 2022, as a result of an increase in the return from the Aegon Investment Fund and an underspend in the Grants and Donations budget. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2022 and showed a projected decrease in reserves of £41,002. Appendix 3(a) to the report provided a breakdown of the property portfolio showing rental income and net return for 2021/22. Appendix 3(b) provided a breakdown of the property portfolio showing actual property expenditure for 2021/22. Appendix 4 provided a breakdown of the property portfolio showing projected property valuations at 31 March 2022. Appendix 5 detailed the value of the Aegon Asset Management Investment Fund to 31 March 2022. The Pension & Investment Manager highlighted the main points in the report and answered Members questions. Members noted that Aegon were meeting their targets and congratulated Mrs Robb and her team for their hard work managing the fund. Members raised the issue of toilet provision in Croft Park, Kelso where the toilets may be closed permanently and the implications of the building remaining as a Common Good Asset and continued maintenance costs being funded by SBC. There was discussion about whether a charge could be made, although it was acknowledged that the toilets would require refurbishment, which the Common Good could fund, following any decision by SBC to close, the Common Good wished them to be reopened. If the Common Good reopened them it would also be liable for the running costs. There was a

suggestion that an estimate for the refurbishment of the Croft Park toilets be sought from Estates, however it was agreed to await the findings of the Working Group. Councillor Weatherston raised the matter of Pinnaclehill Woodland and the continuing maintenance of the Asset, following discussion around assessment of the trees, woodland management and the potential to sell an Asset, it was agreed that Simon Wilkinson, Tree Officer be requested to carry out a survey of the trees contained within the Pinnaclehill Woodland.

DECISION

(a) AGREED:-

- (i) the projected income and expenditure 2022/23 as shown in Appendix 1 as the revised budget for 2022/23; and**
- (ii) that the Tree officer be requested to carry out a survey of the trees contained within the Pinnaclehill Woodland to be reported to a future meeting.**

(b) NOTED the;

- (i) actual income and expenditure for 2021/22 in Appendix 1;**
- (ii) final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023;**
- (iii) summary of the property portfolio in Appendices 3 and 4; and**
- (iv) current position of the Aegon Asset Management Investment Fund in Appendix 5.**

4.0 MEETINGS

The Democratic Services Officer requested the Sub-Committee consider changing the time of the meeting as Community Councillor Horsburgh was unable to attend at the specified time, or seek an alternative representative from Kelso Community Council.

DECISION

AGREED that the Chairman speak with Community Councillor Horsburgh about whether he would be available to attend, should the meeting time be altered, and if not an alternative representative be sought.

The meeting closed at 5.40 p.m.

SCOTTISH BORDERS COUNCIL
COLDSTREAM COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the
COLDSTREAM COMMON GOOD FUND
SUB-COMMITTEE held via Microsoft
Teams on 22 June 2022 at 2.00 p.m.

Present:- Councillors J. Greenwell, D. Moffat, M. Rowley (from paragraph 8),
Community Councillor A. Campbell.
In Attendance:- Principal Solicitor, Capital and Investments Manager, Estates
Strategy Manager, Network Manager, Democratic Services Team
Leader.

1. **CHAIRMAN**
Councillor Moffat, seconded by Councillor Greenwell, moved that Councillor Greenwell be appointed as Chairman and this was unanimously approved.

DECISION
AGREED that Councillor Greenwell be appointed as Chairman.

2. **MINUTE**
There had been circulated copies of the Minute of the Meeting held on 8 December 2021.

DECISION
NOTED for signature by the Chairman.

3. **FINANCIAL MONITORING FOR THE 12 MONTHS TO 31 MARCH 2022 AND PROPOSED BUDGET FOR 2022/23**
There had been circulated copies of a report by the Director Finance and Corporate Governance providing the details of the assets held by the Coldstream Common Good Fund as at 31 March 2022, a full year revenue out-turn for 2021/22 and projected balance sheet values as at 31 March 2023. Appendix 1 to the report provided an Income and Expenditure account for the year to 31 March 2022. Appendix 2 provided an actual balance sheet value as at 31 March 2022 and showed a decrease in the reserves of £10,117, which was due to the annual release from Revaluation Reserve. Members noted the report.

DECISION
AGREED:-

- (a) to note the actual income and expenditure for 2021/22 in Appendix 1 to the report;
- (b) the proposed budget for 2022/23 as shown in Appendix 1 to the report;
- (c) to note the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 to the report; and
- (d) to note the summary of the property portfolio in Appendix 3 to the report.

4. **CONSULTATION ON HERITABLE AND MOVEABLE ASSET REGISTERS FOR THE FORMER BURGH OF COLDSTREAM**

With reference to paragraph 3 of the Minute of 8 December 2021, there had been circulated copies of a report by the Principle Solicitor advising on the outcome of the recent consultation under the Community Empowerment (Scotland) Act 2015, and seeking approval of the final Common Good Register for Coldstream. The report explained that under the Community Empowerment (Scotland) Act 2015 the Council was required to establish and maintain a register of property which was held by the authority as part of the Common Good (“a Common Good Register”). Before establishing a Common Good Register, the Act required the Council to publish a list of property that it proposed to include in the Register and consult the public on this list. Following approval by the Sub-Committee consultation on the draft asset register ran from December 2021 to 31 March 2022. The responses received were contained in Appendix 1 to the report. The4 Principal Solicitor reminded Members what criteria an asset required to meet to be included in the Register and highlighted the two items which were to be added. In response to a question from Community Councillor Campbell regarding the Welfare Trust, Mrs Robb outlined how this had been set up and undertook to send details regarding applications to the Trust to Mrs Campbell. Mrs MacLeod was asked why Henderson Park was not on the list and confirmed it had been purchased by the Burgh for a statutory purpose, in terms of the Burgh Police Act. Accordingly it did not fall under the Common Good. She further advised that if Members approved the draft list the next step would be to take a report to Council in September to approval of the final Register to be published for all Common Good Funds. It was confirmed that publication of the final Register did not prevent the addition of further assets that might be identified in the future.

DECISION

AGREED to:-

- (a) **note the consultation submissions and officers’ responses thereto, as set out at Appendix 1 to the report;**
- (b) **approve the contents of the final list of heritable and moveable property assets held by the Council within the former Burgh of Coldstream, as set out in Appendix 2 to the report; and**
- (c) **recommend to Council the said final asset list for publication as a completed Common Good Register for Coldstream.**

MEMBER

Councillor Rowley joined the meeting during the following item.

5. **CAR PARKING – USE OF HOME PARK**

The Estates Strategy Manager advised that a request had been received to use part of Home Park to increase parking provision in Coldstream. There were a number of issues which would need to be considered, namely were there any title restrictions which would prevent the use of the park for car parking, what it would cost and how this would be funded. A public consultation on the change of use would also be required. Mrs Campbell advised that the Community Council had sent a questionnaire to all residents in Coldstream and lack of parking was the main issue for all age groups. In response to a query by Mr Curtis on the number of spaces required the Chairman advised that around 20-25 were needed. Mrs MacLeod advised that as the park was an unalienable asset she would require to carry out further investigation to ascertain if there were any title restrictions and if consent of the Court was needed in addition to a public consultation. Members agreed in principle to the use of part of

Home Park for car parking subject to officers ascertaining if and how the proposal could be progressed and that they would report back in due course.

DECISION

AGREED to approve in principle to the use of part of Home Park for car parking subject to officers ascertaining if and how the proposal could be progressed and that a further report would be provided by September.

The meeting concluded at 2.40 p.m.

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SCOTTISH BORDERS COUNCIL MELROSE COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the MELROSE
COMMON GOOD FUND SUB-COMMITTEE
held by Microsoft Team on Monday, 27 June
2022 at 2.15 p.m.

Present:- Councillors J. Linehan, J. PatonDay, Community Councillor B. Jackson
Apologies:- Councillor D. Parker
In Attendance:- Principal Solicitor, Capital & Investments Manager, Democratic Services
Officer (F. Henderson),

1. **CHAIRMAN**

Councillor PatonDay, seconded by Councillor Linehan moved that Councillor Linehan be appointed as Chairman. There being no other nominations, Councillor Linehan was unanimously appointed as Chairperson and took the Chair.

DECISION

AGREED that Councillor Linehan be appointed as Chairman.

2. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 14 December 2021.

DECISION

AGREED to approve the Minute for signature by the Chairman.

3. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022 AND PROPOSED BUDGET FOR FINANCIAL YEAR 2022/23**

There had been circulated copies of a report by the Director, Finance and Corporate Governance providing the details of the income and expenditure for the Melrose Common Good Fund for the year 2021/22 including balance sheet values as at 31 March 2021 and proposed budget for 2021/22. Appendix 1 to the report provided the actual income and expenditure for 2021/22 and showed a surplus of £521 for the year, which was better than the projected budget, due to an improvement in the return on the Aegon Investment Fund. Appendix 2 to the report provided an actual balance sheet value as at 31 March 2022 and showed a decrease in the reserves of £2,770, partly due to the annual release from Revaluation Reserve off-set by the surplus for the year. Appendix 3 to the report provided a breakdown of the property portfolio and Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 31 March 2022. Given the level of cash held by the Common Good Fund Ms Robb suggested that Members consider investing more with Aegon. Members agreed that £5k of their cash balance be transferred to Aegon.

DECISION

AGREED:-

- (a) **to note the actual income and expenditure for 2021/22 in Appendix 1 to the report;**
- (b) **the proposed budget for 2022/23 as shown in Appendix 1 to the report;**

- (c) to note the final balance sheet value as at 31 March 2021 and projected balance sheet value as at 31 March 2023 as shown in Appendix 2 to the report;**
- (d) to note the summary of the property portfolio as shown in Appendix 3 to the report;**
- (e) to note the current position of the Aegon Asset Management Investment Fund as shown in Appendix 4 to the report; and**
- (f) that £5k of the cash reserves be invested with the Aegon Asset Management Investment Fund.**

The meeting concluded at 2.30 p.m.

SCOTTISH BORDERS COUNCIL TWEEDDALE AREA PARTNERSHIP

MINUTES of Meeting of the TWEEDDALE
AREA PARTNERSHIP held Via Microsoft
Teams on Monday, 27 June 2022 at 7.00 pm

Present:- Councillors M. Douglas (Chairman), J. Pirone (from paragraph 9) , E. Small (from paragraph 4) and V. Thomson together with 17 representatives from Partner Organisations, Community Councils and members of the public.

Apologies:- Councillors D. Begg and R. Tatler

In Attendance:- Community Co-ordinator (K. Harrow), Community Engagement Officer (H. Lacon), Neighbourhood Area Manager (J. Hedley), Waste and Passenger Transport Manager (R. Sharp-Dent) Democratic Services Officer (D. Hall)

1. **WELCOME AND MEETING PROTOCOLS**

The Chairman welcomed everyone to the meeting of the Tweeddale Area Partnership being held via Microsoft Teams and outlined how the meeting would be conducted and how those both in the meeting and watching via the Live Stream could take part.

2. **FEEDBACK FROM MEETING OF 29 MARCH 2022**

The Minutes of the meeting of the Tweeddale Area Partnership meeting held on 29 March 2022 were noted.

3. **CONSULTATION ON THE SCOTTISH BORDERS MENTAL HEALTH IMPROVEMENT AND SUICIDE PREVENTION ACTION PLAN DEVELOPMENT**

The Community Co-ordinator, Mr Kenny Harrow explained that the Joint Health Improvement team had planned to attend the meeting to provide an update on the development of the Scottish Borders Mental Health Improvement and Suicide Prevention Action plan but were unable to do so. Mr Harrow outlined that the Team was in the process of undertaking a consultation on their wider 3 year action plan concerning mental health and suicide prevention. Mr Harrow encouraged attendees to provide their feedback, explained that the survey closed on 3 July, and undertook to post a link in the chat to the survey for interested parties.

MEMBER

Councillor Small joined the meeting during the discussion on the item below

4. **INFRASTRUCTURE AND ENVIRONMENT TWEEDDALE COMMUNITY SURVEY**

The Neighbourhood Area Manager, Mr Jason Hedley, was present at the meeting and explained that he was responsible for the management of a team that included parks, open space maintenance, cleaning maintenance, public toilets, roads and winter maintenance. The Waste and Passenger Transport Manager, Mr Ross Sharp-Dent was also present, and explained that he had responsibility for refuse collection and transfer stations. Mr Hedley outlined that a survey of the residents of Tweeddale was underway to ascertain what improvements needed to be made to the provision of services. Mr Hedley outlined that the survey would be live for a short duration, and expressed his hopes that the questionnaire would provide his team with genuine feedback about the feelings of the residents of Tweeddale to the quality of the services in their locality. The Community Engagement Officer, Ms Hannah Lacon, undertook to circulate the survey. In response to a question regarding pilot responsive travel schemes active within the Borders, Mr Sharp-Dent explained that the PINGO pilot was live only in the Berwickshire locality. The scheme, using 2 minibuses, involved people using the PINGO software to book a place on the bus, which would then plot a route for the bus to follow based on passenger need. The pilot would last for approximately one year, until the funding that had been secured

was drawn down. The feedback from the pilot would be fed into a wider review of the transport network within the Borders.

5. **PLACE MAKING UPDATE**

5.1 Crick Carleton of the Tweeddale Area Partnership Placemaking Working Group provided an update on the progress that the Working Group had made since the last meeting of the Area Partnership. A general update, list of membership, draft terms of reference, draft work plan, message to communities and a breakdown of the 7 potential communities that had expressed an interest in Place Making had been circulated with the agenda. Mr Carleton explained that the intention was for the Working Group to conclude its work by December 2023, with the potential to extend the duration if necessary. Ms Lacon informed the meeting that there had been an expression of interest from Clovenfords in Placemaking plans, and it was expected that they would be provided support. The draft terms of reference was approved. The Chairman and Councillor Thomson agreed to join the Placemaking Working Group. In response to a question on how to get involved with Placemaking, Mr Carleton explained that the group membership is open, and encouraged interested parties to get involved.

5.2 A meeting of the Working Group would be convened at the next available time, with representatives of the interested communities invited to help demystify Placemaking and Place Plans. Mr Carleton explained that the key functions of the Working Group were to identify ways to support the interested communities, identify the required resources needed to succeed, and to encourage dialogue. Mr Harrow outlined that he was happy to facilitate meetings and link up interested parties to the Working Group, and shared his contact details. In response to a request that the Working Group be empowered to make decisions on additional resources to facilitate travel and external guest speakers, Mr Harrow undertook to work with the Group to find solutions and potentially build applications to the Neighbourhood Support Fund.

6. **FINANCIAL INCLUSION FUND / FOOD CONVERSATION**

Mr Harrow provided an overview of work that had gone on within Tweeddale looking to improve financial inclusion and provide food support. Mr Harrow explained that the Financial Inclusion Fund had been made available by the Scottish Government, and that the funding was used to tackle food insecurity, provide welfare payments directly to households and fuel cards to those who experiencing fuel poverty. Regarding food support, Mr Harrow explained that a trial “low and slow” project had taken place in Hawick, and that the Peeblesshire Foodbank would start a trial of the same project in October. Ms Lacon explained that breakfast clubs were being considered at Walkerburn Primary School

7. **THE NATIONAL LOTTERY - COMMUNITY FUNDING**

Neal Bennison of the National Lottery joined the meeting to provide insight into his group and an overview of how they could help with community funding. Mr Bennison explained that he worked as a National Lottery Community Fund Manager, focused on helping communities access funding. The National Lottery had, in the last financial year, had provided approximately £1.3 million to projects across the Scottish Borders via small grants of between £10k and £200k. Mr Bennison shared his contact details and advised any interested party to contact him as early as possible when considering making an application for funding.

8. **FUNDING TABLE OVERVIEW**

Copies of the Tweeddale Funding Tables for 2021/22 and 2022/23 had been circulated with the agenda. Ms Lacon provided a presentation of the projects that previous funding had helped support, including Peebles CAN, Greener Peebles, the Food Foundation, Peebles Foodbank, and St Ronans Bowling Club. Mr Harrow provided an overview of the funding for 2022/23. The Neighbourhood Support Fund (NSF) had replaced the Community Fund for 2022/23. The NSF had opened in April with a starting balance of

£87,455. Applications to the value of £27,644.38 had been assessed, which left £65,455.44 if all of the applications were successful.

MEMBER

Councillor Pirone joined the meeting during the discussion of the item below.

9. NEIGHBOURHOOD SUPPORT FUND

9.1 There had been circulated copies of the Tweeddale Assessment Panel's recommendations with the agenda. Ms Esther Daborn of the Assessment Panel provided an overview of the recommendations for funding, and explained that the consideration of each application had been comprehensive and robust. The importance of applicants providing sufficient detail with their application – especially a breakdown of their financial position – was highlighted by Ms Daborn.

9.2 Peebles Red Squirrel Network

The application from Peebles Red Squirrel Network was for £1,009 to fund the purchase of educational equipment and promotional materials to raise awareness and funding. The Group had monitored their past activities and appeared to be have made a positive impact. All of the staff worked on a voluntary basis. The decision to grant the funding was unanimously approved.

9.3 Dementia Friendly Tweeddale

Dementia Friendly Tweeddale had applied for £4,459.88 to facilitate pilot drop in meetings for people with dementia and their carers, and provide sessions for businesses, clubs, etc. on how small adaptations could improve community access. The funding applied for would be used to improve operational capacity, including the purchase of a projector and speaker, design and printing services, promotional materials, training and insurance. The decision to grant the funding was unanimously approved.

9.4 Peeblesshire Youth Trust

The request from the Peeblesshire Youth Trust for £1,458 to provide 2 sessions for 27 vulnerable Primary seven pupils at the Youth Club prior to the summer holiday, a day trip, and 2 sessions following the commencement of their studies at high school. The funding would be used to cover transport and entry costs. The application was unanimously approved.

9.5 Tweedsmuir Community Company

Tweedsmuir Community Company had applied for £7,261.50 to help fund the development of a Community Garden. The Group had provided a detailed breakdown financial breakdown. The recommendation to fund was unanimously approved.

9.6 West Linton Scout Group

The application from the West Linton Scout Group was for £4,000 to allow the Group to offer a 2 night camping trip to 41 scouts. The Panel was keen to support a group for young people re-establishing post Covid-19 within a rural community. The decision to grant funding was unanimously approved.

9.7 Peebles Community Trust

Peebles Community Trust had applied for £7,500 as part of their Library of Things project. The project involved providing community resources to allow people to borrow items rather than buying them. The funding would help set up an app to manage the process of lending items, and fund a part-time staff member to work alongside volunteers. The Panel had suggested that the Trust considered an application to the FCC Environmental Fund. The Panel felt that the application was commendable and that the Trust should be encouraged to continue with their project. The Trust had been provided £3k of funding by the Area Partnership in March 2022, but had not provided information to allow the Panel to understand how that funding had been used. The Panel recommended to defer the

application to allow the Trust to provide a breakdown of how the previously awarded funding had been deployed. The decision to defer was unanimously agreed.

9.8 **Music in Peebles**

The application from Music in Peebles was for £1,456 to help produce an illustrated talk on the Composer Learmont Drysdale's life. There would also be a ticketed performance of the composer's works. The talk and recital would be filmed by a local film maker and made available to schools, colleges and music societies. Ms Daborn commended the group on the detailed breakdown that they had provided. The Panel recommended to fund £1,450, which was unanimously approved.

10. **PEEBLES PARKING SUB GROUP**

In the absence of Councillor Tatler, Community Councillor Peter Maudsley, a Member of the Sub-Group, explained that feedback on the planned consultation had been received. It was expected that the consultation would be formalised and begin shortly.

11. **OTHER BUSINESS**

Councillors Small and Pirone expressed their desire to allow other Members from Tweeddale the chance to sit on the Tweeddale Area Partnership Placemaking Working Group.

12. **MEETING EVALUATION VIA MENTI**

Ms Lacon carried out a survey of the meeting using the interactive Menti tool.

13. **NEXT AREA PARTNERSHIP 23 AUGUST 2022**

The next full meeting of the Area Partnership was scheduled for 23 August 2022 and the Chairman asked for agenda item suggestions to be submitted.

The meeting concluded at 8.30 pm

SCOTTISH BORDERS COUNCIL PENSION FUND COMMITTEE AND PENSION BOARD

MINUTES of Meeting of the PENSION FUND
COMMITTEE AND PENSION BOARD held
via MS Teams on Wednesday, 29 June 2022
at 10.00 am

Present:- Councillors D. Parker (Chairman), W. McAteer, S. Mountford, J. Pirone S. Scott, Mr D. Bell, Mr M. Drysdale, Ms L. Ross.
Apologies:- Councillors P. Brown, C. Hamilton and D. Moffat
In Attendance: Chief Officer Audit and Risk, Director Finance & Corporate Governance, Pensions and Investment Manager, HR Shared Services Manager, Democratic Services Officer (D.Hall).
Also in Attendance: Ms A. Fitzpatrick and Mr A Singh, Isio.

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 17 March 2022.

DECISION

NOTED for signature by the Chairman.

2. **PENSION FUND INVESTMENT AND PERFORMANCE SUB-COMMITTEE**

There had been circulated copies of the Minute of the Pension Fund Investment and Performance Sub-Committee meeting held on 28 February 2022.

DECISION

NOTED for signature by the Chairman.

3. **SCOTTISH BORDERS COUNCIL PENSION FUND INTERNAL AUDIT ANNUAL ASSURANCE REPORT 2021/22**

3.1 With reference to paragraph 7 of the Minute of the Meeting held on 4 March 2021 there had been circulated copies of a report by the Chief Officer Audit and Risk which presented for approval the Scottish Borders Council Pension Fund Internal Audit Annual Assurance Report 2021/22. The Plan included the Chief Officer Audit and Risk's independent assurance opinion on the adequacy of the Scottish Borders Council Pension Fund's overall control environment. The report explained that the Public sector Internal Audit Standards (PSIAS) required that the Chief Officer Audit and Risk provided an annual internal audit opinion and report on the adequacy and effectiveness of the Pension Fund's governance, risk management and internal controls to support the preparation of the Pension Fund's Governance Compliance Statement. In order to meet the requirements of the PSIAS the Scottish Borders Council Pension Fund Internal Audit Annual Assurance Report 2021/22 included the required Internal Audit annual opinion, provided details of the Internal Audit Activity during the year that supported the opinion, and stated the conformance of the Council's Internal Audit service with the PSIAS. The Chief Officer Audit and Risk's opinion was that the systems of internal control spending within the Scottish Borders Council Pension Fund during 2021/22 were sound, and governance and risk management arrangements were effective.

3.2 The Chief Officer Audit and Risk, Ms Jill Stacy, presented the report and responded to Members questions. In response to a question regarding systemic issues in the Business World ERP system, the HR Shared Services Manager, Mr Ian Angus, explained that all of the issues had been addressed and payments were being made – including to third parties. With regard to the uptake rate of the Members Self Service facility, Ms Stacy

explained that uptake was low but that promotional activity was underway to increase the number of pension scheme members using the new facility. In response to a question regarding one discrepancy that had been highlighted in the report, Mr Angus explained that the discrepancy related to one individual and concerned a notification of date of death. The value of the benefit was not significant, and work was ongoing to resolve the issue. Ms Stacy highlighted that despite the value of the benefit being low in value, the discrepancy nonetheless allowed the efficacy of Scottish Borders Councils Pension Fund controls to be assessed and lessons to be learned.

DECISION

AGREED to acknowledge the independent assurance provided on internal controls and governance arrangements as set out in the Scottish Borders Council Pension fund Internal Audit Annual Assurance Report 2021/22.

4. GOVERNANCE POLICY & COMPLIANCE STATEMENT 2022

With reference to paragraph 4 of the meeting held on 10 June 2021 there had been circulated copies of a report by the Director Finance and Corporate Governance that proposed the Revised Governance Policy and Compliance Statement for the Scottish Borders Council Pension Fund following the implementation of the 2015 regulatory changes. The report requested approval of the Governance Compliance Statement for inclusion in the pension Fund's Annual Report and Accounts for 2021/22. Appendix 1 to the report contained the revised Governance Policy and Compliance Statement for the Pension Fund 2022. The Governance Compliance Statement for 2021/22 was included in Annex A to the policy and demonstrated that the Pension Fund was in full compliance with published best practice guidance.

DECISION

AGREED the revised Governance Policy and Compliance Statement 2022 for inclusion in the Pension Fund Annual Report and Accounts 2021/22.

5. PENSION ADMINISTRATION PERFORMANCE 2021/22

With reference to paragraph 4 of the Minute of the meeting held on 14 December 2021 there had been circulated copies of a report by the Director People, Performance and Change which presented the Pensions Administration Performance for 2021/22 and requested approval for its inclusion in the Annual Report for the Fund. Appendix 1 to the report contained the Pensions Administration Performance for 2021/22 as it would be included in the Fund's Annual Report and Accounts. The report explained that during 2021/22 all payments, lump sums and monthly pensions, were made on time. Performance had remained at the expected high standard, which was testament to the continued dedication of the staff within the Pensions Administration Team, having continued to work from home for the majority of the year and adapted to new and improved working practices as a result of the continued global pandemic. The Annual Benefit Statements for all deferred members were issued in advance of the 31 August deadline in all instances and were made available via Members Self Service for all active members. The annual Employer Liaison Meeting was held as a virtual meeting in March due to the continued Covid-19 restrictions in place at that time. The event was well attended with representatives from the majority of the Fund Employers. Updates were provided on Investments, Administration and the Fund Actuary gave a refresher presentation on the accounting report requests. Due to the continued Covid-19 situation, no payslips had been issued to pensioners. Online access had been promoted, and information on the application of the Pension Increase had been published on the Pension Fund Website. The annual P60's had been issued in accordance with the statutory timelines. The HR Shared Services Manager presented the report and responded to Members questions. In response to a question regarding new and improved working practises, Mr Angus explained that the practises involved a shift to further digitalisation, and the use of technology, such as print to post rather than traditional mail, online forms and a general desire to use digital solutions where possible to improve communication with all members.

DECISION

AGREED to note the Pension Administration Performance for 2021 as set out in Appendix 1 to the report and approved its inclusion in the Pension Fund Annual Report and Accounts 2021/22.

6. TRAINING PLAN 2022/23

With reference to paragraph 6 of the Minute of the Meeting held on 10 June 2021 there had been circulated copies of a report by the Director Finance & Corporate Governance which compared the actual 2021/22 attendance for Pension Fund Committee and Board members to the requirements detailed in the current Training Policy approved in June 2019. The report proposed key areas of training for 2022/23 in line with the policy and based on the Skills Knowledge assessment recently undertaken. The report explained that in line with the Training Policy at Appendix 1 to the report, the Pension Fund Committee and Pension Fund Board members were required to undertake an annual knowledge and skills self-assessment to identify the key areas for the future years training plan. The Training Knowledge and Skills Assessments were undertaken in May 2022 and scores received were summarised in the table in paragraph 5.1, and in more detail in Appendix 2 to the report. The proposed Training for 2022/23 would focus on Financial Markets and Products, Investment performance and risk management, Pension Administration and General Pension Fund Regulatory environment. Members were strongly encouraged to actively participate in all training events to demonstrate their commitment to enhancing the governance of the Pension Fund and to support effective decision making. In response to a question, the Pensions and Investment Manager, Ms Kirsty Robb, advised that those members who had undertaken the tool kit in 2017 did not need to do so again.

DECISION

AGREED to:-

- (a) note the Training Policy at Appendix 1 to the report;**
- (b) note the outcome of the 2021/22 training programme and the attendance levels for training and meetings;**
- (c) note the outcome of the Knowledge and Skills Self-Assessment for 2022/23; and**
- (d) approve the Training areas for 2022/23 set out in the report and that all members should prioritise attendance at training events wherever practicable.**

7. BUSINESS PLAN 2022/23 - 2024/25

With reference to paragraph 5 of the Minute of the Meeting held on 14 December 2021 there had been circulated copies of a report by the Director Finance & Corporate Governance which presented the draft Pension Fund Business Plan 2022/23 – 2024/25 for approval. The report explained that best practice suggested that having a business plan for the pension fund was a good way of demonstrating compliance with the “Myners Principle” relating to effective decision making. Appendix 1 to the report contained the first Pension Fund Business Plan, covering the period 2022/23 – 2024.25. The Business Plan identified an Action Plan that would be delivered during the next three years to support the aims and objectives of the Fund.

DECISION

AGREED that the Pension Fund Business Plan 2022/23 – 2024/25 as set out in Appendix 1 to the report was approved.

8. RISK REGISTER UPDATE

With reference to paragraph 5 of the Minute of the meeting held on 17 March 2022 there had been circulated a report by the Director, Finance and Corporate Governance which formed part of the risk review requirements. The report provided the Members of the Pension Fund Committee and Pension Board with an updated full register and proposed management actions to mitigate the identified risks. The report explained that identifying and managing risk was a cornerstone of effective management and was required under the Council's Risk Management Policy and process guide and CIPFA's guidance "Delivering Governance in Local Government Framework 2007". It was further reflected and enhanced in the "Managing Risk in the Local Government Pension Scheme" published by CIPFA. A virtual workshop was held on 4 May 2022 with Officers from relevant Department to review and update the full risk register. The output of that workshop was shown in Appendix 1 to the report. The report summarised the changes made during the review and explained that no new risks had been identified. In line with the Council's Risk Management Policy (2018) a paper would be presented at the September 2022 meeting to report progress on the management actions and present any new risks for consideration. Members welcomed the report and highlighted that the majority of risks had been successfully mitigated.

DECISION AGREED

- (a) the updated Full Risk register as contained in Appendix 1 to the report; and**
- (b) to an update on progress of management actions to be presented in September 2022.**

9. RESPONSIBLE INVESTMENT - MONITORING IMPLEMENTATION PLAN

9.1 With reference to paragraph 8 of the Minute of the meeting held on 17 March 2022 there had been circulated copies of a report by the Director, Finance and Corporate Governance which sought approval for the responsible investment objective and metrics for the Pension fund in line with the Fund's Responsible Investment Policy. As part of the Pension Fund's Fiduciary duties it was required to ensure appropriate consideration was given to Environmental, Social and Governance (ESG) issues as part of its investment decisions, whilst acting in the best interests of the scheme beneficiaries. The Committee and Board, to ensure those fiduciary duties are met, and in line with good practice approved a revised Responsible Investment Policy on 16 September 2021. The revised policy stated that the Committee would seek to monitor key ESG metrics and set targets based on their views and how key metrics evolved over time. The Fund undertook an initial survey which was followed by a workshop which highlighted the challenges around the availability of data to allow some of the SDG's to be measured in a reliable and robust way. Due to existing reporting requirements, the Task Force for Climate Related Financial Disclosure and Paris Aligned SDG's relating to climate were the most developed. The Committee had approved the 6 key SDG's as priorities. Those were SDG 13 – Climate Change, SDG 7 – Affordable and Clean Energy, SDG 1 – No Poverty, SDG 2 – Zero Hunger, SDG 3 – Good Health and Well-being and SDG 1- Reduce Inequalities. Appendix 1 to the report detailed the action plan for the commencement of data gathering and reporting for priorities SDG 13 Climate Change and SDG 7 Affordable and Clean Energy. This would allow a baseline position to be established and to ensure the Fund met its agreed responsible investment monitoring requirements and TCFD reporting when required.

9.2 Mr Andrew Singh of Isio summarised the report and responded to Members questions. Mr Singh explained that ESG issues were widely seen as material risks for pension funds, and that climate change, and social risks were increasingly considered in the same way as financial risks. In response to a question regarding added bureaucracy related to climate impact issues, Mr Singh explained that the impact from setting or not setting climate goals could be extremely significant, that climate change was the focus of attention for good and obvious reasons and that other ESG aspects were likely to be subject to considerable focus in the future. Ms Robb added that the monitoring of ESG

matters would be reliant on good communication with fund managers and was something that needed to be managed into the future. In response to a question regarding whether the war in Ukraine had led to increased focus on the Social and Governance aspects of ESG, Mr Singh agreed that the war had brought more attention to Social and Governance issues and explained that the war had resulted in equity markets moving out of Russian holdings.

DECISION

NOTED the action plan detailed in Appendix 1 to the report.

10. PENSION FUND BUDGET OUT-TURN TO 31 MARCH 2022

With reference to paragraph 6 of the Minute of the meeting held on 17 March 2022 there had been circulated copies of a report by the Director, Finance and Corporate Governance which provided the Pension Fund Committee and Pension Fund Board with a final out-turn position of the Pension Fund for 2021/22. The Local Government Pension Scheme (Scotland) Regulation 2014 required Administering Authorities to ensure strong governance arrangements and set out the standards they were to be measured against. To ensure the Fund met the standards a budget was approved on 4 March 2021 following the recommendations within the CIPFA accounting guidelines headings. The report was the final quarterly monitoring report of the approved budgets. Budgets for 2022/23 were also approved on 17 March 2022. The total expenditure to 31 March 2021 was £6.395m against a budget of £7.160m. This resulted in a budget underspend of £765k. The main element of underspend was within Investment Management fees due to the lower than estimated market valuations which formed the basis of the fee charges. A key objective of the Fund was to pay pension benefits when they became due. Due to the maturing nature of the fund and this requirement the Fund had included within its investment strategy the requirement for income generating assets. The graph in paragraph 5.3 of the report showed the Fund had been able to fully meet its cashflow requirements. Ms Robb presented the report and responded to Members questions. In response to a question regarding future projections, Ms Robb explained that whilst no detailed scenario planning had been carried out, the Fund was a “mature fund” which was diversifying its holdings to ensure adequate income generation and was managing its cash flow management adequately. The Director, Finance and Corporate Governance explained that asset allocation was subject to regular monitoring, with assets switched to more income generating assets classes as required to ensure that pensions were paid when they fell due.

DECISION

AGREED:-

(a) to note the actual expenditure to 31 March 2022; and

(b) to note the cashflow position.

11. DRAFT ANNUAL REPORT AND ACCOUNTS 2021/22

With reference to paragraph 10 of the Minute of the meeting held on 10 June 2021 there had been circulated copies of a report by the Director, Finance and Corporate Governance which provided the Joint Committee and Board with an opportunity to scrutinize and approve the Draft Annual Report and Accounts for the Pension Fund for 2021/22 prior to their submission to the External Auditors. The Local Government Pension Scheme Amendment (Scotland) Regulations 2010 specified the elements which must be contained in the Annual Report and Accounts, the list of these are contained in the report. The draft Report and Accounts contained in Appendix 1 fully met these requirements. The report was presented to enable members of both the Pension Fund Committee and the Pension Fund Board to consider the draft Annual Report and Accounts for 2021/22 (the Annual Report) prior to External Audit Inspection by the statutory deadline of 30 June 2022. The draft Report and Accounts were still subject to statutory Audit, which would commence August 2022. Following the statutory Audit process the final Report and

Accounts would be submitted to the joint Committee and Board to review and approve any recommendations. Ms Robb presented the report and responded to Members questions. Regarding whether the Fund should be concerned at the levels of pensions paid out, Ms Robb explained that management of the Fund was aware of the position, and that the focus on income generating assets meant that the issue was managed appropriately. The Director, Finance and Corporate Governance provided further explanation, highlighting the switch to dividend paying assets to ensure that pensions were paid and that the Fund had been classed as a “mature fund” since 2013/14. In response to a question regarding the long-term outlook of the Fund, Ms Robb explained that unless the composition of the Council was changed dramatically, then managing asset allocation and funding levels would have to be managed over time. The Director explained that a key consideration when managing the Fund was to ensure that the Fund had enough assets to pay pensions as they fell due, and that he was confident that sufficient funding levels could be maintained.

DECISION

AGREED to:-

(a) note the Draft Annual Report and Accounts 2021/22; and

(b) approve their submission for review by the External Auditors, Audit Scotland.

12. INFORMATION UPDATE

12.1 There had been circulated copies of a Briefing Paper by the Director, Finance and Corporate Governance which provided Members of the Committee and the Board with an update on a number of areas which were being monitored and areas where work was progressing. Full reports on the individual areas would be tabled as decisions and actions were required.

12.2 Scheme Advisory Board

Ms Robb advised that the last meeting of the Scheme Advisory Board (SAB) had been 20 April, but no papers or bulletins were available from that meeting. The Chairman explained that he had been present at the previous meeting of the SAB. The SAB had not been able to appoint a project manager. The SAB had a full picture of the costs associated with the restructure and were exploring writing a joint letter, if consensus could be reached between the employer and employee representatives, to Ministers. The Chairman did not expect clear guidance until later in the year.

12.3 Stewardship Code

Ms Robb explained that the Fund had submitted an application to become a signatory of the UK Stewardship Code on 29 October 2021. The Fund had received feedback from the FRC, who were responsible for assessing applicants. Despite the FRC declining the submission, the feedback received had been positive. Work on the areas that required improvement was underway, with a view to submitting an application in October 2022. In response to a question regarding the benefits of becoming a signatory, Ms Robb explained that acceptance indicated good stewardship and management of the Fund. It was also anticipated that it may become a statutory requirement in the future.

12.4 Training Opportunities

A number of training opportunities were available in the near future. The full agenda for the DP publishing event was not available, but Ms Robb would circulate once it was.

12.5 Cyber Security Update

Mr Angus explained that on cyber security, Heywood Pension Technologies, the provider of the Pension Fund’s Pension Administration system, had provided a Cyber Review Summary for 2022. A third party security expert had conducted a review, with no critical or high issues identified within the Heywood Cloud infrastructure. In response to a question regarding continuity in the event of a total loss of service, Mr Angus explained

that a mirrored site was in place, and undertook to report back on whether a full systems test was planned.

12.6 **Overseas Life Checks**

Mr Angus explained that at the meeting in March it had been reported that there one member who had not yet returned the life certificate and that payment of pension had been suspended, the certificate had been received this life certificate and payment of pension has been reinstated and the missing periods had been paid to the member.

DECISION

NOTED the briefing paper.

13. **PRIVATE BUSINESS**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to excluded the public from the meeting during consideration of the business contained in the following items on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 6 and 8 of Part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

14. **MINUTE**

The Committee noted the Private Minute of the meeting of 17 March 2022.

15. **PENSION FUND INVESTMENT AND PERFORMANCE SUB-COMMITEE**

The private Minute of the meeting held on 28 February 2022 was approved.

16. **INVESTMENT PERFORMANCE QUARTER TO 31 MARCH 2022**

The Committee noted a report by Isio on investment performance

17. **INFRASTRUCTURE PERFORMANCE**

The Committee noted a report by the Director, Finance and Corporate Governance on infrastructure performance.

18. **RESIDENTIAL PROPERTY MANDATE PROCUREMENT**

The Committee approved a report by the Director, Finance and Corporate Governance on the procurement process for a residential property manager.

The meeting concluded at 11.50 am

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SCOTTISH BORDERS COUNCIL PENSION BOARD

MINUTES of Meeting of the PENSION
BOARD held via MS Teams on Wednesday,
29 June 2022 at 11.55 am

Present:- Councillor J. Pirone, Mr. D. Bell, Mr. M. Drysdale, Mr. M Everett, Ms L Ross,
Ms. H. Robertson
Apologies:- Ms K M Hughes
In Attendance:- Pension & Investments Manager, HR Shared Services Manager, Democratic
Services Officer (D. Hall)

1. **APPOINTMENT OF CHAIR**

Councillor Pirone, seconded by Ms Robertson, proposed that Councillor Pirone be appointed as Chairman. There being no other nominations, Councillor Pirone was appointed as Chairman and took the Chair. Ms Robb advised Ms Robertson would leave the Pension Board in July, and that there was a vacancy for a representative from LiveBorders

DECISION

AGREED that Councillor Pirone be appointed as the Chairman of the Pension Board.

2. **APPOINTMENT OF VICE-CHAIR**

Mr Drysdale, seconded by Mr Everett, proposed that Mr Bell be appointed as Vice-Chairman. There being no other nominations, Mr Bell was appointed as Vice-Chair

DECISION

AGREED that Mr Bell be appointed as the Vice-Chairman of the Pension Board.

3. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 17 March 2022.

DECISION

NOTED for signature by the Chairman

4. **MEMBERSHIP OF PENSION BOARD**

The Chair expressed her thanks to Ms Robertson for her work with the Pension Fund and Board, and Borders College. Ms Robertson advised that an interim attendee would attend the next meeting of the Pension Fund and Pension Board until a full appointment was made. Ms Robb explained that LiveBorders hoped to have their representative in place in July.

DECISION

NOTED the Membership of the Pension Board.

5. **JOINT MEETING OF PENSION COMMITTEE AND PENSION BOARD**

The Chairman invited those present to raise any matters which had been discussed at the joint meeting. The Chairman expressed thanks to those in attendance, and that the meeting of the Pension Fund had been very informative. Mr Drysdale expressed his gratitude for the diligence undertaken with regard to the Property Mandate Procurement Process.

DECISION

AGREED that there were no issues to raise.

6. **DATE OF NEXT MEETING**

The date of the next Meeting of the Pension Board is 15 September 2022.

The meeting concluded at 12.00 pm

SCOTTISH BORDERS COUNCIL WILLIAM HILL TRUST SUB-COMMITTEE

MINUTES of Meeting of the WILLIAM HILL TRUST SUB-COMMITTEE held in via Microsoft Teams on Wednesday, 29 June 2022 at 2.00 pm

Present:- Councillors J. Linehan, D. Parker, and J. PatonDay

In Attendance:- Principal Solicitor (H. MacLeod), Treasury Business Partner (S. Wilson), Democratic Services Officer (W. Mohieddeen).

1. CHAIRMAN

Councillor PatonDay, seconded by Councillor Linehan, Councillor Linehan, seconded by Councillor PatonDay, moved that Councillor Parker be appointed as Chairman. There being no other nominations, Councillor Parker was unanimously appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Parker be appointed as Chairman.

2. VICE CHAIRMAN

Councillor Linehan, seconded by Councillor Parker, moved that Councillor PatonDay be appointed as Vice Chairman. There being no other nominations, Councillor PatonDay was unanimously appointed as Vice Chairman.

DECISION

AGREED that Councillor PatonDay be appointed as Vice Chairman.

3. MINUTE.

There had been circulated copies of the Minute of the Meeting held on 8 March 2022.

DECISION

AGREED to approve the Minute for signature by the Chairman.

4. MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022

4.1 There had been circulated copies of the report by Director Finance and Corporate Governance which provided the details of the income and expenditure for the William Hill Trust Fund for the year 2021-22 including balance sheet values as at 31 March 2022, a full year projected out-turn for 2022-23, and projected balance sheet values as at 31 March 2023. Appendix 1 of the report provided the actual income and expenditure for 2021-22 which showed a surplus of £5,625 for the year, which was better than the previously reported surplus on 8 March 2022, mainly as a result of an increase in the return from the Aegon Investment Fund. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2022 which showed an increase in reserves of £5,443, mainly due to the year-end surplus. Appendix 3 of the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2022.

4.2 The Treasury Business Partner advised that the Sub-Committee may choose to invest monies from the cash balance to the Aegon Investment Fund and that there was an option to disinvest if that would be required. Members agreed to invest £30,000 into the Aegon Investment Fund.

DECISION

AGREED to invest £30,000 of cash balance into Aegon Asset Management Investment Fund.

The meeting concluded at 2.15 pm.

SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Wednesday, 29
June 2022 at 2.30 p.m.

Present:- Councillors D. Parker, J. Linehan, J. PatonDay; A. Smith (Lauderdale CC)
In Attendance:- Principal Solicitor (H. MacLeod), Treasury Business Partner (S. Wilson),
Estates Surveyor (J. Stewart), Democratic Services Officer (W.
Mohieddeen).

1. CHAIRMAN

Councillor Linehan, seconded by Councillor PatonDay, moved that Councillor Parker be appointed as Chairman. There being no other nominations, Councillor Parker was unanimously appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Parker be appointed as Chairman.

2. VICE CHAIRMAN

Councillor Linehan, seconded by Councillor Parker, moved that Councillor PatonDay be appointed as Vice Chairman. There being no other nominations, Councillor PatonDay was unanimously appointed as Vice Chairman.

DECISION

AGREED that Councillor PatonDay be appointed as Vice Chairman.

3. 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.

4. MINUTE

There had been circulated copies of the Minute of the Meeting held on 8 March 2022.

DECISION

AGREED to approve the Minute for signature by the Chairman.

5. MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2022

There had been circulated copies of a report by Director Finance and Corporate Governance which provided details of the income and expenditure for the Lauder Common Good Fund for the year 2021-22 including balance sheet values as at 31 March 2022, a full year projected out-turn for 2022-23, and projected balance sheet values as at 31 March 2023. Appendix 1 of the report provided the actual income and expenditure for 2021-22 which showed a deficit of £17,510 for the year, which was higher than the deficit figure reported at the 8 March 2022 meeting, due to an increase in the Repairs and Maintenance spend, as well as a delay in the Woodland Schemes. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2022 which showed an increase in the reserves of

£446,948, mainly due to the re-classification of assets exercise carried out by Estates & Legal, partially off-set by the annual release from Revaluation Reserve. Appendix 3a of the report provided a breakdown of the property portfolio which showed actual rental income and net return for 2021-22. Appendix 3b provided a breakdown of the property portfolio which showed actual property expenditure for 2021-22. Appendix 4 provided a breakdown of the property portfolio which showed actual property valuations at 31 March 2022. Appendix 5 of the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2022.

DECISION

- (a) NOTED the actual income and expenditure for 2021-22 in Appendix 1 of the report;**
- (b) AGREED the projected income and expenditure for 2022-23 in Appendix 1 as the revised budget for 2022/23 of the report;**
- (c) NOTED the final balance sheet value as at 31 March 2022, and projected balance sheet value as at 31 March 2023 in Appendix 2 of the report;**
- (d) NOTED the summary of the property portfolio in Appendices 3 and 4 of the report; and,**
- (e) NOTED the current position of the Aegon Asset Management Investment Fund in Appendix 5 of the report.**

6. APPLICATION FOR FINANCIAL ASSISTANCE – LAUDER COMMON RIDING COMMITTEE

There had been circulated copies of an application for financial assistance from Lauder Common Riding Committee.

DECISION

AGREED to provide award a grant of £1,121.40 to Lauder Common Riding Committee

7. APPLICATION FOR FINANCIAL ASSISTANCE – LAUDER LARDER COMMUNITY FOODBANK

There had been circulated copies of an application for financial assistance from Lauder Larder Community Foodbank. The Chairman had noted advice from officers that funding was available to assist the applicant and that the application may be referred to the Communities and Partnership Team for alternative Council budgets to be considered. The Sub-Committee agreed that after alternative budgets are considered for the applicant, should there be any remaining shortfall in funds requested then the application would be welcomed to be resubmitted for consideration

DECISION

AGREED to refer the application to Community Grants and welcome a resubmission of the application should there be any shortfall in funds requested.

8. CONSULTATION ON HERITABLE AND MOVEABLE ASSET REGISTERS FOR FORMER BURGH OF LAUDER

- 8.1** There had been circulated a paper by Principal Solicitor which advised on the outcome of the consultation under the Community Empowerment (Scotland) Act 2015, and sought approval of the final Common Good Register for Lauder. Under the Community Empowerment (Scotland) Act 2015 the Council was required to establish and maintain a register of property which was held by the authority as part of the Common Good (“a

Common Good Register”). Before establishing a Common Good Register, the Act required the Council to publish a list of property that it proposed to include in the Register and to consult the public on the list. The Lauder Common Good Sub-Committee approved the draft asset register in December 2021 and agreed to the commencement of the public consultation. The consultation ran from December 2021 to 31 March 2022. The Sub Committee was required to consider any responses received to the consultation, and approve the final register to be recommended to Council for publication.

- 8.2 The Principal Solicitor advised that there were 65 responses to the consultation and 2 of these responses related to Lauder. The responses confirmed the draft registers and did not provide any comment. This was considered to show how advanced Lauder was with its common good register. The Sub-Committee was asked to note the draft register and to recommend to Council the register be finalised and published. Following approval by the Sub-Committee, the Principal Solicitor advised that Council will consider publication of finalised registers for all Common Good registers in the Scottish Borders and that the full Scottish Borders Common Good Asset Register was to be published by the end of September 2022. If any further assets were identified as being Common Good, or if existing property was disposed of or reclassified, the Council would update the Common Good Asset Registers. The Council would also ensure that the Common Good Asset Registers be reviewed on a regular basis, and at least every five years.
- 8.3 Mr Smith advised that the Provost robes were held in the Town Hall. The Principal Solicitor agreed that the register would be updated.

DECISION

- (a) NOTED the completion of the consultation and the responses received, as set out in this Report;**
- (b) AGREED to approve the contents of the final list of heritable and moveable property assets held by the Council within the former Burgh of Lauder, as set out in Appendix 1;**
- (c) AGREED to recommend to Council the said final asset list for publication as a completed Common Good Register for Lauder; and,**
- (d) AGREED to update the register to state that the Provost robes were held in the Town Hall.**

9. APPLICATION OF ADMISSION FOR A NEW BURGESS

There had been circulated copies of a report by Director Finance and Corporate Governance that proposed that the Lauder Common Good Fund Sub-Committee grant a burgess ticket to Mr Robert Elliot Landells. The Principal Solicitor explained that a request had been submitted by Mr Robert Elliot Landells, a resident of Lauder that he be granted a Burgess Ticket in respect of the former Royal Burgh of Lauder. Mr Landells held the title to a Burgess Acre, called ‘Captain’s Acre’ registered in the Land Register of Scotland under title number BER 9056, and evidence of this ownership had been produced. All Burgesses other than Honorary were required to be resident in Lauder and to own one of the Burgess Acres. Burgess Tickets entitled individuals to exercise control over the grazing rights on Lauder Common, part of Lauder Common Good. The Principal Solicitor advised that the other Burgesses were consulted as per custom and requested that the Sub-Committee agrees to grant the request.

DECISION

AGREED to:

- (a) grant the request for a Burgess Ticket to Mr Robert Elliot Landells; and,
- (b) to instruct the Chief Legal Officer to issue the appropriate Burgess Ticket.

10. **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 it involved the likely disclosure of exempt information as defined in Paragraph 9 of Part I of Schedule 7A to the Act.

11. **GENERAL PROPERTY UPDATE**

Members considered the update by Estates Surveyor.

The meeting concluded at 3.45 pm.

MINUTES of Meeting of the CHEVIOT
AREA PARTNERSHIP held remotely by
Microsoft Teams on Wednesday, 29
June 2022 at 6.30 pm.

Present:- Councillors E. Robson (Chairman), S. Hamilton, S. Scott, S. Mountford, E. Robson, T. Weatherston, together with 19 Representatives of Partner Organisations, Community Councils and Members of the Public.

Apologies: Councillor P. Brown.

In attendance: - Community Co-ordinator – Gillian Jardine, Democratic Services Officer (F. Henderson).

1. APPOINTMENT OF CHAIRMAN

Councillor Scott, seconded by Councillor Mountford, proposed that Councillor Robson be appointed as Chairman. There being no other nominations, Councillor Robson was appointed as Chairman and took the Chair.

DECISION

AGREED that Councillor Robson be appointed as the Chairman of the Cheviot Area Partnership.

2. WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the meeting via Microsoft teams, which included Elected Members, Community Council representatives, Community Organisations and guests attending within the meeting and those watching via the Live Stream. He outlined how the meeting would be conducted.

3. FEEDBACK FROM MEETING ON 23 MARCH 2022

The minute of the meeting of the Cheviot Area Partnership held on 23 March 2022 had been circulated with the Agenda. A response to the questions raised on Electric Vehicle Charging points had been circulated by e-mail.

In terms of paragraph 4.3 of the Minute of 23 March 2022, it was highlighted that in term of the Community Empowerment Legislation, participatory budgeting required to go further

- 3.1 The evaluation of the March meeting was circulated with the agenda. There was a request made in the evaluation of the last meeting to have an update at a future meeting on SBC's climate emergency action plan and community actions. This would be included in the September agenda. There was also a request for training on the Area Partnership. The Communities and Partnership team were happy to speak with anyone outside of an Area Partnership meeting to go through any items they would like to learn more about.

4. SECTION 1: SERVICE & PARTNER UPDATES AND CONSULTATIONS
Place Making

- 4.1 With reference to paragraph 3.1 of the Minute of 26 January 2022, James Lamb, SBC Portfolio Manager was present to set out options for the Cheviot Area Partnership in supporting the development of community-led place plans in communities across the

locality. Over the past year, conversations had been continuing with Area Partnerships around:

- How to develop a place making approach in each locality and across the Borders
- Where to make a practical start
- What the role of Area Partnerships should be in overseeing the implementation and delivery of place making in their communities

- 4.2 The conversation began in February 2021 with proposals being presented to the February 2021 Council meeting and continued in summer with a series of brief workshops facilitated by Scottish Futures Trust to gauge views on what place making means to communities and what the priority issues and ambitions were for the approach. The output from the workshops was used to draft more detailed proposals which were endorsed by the Council in August 2021, with a view to further engagement and development with Area Partnerships over autumn and winter. In spring of this year, a series of facilitated workshops were held to explore the subject in greater detail and to help shape local arrangements. The focus now needed to turn to how practical support was given to communities in developing their place plans.
- 4.3 Across the five localities, different approaches were emerging reflecting the diversity of the area. In Berwickshire, a short-life Place Making Working Group, comprising representatives from across local communities and organisations and was proposing an inclusive “opt-in” approach, initially seeking expressions of interest from Communities across the locality and chaired by community representatives, with Tweeddale taking a similar approach. The remaining three localities being presented with option at the Area Partnership Meetings in June.
- 4.4 In all localities, with the exception of Tweeddale, there were also commitments to begin place making in the 4 target towns identified in the Borderlands Inclusive Growth Deal - Eyemouth, Galashiels, Hawick and Jedburgh this year. Nationally agreed guidance from the Borderlands Place Programme and experience from the development of associated place plans (both locally, and across the Borderlands local authorities – Carlisle, Cumbria, Dumfries and Galloway and Northumberland) could also provide models to guide place making elsewhere. For Cheviot, this meant that there was already a commitment under the Borderlands Place Programme to support the Jedburgh community to develop a Town Plan and an associated Investment Plan. As this was part of an agreed programme under separate governance arrangements, this was outside the scope of the options be presented.
- 4.5 Mr Lamb went onto summarise the points raised at the Cheviot Workshop held on 27 April 2022, which included - a broad understanding of place making – that it should be inclusive, community-led, extend beyond spatial planning and cover all aspects of life in a community – although the name “place making” was not seen as helpful; Recognition of the diversity of communities in the locality and that there should be no one-size-fits-all; Debate around the suitability of the Area Partnerships, as they were currently configured, in playing an oversight role; The importance of supporting rural communities and not just towns; Including all people in communities and in particular engaging young people in the process; The need to make this a hands-on, practical and creative process of engagement with walking workshops, maps and more active public engagement. While there was some discussion over the role of the Cheviot Area Partnership in overseeing and directing place making, there was no clear steer from the workshop. Similarly no clear steer emerged in terms of identifying of communities that wished to become involved. Mr Lamb presented the three possible options for progressing place making as follows:-

Working Group Approach. The Area Partnership establishes – and seeks initial nominations for – a working group along the lines of the Berwickshire/Tweeddale model. In the meantime, while the Working Group was being established, SBC’s Community Engagement Team - on behalf of the Working Group – could seek expressions of interest both in terms from:

- i. Those who wish to become involved in the working group
- ii. Communities that would like to become involved in place making (individually or combined with other communities)

SBC would provide support to the Working Group in line with practice in Berwickshire and Tweeddale and share good practice across all groups. The working group would make recommendations to the Area Partnership.

Area Partnership Approach. SBC – on behalf of the Area Partnership – seeks expressions of interest from local communities in becoming involved in place making and that those expressions of interest are brought back to the Area Partnership for consideration. In effect, this route could follow the approaches in Berwickshire and Tweeddale with the steer coming from the Area Partnership rather than a Working Group. However, the process could take longer due to the timetable of Area Partnership meetings.

Hybrid Approach. That representatives from the Area Partnership work with SBC officers in an informal capacity in seeking expressions of interest from communities wishing to become involved in Place Making directly and working with those communities to formulate and support a viable approach. Again, this could use emerging models in other localities. Expressions of interest and proposals to move these forward would be brought back to the Area Partnership for consideration. Following discussion, it was agreed to progress the Working Group Option.

**DECISION
AGREED that**

- (a) the Working Group Approach be progressed;**
- (b) Nominations be sought from across the Community;**
- (c) Draft terms of reference be drawn up by James Lamb.**

**5. SECTION 2: LOCAL PRIORTIES
Financial Inclusion Fund/ Food Conversation**

Ms Jardine, Community Co-ordinator updated the meeting on the discussions and conversations taking place across localities with volunteers and 3rd parties in terms of the Cost of Living; Cost of Energy; Food security. Services and volunteers across the Scottish Borders are looking at a longer term approach to food access and how households and communities can help sustain themselves. During these meetings, partners and volunteers have been sharing good practice from their area to develop a better understanding of the challenges communities face and what community approaches are needed to help find solutions to these challenges. The next meeting takes place in August and is open to anyone interested in attending.

Ms Jardine went on to share the outcomes of the Low and Slow project which has been supported by the Financial Inclusion Fund and is a partnership approach to addressing food and fuel poverty in communities. The partners involved, including NHS Borders and Changeworks provided specialist knowledge from their service to help with problem solving in the home in order to reduce energy consumption. The programme was being rolled out in other areas of the Borders but at present, no Cheviot service had been identified to deliver Low and Slow in the Locality.

6.0 SECTION 3: COMMUNITY EMPOWERMENT AND COMMUNITY FUNDING

There had been circulated copies of the Cheviot Funding for 2022/2023 which detailed the funding available together with information on the allocation of the Community Grant Fund in 2022/23. The opening balance at 1 April 2022 was £80,268.39 plus an underspend from the Community Fund in 2021/22 of £28,640.65 and an underspend in the Local Festival Grant in 2021/22 of £2,953.00, which resulted in an overall budget of £111,862.04. Neighbourhood Support Fund applications assessed and awaiting a decision totalled £4,237.72, totalling an overall budget of £107,624.32. Other sources of funding included Local Festival Grant Budget totalling £16,675.00, Annual Support Grant to Community Councils totalling £11,100.00, Common Goods, SBC Enhancement Grant, SBC Welfare Grant and SBC Small Schemes totalled.

- 6.1 Other sources of Grant Funding for Cheviot totalled £110,706.17, less Build Back a Better Borders Recovery Fund applications awarded totalling £2,492.000. In response to questions about the underspend in the Festival Grant Funding, Ms Jardine agreed to provide a breakdown. Councillor Scott requested information on the £7,900 shown against the Jedburgh Common Good and Councillor Mountford requested that the criteria on the Welfare Grant be refreshed. It was noted that there was a large underspend in the Small Schemes Budget and information on the criteria and process for small schemes was requested. In response to a question from Community Councillor Gavin Horsburgh in regards to how often the Community Council Grant was reviewed, Ms Jardine agreed to look into the matter.

**DECISION
NOTED.**

7.0 CHEVIOT COMMUNITY FUND 20/23

There had been circulated copies of a report which detailed the recommendations of the Cheviot Community Fund Assessment Panel. The report provided a brief description of each application received and a recommendation on the sum to be awarded to each project.

7.1 St Boswells Golf Club

An application was received for loft insulation in the Clubhouse. The application was deferred at the last Panel meeting due to lack of clarity with regard to the golf club's reserves. The information was provided to Panel Members at their meeting in June, and following a lengthy discussion, the Panel concluded they could not support the application. Key points influencing the Panel's decision were:

- No community involvement or benefit
- There were more suitable funds available to support this project

The Panel recommended no award be made.

7.2 Abundant Borders

An application was received to create a community garden that will provide residents with the skills they need to grow their own food. The project will clean an unused area within a social housing development and children from the high school will also benefit. The Panel were supportive of the project and the key points influencing the Panel's decision were:

- Create an accessible community space
- Community empowerment with connection to the High School
- Supports the healthy living agenda

The Panel recommend awarding £2,492.

7.3 QME CARE

An application was received for a secure storage area for bikes to encourage employees and visitors to cycle to the care home. The Panel had a lengthy discussion and concluded that they could not support the application. Key points influencing the Panel's decision were:

- This should be a cost met by the employer
- There were more suitable funds available to support this project

The Panel recommended no award be made.

**DECISION
AGREED:-**

(a) that the sum of £2,942 be awarded to Abundant Borders; and

(b) that no award be made to the following

- **QME Care**
- **St Boswells Golf Club**

7.4 Term of Office of Panel Members

With reference to paragraph 5.2, of the Minute of 23 March 2022, the Area Partnership had not agreed to change the term of Office of the Assessment Panel and requested that the Panel submit an alternative proposal. The Cheviot Assessment Panel had discussed the proposal of a rolling annual membership over three years for the Cheviot Assessment Panel was a reasonable request for consideration by the Area Partnership. The Panel were of the opinion that this would allow for continuity moving forward.

**DECISION
AGREED.**

8.0 The National Lottery – Community Funding

Mr Neal Bennison, Funding Officer, National Community Fund was present at the meeting to give a brief summary of funding available through the ongoing programmes Awards for All which awards up to £10,000 and Young Start which awards up to £100,000. Funding Streams which close on 30 September 2022 were Community Led which awards up to £150,000 and Improving Lives which awards up to £200,000. There had not been a large amount of applications for the Cheviot Area and awards had been made to the Men Shed, Yetholm Community Shop and Cheviot Youth. Mr Bennison answered questions.
Neal Bennison <Neal.Bennison@tnlcommunityfund.org.uk 01412421446 07976322674

Contact information – stewart.sanderson@tnlcommunityfund.org.uk – Tel: 07971879837

9. **Participatory Budgeting**

Community Choices – Participatory Budgeting Update

With reference to paragraph 4.3 of the Minute of 23 March 2022, Ms Jardine provided an update on how SBC was embedding Community Choices (CC) as the way we do our business, the e-learning module for staff had been created and was being finalised ready for staff use. The purpose of this was to make sure all staff understood Community Choices so that the community could be better supported to be part of the decision making process. Opportunities for Community Choices activities across various departments were activity sought, including Education, Roads, and public transport and social work services. This was an ongoing conversation and we would provide an update at each meeting on where Community Choices activities were happening in relation to SBC budgets. Outside of SBC, if anyone wishes to look at a Community Choices event in the community, such as the pupils at Peebles HS, support to communities can be provided. In response to a question, Ms Jardine confirmed that as participatory budgeting developed, different ways of working Community Choices would be developed by the Council.

DECISION

AGREED that participatory budgeting would be a recurring Agenda item.

ANY OTHER COMPETENT BUSINESS

Community Empowerment

Mr Colin McGrath advised that he was working with the Scottish Government on a working group looking at empowering communities. Mr McGrath had prepared a report, which he would circulate to all members of the Cheviot Area Partnership. Mr McGrath further raised whether allowing unpaid Carers to be represented on the IJB had been considered and if so requested an update on progress.

10. **DATE OF FUTURE MEETINGS**

Future Meetings of the Cheviot Area Partnership would be held on the following dates:

Wednesday, 28 September 2022 at 6.30 p.m.

Wednesday, 23 November 2022 at 6.30 p.m.

The next meeting would be held on **Wednesday, 28 September 2022 at 6.30 p.m. via Microsoft Teams.**

11. **MEETING EVALUATION**

Ms Jardine reminded those present about the meeting evaluation form which could be accessed via the link <https://forms.office.com/r/HHH1dEcmz3>. She added that feedback about the Area Partnership meetings was really helpful and always appreciated.

The meeting closed at 8.17 p.m.

MINUTE of Meeting of the EILDON AREA
PARTNERSHIP held remotely by Microsoft
Teams on Thursday, 30 June 2022 at 6.00
pm

Present:- Councillors E. Thornton-Nicol (Chair), C. Cochrane, L. Douglas, F. Sinclair, N. Mackinnon, and J. Paton-Day, together with 10 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillors D. Parker, E. Jardine and J. Linehan

Absent: Councillor H. Steel

In Attendance:- Community Co-ordinator (K. Harrow), Portfolio Manager (J. Lamb), Community Engagement Officer (E. Coltman), Youth Engagement Officer (P. Rigby), Democratic Services Officer (D. Hall)

1. **WELCOME AND MEETING PROTOCOLS**

The Chair welcomed everyone to the meeting of the Eildon Area Partnership held remotely via Microsoft Teams, which included Elected Members, guests attending within the meeting and those watching via the Live Stream. The Chair outlined how the meeting would be conducted. The Chair introduced each of the Elected Members in turn.

ORDER OF BUSINESS

The Chair 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.

2. **FEEDBACK FROM MEETING OF 30 MARCH 2022**

The Minute of the meeting of the Eildon Area Partnership held on 30 March 2022 had been circulated and was noted. The Chair advised that with regards to the Menti Evaluation circulated with the Agenda, items listed would be assessed and considered at the meeting of the Area Partnership in September.

3. **PLACE MAKING - PROGRESS REPORT**

3.1 Portfolio Manager, James Lamb, gave a slide presentation providing an update on the Place Making Approach. Mr Lamb explained that he had been working on Place Making for over one year, and that two options were being considered for how to proceed with developing Place Making Plans. It was essential that Place Making plans were community-led, that efforts were made to be as inclusive as possible, and that every community was considered individually to reflect their needs and aspirations.

3.2 Regarding the necessity of plans, Mr Lamb explained that accessing funding was a key part of Place Making, and that ensuring a joined-up approach to thinking allowed communities to access the wide array of funding that was becoming available. Significantly, Place Making plans could help unlock funding streams by demonstrating the level of community support projects have, the business case of a project and demonstrate its deliverability. Fundamentally, Mr Lamb advised that Place Making was about ensuring that communities could come together and align their interests to ensure that through the effective use of resources and the capacity within that community, places were made better for people to live in.

3.3 Mr Lamb provided an overview of the approaches that different localities had considered. Within the five localities within the Scottish Borders, 26 communities had expressed an interest in Place Making. Berwickshire and Tweeddale had chosen to set up Working Groups to take forward Place Making. The aforementioned Area Partnerships had agreed to form a working group, develop the arrangements and co-ordinate Place Making within their locality. Within the Eildon locality, the initial communities of Galashiels, Langlee, Newtown St Boswells; Stow and Fountainhall, and Bannerfield had been identified. Subsequently, interest had been registered from Selkirk, with considerations being made to involve Selkirk and Bannerfield together. Mr Lamb proceeded to outline the Working Group proposals for proceeding with Place Making as circulated within the agenda pack. The Area Partnership unanimously agreed to proceed with the initial communities that had been developed. The Area Partnership unanimously agreed to proceed with the Working Group approach as defined within the document circulated with the agenda. Further discussions clarified that additional communities were welcome to get involved with Place Making, and that officer support would be available to seek expressions of interest from those who wished to get involved in the working group.

4. **PROJECT EVALUATION - SELKIRK BAPTIST CHURCH**

The Chair invited Heather Neilson to provide a presentation on work that had gone on following the award of funding from the Build Back a Better Borders Recovery Fund to the Selkirk Baptist Church. The Church had applied for, and received funding of approximately £7k, to redevelop a garden area at the rear of the church. The garden had been in a neglected state prior to the work, but had been transformed into a significant asset, with three tiers present within the garden with a range of features including a pergola, rock garden and water feature. The garden was used as a community asset, with a range of groups and individuals using the space to meet and host events. Those in attendance expressed their delight in seeing the transformation, remarked that the project was inspiring and encouraged Ms Neilson to publicise and circulate her group's success using social media.

5. **THE NATIONAL LOTTERY - COMMUNITY FUNDING**

Neal Bennison of the National Lottery joined the meeting to provide insight into his group and an overview of how they could help with community funding. Mr Bennison explained that he worked as a National Lottery Community Fund Manager, focused on helping communities access funding. The National Lottery had, in the last financial year, provided approximately £1.3 million to projects across the Scottish Borders via small grants of between £10k and £200k. Mr Bennison highlighted that his organisation shared a lot in common with the approach of Place-Making, namely that the group would look to try and co-ordinate a connected approach, pull a range of groups together to optimise their strengths and build on existing assets. Mr Bennison shared his contact details and advised any interested party to contact him as early as possible when considering making an application for funding.

6. **FINANCIAL INCLUSION FUND / FOOD CONVERSATION**

Mr Harrow, Community Co-ordinator, provided an overview of work that had gone on within Eildon looking to improve financial inclusion and provide food support. Mr Harrow explained that the Financial Inclusion Fund had been made available by the Scottish Government, and that the funding was used to tackle food insecurity, provide welfare payments directly to households and fuel cards to those who experiencing fuel poverty. Regarding food support, Mr Harrow explained that a trial "Low and Slow" project had taken place in Hawick, but that a new project would start in approximately 2 weeks. The project brought together NHS Borders, Gala Foodbank, Changeworks and the Focus Centre. 8 individuals were taking part initially, with a view to developing childcare facilities to allow a roll-out to a wider group of people in the future. With regards to Food Conversations, Mr Harrow explained that a group would be formed that would be action focused, with each session having key actions or targets to make a real difference. In response to questions Mr Harrow explained that his team were seeing more and more

people struggling with the cost of living, and that work was ongoing to try and improve communication to encourage people to come forward for help. With regards to providing food vouchers, Mr Harrow explained that people in crisis could get in contact through an SBC contact centre or directly get in touch with Mr Harrow, or his colleague Mr Coltman, who could arrange supermarket gift card vouchers to be provided. The Chair highlighted an SBC leaflet that outlined support available specifically within the Eildon locality, encouraging any organisation that sent out food parcels or support to get in touch. Mr Coltman encouraged any interested party to contact him, and that he could provide them with copies of the leaflet. Pam Rigby, Youth Engagement Worker with SBC, encouraged Young People to sign up to the membership benefits that come in conjunction with a Young Scot Card.

MEMBER

Councillor MacKinnon left during the discussion of the item above.

7. OVERVIEW OF COMMUNITY FUNDING

Mr Coltman, Community Engagement Officer, introduced himself to the meeting and provided insight into his work as part of the Communities and Partnerships Team. Mr Coltman explained that he was always interested in speaking to groups, organisations or individuals in the voluntary sector or beyond to help co-ordinate and assist work that can help local communities. Previous projects and highlights were shown to the meeting, and Mr Coltman encouraged people to get in touch if they were seeking help on any community projects.

8. EILDON FUNDING TABLES

The main source of funding available this financial year, as a replacement for the Community Fund, was the Neighbourhood Support Fund. The Fund had opened with a balance of £147K, with £145.5k remaining following the approval of smaller, fast-track applications. Mr Coltman explained that the fund would run until it was depleted or until the end of the financial year.

9. NEIGHBOURHOOD SUPPORT FUND

9.1 Jenny Mushlin, Chair of the Eildon Assessment Panel, gave an outline of each application before providing comments and an explanation of the reason for each recommendation. One application was deferred whilst the Panel sought further information.

9.2 Works+

The application from Works+ was for £3.5k to help deliver two, 20-week courses for up to 20 women in the Eildon locality. The funding would help support staff costs, pay for rent, travel, refreshments and materials for workshops. The Panel recommended that the application was approved, which was unanimously agreed.

9.3 Go Wild Scotland

The application from Go Wild Scotland was for £14,790.60 for salary costs for one full-time staff member to deliver a new project that would help community groups throughout the Eildon locality to create a "digital trail", combining physical and digital elements. Trail users could use phones or other smart devices to access digital resources by scanning tags to gain access to a range of resources. In response to a question regarding leases for the use of land being used, assurances were provided that safeguards would be put in place to ensure the continuity of the trails following their development. The recommendation of the funding Panel was unanimously approved.

DECLARATION OF INTEREST

Councillor Sinclair declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Meeting during the discussion.

9.4 Gala Rugby (Maroon'd)

The application from Gala Rugby was for £12.5k to deliver the second Maroon'd event at Netherdale on 20 August 2022. The event was planned as a sporting and social event featuring rugby from primary school and high school ages up to senior sevens level. Clan rugby was also included. The event would also include a further range of sporting events, including athletics, football, and a range of live entertainment and food. The event was planned to be free entry, with a shuttle bus running to the town centre. The funding applied for would cover the provision of security staff, portable toilets and showers, marquees for changing and music costs. Ms Mushlin explained that the Panel had recommended to fund the project this year, but was reluctant to continually fund future iterations of the event. Members in attendance unanimously agreed in principle with the recommendation for the funding, but lacking a Member from each of the Wards within the Eildon locality, were not quorate. The decision was therefore subject to future ratification.

10. **NEXT AREA PARTNERSHIP**

The next meeting was scheduled for Thursday 8 September 2022. Suggestions for agenda items could be sent to the Community and Partnerships team.

The meeting concluded at 7.40 pm

Public Document Pack

SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St. Boswells on Monday, 4 July, 2022 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott, E. Small and V. Thomson

In Attendance:- Chief Legal Officer, Principal Planning Officer, Lead Planning Officer (B. Fotheringham), Lead Roads Planning Officer (D. Inglis), Democratic Services Officer (W. Mohieddeen).

CHAIRMAN

Councillor Mountford welcomed everyone to the meeting and advised that the public business in this meeting was being livestreamed for public view and also recorded. By participating in the meeting, attendees had given consent for this. The recording would be available through the link to the event livestream on the Council website for public viewing for 180 days afterwards. The recording would then be automatically deleted after this time. Everyone was reminded that the Council did not allow any other recording of the meeting than this one.

Councillor Mountford welcomed Councillor Cox to her first meeting of the Committee.

1. MINUTE.

There had been circulated copies of the Minute of the Meeting held on 13 June 2022.

DECISION

AGREED to approve the Minute for Signature by the Chairman.

2. APPLICATIONS.

There had been circulated copies of the Minute of the Meeting held on 13 June 2022.

DECISION

AGREED to approve the Minute for Signature by the Chairman.

3. APPEALS AND REVIEWS.

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

DECISION

NOTED that:

- (a) **There remained one appeal previously reported on which a decision was still awaited when this report was prepared on 23rd June 2022. This relates to a site at:**

- | | |
|----------------------------------|--|
| • 18-19 Slitrig Crescent, Hawick | |
|----------------------------------|--|

- (b) **Review requests had been received in respect of:**

- (i) Erection of dwellinghouse, Land South of Stable Cottage (Plot 4), Westcote, Hawick;
 - (ii) Erection of dwellinghouse and formation of new access, Land East of The Garden Cottage, South Laws, Duns; and,
 - (iii) Erection of dwellinghouse and associated works, Land East of 16 Hendersyde Avenue, Kelso.
- (c) The following reviews had been determined as shown:
- (i) Replacement windows, Craigard, Canongate, Denholm – Decision of Appointed Officer Overturned (Subject to Conditions);
 - (ii) Replacement windows, 18-19 Slitrig Crescent, Hawick – Decision of Appointed Officer Overturned (Subject to Conditions); and,
 - (iii) Erection of dwellinghouse, Land South West of Windrush Highend, Hawick – Decision of Appointed Officer Upheld.
- (d) There remained eight reviews previously reported on which decisions were still awaited when this report was prepared on 23 June 2022 relating to sites at:

• Land East of Delgany, Old Cambus, Cockburnspath	• East Lodge, Netherurd, Blyth Bridge, West Linton
• Land South East of Hardens Hall, Duns	• Land North East of Woodend Farmhouse, Duns
• Land North of Ivanhoe, Dingleton Road, Melrose	• Garden Ground of Greenrig, Blair Avenue, Jedburgh
• The Blue House near Swansfield Farm, Reston, Eyemouth	• Unit C, Whinstone Mill, Netherdale Industrial Estate, Galashiels

- (e) there remained one Section 36 PLI previously reported on which a decision was still awaited when the report was prepared on 23 June 2022 relating to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 12.40 pm.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/00271/FUL	Erection of new education building, extension to the existing Sports Pavilion, the partial demolition of the existing school buildings, the reconfiguration of car parking, playgrounds, soft landscaping, fencing, 3G sports pitches, lighting, CCTV cameras, amenity stores, sub-station and associated footpaths forming Community Campus.	Peebles High School and Associated Land, Springwood Road, Peebles

DECISION: Approved as per officer recommendation subject to the following conditions and informatives:

Conditions

1. No development shall commence except in full accordance with the scheme of phasing agreed under Condition 9, in relation to samples of materials and colours for all external materials relating to the main proposed school building and gym hall extension have firstly been submitted to and approved in writing by the Planning Authority. This should also include large scale detailing for key junctions/features around the main building. The development shall be carried out in accordance with the approved samples and detailing. Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.
2. The new school building not to become operational until a scheme of details for the re-use of the "Science Block" is submitted to, and approved in writing by, the Planning Authority. The use of the "Science Block" then to be implemented in accordance with the approved scheme, including an agreed timescale for the works. Reason: To safeguard the historic and architectural interest of the building and ensure integration with the development of the remainder of the site.
3. No development to be commenced until further details of all ancillary buildings, compounds and associated boundary wall/fence screening have been submitted to, and approved in writing by the Planning Authority. The development shall then be carried out in accordance with the approved details. Reason: To ensure ancillary buildings and compounds are integrated within the development and are sympathetic to the surrounding area.
4. No development to be commenced except in full accordance with the scheme of phasing agreed under Condition 9, in relation to further details of all rooftop plant and machinery for the main proposed school building and any associated screening have been submitted to, and approved in writing by the Planning Authority. The development shall then be carried out in accordance with the approved details. Reason: To ensure rooftop plant is integrated into the design of the main school building and is sympathetic to the surrounding area.

5. The new synthetic and grass pitches will be designed and constructed by a recognised (e.g. SAPCA* registered) specialist pitch contractor(s), details of contractor(s) and pitch specification shall be submitted for the written approval of the planning authority prior to the commencement of development. *SAPCA is The Sports and Play Construction Association (www.sapca.org.uk) Reason: To ensure appropriate quality of replacement facilities.
6. The new synthetic running straight, jumps and throws will be designed and constructed by a recognised (e.g. SAPCA* registered) specialist pitch contractor(s), details of contractor(s) and specification shall be submitted for the written approval of the planning authority prior to the commencement of development. *SAPCA is The Sports and Play Construction Association (www.sapca.org.uk) Reason: To ensure appropriate quality of replacement facilities.
7. The outdoor sports facilities will be fully operational and available for use not later than 1 year after the commencement of construction of the new school. Reason: To ensure timely construction of replacement facilities.
8. No development shall commence until details of the precise colour and design of fencing around the outdoor sports pitches have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details. Reason: To ensure fencing is visually appropriate to the development and sympathetic to the surrounding area and nearby residential properties.
9. No development to be commenced until a scheme of phasing has been submitted to, and agreed in writing by, the Planning Authority. This shall include a programme for completion of the main elements within the development – the school building, gym hall extension and outdoor sports facilities (reflecting Condition 7). Once approved, the development then to be carried out in accordance with the approved scheme. Reason: To ensure the development is carried out in a structured and orderly manner which ensures minimum disruption to educational and sporting facilities on site.
10. No development to be commenced until details of all existing and proposed site, building and sports pitch levels have been submitted to, and approved in writing by, the Planning Authority. The development shall then be carried out in accordance with the approved levels, which shall not include any site raising adjoining Craigerne Lane Reason: To ensure levels within the site achieve a sympathetic visual appearance, avoid flood risk and make satisfactory provision for surface water drainage.
11. All trees marked for retention as shown on Site Plan Drawing No. PHS- OOBZZ- XX- DR- L- 0001 Rev P14 and within the submitted Arboricultural Assessment, to be retained both during construction and thereafter, unless permission is sought and obtained in writing from the Planning Authority for any further tree removals. The development shall remain outwith the Root Protection Area of the trees identified, the trees to be protected in accordance with BS5837 during construction work. Reason: To safeguard existing trees within the site.
12. No development shall take place until further details of all hard and soft landscaping works on the site have been submitted to and approved in writing by the Planning Authority. The details 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. all existing and proposed walling to be retained and erected, including retention of the stone walling and pillars on Springwood Road.

- iii. retention of fencing and hedging alongside and east of the gym hall
 - iv. all surfacing materials for the footpaths, steps and all other hard surfaces
 - v. precise location of all new trees, shrubs, hedges and grassed areas
 - vi. schedule of plants to comprise species, plant sizes and proposed numbers/density, including details of the native tree planting north and east of the pitches, all ornamental planting within the site and the alignment of new tree planting along the southern frontage of the main school building with Craigerne Lane
 - vii. comprehensive programme for completion, establishment and subsequent long term maintenance, completion being no later than the end of the concurrent or next available planting season to the new school building becoming operational. Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
13. No development hereby permitted shall commence except in full accordance with the scheme of phasing agreed under Condition 9, in relation to precise details for all hard landscaped areas, car parks and pedestrian access routes from the public road into the development site, have been submitted to the Council for approval. Details to include construction makeup, drainage, dimensions, gradients etc. Thereafter the approved details shall be fully implemented prior to the new school becoming operational. Reason: To ensure the development is constructed in an appropriate manner.
14. No development hereby permitted shall commence until the detailed design for a Puffin crossing, at the entrance to Victoria Park from Glen Road adjacent to the tennis courts, and localised footway widening on the west side of Glen Road has first been submitted to, then approved by the Council. Thereafter the approved details shall be fully implemented in accordance with the timescale within the scheme of phasing agreed under Condition 9. Reason: To improve pedestrian safety during and post construction phase of the development.
15. No development hereby permitted shall commence until precise details for restricting access to the staff car park to the west of the bus drop off area, to ensure the car park is not used as an informal drop-off area for parents, have been submitted to the Council for approval. Thereafter, the approved details shall be fully implemented in accordance with the timescale within the scheme of phasing agreed under Condition 9. Reason: To ensure the safety of the users of the school from external traffic movements.
16. No development hereby permitted shall commence until a Traffic Management Plan, relating to construction traffic, has been submitted in writing to the Council for approval. The Traffic Management Plan shall include details such as delivery routes, access routes, compound location, staff parking and mitigation measures to lessen the impact of these works on the public road network. Thereafter the works will proceed in accordance with the approved Traffic Management Plan. Reason: To ensure the safety of all road users during the construction phase of the development.
17. No development hereby permitted shall commence until a scheme of details for the provision of electric charging points has first been submitted to, then approved by the Council. Details shall include number, location, layout and associated infrastructure. Provision shall also be included for increasing the number of charging points to meet future demand. Reason: To ensure the development hereby permitted caters for sustainable travel modes of transport.

18. A Travel Plan shall be submitted to and agreed with the Council within 12 months of the new school becoming operational. Thereafter the agreed Travel Plan shall be fully adhered to unless otherwise agreed in writing. Reason: To ensure the school operates in a sustainable manner with regard to travel and transport.
19. The development not to obstruct, either during construction or operation, public promoted and local paths running down the western boundaries of the site/playing fields as highlighted in red and yellow on the drawing accompanying the Access Officer's consultation reply to the planning application dated 15 March 2022. Reason: To safeguard public access through and adjoining the site.
20. No development to be commenced except in full accordance with the scheme of phasing agreed under Condition 9, in relation to a detailed surface water drainage drawing is submitted to, and approved in writing by the Planning Authority, reflecting all existing and proposed levels, flow routes, attenuation measures and other SUDs features, based upon the drawings submitted with the Drainage Strategy and updated to reflect revisions, corrected contours etc. Reason: To ensure surface water is discharged without flood risk to either the site or surrounding properties.
21. Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2 Reason: To safeguard on-site amenity and surrounding residential amenity.
22. All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits. Reason: To safeguard on-site amenity and surrounding residential amenity.
23. All lighting shall be installed and operated to achieve the levels specified in the submitted light impact assessment by Atelier Ten ("Peebles High School Lighting Impact Assessment Revision 00 dated 10/2/22"), subject to any further mitigation as identified in Condition 31. Reason: To safeguard surrounding residential amenity.
24. The hours of operation of the sports pitches and associated floodlighting shall be restricted to 07:00 to 22:00, daily. Reason: To safeguard surrounding residential amenity.
25. The new outdoor sports facilities not to become operational until the completion of a scheme designed to protect neighbouring residential dwellings from noise break-out from the proposed games pitch, which has firstly been submitted to, and approved in writing by, the Planning Authority. The scheme should be designed in accordance with the mitigation measures proposed in the New Acoustics Noise Impact Assessment – Rev 01, Report no. 7373-01-01, dated 24th March 2022. Reason: To safeguard surrounding residential amenity.
26. Prior to commencement of development on site, a Bat Protection Plan shall be submitted to and approved in writing by the Planning Authority. Thereafter, the Bat Protection Plan shall be implemented as approved. Reason: To ensure that the development is carried out as proposed and to mitigate and compensate for the disturbance of a European Protected Species.

27. Vegetation clearance should be carried out outside the bird nesting season (March – August inclusive). Should it be necessary to clear ground during the bird nesting season the land shall be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts. Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
28. No building demolition works shall be undertaken during the breeding bird season (March to August inclusive), unless in strict compliance with a Species Protection Plan for Swallows, which shall be submitted to and approved in writing by the Planning Authority. Thereafter, the Protection Plan for Swallows shall be implemented as approved. Reason: To protect the ecological interest of the site in accordance with Local Development Plan policies EP2 and EP3.
29. No works shall commence until a Biodiversity Enhancement Plan for the site has been submitted to, and approved in writing, by the Planning Authority. The scheme shall include the provision of compensatory nest boxes for swallows and details on the compensatory tree planting. The development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority. Reason: To protect the ecological interest of the site in accordance with Local Development Plan policies EP2 and EP3
30. No development shall take place until a construction environmental management plan, has been submitted to and approved in writing by the planning authority. The CEMP shall include the following.
 - i. Risk assessment of potentially damaging construction activities.
 - ii. Identification of “biodiversity protection zones”.
 - iii. Method Statements to avoid or reduce impacts during construction, the location and timing of sensitive works to avoid harm to biodiversity features and the use of protective fences, exclusion barriers and warning signs.
 - iv. The times during construction when specialist ecologist need to be present on site to oversee works.
 - v. Responsible persons and lines of communication.
 - vi. The role and responsibilities on site of Ecological Clerk of Works (ECoW) or similar competent person.
 - vii. A Drainage Management Plan
 - viii. A Site Waste Management Plan
 - ix. The approved CEMP shall be implemented throughout the construction period and operational phase, as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority. Reason: To ensure all construction operations are carried out in a manner that minimise their impact on the environment and to ensure compliance with Local Plan Development Policies EP1, EP2 and EP3.
31. No development shall commence until details of the lighting scheme for the site, during construction and operation, have been submitted to and approved in writing, by the Planning Authority. This shall include a reduction in the height of the new sports pitch floodlights to maximum 16m height, confirmation that the height reduction still complies with the light impact assessment by Atelier Ten (‘Peebles High School, Lighting Impact Assessment, Revision 00’, dated 10/2/22) and further mitigation in the form of lighting hoods/baffles for the floodlights, bat-aware bulb selection and details of the amenity lighting around the building and entrance area, including dimming and lighting hours. Reason: To ensure that the species affected by the development are afforded suitable protection during the construction and operation of the development.

Informatives

1. All work within the public road boundary must be carried out by a contractor first approved by the Council.
2. The applicant is reminded that, under the Wildlife and Countryside Act 1981, (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. If nesting birds are discovered after works commence, such works must stop and a competent ecologist must be contacted for advice.
3. The applicant is reminded that it is an offence to disturb, kill, injure or otherwise harm species protected by national and international law, such as badgers. Planning consent for a development does not provide a defence against prosecution in accordance with protected species legislation.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
21/01302/FUL	Erection of dwellinghouse	Land South West Of West Lodge, Minto

Refused, contrary to officer recommendation, for the following reason:

The dwellinghouse would be contrary to Policy PMD5 of the Local Development Plan 2016 in that it would detract from the character and amenity of the surrounding area and would not respect the scale, form, design and density of the surrounding area. The erection of a house on this site would have an unacceptable adverse impact on the setting of the settlement on a prominent approach to the village.

NOTE

Ms. Susan Clew spoke against the application and Prof. Sally Haw on behalf of the applicant spoke in support.

VOTE

Councillor Scott, seconded by Councillor Small, moved approval of the application as recommended by officers.

Councillor Richards, seconded by Councillor Moffat, moved refusal of the application on the grounds it would be contrary to Policy PMD5 in that it would detract from the character and amenity of the surrounding area and would not respect the scale, form, design and density of the surrounding area.

Members voted as follows:

Approval - 3 votes

Refusal - 5 votes

The application was accordingly refused.

Reference

21/00147/FUL &
22/00148/LBC

Nature of Development

Erection of dwellinghouse
with garage/plant room and
formation of new access;
and ground work to Lade to
facilitate new dwellinghouse.

Location

Land North Of Pirn View,
Leithen Road, Innerleithen

22/00147/FUL

DECISION: approved as per officer recommendation subject to referral to Scottish Ministers, a legal agreement and the following conditions and informatives:

Conditions

1. The development shall be implemented in accordance with the plans and drawings approved under this consent, including finished ground and floor levels and site layout on drawing number 2021/02/103/E, unless otherwise agreed in writing with the Planning Authority or otherwise required by any other condition in this schedule. The development shall be implemented in a manner that safeguards the Listed lade from damage resulting from the development. Reason: To ensure that the development is carried out in accordance with the approved details and to safeguard the special architectural and historic interest of the Listed lade
2. No development shall commence until evidence confirming that a mains water and foul drainage connection have been approved by Scottish Water has been submitted for the written approval of the Planning Authority. The development shall be serviced only using the approved mains water and foul drainage services, unless otherwise agreed in writing with the Planning Authority. All surface water shall be managed in a manner that maintains run-off from the site at pre-development levels and, notwithstanding any reference otherwise, the soakaway shall not be sited within the compensatory storage area. Reason: To ensure the development is adequately serviced and manages surface water drainage
3. No development shall commence until a scheme for the repair and future maintenance of the lade has been submitted for the written approval of the Planning Authority. The repair and maintenance scheme shall be implemented in accordance with the approved details. The scheme shall include works for the repair and long term maintenance of the lade, in addition to a scheme for providing unhindered access by the Council as Flood Risk Management Authority to maintain the lade grille at the southern end of the site Reason: To safeguard the special architectural and historic interest of the Listed lade and minimise the potential risk of flooding to the development
4. The development shall be implemented in accordance with the Tree Protection Plan TPP0522 with retained trees protected with fencing in accordance with BS5837:12 during the development. Only those trees specified for removal shall be removed and all trees to be retained shall be so retained unless otherwise agreed for removal under the terms of Condition 5. Trees shall be removed in a manner that safeguards the Listed lade from any damage resulting from their removal. Reason: To safeguard trees of value to the landscape setting of the site and safeguard the Listed lade.
5. The removal of Woodlands 2 and 3 shall not be commenced until evidence has been provided in writing to the Planning Authority that a license has been obtained from

NatureScot for the disturbance of red squirrel habitat or that a license is not required. Reason: To protect the ecological interest of the site in accordance with Local Development Plan Policies EP2 and EP3

6. No tree felling referred to in the Tree Protection Plan TPP0522 shall be carried out (excepting the removal of Woodland 2 and 3 which shall be permitted to commence prior to part (b) being satisfied) until the following have been submitted for the written approval of the Planning Authority.
 - (a) A compensatory planting scheme for all trees proposed for removal within the Tree Protection Plan, including location, schedule, timescale for implementation and an aftercare scheme
 - (b) A long term management and maintenance scheme for all remaining trees, in addition to that of the compensatory planting provided to satisfy part (a). This shall include long term management, maintenance and successional/replacement planting.All tree felling, planting, management and maintenance shall be implemented in accordance with the approved details. Trees shall be removed and new trees planted in a manner that safeguards the Listed lade from any damage. Reason: To ensure the development has a sympathetic landscape and visual impact and to maximise the biodiversity value of the woodland in the long term.
7. Any noise emitted by plant and machinery on the premises shall not exceed Noise Rating Curve NR20 between the hours of 2300 - 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2. Reason: To protect the amenity of neighbouring residential properties.
8. The approved access, parking area and visibility splays specified on the approved plans shall be implemented prior to the occupancy of the dwellinghouse. The parking area shall be retained free from obstruction for the parking of vehicles and visibility splays shall be maintained in perpetuity, with rebuilt stone walling constructed so as not to obstruct the splays. The first two metres of the access must be constructed to the following specification, unless otherwise agreed in writing with the Planning Authority - 75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1. Reason: To ensure the development is adequately accessed and serviced in a manner that safeguards road safety.
9. The development shall be implemented in accordance with the external material specifications approved under this consent, subject to natural slate roofing being grey in colour; the natural stone specification and details of solar PV panels, which shall be black framed, being first agreed in writing with the Planning Authority; external flues being matt black in colour; and, rooflights on the east elevation of the dwellinghouse being black framed and fitted flush with the slates, all unless otherwise agreed in writing with the Planning Authority Reason: To ensure the development has a sympathetic visual impact.
10. Further details of the retaining wall, boulder banking, and compensatory storage levels alongside the eastern boundary, shall be submitted for the written approval of the Planning Authority before development commences. The development shall be implemented only in accordance with the approved details, and all ground alterations

within the site required to achieve the approved compensatory storage area shall be implemented prior to occupancy of the dwellinghouse, grass-seeded during the first seeding season following completion and kept free from obstruction thereafter.
Reason: To ensure the development has a sympathetic visual impact and provides appropriate compensatory flood storage.

11. Notwithstanding the terms of the General Permitted Development (Scotland) Order 1992 (as amended) or any subsequent revision or replacement Order, there shall be no further development within the application site, unless a planning application for the same has been submitted to and approved by the Planning Authority. Reason: To safeguard the special architectural and historic interest of the Listed lade, to ensure the development has a sympathetic visual impact, and to safeguard the future maintenance of the compensatory storage area.
12. No building operation or vegetation clearance works shall be undertaken during the breeding bird season (March to August inclusive), unless in strict compliance with a Species Protection Plan for birds, which shall be submitted for the approval in writing of the Planning Authority prior to commencement of the development. The Species Protection Plan shall be implemented as approved. Reason: To protect the ecological interest of the site in accordance with Local Development Plan Policies EP2 and EP3
13. No development shall commence until the following have been submitted for the written approval of the Planning Authority
 - (a) A scheme for the provision of bird, squirrel and bat boxes within the site
 - (b) Details of the lighting scheme demonstrating compliance with BCT guidance on artificial lighting and bats.

The lighting of the site shall comply with the approved scheme and boxes shall be implemented in accordance with the approved details prior to occupancy of the dwellinghouse Reason: To protect the ecological interest of the site in accordance with Local Development Plan Policies EP1, EP2 and EP3.
14. No development shall commence until a scheme to identify and assess potential contamination on site, in addition to measures for its treatment/removal, validation and monitoring, and a timescale for implementation of the same, has been submitted to and approved by the Planning Authority. Once approved, the development shall only proceed in accordance with the approved scheme Reason: To ensure that potential contamination within the site has been assessed and treated and that the treatment has been validated and monitored in a manner which ensures the site is appropriate for the approved development.

Informatives

All work within the public road boundary must be undertaken by a contractor first approved by the Council. If a solid fuel stove is intended, this should be specified as being under 45kw. If specified to be larger, a screening assessment will be required in liaison with the Council's Environmental Health Service to ensure there is no risk of a statutory nuisance from emissions. Solid fuel heating installations can cause smoke and odour complaints and Planning Permission for this development does not indemnify the applicant in respect of nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted Planning Permission. It is recommended, therefore, that:

- a. the flue should be terminated with a cap that encourages a high gas efflux velocity.
- b. the flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

- c. the appliance should only burn fuel of a type and grade that is recommended by the manufacturer.
- d. if you live in a Smoke Control Area you must only use an Exempt Appliance (www.smokecontrol.defra.gov.uk) and the fuel that is approved for use in it.
- e. in wood burning stoves you should only burn dry, seasoned timber. Guidance is available on www.forestry.gov.uk.
- f. treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel. Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

The biomass boiler should also be managed in a manner that limits the potential for emissions to cause a statutory nuisance.

22/00148/LBC

Approved as per officer recommendation subject to compliance with the schedule of conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the provisions of Section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. There shall be no alterations to the lade to facilitate the development of planning reference 22/00147/FUL or satisfy its schedule of conditions unless in accordance with a scheme of details that has first been submitted for the written approval of the Planning Authority. The alterations shall only be carried out in accordance with the approved details Reason: To safeguard the special architectural and historic interest of the Listed Building

NOTE

Ms. Kate Jenkins spoke in support of the application.

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held Via MS Teams on Tuesday, 12th July,
2022 at 4.00 pm

Present:- Councillors R. Tatler (Chairman), D. Begg, M. Douglas, J. Pirone, E. Small,
V. Thomson and Community Councillor P. Maudsley
In Attendance:- Chief Legal Officer (Monitoring Officer), Estates Strategy Manger (N. Curtis),
Treasury Business Partner (S. Wilson), Estates Surveyor (T. Hill), Democratic
Services Officer (D. Hall)

1. **REQUEST FOR FINANCIAL ASSISTANCE**

There had been circulated copies of a request for funding of £5,782 from ClubSport Tweeddale to help fund a feasibility study on redeveloping the sporting facilities present in Peebles. Mr Adrian Lucas of the organisation joined the meeting and explained the group's planned activities. The project planned to explore the potential to replace the changing and storage facilities at Whitestone Park Peebles, improve the changing facilities at the Gytes Leisure Centre, relocate Peebles Rovers FC to Violet Bank, create additional athletics facilities at Violet Bank and improve the hospitality facilities at the Tweeddale FC Pavilion. The funds applied for would be used in the creation of a 3D video of the proposed plans to take to the public for consultation. Members praised the application and congratulated ClubSport Tweeddale on their excellent work. The Estates Strategy Manager explained that as part of the feasibility study the appropriate due diligence would involve examining site history, legal titles etc. Councillor Tater, seconded by Councillor Pirone moved to approve the request, which was unanimously approved.

DECISION

AGREED to approve the request for funding in the sum of £5,782.

The meeting concluded at 4.10 pm

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY held in the Council Chamber at Newtown St Boswells on Monday, 18 July 2022 at 10 a.m.

- Present:- Councillors S Mountford (Chair), J. Cox (from para 2), M. Douglas, V. Thomson, N. Richards, S. Scott.
- Apologies:- Councillors, D. Moffat, A. Orr, E. Small
- In Attendance:- Principal Planning Officer (paragraphs 2 - 5) Assistant Planning Officer (S. Shearer – paragraph 1), Solicitor (S. Thompson), Democratic Services Officers (F. Henderson and D. Hall).
-

MEMBERS

Having not been present when the following review was first considered, Councillor Cox left the meeting.

1. REVIEW 21/00448/FUL

With reference to paragraph 1 of the Minute of 20 June 2022, there had been re-circulated copies of the request from Camerons Strachan Yuill Architects, 1 Wilderhaugh, and Galashiels to review the decision to refuse alterations and extensions to dwellinghouse and formation of access at East Lodge, Netherurd Blyth Bridge, and West Linton. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; consultee comments; consultation replies and List of Policies. Also circulated were copies of further information requested by the Local Review Body, in the form of a Bat Emergency Survey and a response from the Councils Ecology Officer. Following consideration of all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD2, EP13 and EP1 of the Local Development Plan and relevant Supplementary Planning Guidance. The alterations and extension would revitalise East Lodge, Netherurd to provide a viable family home in a manner which could be accommodated within the landscape without detracting from the character of the surrounding area. No adverse impacts on adjacent trees would be caused and following the submission of further ecological information, the development would not have an adverse impact on any European Protected Species.

DECISION

AGREED 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 and the comments from the Officer on new information;
- (c) the proposal would be consistent with the consistent with Policies PMD2, EP13 and EP1 of the Local Development Plan and relevant Supplementary Planning Guidance and that there were no other material

considerations that would justify departure from the development plan; and

- (d) the officer's decision to refuse the application be reversed and planning permission granted, subject to the direction, conditions and informatives detailed in Appendix 1 to this Minute.**

MEMBER

Councillor Cox joined the meeting prior to consideration of the following review.

2. REVIEW 21/01909/FUL

There had been circulated copies of a request from Mr Laurie Bunyan, c/o Peter Macleod Planning Services, 122 Scott Street, Galashiels to review the decision to refuse the planning application for the erection of a dwellinghouse on garden ground of Greenrig, Blair Avenue, Jedburgh. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; consultation replies and list of policies. The Review Body noted that the proposal was for planning permission to erect a dwellinghouse on the front garden of Greenrig, Blair Avenue, Jedburgh. Members noted that the site was surrounded by other residential properties and that a second access would be provided to serve Greenrig to the rear, the site being provided with its own access and sufficient parking and turning for two cars. Members noted that the proposed dwellinghouse was modest in scale and that the development would be in keeping with the character of the street and the general urban pattern and density. Subject to the retention of the existing roadside hedge containing the development, Members considered the site to be acceptable infill in compliance with the relevant criteria of Policy PMD5. After considering all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD2, PMD5, HD3 and IS7 of the Local Development Plan and relevant Supplementary Planning Guidance. The development was considered to be of appropriate design and layout on an infill site with acceptable parking and access provision. Consequently, the application was approved, subject to conditions.

VOTE

Councillor Mountford, seconded by Councillor Thomson moved that the Officer's decision be upheld and the application refused.

Councillor Scott, seconded by Councillor Richards, moved as an amendment that the Officer's decision 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.

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 development was consistent with Policies PMD2, PMD5, HD3 and IS7 of the Local Development Plan and relevant Supplementary Planning Guidance**

and was considered to be of appropriate design and layout on an infill site with acceptable parking and access provision;

- (d) the officer's decision to refuse the application be overturned and the application approved, subject to conditions, for the reasons detailed in Appendix II to this Minute.**

3. REVIEW 21/01283/PPP

There had been circulated copies of a request from Duns Golf Club, c/o Andrew Lester, Wellrig Lea, Pouterlynie, Duns to review the decision to refuse the planning application for the change of use from Greenkeeper's Yard to site for single dwelling house on Land South East of Hardens Hall, Duns. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; general comments, additional information, consultation replies; objection comments and list of policies. The Planning Adviser drew attention to information, in the form of 3 photomontages, but as the information contained in the photomontages had already been available to the Appointed Officer, the Planning Adviser suggested to members that this was not new information which required the 43B Test. Members noted that the proposal was for the erection of a dwellinghouse on land South-East of Hardens Hall, Duns and the planning history leading to development in Hardens Road, both within and outwith the Duns settlement boundary. After considering all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD1, PMD2, PMD4 and HD2 of the Local Development Plan and relevant Supplementary Planning Guidance. The development was considered to be an appropriate addition to an existing building group to the west of the site and this outweighed the location of the site outwith the Duns defined Settlement Boundary. Members were also content that it would be disproportionate to require a footpath link to Duns for a single dwellinghouse in consideration of the existing developments in the vicinity. Consequently, the application was approved subject to conditions and legal agreement.

DECISION

AGREED 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 development was consistent with Policies PMD1, PMD2, PMD4 and HD2 of the Local Development Plan and relevant Supplementary Planning Guidance. The development was considered to be an appropriate addition to an existing building group to the west of the site and this outweighed the location of the site outwith the Duns defined Settlement Boundary. Members were also content that it would be disproportionate to require a footpath link to Duns for a single dwellinghouse in consideration of the existing developments in the vicinity. Consequently, the application was approved subject to conditions and legal agreement.**
- (d) the officer's decision to refuse the application be overturned and the application approved, subject to conditions, for the reasons detailed in Appendix III to this Minute.**

4. REVIEW OF 21/01421/PPP

There had been circulated copies of a request from Mr and Mrs J Seed c/o Ferguson Planning, 54 Island Street, Galashiels Duns to review the decision to refuse the planning application for the erection of a dwellinghouse, on Land North East of Woodend Farmhouse, Gavinton, Duns. The supporting papers included the Notice of Review (including the

Decision Notice and Officer's Report); Papers referred to in the Officer's report; consultation replies and list of policies. The Planning Adviser drew attention to information, in the form of a Soil Fertility Report; 3D image of the proposed new house in relation to the existing house and revised Site Plan indicating a reduced development boundary which had been submitted with the Notice of review documentation but which had not been before the Appointed Officer at the time of determination. Members agreed that the information was new but considered that it met the Section 43B test, was material to the determination of the Review and could be considered. However, they also agreed that the new information could not be considered without affording the planning officer an opportunity of commenting on the new information so agreed that the application be continued for further procedure.

DECISION

AGREED 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) new evidence submitted with the Notice of Review in the form of a Soil Fertility Report; 3D image of proposed new house in relation to existing house and revised Site Plan indicating a reduced development boundary met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;**
- (c) the review could not be considered without the need for further procedure in the form of written submissions;**
- (d) the Planning Officer be given the opportunity to comment on the new evidence submitted with the Notice of Review; and**
- (e) consideration of the review be continued to a future meeting on a date to be confirmed.**

5. REVIEW OF 21/01982/FUL

There had been circulated copies of a request from Mr Graeme Forsyth, c/o Andrew Walker, to review the decision to refuse the planning application for the change of use from Agricultural Store, alteration and extension to form dwellinghouse with garage. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; additional information and list of policies. The Planning Adviser drew attention to information, in the form of a 3D image of the proposed new development which had been submitted with the Notice of review documentation but which had not been before the Appointed Officer at the time of determination. Members agreed that the information was new but considered that it met the Section 43B test, was material to the determination of the Review and could be considered without further procedure. After considering all relevant information, the Local Review Body concluded that the development was contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan. Members considered that the scale of the new-build additions would be excessive in scale and overbearing in relation to the existing building. This could result in the existing building appearing to be a subservient element, resulting in an incongruous relationship of little architectural merit. The Review Body concluded that a reduced scale extension would be more appropriate. Consequently, the application was refused.

DECISION

AGREED 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 proposed dwellinghouse was contrary to Policy HD2 (C - Conversions) of the Local Development Plan 2016 in that the proposed conversion and extension would not be in keeping with the scale and character of the existing building.**
- (d) the officer's decision to refuse the application be upheld and the application refused, subject to conditions, for the reasons detailed in Appendix IV to this Minute.**

The meeting concluded at 12.45 p.m.

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**SCOTTISH BORDERS COUNCIL
HAWICK COMMON GOOD FUND SUB-COMMITTEE**

MINUTES of Meeting of the HAWICK
COMMON GOOD FUND SUB-COMMITTEE
held in via Microsoft Teams on Wednesday,
27 July 2022 at 10.00 am

Present:- Councillors C. Ramage (Chairman), J. Cox, W. McAteer, A. Smart and
Mr J Campbell (Hawick)

Apologies:- Councillors S. Marshall, N. Richards and Mr W Fletcher (Burnfoot)

In Attendance:- Treasury Business Partner (S. Wilson), Estates Strategy Manager (N. Curtis),
Managing Solicitor (R. Kirk), Property Officer (F. Scott), Graduate Trainee
Surveyor (A. Watson) and Democratic Services Officer (W. Mohieddeen).

1. **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 it involved the likely disclosure
of exempt information as defined in Paragraph 9 of Part I of Schedule 7A to the Act.

2. **PILMUIR FARM COTTAGE**

Members considered a report by Director Infrastructure and Environment.

The meeting concluded at 10.10 am.

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