

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

6.	<p>Committee Minutes (Pages 3 - 120)</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> (a) External Service Providers Monitoring Group 23 May 2023 (b) Hawick Common Good Fund 23 May 2023 (c) Peebles Common Good Fund 24 May 2023 (d) Cheviot Area Partnership 31 May 2023 (e) Planning & Building Standards 5 June 2023 (f) External Service Providers Monitoring Group 6 June 2023 (g) Selkirk Common Good Fund 7 June 2023 (h) Tweeddale Area Partnership 13 June 2023 (i) Teviot & Liddesdale Area Partnership 14 June 2023 (j) Planning and Building Standards 15 June 2023 (k) Local Review Body 19 June 2023 (l) William Hill Trust 20 June 2023 (m) Lauder Common Good Fund 20 June 2023 (n) Melrose Common Good Fund 20 June 2023 (o) Pension Fund 22 June 2023 (p) Pension Board 22 June 2023 (q) Eildon Area Partnership 22 June 2023 (r) Kelso Common Good Fund 27 June 2023 (s) Peebles Common Good Fund 27 June 2023 (t) Planning & Building Standards 3 July 2023 (u) Coldstream Common Good Fund 5 July 2023 (v) Selkirk Common Good Fund 10 July 2023 <p>(Copies attached.)</p>	5 mins
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(a)	External Service Providers Monitoring Group	23 May 2023
(b)	Hawick Common Good Fund	23 May 2023
(c)	Peebles Common Good Fund	24 May 2023
(d)	Cheviot Area Partnership	31 May 2023
(e)	Planning & Building Standards	5 June 2023
(f)	External Service Providers Monitoring Group	6 June 2023
(g)	Selkirk Common Good Fund	7 June 2023
(h)	Tweeddale Area Partnership	13 June 2023
(i)	Teviot & Liddesdale Area Partnership	14 June 2023
(j)	Planning and Building Standards	15 June 2023
(k)	Local Review Body	19 June 2023
(l)	William Hill Trust	20 June 2023
(m)	Lauder Common Good Fund	20 June 2023
(n)	Melrose Common Good Fund	20 June 2023
(o)	Pension Fund	22 June 2023
(p)	Pension Board	22 June 2023
(q)	Eildon Area Partnership	22 June 2023
(r)	Kelso Common Good Fund	27 June 2023
(s)	Peebles Common Good Fund	27 June 2023
(t)	Planning & Building Standards	3 July 2023
(u)	Coldstream Common Good Fund	5 July 2023
(v)	Selkirk Common Good Fund	10 July 2023

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SCOTTISH BORDERS COUNCIL

EXTERNAL SERVICES/PROVIDERS MONITORING GROUP - CGI

MINUTES of Meeting of the EXTERNAL SERVICES/PROVIDERS MONITORING GROUP – CGI held via Microsoft Teams on Tuesday, 23 May 2023 at 10.00 am

- Present:- Councillors M. Douglas, S. Hamilton, E. Jardine and E. Thornton-Nicol
- Apologies:- Councillors M. Rowley, P. Brown J. Greenwell and J. Pirone, J. Holland
Director Strategic Commissioning & Partnerships
- In Attendance:- Chief Officer Audit and Risk, Portfolio Manager (J. Lamb), Contracts Manager (P. McNulty), Estimator (M. Douglas), IT Client Manager (N. Byers), J. Wordsworth-Goodram (CGI), and Democratic Services Officer (L. Cuerden)

1. 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. MINUTE

There had been circulated copies of the Minute of the Meeting held on 7 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

3. CGI CONTRACT PERFORMANCE

- 3.1 There had been circulated a report by Jen Holland, Director Strategic Commissioning & Partnerships. This report presented key information with respect to the CGI contract for the first quarter to the end of March 2023 and key updates on performance to date. It provided Elected Members with key information on the governance of the contract, updated information on the transformation programme being delivered with CGI including the recently approved Social Work Pathfinder transformation programme, key performance information with respect to the service delivery of the contract and a note of key issues associated with contract management, including change requests signed in the quarter and Impact Assessment status. This report was designed to be read in conjunction with the appended slide presentation, which provided further detailed information on each of the aforementioned areas.
- 3.2 John Wordsworth-Goodram presented information to members. In relation to Governance, all necessary reporting to Boards and the Governance Group was being undertaken with proper procedure and attendance. Significant progress was being made on the Transformation priorities and included engagement with Protective Services Department, workshops on next phases of Digital Customer Access, the engagement of wider CGI expertise and an increase in CGI resource to accelerate proposal output. An update on the Social Work Pathfinder program was provided. Project teams were in place across the workstreams with full progress updates provided to the Programme Board on a fortnightly basis. Testing was underway on the first re-designed processes; iPads had been ordered and end user device deployment plan was being agreed. Work continued on dashboards via the third party supplier intelligent-I. The Pathfinder programme was now in the testing and training phases and was scheduled to complete on 31 August

2023. A summary of key projects was provided which detailed their RAG status. Three projects were categorised green, six were amber (of which three were moving to completion) and two were red though one was to be completed imminently. Paton Street work was completed with an additional Wi-Fi connectivity survey to be conducted at Paton Street soon to identify and remedy blackout points. The Office 365 closeout project was at the initiation stage and was hoped to be completed by end of July 2023. In terms of Service Delivery, a number of latest quarter highlights were reported and included the completion of the curricular software review, updates to the Service Directory, implementation of the Amelia (ChatBot) pilot to improve first time fix and end user experience and a visit to CGI Service Centre, Cardiff. A number of issues were identified and included five minor KPI missed targets relating to customer satisfaction and Impact Assessment SLA. There was also a need to increase the overall awareness and visibility of CGI as well as improvement of overarching processes. Improvements in the Council Chambers AV solution and HQ infrastructure were noted and Service Catalogue improvements had progressed well. An overview of the 78 business applications managed and supported by CGI was detailed along with application management data which demonstrated a 100% availability rate over the last quarter. A round up of community benefits highlighted work with local foodbanks, additional sponsorship of sports teams, support of the Inspire Learning Festival 30 May -1 June and opportunities to bring staff into the CGI offices over lunch and promote mental health awareness. There was further scope to support more grass roots sport, leisure and community clubs and volunteer groups and the process for applying for support was to be shared with Elected Members. Generally there was a focus on returning staff to the office, particularly those new to the organisation and to provide mental health support where necessary. It was reported that a return to the office afforded convenience and opportunities to have face to face conversations and had a knock on effect in speeding up processes. There was encouragement to travel to the office by train, carpool or cycling/walking and CGI had partnered with Project Seagrass to contribute to Net Zero initiatives. It was confirmed that SBC staff were permitted to book workspace at Tweedbank free of charge. In terms of recruitment, it was reported that the Tweedbank office was now fully operational and 68 employees both lived and worked in the Scottish Borders. An additional two roles in Project Management and Training had been recruited since the last update. With regards to recruiting from the local population, CGI had used data from LinkedIn to identify the number of professionals and recent graduates from universities, colleges and local high schools, and the demographic to which advertising was to be directed, with the Tweedbank area actively promoted on Totaljobs. A summary 12 point action plan was shared with Members which detailed a number of initiatives with partner organisations e.g. Borders College; myjobscotland; Veterans Association, Skills Development Scotland, CodeClan; and STEM outreach across the region's schools. There were plans to further develop the Service Desk presence at Tweedbank and an enhanced Member Referral Scheme within the Scotland Business Unit was on offer to promote CGI and the Scottish Borders.

**DECISION
NOTED:**

- (a) the report and the associated slide deck; and,**
- (b) the information provided within the report and the associated slide deck that detailed the performance of CGI over the full year 2022.**

**4. 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 8 of Part I of Schedule 7A to the Act

SUMMARY OF PRIVATE BUSINESS

5. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 7 March 2023.

6. **CGI CONTRACT PERFORMANCE**

Members considered a report by Director Strategic Commissioning and Partnerships and noted its recommendations.

The meeting concluded at 11.15 am

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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, 23
May 2023 at 5.00 pm

Present:- Councillors C. Ramage (Chair), J. Cox, W. McAteer, N. Richards, A. Smart;
and Mr J Campbell (Hawick Community Council)

Apologies:- Councillors S. Marshall

In Attendance:- Chief Legal Officer, Acting Chief Financial Officer, Estates Surveyor (J.
Stewart), Property Officer (S. Drummond), Project Manager (C. Price),
Graduate Trainee Surveyor (A. Watson); Mr A. Barclay (Hawick Ex-Service
Association), Mr D. Leithead (Hawick Colts AFC), Ms S. Snowdon (Escape
Youth Services), Ms J. Murray (Hornshole Greenway Development Group);
and Democratic Services Officer (W. Mohieddeen).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 21 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023**

There had been circulated copies of a report by Acting Chief Financial Officer that provided the details of the income and expenditure for the Hawick Common Good Fund for the year 2022-23 which included balance sheet values as at 31 March 2023, a full year projected out-turn for 2023-24, and projected balance sheet values as at 31 March 2024. Appendix 1 of the report provided the actual income and expenditure for 2022-23 which showed a deficit of £17,218 for the year, which was less than the reported surplus on 21 March 2023, as a result of notification of a delay in Pilmuir servitude income originally expected in financial year 2022-23. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2023 which showed a decrease in reserves of £154,145. Appendix 3a of the report provided a breakdown of the property portfolio which showed actual rental income and net return for 2022-23. Appendix 3b provided a breakdown of the property portfolio which showed actual property expenditure for 2022-23. Appendix 4 of the report provided a breakdown of the property portfolio which showed actual property valuations at 31 March 2023. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 31 March 2023. The Acting Chief Financial Officer presented the report and answered Members' questions. Treasury advisors to the Council were optimistic that improvements would be seen in the performance of the Aegon Asset Management Investment Fund in 2023-24. The Sub-Committee were advised that available data would show where the market had been affected by recent uncertainty in market conditions. If there was a sustained period of no recovery, all common good funds would consider if action needed to be taken. Professional advice would be sought through Aegon and other treasury advisors.

DECISION

- (a) **AGREED** the projected income and expenditure for 2023/24 in Appendix 1 as the revised budget for 2023/24;
- (b) **NOTED:**
 - (i) the actual income and expenditure for 2022-23 in Appendix 1;
 - (ii) the final balance sheet value as at 31 March 2023, and projected balance sheet value as at 31 March 2024 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.

3. **APPLICATION FOR FINANCIAL ASSISTANCE - HAWICK COLTS AFC**

There had been circulated copies of an application for financial assistance from Hawick Colts AFC for £3,000 to develop ground acquired by the club next to the changing facilities at Wilton Lodge Park into a football pitch. The Chair invited Dougie Leithead, Treasurer of Hawick Colts AFC to present the application. Members expressed support for the application.

DECISION

AGREED to award Hawick Colts AFC a grant of £3,000.

4. **APPLICATION FOR FINANCIAL ASSISTANCE - HAWICK EX-SERVICE ASSOCIATION**

- 4.1 There had been circulated copies of an application for financial assistance from Hawick Ex-Services Association for £19,200 to fund a visit of 40 people from Hawick to Bailleul, France as part of the 50th year anniversary of the twinning of the towns including visits to sites of military interest. The Chair invited Eck Barclay, Secretary of Hawick Ex-Service Association to present the application and answer Members' questions. Mr Barclay advised that being unable to meet the cost of the bus was prohibitive to confirming the trip taking place. Members felt that the requested amount was too high and that it wouldn't be appropriate for the Common Good Fund to fund the entire trip without there being contributions from those that took part. Mr Barclay advised that attendees would be expected to pay £350-400 and that £6,000 would be sufficient to confirm the booking of a bus. On advice from the Chief Legal Officer, Members agreed to add a condition of funding that the trip be affordable for individual paying and that funding is made when it is understood that the trip is going to take place.

- 4.2 Councillor Smart, seconded by Councillor Ramage moved that a grant of £6,000 be awarded to Hawick Ex-Service Association on the condition that the award is made when it is understood that the trip is financially secure and will take place.

DECISION

AGREED to award Hawick Ex-Service Association a grant of £6,000 on the condition that the award is made when it is understood that the trip is financially secure and will take place.

5. **APPLICATION FOR FINANCIAL ASSISTANCE - ESCAPE YOUTH SERVICES**

There had been circulated copies of an application for financial assistance from Escape Youth Services for £6,000 to fund a 5-week summer programme during the school summer holidays. The Chair invited Sian Snowdon to present the application and answer Members' questions. Members expressed support for the application

DECISION

AGREED to award Escape Youth Services a grant of £6,000.

6. **APPLICATION FOR FINANCIAL ASSISTANCE - HORNSHOLE GREENWAY DEVELOPMENT GROUP**
There had been circulated copies of an application for financial assistance from Hornshole Greenway Development Group for £4,656 to support the next phase of their project to manufacture and install signs across the Hornshole Greenway. The Chair invited Judith Murray to present the application. Members expressed support for the application.
- DECISION**
AGREED to award Hornshole Greenway Development Group a grant of £4,656.
7. **APPLICATION FOR FINANCIAL ASSISTANCE - RIDDELL FIDDLES**
There had been circulated copies of an application for financial assistance from Riddell Fiddles for £2,324 to support the running of music classes in Burnfoot Hub which included covering tutor costs, travel and instrument costs. Members expressed support for the application.
- DECISION**
AGREED to award Riddell Fiddles a grant of £2,324.
8. **COMMON HAUGH VEHICLE CHARGING POINTS**
The Chair introduced a discussion on electrical vehicle (EV) charging points in the Common Haugh. Cllr McAteer advised that he had raised the issue of EV charging points with the Director Infrastructure and Environment, and that there should be an opportunity to address electrical infrastructure to support the charging points when resurfacing of the Common Haugh takes place. Cllr McAteer suggested that if the Sub-Committee agreed to support the installation of electrical infrastructure then this should be formally recorded and conveyed to the Director Infrastructure and Environment. The Chief Legal Officer advised Members that there was a capital spending limit on the Sub-Committee of £20,000 and that proposals of spend on a further cost would need to go to a meeting of Scottish Borders Council.
- DECISION**
NOTED the update.
9. **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.
10. **MINUTE**
Members considered the Private Section of the Minute of the Meeting held on 23 May 2023.
11. **COMMON HAUGH**
Members considered an update on use of the Common Haugh.
12. **PROPERTY UPDATE**
Members considered an update from the Property Officer on Common Good property matters.

The meeting concluded at 6.55 pm.

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SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Wednesday,
24th May, 2023 at 5.00 pm

Present:- Councillors R. Tatler (Chairman), D. Begg, M. Douglas, J. Pirone, E. Small
and V. Thomson, G. Thomson (Peebles Community Council)

In Attendance:- Acting Chief Officer Corporate Governance, Acting Chief Financial Officer, C.
Cooke; Democratic Services Officers (L. Cuerden and D. Hall)

1. **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. **CHAIR'S REMARKS**

With reference to paragraph 4.1 of the Minute of the meeting held on 19 April 2023, the Chair updated members on progress of the Common Good Fund information panels for the upcoming exhibition. The panels were now complete and the Chair sought approval for the purchase of two artist easels on which to display the boards. This was agreed.

3. **MINUTE AND ACTION TRACKER**

There had been circulated copies of the Minute of the Meeting held on 19 April 2023 and the updated Action Tracker.

DECISION

AGREED the Minute and Action Tracker.

4. **FINANCIAL MONITORING REPORT TO 31 MARCH 2023**

There had been circulated copies of a report by Acting Chief Financial Officer Suzy Douglas, the purpose of which was to provide details of the income and expenditure for the Peebles Common Good Fund for the year 2022/23 including balance sheet values as at 31 March 2023, a full year projected out-turn for 2023/24 and projected balance sheet values as at 31 March 2024. Appendix 1 showed the actual income and expenditure position for 2022/23, with a deficit of £27,891 for the year. This was higher than previously reported on 28 February 2022 due to an increase in the repairs and maintenance spend. Appendix 2 showed the actual balance sheet value as at 31 March 2023 with a decrease in reserves of £270,843. Appendix 3a provided a breakdown of the property portfolio with actual rental income and net return for 2022/23. Appendix 3b provided a breakdown of the property portfolio with actual property expenditure for 2022/23. Appendix 4 provided a breakdown of the property portfolio with actual property valuations at 31 March 2023. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 31 March 2023. In response to a question regarding the omission of the fixed assets of Kingsland School site and Kingsmeadows toilets from the balance sheet, it was confirmed this was due to significant use of those assets by Scottish Borders Council and so they appeared on that balance sheet instead. The matter was subject to an ongoing review. In response to a question about parking charges revenue from Greenside car park allocated to Scottish Borders Council rather than the Common Good Fund, Ms Douglas undertook to investigate the matter in time for the next meeting.

DECISION

APPROVED the recommendations as follows:

- a) Noted the actual income and expenditure for 2022/23 in Appendix 1;
- (b) Agreed the projected income and expenditure for 2023/24 in Appendix 1 as the revised budget for 2023/24;
- (c) Noted the projected balance sheet value as at 31 March 2023 in Appendix 2;
- (d) Noted the summary of the property portfolio in Appendices 3 and 4; and Peebles Common Good Fund Sub-Committee – 24 May 2023
- (e) Noted the current position of the Aegon Asset Management Investment Fund in Appendix 5.

5. **KINGSMEADOWS CAR PARK BAYS**

Robert Reid presented two proposals to remark Kingsmeadows Car Park to maximise available space while maintaining bus/coach parking and bottle bank access and uplift. The car park was currently free to use with 62 marked bays for cars, 3 disabled parking bays and 2 coach bays. The shape of the car park presented challenges for planning an efficient layout. Option 1 – Perpendicular Rows allowed for 73 cars (+11), 3 disabled bays and 2 coach bays. This option provided maximum occupancy however necessitated increased turning movements for car drivers and the need for coach drivers to reverse before exiting. Option 2 – Parallel Rows allowed for 70 cars (+8), 3 disabled bays and 2 coach bays. This option increased capacity and was similar to the current configuration whereby coaches did not have to reverse, however it provided a less efficient use of space. This option proposed 9 additional car spaces in the central area currently unmarked and occupied by coaches, cars or motor homes. Indicative costs from SB Contracts for the two options were as follows: option 1 - £3,300; option 2 - £2,860; and option 3, to remark existing bays - £2,200. There followed a discussion on provision in the plan for a licensed mobile coffee cart that currently operated between the toilets and the disabled parking bays. Robert Reid was to liaise with the cart operator to ascertain their exact location and include in any further iteration of the layout plan. On the matter of spaces for motor homes/camper vans, it was suggested that the additional central bays in option 2 could be chevron marked to accommodate 3 or 4 motor homes or short wheel based trucks. It was also suggested that a wider conversation was required around where to welcome and accommodate motor homes to Peebles. Electric charging/parking bays had not been considered in the plan; the estimated cost was £1,000 per bay. It was reported that there was currently underway a feasibility study on EV charging points throughout the Scottish Borders and further information was to be brought before Elected Members at a later date. There was general agreement that option 2 was the preferred layout with accommodation for larger vehicles in the central area. The timing of the remarking was to be considered for Autumn 2023.

DECISION

AGREED to option 2 for the marking of Kingsmeadows car park, with provision for a licensed coffee cart and mobile home/short wheel based truck bays to be factored in, with work scheduled to begin in Autumn 2023.

6. **KINGSMEADOWS CAR PARK TOILETS**

With reference to paragraph 6 of the Minute of the meeting on 28 February 2023, the Chair proposed that Kingsmeadows Car Park toilets opening regime remained unchanged until such time as a report on opening costs could be discussed at a future meeting.

DECISION

AGREED that the Kingsmeadows Car park toilets opening regime remained unchanged.

7. **VICTORIA PARK - NEW LIGHTING**

Alex Young presented options for the illumination of two footpaths between Kingsmeadows Road and Springhill Road. Both paths were currently in darkness during the winter months with one designated as an official route to school. Following discussions with the Chair, bollard lighting and standard street lighting had been considered with the latter more cost effective. The estimated cost was £56,946 inc VAT. Possible funding sources were the Peebles Parking Fund, the Road Safety team and developer contributions. In response to questions about the lighting design, it was confirmed that the fixtures were LED down lighters which spread the light along the footpath and minimised glare to neighbouring houses. There was general agreement that the work needed to be done with the suggestion that work on one path be carried out in Autumn 2023 and the other path in Spring 2024 if constrained by funding. The matter was to be discussed again at the August meeting of the Peebles Common Good Fund where a decision was to be made on the programme of work.

DECISION

AGREED:

- (a) IN PRINCIPLE to start work in August 2023 subject to alternative funding being sourced**
- (b) to add an item to the agenda of 16 August 2023 meeting to agree the programme of work**

8. TREE PLANTING IN HAYLODGE PARK

With reference to paragraph 4.2 of the Minute of 19 April 2023, there followed a discussion on how to proceed with the coordinated planting of gifted trees which ensured biodiversity. Simon Wilkinson, Tree Officer had provided a response to the committee in which he undertook to liaise with Parks once information on tree species, size and numbers were provided in future. There was a request for a report on a tree planting strategy in all Common Good parks to be presented at some point in the coming year by the Greenspace Officer/ Parks Manager as it was felt that further expert guidance was needed on the matter.

DECISION

AGREED to request a report on a coordinated tree planting strategy for all Common Good Parks

9. WILDFLOWER PLANTING IN COMMON GOOD PARKS

- 9.1 There had been circulated copies of a report by Carol Cooke the purpose of which was to seek Members' agreement to adopt management principles that aligned with the wider 'Pollinators Along the Tweed' project for a ten year period at Haylodge and Victoria parks. The management principles were to include wildflower planting through seeding/plug plants and bulb planting along with less intensive grass cutting practices in selected areas where appropriate. The project aimed to create and enhance pollinator habitats along the River Tweed corridor under the auspices of the Destination Tweed initiative. Council officers had worked with Buglife and Tweed Forum on the assessment proposals and the management and maintenance implications. There followed a brief discussion on the cost of active wildflower management as opposed to leaving an area to grow wild naturally. It was reported that SBC had invested in machinery via the Nature Restoration Fund to carry out the cutting and lifting of arisings in a bid to reduce the nutrient content of the soil which promoted wildflower growth. Currently the cuttings were disposed of into a green waste skip for composting. Further investment into equipment was to be considered in the coming year, again via the Nature Restoration Fund. Current workforce and management regimes were considered adequate to maintain wildflower areas with no additional costs to be incurred by the Common Good Fund.

DECISION

AGREED:

- (a) to adopt and align with the Pollinators Along the Tweed Management Principles at Haylodge and Victoria parks; and**
- (b) to enter into the Landowner Agreement outline in 3.6 of the report**

9.2 Marina Piper, Project Manager Destination Tweed, provided an update to Members on progress regarding the Tweed Trail and Tweed Stories/Interpretation projects. Tweed Trail was to be a 113 mile walking trail and facilitated cycling from Moffat to Berwick-Upon-Tweed. There was to be physical and digital interpretation to animate and engage user experience on the trail. There were proposed upgrades to sections of pathway in Haylodge Park and Tweed Green to create a new 3 metre wide multi-use bound path funded by Sustrans and repair existing sections of Tweed Green path where necessary. There was to be scope for seating and landscaping and habitat enhancements. It was proposed to widen and regrade the mound site behind Haylodge hospital, to widen the Eddleston water bridge and upgrade the link path to The Cuddy to two metres and to three metres for the path to town. New signage was also proposed. The Chair proposed an agreement in principle to the plans, with further discussion to be had at a later date when a more detailed programme of work was available, after 30 June 2023.

DECISION

AGREED:

- (a) IN PRINCIPLE to the plans to improve sections of footpath through Haylodge Park and Tweed Green as part of Destination Tweed project**
- (b) to discuss the matter further once a more detailed programme of work was made available after June 30 2023.**

10. **ENERGY SAVING ALTERATIONS**

With reference to the Minute of the meeting on 28 February, there was a request for officers to bring forward a report on how environmentally sustainable Common Good buildings were and how they could be improved going forward.

DECISION

NOTED the request

11. **FUNDING APPLICATION**

There had been circulated copies of a funding application from the Peebles Pensioners Association. The application had requested £2100 to purchase a high specification laptop. The Secretary had until now used her personal laptop for administration, film showing and presentations by guest speakers and it was no longer fit for purpose due to its age. There followed a brief discussion on additional funding sources and it was agreed to fund half of the cost of the laptop, with the Peeblesshire Charitable Trust suggested as a possible source of the remainder.

DECISION

AGREED to award £1050 to the Peebles Pensioners Association to go towards the purchase of a new laptop.

12. **ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT.**

Emily Cropton, Destination Tweed Connecting Threads project officer, presented to members a proposal to install a floating water organ by Dumfriesshire based artist Mark Zygadlo on the River Tweed in Haylodge Park. The organ had previously been installed on the River Nith, Dumfries and in Findhorn. The organ which generated music based on the depth, current and flow of the river was to be sited west of Fotheringham Bridge and secured on its eastern side from Friday 30 June to Sunday 2 July 2023. The converted catamaran was also to be untethered for the artist to paddle it up and down the river to the

area where rowing boats had previously been moored further downstream. Alongside the installation there was planned a small number of family friendly, accessible activities on the river banks which may include: boat/canoe trips to get close to the Water Organ; citizen science activity to measure and learn about water quality; invitation to paddle, dip or swim in the area west of the bridge, supported by Borders Water Rescue Team; wildlife walk with botanical flag making workshop to decorate the bridge; and a miniature boat making workshop. Security options for Saturday night were being explored. Peebles Youth Trust was to be approached with a view to working in partnership with the project to positively engage the local youth population. SEPA was aware and were supportive of the plan as a partner in the Destination Tweed project. Peebles Trout Fishing Association was to be approached once permission to go ahead was granted. There was general agreement to the plan and Ms Crompton agreed to return to the Committee with an evaluation of the project at a later date.

DECISION

AGREED to the plan to install the water organ on the River Tweed in Haylodge Park

13. **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.

14. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 19 April 2023.

DECISION

AGREED to approve the private section of the Minute for signature by the Chair.

15. **OLD CORN EXCHANGE SHOP**

The Committee agreed to extend the closing date for lease submissions for a further month.

16. **TWEEDGREEN PAVILION**

The Committee heard an update on planned maintenance work to the Tweedgreen Pavilion. There was agreement in principle to approve the works subject to the submission of additional information.

17. **FUTURE MEETING DATES**

The future meetings were scheduled as follows:

- 16 August 2023
- 22 November 2023
- 28 February 2024
- 12 June 2024

DECISION

NOTED.

The meeting concluded at 6.35 pm

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SCOTTISH BORDERS COUNCIL
CHIEVIOT AREA PARTENRSHIP

MINUTES of Meeting of the
CHEVIOT AREA PARTNERSHIP
held on Wednesday, 31 May 2023 at
6.30 pm. Via Microsoft Teams.

Present:- Councillors P. Brown, (Chairman), S. Hamilton, S. Mountford, E. Robson, T. Weatherston, together with Representatives of the following Community Councils and Partner Organisations:-

Graeme Hayward - Jedburgh Community Council
Gavin Horsburgh – Kelso Community Council
Carol Spalton - Crailing Nisbet and Eckford Community Council
David Watson – Ednam, Stichill and Berrymoss
Andy Carter – Makerstoun, Nenthorn and Smailholm CC
Cath Henderson – Kalewater CC
Clare Starla-Nicoll – Heiton & Roxburgh CC

Hazel Woodsell – Kelso Heritage
Dean Weatherston - Chair of Cheviot Assessment Panel
Alison Grainger – Police Scotland
Fiona Benton – The Bridge
Katy Jackson
Martin Sloan
Shona Mitchell

Apologies:- Councillor S. Scott
Susan Oliver – Headteacher, Jedburgh Campus
Charles Strang – St Boswells, Mertoun and Community Council
Louise Rawlins – CLDS Worker

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

1. **WELCOME**

The Chairman welcomed everyone to the in-person meeting, which included Elected Members, Community Council representatives, Community Organisations and guests attending within the meeting. She outlined how the meeting would be conducted.

2.0 **FEEDBACK FROM THE MEETING ON 29 MARCH 2023**

2.1 With reference to paragraph 2.3 of the Minute of 29 March 2023, the responses received had indicated that a discussion / workshop on climate change at the future meeting would be welcomed and Officers would look to organise this for the September meeting. They would like to hear what topics in particular people would like to see covered or any agencies / services to be invited to attend future meetings.

2.2 With reference to paragraph 3, of the Minute of 29 March 2023, Feedback from the five Area Partnerships on the draft Health and Social Care Strategic Framework was being worked into a report which would be presented to the Health and Social Care Partnership. There would be a full report and a summary report both of which would be made available.

SECTION 1: SERVICE & PARTNER UPDATE AND CONSULTATIONS

3.0 The Chair welcomed Lindsey Renwick, Strategic Housing Development Officer to the meeting to present some background on the proposed Local Housing Strategy (LHS) and raise awareness of the consultation which was underway. The 2001 Housing Scotland Act placed a requirement on Scottish Borders Council to prepare and submit a Local Housing Strategy every five years. The strategy was set within the context of a number of local and national strategies, but there were many more, covered in detail in the evidence paper, which was published alongside all the other supporting documents. Since August 2021, there had been engagement with stakeholders and the community on the LHS which had included the following and the formal consultation stage of the LHs had started: –

- Early Engagement Survey
- Resident and Stakeholder Workshops and Surveys
- Gypsy Travellers
- Key Workers
- Private Landlord Survey

3.1 Ms Renwick went on to highlight the key challenges the LHS was trying to address while operating in a challenging financial climate, particularly in terms of capital and construction costs, but more widely as the cost of living continued to impact on people across communities, and service delivery. This was also impacting on the delivery of housing, the costs of installing energy efficiency and renewable technologies, the general cost of repairing and maintaining homes and buildings, bringing empty homes back into use and generally the delivery of services and would impact on what realistically could be delivered in the coming years. The LHS was also required to set the Housing Supply Target which was reasonable and properly reflected the HNDA estimate of housing demands in the market sector and be compiling evidence. The HST was, however, a policy view of the number of homes that each authority had agreed would be delivered in each housing market area of the period of the LHS.

3.2 The draft vision was that “**Everyone in the Scottish Borders has access to a home which meets their needs and is part of a sustainable community**”. Meets their needs covered a range of factors, including affordability, (not just affordability in terms direct housing costs but was it affordable to maintain, keep warm), was it energy efficient, the right size, and in the right location, part of a community with access to local services, does it meet people’s needs in terms of physical or other disabilities, the needs of older people, younger people, families, people who required housing support or other support services So when we say meets their needs we are talking about a very wide range of diverse, but also changing needs. In order to deliver the vision successfully five draft strategic outcomes had been developed and are detailed below;-

Strategic Outcome 1: More homes in well designed, sustainable communities that increase opportunity for all

Strategic Outcome 2: People have access to homes which promote independence, health and wellbeing

Strategic Outcome 3: Improved energy efficiency of homes and a reduction in fuel poverty while supporting a Just Transition to Net Zero through decarbonising domestic heating and energy

Strategic Outcome 4: Communities are regenerated through improving the quality and condition of housing and the built heritage.

Strategic Outcome 5: Homelessness is prevented wherever possible and a range of housing options are provided so people can secure a suitable and sustainable housing outcome as quickly as possible

Where to find:

- The full version of the Consultative Draft LHS 2023 can be found here: [Local Housing Strategy 2023-2028](#)
- A number of documents have been developed to support the LHS. If you would like to read these documents you can find them using the link above.
- You can complete an online questionnaire through the Council's CitizenSpace website: <https://scotborders.citizenspace.com/housing/local-housing-strategy-2023-28-consultation>

- 3.3 Any further questions or anything to discuss please contact - LHS@scotborders.gov.uk or Lindsey Renwick, Principal Officer – Housing Strategy, Policy and Development lrenwick@scotborders.gov.uk

DECISION NOTED.

4.0 REFRESHED COMMUNITY PLAN PRIORITIES

The Chair welcomed Shona Mitchell, speaking on behalf of the Scottish Borders Community Planning Partnership (CPP) who were consulting on a range of potential priorities for the new Community Plan. It was explained that Community Planning was the process by which councils and other public bodies such as Health Boards and Police Scotland worked with local communities, businesses and community groups to plan and deliver better services and improve the lives of people who live in Scotland. Community Planning Partnerships was the name given to the group of organisations who delivered community planning. Initially the responsibility for leading CPPs sat with LAs, however the Community Empowerment (Scotland) Act 2015 changed the responsibility to sit equally with five public sector bodies: LAs, NHS, Police Scotland, SFRS and Enterprise companies – in the Borders these lead partners were:

NHS Borders
Police Scotland
SBC
Scottish Fire & Rescue Service
South of Scotland Enterprise

Other partners included:
Borders College
Borders Community Action (Third Sector)
Health & Social Care Integration Joint Boards
Live Borders
Berwickshire Housing Association
Eildon Housing Association
Scottish Borders Community Councils' Network
Scottish Borders Housing Association
Waverley Housing

- 4.1 The last plan had been agreed in May 2018; however a lot had changed over the past five years, with new priorities for many and it was important that these were included in a new plan. Therefore, the Community Plan was being reviewed in order that it focused on what was most important for the area now and would cover a 10 year period, being reviewed at least twice in the ten year period to ensure that it remained relevant. In putting together the draft priorities for the new Plan, the data had been analysed to understand what was working well and what required improvement. The views of the public had been sought through other surveys and community based meetings, including the Council's Community Conversations and 16 priority areas identified which had been arranged under five themes - Economy, Skills and Learning; Enjoying Good Health and Wellbeing; Good Place to Live, Grow Up and Enjoy a Full Life and Community Empowerment and the partnership was seeking

information on which of these priorities were most important to the Community and whether these themes were the right ones. The consultation was available online on the SBC's website and also available as a paper copy.

- Consultation closes 16 July 2023
- Available online at <https://scotborders.citizenspace.com/>
- For paper copies contact Communities & Partnerships Team on 0300 100 1800 or communityplanning@scotborders.gov.uk
- New Plan presented to Community Planning Strategic Board on 7 September 2023

**DECISION
NOTED.**

5.0 TWEED VALLEY RAILWAY CAMPAIGN

The Chair welcomed Mr James Boulton and Ian Aitchison, representing the Tweed Valley Railway Campaign who were campaigning for the extension of rail networks from St Boswells to Berwick-Upon-Tweed to be known as the Tweed Valley Railway, which they believed was central to the strategic growth and sustainable low-carbon future of the Scottish Borders and north Northumberland. Extending the existing rail network east from St Boswells to Berwick-upon-Tweed would build upon the proven success of the Borders Railway and provide enormous benefits and opportunities for businesses, communities and individuals. The extension to the railway would provide a strategic rail connection corridor north-south and east-west, improving journey times, both in the region and across the border, offering greater connection for residents and visitors. There was the opportunity to ease road congestion and provide greater travel, business and tourist opportunities and to link the regions world-class cycling facilities and proposed walking trail with the Tweed Valley. Encouraging rail travel was a viable alternative to private vehicle, facilitating decarbonisation, improving health and wellbeing through less pollution. As explained that the aim was to build a railway connection between the Borders Railway and Berwick-Upon-Tweed. The three-point plan was to Gauge support; conduct a feasibility study and then build the railway. The exact route of networks from St Boswells to Berwick-Upon-Tweed would be decided by the results of the feasibility study.

**DECISION
NOTED.**

6.0 CAMPAIGN FOR A NATIONAL PARK

The Chair welcomed Malcom Dickson from the Campaign for a National Park Group, who believed that a compelling case could be made for the National Park shaped for the Southern Border, and wished to share the advantages and potential that a National Park could bring. An independent Feasibility Study published in September 2017 confirmed that the proposed area met the three conditions for National Park status required by Scottish Legislation:-

- outstanding national importance;
- distinct character and cohesion; and
- special needs that National Park status can address.

6.1 The Feasibility Study also found that the designation would strengthen the economy within the Scottish Borders National Park and of the wider area surrounding it, encouraging tourism and attracting other businesses to the region. There was enthusiastic support from local people, communities and businesses as National Parks were proven contributors to sustainable economic growth in rural areas.

6.2 The proposed area as a National Park would provide Beauty, Cultural Heritage, Accessibility, Ecological variety and good Facilities and would help the struggling economy, Particularly Southern Border; ageing population declining faster than in urban areas, under-used valuable asset and to preserve the; landscape and cultural heritage in

perpetuity. In Scotland overall, 2019 was the strongest it had been in the previous ten years for overnight tourism; tourist businesses grew (15,000 -17,500); and GVA per head increased from £1.5 billion to £2.5 billion, however in the Scottish Borders 2013-19, there was a drop in domestic tourism spend and overseas spend remained more or less the same, therefore a decrease in real terms.

**DECISION
NOTED.**

POLICE REPORT

- 7.0 The Chairman welcomed Sergeant Alison Grainger to the meeting to give an update on policing in the Cheviot Area. Sergeant Grainger advised that following a re-structure there remained two Community Police Officers and two CAT Officers covering the Cheviot Area. Officers had been heavily involved in Hawick Common Riding and the St Boswells Fair. In terms of rural crime, there would be an event held on 29th June 2023. Work with partners was ongoing in terms of cross border crimes and the events season continued. Police Scotland happy to advise and work with Organisers of Community Events with regard to them providing Marshalls with support from the Police.

**DECISION
NOTED.**

8.0 **SECTION 2: COMMUNITY EMPOWERMENT AND COMMUNITY FUNDING Cheviot Funding Tables 2023/24**

There had been circulated copies of the Cheviot Funding for 2023/2024 which detailed the funding available together with information on the allocation of the Neighbourhood Support Fund in 2023/24. The opening balance at 1 April 2023 was £46,383. Other sources of funding included Local Festival Grant Budget totalling £16,675.00, Annual Support Grant to Community Councils totalling £10,470.00, Common Goods, SBC Enhancement Grant, SBC Welfare Grant and SBC Small Schemes totalled £192,112.69. There had been no Neighbourhood Support Fund applications awarded since 1 April 2023 and applications assessed and awaiting decision totalled £1,628.00.

**DECISION
NOTED.**

Neighbourhood Support Fund

- 8.1 There had been 2 applications received for the Cheviot Neighbourhood Support Fund totalling £1,628.00, which was a significant decrease on previous rounds, although to be expected following the very encouraging number approved in March 2023. There had been circulated copies of a report which detailed the recommendations of the Cheviot Community Fund Assessment Panel. The Meeting noted that there had only been three Members of the Assessment Panel present to discuss the applications received, as a result of resignations. The report provided a brief description of each application received and a recommendation on the sum to be awarded to each project. As previously reported, projects with a mean score of 80+ in terms of their ability to deliver, clear evidence of need, potential impact, use of public money, innovation and sustainability and therefore would be recommended for approval and those were detailed below:-

8.2 **Ancrum Community Council**

An application had been received from Ancrum Community Council in the sum of £630 to develop the existing 'Community Polytunnel and Hub' with the addition of raised planting beds and a secure, dry space for equipment storage. The project would encourage greater composting, recycling and improve a community asset. The Panel were supportive of the project and recommended that £630.00 be awarded.

A further application had been received and had been discussed by the Assessment as follows:-

8.3 **Jedburgh and District community News Group**

An application had been received from Jedburgh and District Community News Group in the sum of £998.00 for the development of a dedicated website. The website would allow the group to considerably expand its community news and information services and aimed to become self-sufficient through a subscription service. The Panel expressed concerns that the development of a new website, may a duplication of services. Following discussion and the receipt of additional information from the Group, there was consensus amongst the panel to recommend the application for funding of £998.00

8.4 With reference to paragraph 6.21 of the Minute of 29 March 2023, Mr D Weatherston again raised the matter of recruitment to the following positions:-

- Member of the Public (Jedburgh & District)
- Community Councillor (Jedburgh & District)
- SBC Councillor (Kelso & District)
- SBC Councillor (Jedburgh & District)

SBC Officers had publicised the available roles amongst their contacts with no noted interest. The Group were joined by Youth Engagement Worker, P. Rigby, who proposed that two places on the panel be kept aside for young people. After discussion and agreement of the benefit, P. Rigby agreed to work towards recruitment and training of two young people. The logistics and voting capacity of these young people would be decided depending on their age and abilities. The Group reviewed the roles available within the Assessment Panel, and as a result agreed that:

1. Permanent SBC Councillor positions be removed and, instead, applications be circulated to all Councillors in advance of the Assessment Panel for comments;
2. Two spaces would be made available to any individual in the community that wished to join regardless of the location within the Cheviot area, in order to assure the Group continued to be quorate.

DECISION AGREED:-

(a) **that the following sums be awarded to each of those listed:-**

- **Ancrum Community Council - £630**
- **Jedburgh and District Community New Group - £998**

(b) **that the following recommendations by the Cheviot Assessment Panel be accepted:-**

- **Permanent SBC Councillor positions be removed and, instead, applications be circulated to all Councillors in advance of the Assessment Panel for comments; and**
- **Two spaces would be made available to any individual in the community that wished to join regardless of the location within the Cheviot area, in order to assure the Group continued to be quorate.**

SECTION 3: PLACE MAKING

9.0 Having asked in advance for Community Councils to provide an update, only Makerstoun, Nenthorn and Smailholm CC had responded. Alan Carter explained that Smailholm had held two engagement meetings and had 30 participants (50% of Community). There were some challenges to be overcome including engagement with local Farmers, however the

local Estate Owner was very engaged and work on attracting funding would be undertaken and reported back at a future meeting.

**Decision
NOTED.**

9.1 **Community Council Updates:-**

- Jedburgh CC -
- Town Library not up and running.
 - Business Plan being drawn up for the Town Hall
 - The Public Toilet Debate continued
 - No progress update available on Grammar School Site
 - progress on own Team
 - Gaps on the High Street being discussed.

Crailing, Nisbet and Eckford CC

- Lothian Hall Committee re-established following leafletting of the area and now has Committee of 8 who will be advertising the use of the hall through facebook and website.

**DECISION
NOTED.**

10.0 **SECTION 4: Other**

10.1 **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.

**DECISION
NOTED.**

11.0 **DATE OF FUTURE MEETINGS**

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

Wednesday, 22 November 2023

Wednesday, 31 January 2024

Wednesday, 27 March 2024

The next meeting would be held on **Wednesday, 20 September 2023 at 6.30 p.m.** via Microsoft Teams.

12.0 **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 concluded at 8.15 pm

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Public Document Pack

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Monday, 5th June, 2023 at 10.00 am

Present:- Councillors J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott and E. Small

Apologies:- Councillors V. Thomson

In Attendance:- Principal Planning Officer (C. Miller), Lead Planning Officer (B. Fotheringham), Lead Roads Planning Officer (D. Inglis), Solicitor (S. Thompson) and Democratic Services Officers (F. Henderson and W. Mohieddeen).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 24 April 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **APPLICATIONS**

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

DECISION

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

3. **APPEALS AND REVIEWS**

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

DECISION

NOTED that:

(a) An appeal decision had been received in respect of:

(i) Installation of signage to gable wall (retrospective), 1 Hall Street, Galashiels – 22/01589/ADV – reporter's decision: dismissed;

(b) There remained 2 appeals previously reported on which decisions were still awaited when this report was prepared on 19 May 2023 which related to sites at:

• The Old Cow Shed, Lennel, Coldstream	• 68 High Street, Coldstream
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(c) Review requests had been received in respect of:

- (i) Erection of dwellinghouse, Land South of Greenbraehead Farmhouse, Greenbraehead, Hawick – 22/00869/PPP;
- (ii) Demolition of shed and erection of dwellinghouse (approval of all matters specified in planning permission 20/00874/PPP), Land North West of Rosebank Cemetery Lodge, Shedden Park Road, Kelso – 22/01903/AMC;
- (iii) Erection of dwellinghouse with detached garage, Land South of Headshaw Farmhouse, Ashkirk, Selkirk – 22/01947/FUL;
- (iv) Erection of dwellinghouse with outbuilding and formation of new access (approval of all matters specified in conditions of planning permission 21/00030/PPP), Land at Rachan Woodlands, Broughton – 22/01973/AMC;
- (v) Amendment to Condition 3 of planning application 19/01646/PPP pertaining to occupation of dwellinghouse, Land South East of Tarf House, West Linton – 23/00236/FUL;

(d) The following reviews had been determined as shown:

- (i) Erection of Class 4 joinery workshop with associated access and parking, Land North and East of Clay Dub, Duns Road, Greenlaw – 22/00032/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);
- (ii) Alterations and extension to dwellinghouse, 17 George Street, Eyemouth – 22/00371/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);
- (iii) Erection of holiday let accommodation, Land North East of Runningburn Farm, Stichill – 22/00575/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);
- (iv) Erection of boundary fence (retrospective), 100 Abbotseat, Kelso – 22/00679/FUL – Decision of Appointed Officer Overturned;
- (v) Siting of shepherds hut and siting of cabin (retrospective) to form holiday let accommodation, Land South West of Corstane Farmhouse,

Broughton – 22/00959/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);

(vi) Erection of 2no dwellinghouses, Land at Silo Bins Edington Mill Chirnside, Edington Mill Road, Chirnside – 22/00961/PPP – Decision of Appointed Officer Upheld (Terms of Refusal Varied);

(vii) Alterations and extensions to dwellinghouse, Dove Cottage Gate Lodge Press Castle, Coldingham, Eyemouth – 22/01125/FUL – Decision of Appointed Officer Upheld (Terms of Refusal Varied);

(e) There remained 15 reviews previously reported on which decisions were awaited when the report was prepared on 19 May 2023 which related to sites at:

• Land South West of West Loch Farmhouse, Peebles	• Ravelaw Farm, Duns
• Land West of Greenburn Cottage, Auchencrow	• The Millers House Scotsmill Kailzie, Peebles
• Land South of Ebbastrand, Coldingham Sands, Coldingham	• Ratchill Farmhouse, Broughton
• Land at Disused Railway Line Rachan, Broughton	• Scott House, Douglas Square, Newcastleton
• Land West of The Old Barn Westwater, West Linton	• Paddock West of Hardens Hall, Duns
• 11 Tweed Avenue, Peebles	• Land North of Belses Cottage, Jedburgh
• 2 Rowan Court, Cavalry Park, Peebles	• Land South of 1 Kelso Road, Coldstream
• Church House, Raemartin Square, West Linton	

(f) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 13 April 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 1.25 pm

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APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/01734/FUL	Erection of 110 dwellinghouses including associated roads, drainage and landscaping.	Land North of Allanbank House, Manse Road, Lauder

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

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 Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. All approved residential units shall meet the definition of “affordable housing” as set out in the adopted Local Development Plan 2016 and Supplementary Planning Guidance “Affordable Housing” 2015 and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority prior to development commencing.
Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including local schools.
4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis the results of which will be submitted to the Planning Authority
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a

reasonable opportunity to record the history of the site.

5. No development to be commenced until a scheme of details for the play facilities shown on Site Development Plan AL PL 01 G is submitted to, and agreed in writing by, the Planning Authority. Once approved, the play facilities then to be completed in accordance with the details at a stage agreed within the Phasing Plan and maintained thereafter in accordance with the agreed scheme.
Reason: To ensure that the development is provided with childrens' play facilities.
6. No development shall commence until samples of materials and colours for all buildings within the development, and the plot layout distribution for those colours, has first been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved samples.
Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.
7. The landscaping proposals shown on the approved drawings shall be carried out in accordance with a programme of implementation and maintenance that shall first be submitted to, and agreed in writing by, the Planning Authority.
Reason: Further information is required to achieve an acceptable landscape scheme for the site.
8. No development to be commenced until an Arboricultural Impact Assessment, Tree Protection Plan and method statement are submitted to, and approved in writing by, the Planning Authority, including the woodland boundary, access routes and trees within the site. Once approved, the development to proceed in accordance with the agreed details.
Reason: To safeguard existing woodland and protect the natural environment at the site.
9. No development shall commence, (notwithstanding the details provided in the approved drawings), until a detailed scheme of boundary treatments has first been submitted to and approved in writing by the Planning Authority. The scheme shall include the layout/route of all proposed walls and fencing, and their detailed design, height and materials. All boundary treatments within the application site shall accord with the approved scheme and shall be implemented in accordance with an agreed schedule.
Reason: Further information is required to achieve an acceptable boundary treatment scheme for the site.
10. No development to be commenced until proposals for the retention, future maintenance and treatment at the access junctions of the roadside wall along the southern edge of the B6362 are submitted to, and approved in writing by, the Planning Authority. Works to the wall and maintenance are then to be undertaken in accordance with the agreed proposals, including timing for the works.
Reason: To safeguard the visual amenity of the area.
11. Prior to commencement of development, a Species Protection Plan for badger shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a predevelopment supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2, EP3 and NPF4 Policies 3 and 4
12. Prior to the commencement of development, the developer shall provide to the Planning Authority a copy of the relevant Species Licence for badgers.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2, EP3 and NPF4 Policies 3 and 4

13. Prior to the commencement of development, the developer shall submit for approval in writing by the Planning Authority a comprehensive Species Protection Plan for bats, including a sensitive lighting scheme for the site. Thereafter, no development shall take place except in strict accordance with the approved plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3 and NPF policies 3 and 4

14. No development shall be undertaken during the bird breeding season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3 and NPF policies 3 and 4

15. Prior to the commencement of development, the developer shall submit for approval by the Planning Authority, details of the proposed Biodiversity Enhancement scheme for the site which shall include measures for soil management, breeding birds, bats, badgers and reptiles. Thereafter, no development shall take place except in strict accordance with the approved scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and NPF4 policies 3 and 4.

16. No development shall 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 all roads, parking spaces, EV charging points, footpaths, drainage, the SUDs/open space features, new planting and all, or a substantial proportion, of the dwellinghouses within each phase.

Reason: To ensure the development is carried out in a manner which ensures that occupied residential units are provided with necessary infrastructure, services and landscaping.

17. Samples of the surfacing materials for the proposed roads, footpaths and parking spaces to be submitted to, and approved in writing by, the Planning Authority before the development commences. The development is then to be completed in accordance with the approved details.

Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and in a manner which enhances the character and visual appearance of the development.

18. The proposed roads, footpaths and parking spaces/areas indicated on the approved drawings shall be constructed to ensure that each dwellinghouse, before it is occupied, shall be served by a properly consolidated and surfaced carriageway, parking area and footpath/shared surface.

Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and pedestrians.

19. No development to be commenced until a fully designed and detailed surface water drainage scheme with SUDs features, attenuation and outfall, is submitted to, and approved in writing by, the Planning Authority in liaison with Scottish Water or SEPA. The scheme shall include an implementation and maintenance programme. The scheme then to be implemented in accordance with the approved details.

Reason: To ensure the sustainable disposal of surface water in a manner that safeguards neighbouring land/property and to ensure future maintenance for the scheme.

20. No development shall commence until written evidence is provided on behalf of Scottish Water that the development will be serviced by mains foul drainage and water supply. The development then to be implemented fully in accordance with the drainage drawings, numbered 147383/8005 A, 147383/8003 A and 147383/8004 A .
Reason: To ensure the development can be adequately serviced.

21. The footpath links shown to the north-eastern and south-eastern corners of the development, together with the footpath along the southern side of the B6362, to be completed at an agreed stage within the development, in line with the agreed phasing plan and once precise details of the route, geometry and construction of each footpath have been submitted to, and approved in writing by, the Planning Authority, This shall include a form of barrier or bollard system to prevent usage of the link to Allanbank Gardens by vehicles.
Reason: In the interests of road and pedestrian safety.

22. No development to be commenced until revised upper floor front elevation window designs are submitted to, and approved in writing by, the Planning Authority in relation to house types A10 and A27. Those house types then to be constructed in accordance with the agreed window designs.
Reason: To safeguard the visual amenity of the area

23. No development to be commenced on Plots 17, 18 and 25 until revised window positions for the houses on those plots are submitted to, and approved in writing by, the Planning Authority to better address the linear park bordering the plots. The houses then to be developed in accordance with the revised designs.
Reason: In the interests of visual amenity and placemaking.

24. No development to be commenced on Plots 9 and 22 until revised window proposals for the houses on those plots are submitted to, and approved in writing by, the Planning Authority to minimise overlooking between houses. The houses then to be developed in accordance with the revised designs.
Reason: In the interests of residential amenity.

25. No development to be commenced until a revised drawing is submitted to, and approved in writing by, the Planning Authority detailing an additional four communal parking spaces within the affordable housing element of the development. The spaces then to be completed in accordance with the programme set by Condition 16.
Reason: In the interests of road safety.

Informatives

1. All prospectively adoptable roads, pavements and associated infrastructure will require Road Construction Consent. The applicant should discuss this separately with the Council's Roads Planning Service to establish the scope and requirements of Council adoption.

All works within the public road boundary must be undertaken by a contractor first approved by the Council.

2. Development should be carried out in a manner consistent with British Standard guidance on construction works, to maintain neighbouring amenity, in particular BS5228

NOTES

1. Ms Eve McCurrich (agent) and Ms Emma Garry (SBHA) spoke in support of the application.

Reference

23/00131/PPP

Nature of DevelopmentResidential development
with access, landscaping
and associated works**Location**Land East of Kirkwell
House, Preston Road, Duns

DECISION: Refused as per officer recommendation for the following reasons:

1. The proposal is contrary to Policies PMD2, PMD4, HD3 and EP13 of the Local Development Plan 2016, Policies 9 and 14 of NPF4 and the "Placemaking and Design" SPG as the site is outwith the Development Boundary for Duns and the development would not constitute a justifiable extension to the settlement, in that it is not a job generating development, not affordable housing, there is no shortfall in the 5 year effective housing land supply and there are no significant community benefits sufficient to justify development outwith the Development Boundary. The proposed development would also cause significant adverse effects on the landscape setting of the settlement, local landscape character, visual and residential amenity, representing a prominent and elevated greenfield incursion out of character with the settlement pattern and surroundings.
2. The development is contrary to Policy ED10 of the Local Development Plan 2016 and Policy 5 of NPF4 as the development would result in the permanent loss of prime quality agricultural land which is a valuable and finite resource. Furthermore, the land has not been demonstrated to be necessary for housing or infrastructure development, alternative sites are available and the proposal is neither small scale nor directly related to a rural business.

NOTES

1. Councillor Orr declared an interest in the application in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion of the application
2. Mr David Adams spoke against the application. Mr Tim Ferguson (agent) spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
21/01804/FUL	Erection of 8 no dwellinghouses with ancillary building/garage, associated access and landscaping	Land south west and south east of Bowbank Cottages, Bellfield Road, Eddleston

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

Conditions

- 1 The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
Reason: To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 Unless otherwise required by conditions elsewhere in this schedule, the development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the planning authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 3 Unless otherwise agreed in writing and in advance by the planning authority, prior to any development commencing on site, a scheme will be submitted to identify and assess potential contamination on site. No construction work shall commence until that scheme has been submitted to and approved in writing by the planning authority. Once approved the works shall thereafter be implemented in accordance with the scheme.

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

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the planning authority prior to addressing parts b, c, d, and e of this condition;

Thereafter,

- b) where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site and assessment of risk such contamination presents;
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan);

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

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

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

- 4 Notwithstanding the description of the materials on the drawings and supporting statements, no development shall be commenced until precise details of the materials to be used in the construction of the external walls, windows, doors and roofs of the buildings have been submitted to and approved in writing by the planning authority. Where necessary, colours shall be specified by means of a RAL or BS4800 code. Once approved, no development shall be undertaken otherwise in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 5 Notwithstanding the approved drawings and further to condition 4 above, no development shall commence until revised drawings have been submitted to and approved in writing by the planning authority showing amended roofing proposals and materials. The proposed roofing materials shall show the greater part of the roofs finished in natural slate (or a suitable alternative to be agreed in writing by the planning authority). Once approved, the development shall not be undertaken otherwise in complete accordance with the approved details.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
- 6 Notwithstanding the approved plans, no development shall commence until revised drawings have been submitted to and approved in writing by the planning authority showing a revised layout for plots 2 and 8. The revised layout shall comply with the Council's approved supplementary planning guidance note – Privacy and Sunlight Guide (July 2006) regarding privacy and overlooking distances between windows of principal rooms (Table 1). Once approved, the development shall not be undertaken otherwise in accordance with the approved revision.
Reason: In order to safeguard the privacy and amenity of adjoining proprietors.
- 7 Notwithstanding the approved plans, no development shall commence until revised drawings have been submitted to and approved in writing by the planning authority showing a revised fenestration layout or scheme of mitigation for the properties on plots 3; 4; 6 and 7. Once approved, the development shall not be undertaken otherwise in accordance with the approved revisions.
Reason: In order to safeguard the privacy and amenity of adjoining proprietors.
- 8 No development shall commence until a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include, as a minimum:

- i. location of new trees, shrubs, hedges and grassed areas;
- ii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
- iii. location and design, including materials, of walls, fences and gates;
- iv. a programme for completion and subsequent maintenance.

Once approved, the development shall be implemented in accordance with the approved drawings. None of the trees identified for retention within the application site shall be felled, thinned, lopped, topped, lifted or disturbed without the prior written consent of the planning authority.

Reason: To ensure the satisfactory form, layout and assimilation of the development within the wider area.

- 9 Notwithstanding the approved plans, no development shall commence until an updated Tree Protection Plan (per section 5.5 of BS 5837:2012 Trees in relation to design, demolition and construction - recommendations) and an updated Arboricultural Method Statement have been submitted to and approved in writing by the planning authority. That plan shall show: the footprint of proposed buildings in relation to the existing trees with a clear indication of those being retained, those being removed to accommodate the development (or due to condition as detailed in the approved Arboricultural Impact Assessment, Report 1); details and location of protective fencing. Once approved, the protective fencing shall be erected in accordance with the approved details prior to development commencing and shall be retained until the completion of construction works. Any groundworks within the root protection areas of trees shall be undertaken only by means of hand digging and works within the RPAs should be kept to an absolute minimum to limit any potential negative impact on the trees.
Reason: To ensure that existing trees representing an important visual feature are retained and given adequate protection during construction.
- 10 No development, vegetation removal or works to trees shall commence during the breeding bird season (March-August inclusive) unless in strict compliance with a Species Protection Plan for breeding birds, to include provision for a pre-development checking survey and mitigation, that shall be submitted to and approved in writing by the planning authority. Thereafter the works shall not be undertaken otherwise in accordance with the approved details.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3 and NPF4 policies 1, 3 and 4.
- 11 No development shall commence unless in accordance with a construction method statement that has been submitted to and approved by the planning authority. The method statement should detail issues relating to the control of noise and nuisance from the site during the construction phase and control of run-off and pollution from the site.
Reason: In the interest of the amenity of the neighbouring properties.
- 12 No development shall commence until a scheme of details has been submitted to and approved by the planning authority, showing the improvement works to the junction of the A703 and the D19-1 Bellfield Road. The scheme of details shall include engineering details of the altered kerbing and any associated alterations to the roadside drainage, along with the required visibility splays. All works to be carried out by a contractor first approved by the council prior to works commencing on site. Thereafter, the junction improvements shall be retained in perpetuity.
Reason: In the interest of road safety.
- 13 No development shall commence until the existing private road is upgraded to adoptable standards from the application site boundary to where the private road meets the D19-1 Bellfield Road adjacent to the church. The works will be subject to Road Construction

Consent. The development shall be served throughout by roads and pavements constructed to the council's adoptable standards.

Reason: To achieve a satisfactory form of development and in the interest of road safety.

- 14 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an archaeological evaluation. That will be formulated by a contracted archaeologist and approved in writing by the planning authority. Access should be afforded to allow investigation by a contracted archaeologist(s) who shall be nominated to and agreed in writing by the planning authority. The archaeologist(s) shall be allowed to conduct a programme of evaluation prior to development. That will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the planning authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. Any significant data and finds shall undergo post-excavation analysis, the results of which will be submitted to the planning authority

Reason: The site is within an area where ground works may interfere with or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

- 15 No development shall commence until precise details of surface water drainage have been submitted to and approved in writing by the planning authority and thereafter, no development shall take place except in strict accordance with the approved scheme. All surface water drainage shall comply with the SUDS manual (C753) and maintain existing pre-development run off levels.

Reason: To ensure that there are no unacceptable impacts upon the amenity of any neighbouring properties and that surface water is managed in a sustainable manner that does not increase off-site run-off.

- 16 No water supply other than the public mains water supply shall be used to supply the development without the written agreement of the planning authority. No drainage system other than the public mains sewer shall be used to service the properties without the written consent of the planning authority. No development shall commence until evidence has been provided to the planning authority that the proposed dwellinghouses are to be connected to the public water and foul drainage networks. Thereafter, the dwellinghouses shall not be occupied until the above connections are made. All services shall be maintained throughout occupancy of the dwellinghouses

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and that the development is connected to the foul drainage network.

- 17 The finish of the flues shall be matt black or dark grey, unless otherwise agreed in writing with the planning authority.

Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.

Informatives

- 1 Any trees to be felled should be surveyed by a qualified person before felling.

The applicant is advised that, under the Conservation Regulations (Natural Habitats & c.) 1994 (as amended) it is an offence to deliberately or recklessly damage or destroy a breeding site or resting place of bats (whether or not deliberately or recklessly), capture,

injure or kill a bat, harass a bat or group of bats, disturb a bat in a roost (any structure or place it uses for shelter or protection), disturb a bat while it is rearing or otherwise caring for its young, obstruct access to a bat roost or otherwise deny an animal use of a roost, disturb a bat in a manner or in circumstances likely to significantly affect the local distribution or abundance of the species, disturb a bat in a manner or in circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

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

Further information and articles available at:

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

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

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

- 2 All wild birds are afforded protection and it is an offence to deliberately or recklessly kill, injure and destroy nests and eggs of wild birds. Additionally for those species protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), it is illegal to intentionally or recklessly disturb any bird whilst it is nest-building or at or near a nest containing eggs or young or to disturb any of its dependent young.
- 3 In respect of condition 7, mitigation may include amongst other things, deletion or relocation of windows or the fitting of obscure glazing, the degree of which should be specified.
- 4 Solid fuel stoves
If a stove is to be installed with an output of more than 45kw, contact should be made with the council's Environmental Health Service to provide further information in order that a screening assessment can be carried out. Stove installations can cause smoke and odour complaints and planning permission for the flue's installation does not indemnify the applicant in respect of statutory nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted planning permission, including for changes to the height and position of the flue. The flue should be terminated with a cap that encourages a high gas efflux velocity. The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly. The appliance should burn only fuel of a type and grade that is recommended by the manufacturer.

NOTES

1. Ms Karen Adams (Eddleston CC) participating via Microsoft Teams, spoke against the applications. Mr Gavin Yuill (agent) spoke in support of the application.

Reference
23/00422/FUL

Nature of Development
Erection of 25 high telecommunications Lattice Tower and associated ancillary works.

Location
Land North of Flatt Farm, Newcastleton

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

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 Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. The mast and all antennae, dishes and other fixtures on the mast hereby approved, shall all be coloured dark green (RAL 6009 or equivalent) and all ground based equipment shall be coloured dark green (RAL 6009 or equivalent) and all finishes shall be non-reflective/matt, unless an alternative scheme of colours has been agreed in writing with the Planning Authority.
Reason: To integrate the development sympathetically with the setting and landscape
4. No development shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary surveys, that shall be submitted to and approved in writing by the Planning Authority.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3
5. Prior to the commencement of the development hereby approved, a detailed 'Method Statement' in relation to all works within the Root Protection Area (RPA) of retained trees shall be submitted to and approved in writing by the Planning Authority. Specific issues to be dealt with in the Method Statement:
 - a) A scaled plan and section (s), where relevant, showing the position, size, RPA, species and unique identification reference of each retained tree affected by the works and including details of the extent and nature of all works within the RPA of retained trees.
 - b) A written statement detailing the proposed works including hand digging, use of filter cloth, timber edging, cellular ground reinforcement, porous surfaces etc. as relevant.
 - c) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
 - d) A specification for ground protection within tree protection zones.
 - e) Arboricultural supervision and inspection by a suitably qualified tree specialist.The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

6. Prior to commencement of development a Construction Method Statement incorporating the latest good practice guidelines and statutory advice to protect the water environment, shall be submitted to and approved in writing by the Planning Authority. Any works shall thereafter be carried out strictly in accordance with the approved in writing scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3

7. Prior to the commencement of development, the developer shall submit for approval in writing by the Planning Authority, details on the proposed Biodiversity Enhancement scheme for the site. Thereafter, no development shall take place except in strict accordance with the approved scheme.

Reason: To enhance the ecological interest in accordance with Local Development Plan policy EP3 and NPF4 policy 3.

8. Prior to the commencement of development, the developer shall submit for approval in writing by the Ministry of Defence, details of the proposed aviation safety lighting scheme to be fitted to the Lattice Tower.

Reason: In the interests of air traffic safety

9. During construction of the mast hereby approved, no cranes exceeding a height of 15.2m above ground level to the tip of any jib or other point shall be used. Where the crane(s) is to be extended above 15.2m above ground level, precise details of the dates that the crane is to be present at site, its specific location within the site, and the specific timing of the height extension shall be provided via DIO-safeguarding-statutory@mod.gov.uk no less than 28 days before its arrival at site.

Reason: In the interests of air traffic safety

10. Prior to the commencement of development, the developer must notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information:

- a) Precise location of development.
- b) Date of commencement of construction.
- c) Date of completion of construction.
- d) The height above ground level of the tallest structure.
- e) The maximum extension height of any construction equipment.

Reason: In the interests of air traffic safety and to ensure aeronautical charts and mapping records are amended accordingly.

11. Any noise emitted by plant and machinery used within the development shall not exceed Noise Rating Curve NR20 between the hours of 2300 - 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2

Reason: To protect the residential amenity of nearby properties.

12. No development shall commence until a detailed traffic management plan is submitted to and approved in writing by the planning authority. No development shall take place except in strict accordance with the recommendations of the approved plan.

Reason: In the interests of road safety and to ensure the application site is adequately served by the public road network.

Informatives

1. The applicant is reminded that it is an offence to disturb, kill, injure or otherwise harm species protected by national and international law. Planning consent for a development does not provide a defence against prosecution in accordance with protected species legislation.

In the event that bats are discovered following the commencement of works, works must stop immediately and the developer must contact NatureScot for further guidance. Works can only recommence by following any guidance given by NatureScot. The developer and all contractors are to be made aware of accepted standard procedures of working with bats at www.bats.org.uk.

2. The MOD advises that mobile threat transmitters systems operate in this location, and these could potentially interfere with mobile networks.
3. The MOD must emphasise that the advice provided within their letter is in response to the data and information detailed within the developer's document, submitted in support of application 23/00422/FUL, as referred to in the consultation letter dated 29th March 2023, received from Scottish Borders Council. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.
4. In order to reduce emissions and to adapt to current and future impacts of climate change, the applicant should consider using renewable energy technologies (including, but not limited to solar PV panels) to power the telecommunications equipment hereby approved.

NOTES

1. Mr Charlie Coffee spoke against the application.

SCOTTISH BORDERS COUNCIL EXTERNAL SERVICES/PROVIDERS MONITORING GROUP

MINUTES of Meeting of the EXTERNAL
SERVICES/PROVIDERS MONITORING
GROUP held via Microsoft Teams on
Tuesday, 6 June 2023 at 2.00 pm

Present:- Councillors M. Rowley (Chair), M. Douglas, J. Greenwell, S. Hamilton, and E. Thornton-Nicol

Apologies:- Councillors P. Brown, E. Jardine and J. Pirone

In Attendance:- Director Resilient Communities, Chief Officer Audit and Risk, Chief Officer Roads, Portfolio Manager (J. Lamb), E. Jackson (Live Borders) and Democratic Services Officer (L. Cuerden).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 7 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **PERFORMANCE REVIEW 2022/23 - LIVE BORDERS**

2.1 There had been circulated a report by Jenni Craig, Director Resilient Communities. This report presented key information in regard to the Live Borders contract for the financial year 2022/23 and performance information on the delivery of commissioned sport, physical activity and cultural services. The report covered the first full year of operations since the lifting of all pandemic restrictions. The performance information was set in a context of significant challenges which included lower than anticipated participation levels due to the cost of living crisis and a protracted post-Covid recovery, rises in energy costs and changes to the way in which some services were being accessed. A joint strategic review was underway with the aim of strengthening and improving partnership and service delivery arrangements and ensuring long term stability of services delivered by Live Borders on behalf of SBC. External consultants had been engaged to support the review and an Elected Members and Trustees Steering Group and a Council Officers' Working Group had been formed.

2.2 Ewan Jackson, Chief Executive Live Borders presented the 2022/23 Performance Report in Appendix 1. The performance summary detailed a number of service highlights. Learn 2 membership (swimming tuition) grew steadily through the year but was 20% below target at 2009, with the prolonged closure of Peebles pool and the challenge of recruiting enough swim instructors as factors. External cost factors had also impacted Teviotdale Leisure Centre and Galashiels pool and significant capital investment was required in the aged facilities. Active Schools continued to show strong performance with good engagement across clusters in extracurricular delivery and Sports Development participation rates were back above pre-pandemic levels. The Library service was recovering well with steady increases in physical visitor numbers while those using digital resources had increased significantly. Museum visits were strong and the use of the Halls estate had been positive. A Fundraising Officer had been appointed to secure external funding opportunities. Challenges remained in improving the Net Promoter Score and retention of staff. A summary of 27 key initiatives to be taken forward in 2023/24 as part of the core business or as individual projects was provided, of which four had been

completed. Appendix 1a detailed the KSIs used to monitor the Service Agreement and included the full year 2022/23 performance against target, RAG status and narrative. Appendix 1b provided case studies from quarter four 2022/23. Appendix 1c mapped the Key Initiatives under Live Borders six strategic goals.

- 2.3 With reference to paragraph 8.7 of the Minute of 7 March 2023, there had been provided detail of operational performance across cultural locations. The full year cultural participation numbers were 38% higher than target, driven by strong performance across several museums. Arts-led live performances saw high participation numbers and was to be further developed during 2023/24. Film attendances were disappointing due to the lack of blockbuster titles released, however live events at Tower Mill performed well. The Great Tapestry of Scotland (GTOS) had in May 2023 retained its 5 star status for a further two years and achieved the 'Taste Our Best' accreditation for Scottish catering. Channel 5 had also filmed for two days as part of Susan Calman's 'Great Days Out' programme. Work has continued to promote GTOS to the travel trade and consumer market. Income based on admission, retail sales and café from January – March 2023 was 12% higher than the same period in 2022. GTOS had hosted 15+ external visitor groups through March and April with a further 32 booked for May.
- 2.4 With reference to paragraph 8.7 of the Minute of 7 March 2023, there had been provided detail of the operational performance and a comparison of visitor numbers pre and post pandemic across libraries. While visitor numbers across libraries were down from 247,163 in 2019/20 to 210,338 in 2022/23, the number of Borrowbox users had doubled to 838 by March 2023 with a 32% increase in audio and a 19% increase in e-books issued on the previous year and web/virtual visits having more than doubled to 114,613. Visits to Library Contact Centres were down from 62,759 in 2019/20 to 23,811 in 2022/23. As part of the strategic review, a survey was to be undertaken to seek the public's view on library opening hours.
- 2.5 With reference to paragraph 8.5 of the Minute of 7 March 2023, there had been provided detail of the operational performance across swimming pools. Visits recorded in 2022/23 had increased to 399,778 from 338,343 in 2019/20. The closure of Peebles pool since June 2022 had a significant impact on participation levels in Tweeddale. An expansion of opening hours was dependant on staff recruitment and availability of qualified swim instructors.
- 2.6 Outreach work continued to engage communities: Bookbug sessions in libraries; Jim Clark Motor Museum promotion at local agricultural/vintage car/national motor shows; artefact loan box service to schools; and GTOS Junior Tour Guides recruited from local primary schools.
- 2.7 There followed a brief discussion matters arising from the report. External customer excellence training had been offered and taken up by 78% of the workforce and a second round of training was to be arranged. Concern was expressed at the limited opening hours of many libraries across the Scottish Borders and the impact on accessibility. Financial and staffing pressures were highlighted and the issue was to form part of the review of the service agreement currently underway. In terms of KSI 21a - energy consumption per square metre, Mr Jackson undertook to provide this data on sporting venues and cultural venues where possible at the next meeting. In terms of volunteer numbers, the Active Schools and Sports Development programmes provided opportunities pupils and parents/carers to participate and support in the coaching or administration of clubs. There was an intention to promote opportunities in the cultural and library sectors going forward. It was agreed that Live Borders could do more to recognise the work of volunteers and this was to be taken forward. On the matter of KSI 6 - health referrals, it was confirmed that collaboration with the NHS and the Integration Joint Board was ongoing to build the social prescribing infrastructure required. The 'Healthier, Happier, Stronger' programme had been made available to users for social prescription via funds from Scottish Borders Council. With regards to reduced opening

hours and low footfall at Earlston High School library and contact centre, it was reported that recent consultation had highlighted that users were more likely to travel to Melrose to access library services. Jedburgh High School SBC contact centre staff had received training while library visitor numbers there had increased. The staffing model had been under review and a move to increased opening hours during evenings was imminent. Concern was expressed at the lack of Saturday opening hours at both Galashiels and Hawick libraries. Mr Jackson agreed to append the opening hours of libraries to the report brought to the next meeting.

DECISION

NOTED:

(a) the Live Borders Contract Performance Report and the ongoing joint strategic review; and

(b) the ongoing joint strategic review and the inclusion of performance information and reporting of a revised Service Provision Agreement within the scope of the review.

3. FUTURE MEETING DATE

The next meeting of the External Services/Providers Monitoring Group (Live Borders) was scheduled for 5 September 2023 at 2p.m.

4. ITEMS LIKELY TO BE TAKEN IN PRIVATE

DECISION

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

5. MINUTE

Members considered the Private Section of the Minute of the Meeting held on 7 March 2023.

DECISION

AGREED the minute.

The meeting concluded at 2.55 pm

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SCOTTISH BORDERS COUNCIL

SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the SELKIRK
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Wednesday 7 June 2023 at 15.00 pm.

Present:- Councillors C. Cochrane (Chair), L Douglas and E. Thornton-Nicol and
Community Councillor I. King
In Attendance:- Acting Chief Financial Officer, Estates Surveyor (T. Hill), Property Officer (G.
Smith), Solicitor (J. Webster), Democratic Services Officer (D. Hall).

1. MINUTE AND ACTION TRACKER

- 1.1 There had been circulated copies of the Minute of the meeting held on 15 February 2023.

DECISION

AGREED to approve the Minute for signature by the Chairman.

1.2 Action Tracker

The action tracker had been circulated. Items which were completed would be removed from the tracker once they had been reported. Regarding the issue of insurance, raised at the 15 June 2022 meeting, the Solicitor explained that the former Principal Solicitor, who had since left Scottish Borders Council, had been investigating the situation and that she was not aware of the outcome of any research. The Solicitor undertook to investigate matters and report back. Community Councillor King expressed his gratitude for a response regarding the legal ownership of Common Good Funds and acknowledged that further discussions regarding the administration and ownership of the Common Good could be a topic for further discussion.

DECISION

NOTED the action tracker.

2. MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023

There had been circulated copies of a report by the Acting Chief Financial Officer which provided details of income and expenditure for the Selkirk Common Good Fund for the year 2022/23 including balance sheet values as at 31 March 2023, a full year projected out-turn for 2023/24 and projected balance sheet values as at 31 March 2024. Appendix 1 to the report provided the actual income and expenditure position for 2022/23. That showed a projected surplus of £46,456 for the year, which was better than the previously reported surplus on 13 February 2023 because of an increase in income due to the payment from Scottish Water for temporary occupation at South Common Farm. The projected balance sheet value as at 31 March 2023 was provided in Appendix 2 to the report, which showed a projected decrease in reserves of £124,750. A breakdown of the property portfolio showing actual rental income and projected net return for 2022/23 was provided in Appendix 3a, and a breakdown of the property portfolio showing actual property expenditure for 2022/23 was provided in Appendix 3b. A breakdown of the property portfolio showing projected property valuations at 31 March 2023 was provided in Appendix 4 to the report. Appendix 5 showed to the value of the Aegon Asset Management Investment Fund to 31 December 2023. The Acting Chief Financial Officer, Mrs Suzy Douglas, presented the report and highlighted that a budget of £20,650 had been set for grants, of which £16,845 had been paid out. Mrs Douglas confirmed that the revaluation charge was not a cash transaction and represented an accounting adjustment. In response to a question regarding whether the income from

South Common related to Scottish Water would be received annually, the Solicitor explained that some land had been sold and the Estates Surveyor explained that the money had been received by the Common Good due to Common Good owned land being occupied whilst works were carried out. In response to a question regarding the lack of listed values for movable assets, Mrs Douglas undertook to investigate whether it would be possible to have items valued and those values included in the accounts. Members highlighted that it was important to know the value of the assets in case of insurance claims. In response to a question regarding fluctuations to predicted values, especially of farms, Mrs Douglas undertook to investigate the presentation of the accounts and provide an update via email.

DECISION

(a) AGREED:-

- (i) the projected income and expenditure for 2023/24 in Appendix 1 to the report as the revised budget for 2023/24, subject to the Acting Chief Financial Officer providing an explanation of the presentation of the figures; and**
- (ii) that the Acting Chief Financial Officer and Solicitor would explore the valuation and insurance of moveable assets.**

(b) NOTED:-

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

3. PROPERTY

- 3.1** The Chair invited the Property Officer, Mr Gareth Smith, to provide an update on property matters. The external joinery work and painting had been completed at the Court House Coffee Shop. The joinery work at the Smedheugh Conservatory had been completed, with paperwork expected in the next few weeks. The shed at Smedheugh was nearing completion, with indications that it would be completed within one week. It was expected that tree felling would take place at Linglelie farm where the fence was expected to be located shortly. Regarding the South Common guttering and roofing, works were still outstanding. The tap at Victoria Hall had been fitted.
- 3.2** Regarding recent expenditure, Mr Smith explained that there had been slight damage to the wall at the gateway into Victoria Park. Repairs had been instructed under the minor repair budget, and the cost was not expected to be greater than £150-200. Mr Smith had instructed the Fletcher Memorial to be cleaned and waxed in advance of the Selkirk Common Riding. It was expected that future works would be required to the monument, which would need to be decided at a later date.
- 3.3** A conservation masonry specialist had been asked to examine the Walter Scott Memorial, which needed repair. Older photographs of the Monument had been examined and had confirmed that it had not originally been painted. The masonry specialist had provided a

quote of £25,650 to undertake the work to remove the paint, carry out the works to the stone and repaint. The state of the Monument meant that a long-term plan for its restoration was important, and Mr Smith highlighted that seeking grant funding could assist with the cost of the works. Members highlighted that the importance of safeguarding the Monument. The Monuments referred to were both listed properties, and whilst maintenance works were acceptable, suitable permissions needed to be secured prior to any major works. Mr Smith confirmed that discussions would be held with Scottish Borders Council's Heritage and Design Officer before any works were undertaken, and that he would await instruction from the Sub-Committee before proceeding with any activity. Members highlighted that Historic Environment Scotland's Small Grant Scheme had the potential to match funding up to £25k, and that plans to restore the Monument to its original condition could prove the best course of action. Mr Smith was happy for the Committee to be involved in a site visit to the Monument with the Heritage and Design Officer.

DECISION

(a) **AGREED that the Property Officer would hold discussions with the Heritage and Design Officer regarding the Walter Scott Memorial; and**

(b) **NOTED the update.**

4. APPLICATION FOR FINANCIAL ASSISTANCE

4.1 There had been circulated copies of applications for financial assistance from the Selkirk Silver Band and Selkirk Royal Burgh Ex-Standard Bearers Association with the agenda.

4.2 Selkirk Silver Band

The application from the Selkirk Silver Band was for £1500 to help fund their trip to compete in the National Brass Band Championships in Cheltenham in September 2023. The Band were the only Scottish Borders band represented at the finals. They had estimated that the total cost for the Band to compete would be £9k, which comprised of £4.5k for accommodation, £2k for transport, a £375 entry fee, £280 for bandsmen tickets for entry to the venue, £500 for a training day and £1.5k for conductor's fees. The application form explained that the Band had undertaken various fundraising efforts. Members discussed the application, agreed to grant the funding, and wished the group success. It was highlighted that evaluation forms were not being presented following grants being awarded, and Members requested that evaluations were requested from successful applicants and completed in a timely manner.

DECISION

AGREED to approve a grant of £1500 to Selkirk Silver Band.

4.3 Selkirk Royal Burgh Ex-Standard Bearers Association

Selkirk Royal Burgh Ex Standard Bearers Association had applied for £1000 as part of their Selkirk Young Souters Association. The grant would be used to provide horse hire for the Young souters, with 3 rides for younger riders, and 6 in total at £40 per lesson. A beach ride for 20 members would also be undertaken, at a cost of £80/100 per rider, including a minibus. An Open Day and Barbecue had also been held. Members discussed the application, in particular whether the grant would provide sufficient benefit to the people of Selkirk. Following extensive and detailed discussions it was unanimously agreed not to grant funding.

AGREED not to approve the grant to Selkirk Royal Burgh Ex-Standard Bearers Association.

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 the paragraph 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

6. PRIVATE MINUTE AND ACTION TRACKER

The Private section of the Minute of the Meeting held on 15 February 2023 was approved for signature by the Chair.

7. PROPERTY

The Sub-Committee received an update on private matters relating to Common Good owned property.

The meeting concluded at 4.25 pm.

SCOTTISH BORDERS COUNCIL TWEEDDALE AREA PARTNERSHIP

MINUTES of Meeting of the TWEEDDALE
AREA PARTNERSHIP held in Burgh Hall,
High Street, Peebles, EH45 8AG on
Tuesday, 13 June 2023 at 7.00 pm

- Present:- Councillors M. Douglas (Chairman), R. Tatler and V. Thomson and V. Thomson
- Apologies:- Councillors D. Begg, J. Pirone, E. Small, E. Daborn (Tweeddale Assessment Panel), V. Carsley (Police Scotland)
- In Attendance:- Community Engagement Officer (H. Lacon), Participation Officer (C. Malster), Democratic Services Officer (L. Cuerden).
- Also in Attendance:- Peter Maudsley (Chair, Peebles Community Council), Chris Lewin (Upper Tweed Community Council), Lorna McCullough (Borders Community Action), Crick Carleton (Chair, Tweeddale Area Partnership Place Making Working Group), George Thornton, Edward Shoote (SOSE), Charlotte Rankin (Buglife), N. MacIntyre (Biodiversity & Ecological Group), S. Meikle (Innerleithen & District Community Council), A. Snoddy, C. Snoddy (Peebles Christmas Lights Association), F. Colton, E. Jackson (Live Borders) L. Denham (SOSE).

1. **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting of the Tweeddale Area Partnership and outlined how the meeting would be conducted.

2. **FEEDBACK FROM MEETING ON 28 MARCH 2023**

There had been circulated copies of the Menti feedback and the Minute of the Meeting held on 28 March 2023. Iain Gibson from Peebles Action for Young People reported on the formation of Peebles Youth Voice and had worked in partnership with a number of local organisations, SBC and Police Scotland to promote the engagement with and involvement of local youth in the community. Gordie Campbell, Network Coordinator of the Scottish Borders Climate Action Network presented on their goal to support and build capacity in climate action, to promote membership of the Network and inform of the plan to establish a Scottish Borders Hub. SBC were to collaborate closely as part of the Place Making initiative.

DECISION

AGREED the Minute and Action Tracker

3. **CHARLOTTE RANKIN - BUGS LIFE/ POLLINATORS ALONG THE TWEED**

Charlotte Rankin, Conservation Officer with Buglife (Invertebrate Conservation Trust) presented information on the Pollinators Along the Tweed project. Part of the Destination Tweed initiative, its purpose was to reverse pollinator decline along the River Tweed by increasing and connecting areas of wildflower-rich habitat and with partner agencies, provide pollinator-themed events and training to raise awareness, knowledge and inspire action. The project area was to extend from Biggar and Tweedsmuir in the west along the course of the river to Berwick-upon-Tweed. There was to be a mapped network of 3km wide corridors (B-Lines) which was to incorporate 40 hectares of wildflower rich habitat across 50 sites. Advice was to be provided via workshops on the addition of a further 40

hectares. There was to be grassland enhancement with the reintroduction of yellow rattle, wildflower planting and changes in the land management practices. Tweeddale was home to eight biodiversity areas: King George V Field, Broughton; Haylodge and Victoria Parks and Kingsway, Peebles; Damside, Innerleithen; Alexandra Park and Tweedholm Playing Field, Walkerburn; and the Clovenfords Playing Field. Projects were already underway at Peebles Golf Club and The Crook Inn at Tweedsmuir. Workshops and events had taken place at Greener Peebles Community Garden and Citizen Science training at Traquair in May 2023. There were further opportunities for the public to get involved in the mapping of existing pollinator projects. More information was to be found at www.buglife.org.uk/our-work/b-lines/. Ms Rankin was keen to establish links with local beekeepers. The Pollinators project was to run until May 2027. Any further enquires or suggestions for potential sites were to be directed to Charlotte.Rankin@buglife.org.uk.

DECISION

NOTED the presentation.

4. EDWARD SHOOTE - ECONOMIC INFRASTRUCTURE DEVELOPMENT SPECIALIST - SOUTH OF SCOTLAND ENTERPRISE MOUNTAIN BIKE INNOVATION CENTRE

Ed Shoote from South of Scotland Enterprise (SOSE) presented information on the proposed Mountain Bike Innovation Centre, Adventure Bike Park and Trail Lab at Caerlee Mill, Innerleithen. The £19m Borderlands funded project, in collaboration with Napier University, aimed to renovate the derelict Caerlee Mill following an approach from Ross McGinn of Innerleithen Community Trust. There was a need for more commercial space locally and job creation to reverse the trend of working in Edinburgh since the mill closed. Napier University and Borders College were to deliver skills training following a move from Glentress to Innerleithen on completion. The project was also to deliver a mountain biking research and development innovation centre. The mill site had been purchased in November 2022 with planning and listed building consent awarded in May 2023. July 2023 was to see the beginning of work to clean up the site with main construction by a local contractor to begin from October 2023. The build was scheduled for completion by December 2024. The project planned to deliver many community opportunities: hot desking and short and long term office space; café and studio/events spaces; tender to local contractors; and use of services, expertise and machinery to make products and offer new services locally. A heritage group had been set up to facilitate artwork and interactive displays with the appointed design contractor, alongside plans with Napier University to reuse the mill lade. For the Adventure Bike Park, there had been undertaken an open competitive grant award process of up to £5m. The grant funding of around 30% of capital costs was to be matched with private sector funding and on condition that the £5m was to be spent on infrastructure that directly benefitted the public; roads, trails, car parking etc. The Bike Park was expected to deliver the following: new signature trails and features which complemented existing bike and walking trails; accessibility by design for all riders; progression from children to elite riders; host World class events; sustainable trail maintenance; and robust financial model and long term investment case. The Trail Lab was to provide a lab trail with associated indoor laboratory space and digital facilities to gather 5G real time performance data on bikes riding the trail, a process that was currently undertaken in Portugal or Spain. Mr Shoote confirmed that the Caerlee Mill project was intended to complement existing provision in the area rather than compete, with the aim that more visitors stayed for longer. There was to be innovative, sustainable elements in the building and restoration work to contribute to Net Zero. The build cost was estimated at £14m, with £2.5m earmarked for specialist equipment to deliver innovation, and £2.5m to further support the Bike Park operator once the grant was awarded. Any further enquires were to be directed to Edward.shoote@sose.scot.

DECISION

NOTED the presentation.

5. REFRESHED COMMUNITY PLAN PRIORITIES- CONSULTATION

Clare Malster, Participation Officer, presented information on Community Planning and the online consultation exercise. A brief overview of Community Planning was provided and highlighted the partnership of public bodies, businesses and community groups to plan and deliver better services in the Scottish Borders. It was the responsibility of Scottish Borders Council, NHS, South of Scotland Enterprise, Police Scotland and Scottish Fire and Rescue (in conjunction with the Third Sector, Housing Associations, External Providers and the Scottish Community Council Network) to develop a ten year plan. The 10 year plan was to undergo a review twice in its duration. Previous work on the Tweeddale Locality Plan and further consultation had identified 16 draft priorities under 5 themes: 1) Enough money to live on; 2) Economy, skills and learning; 3) Enjoying good health and wellbeing; 4) A good place to live, grow up and enjoy a full life; and 5) Community empowerment. There had been planned a series of meetings with Place Making groups in early July 2023, the outcome of which was to feed into the Draft Community Plan. The online consultation was to close on 16 July 2023 and could be found at <https://scotborders.citizenspace.com/> . Paper copies were to be obtained from the Communities and Partnership Team on 0300 100 1800 or communityplanning@scotborders.gov.uk. The new Community Plan was to be presented to the Community Planning Strategic Board on 7 September 2023. Concern was expressed about the limited timescale and lack of opportunity for debate and discussion within communities. It was stressed that the 16 priorities were open to review and the importance of avoiding duplication of services and a focus on providing new offerings was highlighted. In response to a question about sources of funds and new economic activities to be brought to the area, it was confirmed that SBC were in consultation with SOSE around plans for economic regeneration, thus avoiding duplication. Any further enquires were to be directed to CMalster@scotborders.gov.uk .

DECISION

NOTED the presentation.

6. DRAFT LOCAL HOUSING STRATEGY 2023- 2028 FORMAL CONSULTATION

The consultation on the Draft Local Housing Strategy 2023-28 was available online and could be accessed via [Local housing strategy 2023-28 | Scottish Borders Council \(scotborders.gov.uk\)](#) The consultation was to conclude on 21 July 2023.

DECISION

NOTED

7. YOUTH UPDATE

Hannah Lacon reported that work was ongoing in Tweeddale particularly in hosting youth conversations. Peebles Youth Voice had been formed and local youths and Police Scotland had attended monthly meetings in Costa Coffee on High Street, Peebles. The youth demographic wanted input to the Place Making conversations and there followed a brief discussion on how best to achieve this engagement. It was suggested that there be a standing item on the Area Partnership agenda to allow discussion on youth issues with local youths present. It was considered important to demonstrate that their voice had a place and could effect positive change and was not just a tick box exercise. Cheviot Area Partnership had implemented a trial period of appointing a youth member to the Assessment Panel. There was a suggestion that Pam Rigby, Youth Engagement Officer, might share meeting agendas with local youths and collate their input. There was a suggestion that Elected Members visited secondary schools again as they did pre-Covid to talk about the Scottish Parliament; this could be linked to promoting youth involvement in their own communities.

DECISION

NOTED the update.

8. PLACE MAKING UPDATE

Crick Carleton, Chair of Place Making Working Group provided an update of progress to date. The programme was progressing well. In addressing the idea of the development of a community action plan, groups from 8 communities had been brought together and advanced particular projects, separate from the action plan itself. Five communities (Skirling, West Linton, Eddleston, Peebles and Walkerburn) had been able to form action plan steering groups and had advanced to surveying community opinion with a focus on using the Place Standard Tool in one form or another. The focus of community engagement continued to be on identifying and evidencing those priority developments that could be expected to support a community's resilience and sustainability. The SBC Place Making team continued to provide valuable support and guidance to communities and money was available for hall hire and posters etc. Information gathered from community engagement could be used to promote priority projects and contribute to the formation of the Scottish Borders Community Plan that was currently in the process of being updated, for which an online consultation exercise was underway until 16 July. There had been a number of seminars/workshops on Place Planning organised by Community Land Scotland and Development Trusts Association Scotland. These workshops drew on examples from a number of communities across Scotland and links to their webpages were included in Appendix 1 to this minute. It was increasingly evident that those communities with a paid coordinator/development officer were much better placed to progress development of community actions. Some communities had struggled to achieve community engagement in Placemaking and were interested in securing more hands-on support and facilitation. There was merit to smaller communities banding together to progress their initial scoping consultation e.g. using the same online and paper-based survey. Response rates achieved by other communities were to be noted: Peebles – 285 households (7%); West Linton – 200+ households so far (22%); and Walkerburn – 80+ households so far (18%). The Tweeddale communities still required an easily accessible document sharing platform to exchange experiences and access reports and guidelines. It was suggested that contact was made with Amy Alcorn for guidance on using Sharepoint, which was currently being used by the Community Growing Project.

DECISION

NOTED the update

9. FUNDING TABLE OVERVIEW

There had been circulated copies of the Tweeddale Funding Table which showed available funds in the Tweeddale area. Hannah Lacon reported that there was an opening balance of £51,199 at 1 April 2023, which along with an underspend of £8,939.77 from the Neighbourhood Support Fund gave a total available balance of £60,138.77. Were all applications under consideration to be successful, there would be £44,108.77 left.

DECISION

NOTED the update.

10. NEIGHBOURHOOD SUPPORT FUND

- 10.1 St Ronans Bowling Club had requested £1780 for 3 re-cycled picnic benches. The group had recently increased facilities and wished to buy more picnic tables to match those already in place. The cost of project was £1,980. Given that the Club had £10,278.43 in their bank account, an award of £1200 was suggested.

DECISION:

AGREED to fund £1200 to St Ronans Bowling Club towards the cost of three recycled picnic benches.

- 10.2 Eastgate Theatre & Arts Centre had requested £6,750 for Creating New Arts Activities for ages 12-16 years. Eastgate was expanding its outreach to this age group not currently catered for by offering skills training and creative opportunities. They were working with other youth groups and recruiting through the High School and their Social Media. The pilot 2023 Summer School Holiday events included 4 daylong workshops x 3 weeks in

creative combat skills, voice, film/tv skills, choir/movement and dance. If the pilot was successful, participants were be charged in subsequent sessions.

The panel was supportive of activities for this age group but had some reservations:

a) The workshops should be offered to ALL in that age group. There was no guarantee that youth involved in ASB would apply for these workshops.

b) The maximum award possible was £5,000 as other funding sources had not been approached. Since the funding pot was smaller this year, the panel had asked the applicant if it would be possible to run the pilot with £3,000. This was achievable if the combat skills workshops were omitted.

DECISION:

AGREED to fund £3000 to Eastgate Theatre & Arts Centre towards its Summer Holiday events programme.

- 10.3 The Peebles Christmas Lights Association had requested £7500 to purchase a Santa's Sleigh and Reindeers illuminated display to be sited at the Eastgate Theatre. The total cost was £10,000 with a 1 year guarantee. In the absence of the Treasurer, Mr. Colin Snoddy spoke on behalf of the Association. The Association had £11,375.33 in the bank, of which £10,000 was ring-fenced for maintenance costs. There was also £13,000 held in a bond. Mr Snoddy explained that the bond investment was made in September 2022 to ensure future financial stability of the Association and to avoid bankruptcy. He explained that previous years' fund raising had covered running costs only (electricity and insurance) and this was anticipated to increase in 2023 given the cost of energy. The festive season provided the best opportunity to fund raise via public donations with an annual turnout of over 4000 people to the Christmas Lights Switch On event. Further quotes were not possible as there was a limited market for such specialised manufacturers and the Fife based supplier had been used previously. Members were mindful of the many other town and village displays across Tweeddale and agreed to partially fund the request, with an expectation that the shortfall would be met from other funding sources available in Peebles.

DECISION:

AGREED to award £2000 to Peebles Christmas Lights Association towards the purchase of a Christmas lighting installation at the Eastgate Theatre.

- 10.4 Chris Lewin read out a message received from Esther Daborn who was to step down from her role on the Tweeddale Assessment Panel. Ms Daborn thanked everyone in the Community Engagement team, the Tweeddale Area Partnership and all volunteers and staff with whom she had worked over the years. The Chair thanked Ms Daborn for her dedication and contribution over the years.

11. OPEN FORUM

- 11.1 PC Vivienne Carsley was not in attendance. Matters of concern had been sent via email prior to this meeting. There was an enquiry about Scottish Borders Council's response to Police Scotland's decision not to police local festivals this year and the general reduction in Tweeddale community policing. The Chair reported that there was to be a meeting of Councillors and Police Scotland representatives in a few weeks and the Police Community Action Team (PCAT) was under review. The PCAT was currently working at full strength and on the occasion where PCAT officers were temporarily reassigned for operational reasons, a commensurate refund was paid to Scottish Borders Council. There was agreement to add an item to the next agenda of the Tweeddale Area Partnership to discuss the relationship between Community Councils and Police Scotland in the hope that Police Scotland would be able to attend in future.
- 11.2 The official opening of the Eddleston Water Path was scheduled for the morning of Saturday 17 June 2023. There was to be a procession from Station Road with a ribbon cutting ceremony. It was reported that a further £600k had been awarded for the path to be extended.

- 11.3 There was a request for the next meeting to be in-person with Eddleston suggested as a possible venue. The need for a BSL interpreter at every meeting was no longer essential. There was a request for less presentations and more discussion. Live Borders were congratulated on their stewardship of the Burgh Hall renovations.
12. **MEETING EVALUATION VIA MENTI**
Ms Lacon encouraged attendees to complete meeting evaluation forms via the link sent via email and to submit any items for a future agenda.
13. **DATE OF NEXT MEETING**
The next meeting of the Tweeddale Area Partnership was scheduled for 22 August 2023 and was to be in-person. The venue was to be confirmed.

The meeting concluded at 9.00 pm

SCOTTISH BORDERS COUNCIL TEVIOT AND LIDDESDALE AREA PARTNERSHIP

MINUTES of Meeting of the TEVIOT AND LIDDESDALE AREA PARTNERSHIP held via Microsoft Teams on Wednesday, 14 June 2023 at 6.00 pm

Present:- Councillors C. Ramage (Chair), J. Cox, W. McAteer and A. Smart together with 13 Community Councillors and Members of the Public.

Apologies:- Councillors S. Marshall and N. Richards

In Attendance:- Community Coordinator (G. Jardine), Community Engagement Officer (S. Culverwell), Participation Officer (C. Malster), Strategic Housing Development Officer (L. Renwick), Sgt A. Grainger (Police Scotland), Democratic Services Officer (D. Hall).

1. **WELCOME**

The Chair welcomed attendees to the meeting of the Teviot and Liddesdale Area Partnership which was held via Microsoft Teams.

2. **FEEDBACK FROM MEETING OF 18 APRIL 2023**

There had been circulated copies of the Minute of the Meeting held on 18 April 2023. The Chair advised that there were no actions which had been required to be taken forward. Comments from the five Area Partnerships on the Draft Health and Social Care Strategic Framework had been well received by the Health and Social Care Partnership, a full summary would be presented once completed.

DECISION

AGREED to approve the Minute for signature by the Chair.

3. **LOCAL HOUSING STRATEGY 2023-2028 CONSULTATION**

- 3.1 The Chair welcomed Lindsay Renwick, Scottish Borders Council's Principal Officer, Housing Strategy, Policy and Development to the meeting to provide a presentation on the Local Housing Strategy 2023-2028. Ms Renwick explained that the Housing (Scotland) Act 2001 placed a requirement on Local Authorities to prepare a Local Housing Strategy (LHS) every five years which set out a vision for the supply, quality and availability of housing in the region. The Plan was not just a council plan, but a Scottish Borders Wide plan. The LHS was the key planning document which provided a framework of action, investment and partnership-working to deliver local priorities. It was set within the context of a number of local and national strategies. Work had been ongoing for 18 months, but for 2 years in total. Ms Renwick was in attendance to make the Teviot and Liddesdale community aware of the LHS and to gauge opinion. Engagement had been underway since August 2021, and had involved an Early Engagement Survey with key stakeholders; Resident and Stakeholder workshops and surveys; work with the Gypsy and Traveller community; Key Worker surveys; and a Private Landlord survey. All of the details on engagement could be found in Appendix 3 of the full strategy. The LHS was now out for formal consultation, and was comprised of 12 documents. The main LHS consultation was open until 21 July 2023. Once the consultation closed the LHS would be sent to the Scottish Government for review, and once all comments and work had been incorporated into the report it would be presented to Committee later in the year. Ms Renwick outlined the major challenges faced by the Scottish Borders in the context of housing, which included the rural nature of the region; the labour market; low wage nature of the economy; ageing population and challenges

related to commitments to reach climate change targets. The ongoing issues of inflation and the cost of living crisis was also having an impact.

- 3.2 It was a requirement under the LHS to set a Housing Supply Target. The target under the proposed LHS had been set at 353 new houses per year. That was comprised of 141 affordable houses and 212 market houses. The methodology, which used Housing Need and Demand Assessment as starting point, for determining the target was contained in Appendix 4 to the report. Ms Renwick explained that the vision which underpinned the LHS was that everyone would have access to a home that met their needs as part of a sustainable community. There were five strategic outcomes; more, well designed homes; people had access to homes which promoted independence and health; improved energy efficiency of homes and promoting a reduction in fuel poverty whilst transitioning to net zero; communities were regenerated through improving the quality and condition of housing; and homelessness was presented using a range of housing options. Each of the priorities had between 5 and 7 key actions for delivery which were included in the draft LHS. Ms Renwick undertook to share the slides out of the meeting. The full LHS was available on the SBC website, paper copies of the documents were available and a questionnaire was on Citizens Space. In response to a question regarding attendance at the workshops, Ms Renwick explained that the early part of the consultation had received in the region of 250 responses. The stakeholder and other events across the engagement process had also been well attended. Attendees encouraged Ms Renwick to share the slides to allow them to cascade them out via their community council networks. In response to a question regarding a housing target of 1 set for the “South” area, Ms Renwick explained that different boundaries were used for housing purposes which did not reflect the ward make-up of the Scottish Borders Council Electoral Wards. The Housing Supply Target had not been split by area, and the current consultation was focused on the overall number at this stage. The Chair highlighted that the link to the LHS and other key information was included in the Additional Information Document which had been circulated with the agenda.

DECISION

NOTED the update.

4. REFRESHED COMMUNITY PLAN PRIORITIES CONSULTATION

- 4.1 The Chair welcomed Keith Langley of Scottish Fire and Rescue to provide a presentation on the refreshed Community Plan Priorities. Community planning was the process by which councils and other public bodies such as Health Boards and Police Scotland worked with local communities, businesses, and community groups to plan and deliver better services and improve the lives of people who live in Scotland. Community Planning Partnerships was the name given to the group of organisations who deliver community planning. Initially the responsibility for leading CPPs sat with LAs. The Community Empowerment (Scotland) Act 2015 changed the responsibility to sit equally with five public sector bodies: LAs, NHS, Police Scotland, SFRS and Enterprise companies – in the Borders those lead partners were:

NHS Borders
Police Scotland
SBC
Scottish Fire & Rescue Service
South of Scotland Enterprise
Other partners include:
Borders College
Borders Community Action (Third Sector)
Health & Social Care Integration Joint Boards
Live Borders
Berwickshire Housing Association
Eildon Housing Association
Scottish Borders Community Councils' Network

- 4.2 There was a CPP in each local authority area. It was further explained that under the Community Empowerment Act, Community Planning Partnerships were required to develop a ten year Plan that set out the priorities for improving people's lives and reducing inequalities. A lot had changed over the last five years since the previous Community Plan was agreed in May 2018. There were new priorities and it was important that the plan included those and like a lot of CPPs, there was an opportunity to completely review the plan to focus on what was most important for the area now. There would be a review of the new Plan at least twice in the next 10 years to ensure that it remained relevant. In putting together the draft priorities for the new Plan, the data had been analysed to get an understanding of what was working well and what needed to be improved. The views of the public had been sought through other surveys and community-based meetings, including the Council's Community Conversations and 16 priority areas had been identified and arranged under the five themes; Economy, Skills and Learning; Enjoying Good Health and Wellbeing; Good Place to Live, Grow Up and Enjoy a Full Life and Community Empowerment. Views were being sought on which priorities were the most important to those living in the Teviot Area and whether the themes were the right ones. The consultation was available online on SBC's website and available as a paper copy for those who would prefer to respond that way. The consultation would close on 16 July 2023. In response to a question regarding how the Plan could feed into Place Making initiatives, Ms Clare Malster, Participation Officer, explained that Place Plans were fed into the Council's Locality Plans. The Plan being reviewed twice in the next 10 year period provided a stronger link than previously.

DECISION

NOTED the update.

5. **POLICE SCOTLAND UPDATE**

The Chair invited Sergeant Alison Grainger to provide an update on Police Scotland activities in Teviot and Liddesdale. The item was not included in the agenda, but attendees agreed that it would be appropriate to hear the update. Sgt Grainger provided an update on staffing changes in the area and highlighted that she had fought hard to ensure that adequate resources were dedicated to the area. Police Scotland and Community Planning Partners had offered a range of sports and activities to young people in Burnfoot as part of a programme funded by the Police Scotland Community Budget. The local Community Partners would continue the programme over the summer to engage young people. The Hawick Common Riding had recently taken place, and Sgt Grainger highlighted the extensive work that had taken place behind the scenes to ensure that the event went smoothly. Liaison work with Scottish Borders Council had been sound, and the Common Riding Committee had planned the event well. Sgt Grainger highlighted that PC Alan Patterson had undertaken work on multiple rest days and commended the tireless dedication to his community that he had demonstrated. A scheme for reporting speeds in villages had gone live, and allowed people to report the unacceptable speeding that goes on in villages. Mr Kerr outlined that the issue was a commonly discussed topic at community council meetings and expressed an interest in becoming part of the group. Sgt Grainger undertook to provide information to Mr Kerr. The Scottish Borders Partnership Against Rural Crime was holding an event on 29 June between 9 and 12 at Caverton Mill in Kelso. Farmers, landowners, land managers, SBC officers, Scottish Fire and Rescue Service, and Scottish Land and Estates would be present, and a range of issues would be discussed. Members thanked Sgt Grainger for her presentation and highlighted the outstanding leadership and commitment shown that she had shown throughout the preceding months.

DECISION

NOTED.

6. **TEVIOT AND LIDDESDALE FUNDING 2023/24**

There had been circulated copies of the Teviot and Liddesdale funding tables for 2023/24 with the agenda. Ms Jardine confirmed that the opening balance of the Neighbourhood Support Fund was £42,465k, which the Area Partnership had agreed to split evenly between Pot A and Pot B. Pot A had been sub-divided into equal shares, with a minimum of £2121 available. Hawick and Burnfoot had been allocated more due to the larger size compared to the other areas. The Scottish Borders Council website outlined what was available. Each individual area had a different amount available dependant on their underspend from the previous year.

DECISION

NOTED the update.

7. **NEIGHBOURHOOD SUPPORT FUND - POT A FUND**

7.1 There had been circulated copies of Pot A Fund recommendations from Hawick Community Council and a recommendation to the Area Partnership regarding funding related to wages.

7.2 **Eskdale Pony Club**

An application had been received from Eskdale Pony Club which had requested £846.32 to help support their proposed Games Rally in Hawick. Ms Marion Short, Chair of the Hawick explained that the Panel had carefully considered the application and recommended to provide funding of £282.11. The amount represented one third of the total grant, and Ms Short suggested that the applicants consider applying to Newcastleton and Teviothead for the remaining funds. The recommendation to grant £282.11 was unanimously approved.

7.3 **Future Hawick**

An application for funding for £4000 had been received from Future Hawick to support their project Hawick Welcome 2023. The funding applied for would be used to purchase uniforms and help meet the costs of brochure distribution. The Panel welcomed the project but felt that providing funding would not be the best use of Neighbourhood Support Funds. Ms Short highlighted that there had been a significant increase in the cost of the brochure delivery, from £90 in 2022 to £352 in 2023. The costs associated with brochure distribution had been subject to debate, with a figure of 40p per mile deemed too high by the panel, with 25p per mile deemed a more appropriate figure. The Panel recommended to award £863. Attendees discussed the recommendation, with particular focus on whether the rate paid per mile to volunteers. Councillor Cox, seconded by Councillor Smart proposed that Future Hawick be granted £995, which was unanimously agreed.

7.4 **Hawick, Pot A Recommendation to the Area Partnership**

There had been circulated copies of a recommendation from the Hawick Neighbourhood Support Fund Pot A Panel Members for Hawick which sought to exclude wage costs from applications for funding unless they were related to consultancy work. Sub-contractor and professional costs would remain eligible where they were required for project delivery. The Chair explained that Pot B applications already had a restriction on applying for wages, and that the Panel had felt that it would be prudent to match those conditions. Elected Members unanimously agreed to approve the recommendation.

DECISION

AGREED:

(a) **to grant Eskdale Pony Club £282.11;**

(b) **to grant Future Hawick £995; and**

(c) **that costs associated with wages, unless they were related to “consultancy” work, were no longer acceptable in applications for funding to Pot A. Sub-**

contractor and professional costs required for project delivery remained eligible.

8. UPPER TEVIOTDALE AND BORTHWICK WATER CC POT A FUND

Mr Walter Douglas explained that following a lengthy debate on whether to participate in the Neighbourhood Support Fund this year, the Members of Upper Teviotdale and Borthwick Water Community Council had, by majority decision, agreed to take part.

DECISION

AGREED that Upper Teviotdale and Borthwick Water Community Council take part in the Neighbourhood Support Fund.

9. UPDATE ON PLACE MAKING PROGRESS IN TEVIOT AND LIDDESDALE

9.1 The Chair invited attendees to share with the Area Partnership progress of Place Making within their communities.

9.2 Mr Kerr advised that Southdean Community Council continued to await the results of neighbouring rural communities to complete their community surveys so that Place Plans covering multiple community councils could be pulled together. Ms Jardine explained that engagement sessions had been held in Hawick, with a view to reach as wide an audience as possible. Approximately 150 people had attended across 3 sessions. The network of people involved in Place Making continued to develop and it was hoped that a town team would be formed to help drive work forward.

DECISION

NOTED the update.

10. COMMUNITY COUNCIL UPDATE

The Chair invited community council representatives to share activities of good practice and activities in their communities. Ms Short explained that it was pleasing to receive good feedback regarding the Common Riding, and that attendance and behaviour at the event had been exemplary. The Community Council was excited about progress in respect of CCTV. The project was almost at the point of going to tender. Ms Jardine confirmed that the Area Partnership was expected to be held on Tuesday evenings as normal moving forward. Mr Kerr highlighted that works for the Pineburn windfarm continued to cause issues on the road, and expressed thanks to Elected Members for helping secure more advanced notification of when large deliveries could be expected. Ms Elborn highlighted that discussions were ongoing regarding transport capacity in rural areas. A proposed build out at Douglas Square to support the visually impaired had the potential to be controversial due to a lack of consultation.

DECISION

NOTED the update.

11. CAPITAL WORKS PROGRAMME FOR PARKS

Ms Culverwell provided an update on Scottish Borders Council's capital programme for parks. £4million was being invested by SBC on outdoor community spaces over a 7 year period from 2022 to 2029. It was hoped that the parks would improve community wellbeing, enhance outdoor activities for young people. The parks would be accessible to all. A consultation had been held online asking what improvements the people of Burnfoot would like to see at Sleepy Valley Park. 96 responses had been received. Landscape plan were being drawn up by the contractor in response to the consultation. The design would be presented to the local community for feedback. Four other play areas were on the programme, with Newcastleton, Denholm, Hobkirk and Hawick all part of the plans up to 2029.

DECISION

NOTED.

12. **ADDITIONAL INFORMATION DOCUMENT**

There had been circulated copies of the additional information document with the agenda. An amended version had been published as a supplement to the agenda.

**DECISION
NOTED.**

The meeting concluded at 7.45 pm.

Public Document Pack

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Thursday, 15th June, 2023 at 10.00 am

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

Apologies:- Councillor E. Small

Also present:- Councillor S. Hamilton

In Attendance:- Lead Planning Officer (B. Fotheringham), Senior Roads Planning Officer (A. Scott), Lead Roads Planning Officer (D. Inglis), Solicitor (S. Thompson), Democratic Services Team Leader (L. McGeoch) and Democratic Services Officer (W. Mohieddeen).

1. **APPLICATIONS**

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

DECISION

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

The meeting concluded at 1.30 pm

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APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00483/FUL	Change of use of garage blocks and alterations to form six dwellinghouses	Garage Blocks East of 132 Ramsay Road, Hawick

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

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 Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The proposed residential units shall meet the definition of "special needs housing" as set out in the adopted Local Development Plan 2016 and any accompanying Supplementary Planning Guidance and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: The permission has been granted for special needs housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including affordable housing and local schools.
3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
4. Details of bin storage areas for waste and recycling and any external storage areas for the dwellings to be submitted to and approved in writing by the Planning Authority before the development commences. The bin storage areas and external storage areas then to be installed in accordance with the approved details before the dwellings are occupied.
Reason: To safeguard the visual appearance of the area.
5. 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.
6. No development shall commence until written evidence is provided on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development, unless otherwise agreed in writing by the Planning Authority. Thereafter, a public water mains connection shall be functional prior to the occupancy of the dwellinghouses hereby approved, and no water supply arrangements shall be used other than the public water mains without the written agreement of the Planning Authority.

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

7. No foul drainage system other than the public mains sewer shall be used to service the development hereby approved without the written consent of the Planning Authority. The foul drainage to be functional prior to occupation of the dwellinghouses hereby approved
Reason: To ensure that the development does not have a detrimental effect on public health.
8. Details of surface water drainage to be submitted to and approved in writing by the Planning Authority before the development commences. The surface drainage to be functional prior to occupation of the dwellinghouses hereby approved.
Reason: To ensure that the development does not have a detrimental effect on public health or neighbouring properties.
9. No development shall commence until details of a scheme of post-construction ecological enhancements, including timescale for implementation, have been submitted to and approved in writing by the Planning Authority. The approved details shall be implemented within the approved timescale.
Reason: To provide a reasonable level of ecological enhancement relative to the environmental impact of the development in accordance with the statutory development plan

NOTE

1. Mr Darren Loftus, representing Voice of the Teries and participating via Microsoft Teams, spoke against the application. Ms Emma Garry, SBHA, spoke in support of the application.

Reference

23/00479/FUL

Nature of Development

Change of use of garage blocks and alterations to form three dwellinghouses

Location

Garage Blocks, Bothwell Court, Hawick

DECISION: Application continued for site visit to take place.

NOTES

1. Ms Evelyn Jackson spoke against the application. Ms Emma Garry, SBHA, spoke in support of the application.
2. Vote
Councillor Thomson, seconded by Councillor Moffat, moved that the application be continued to another Meeting for a site visit to take place.
Councillor Richards, seconded by Councillor Orr, moved as an amendment that a site visit not be held.

On a show of hands, Members voted as follows:

Motion – 4 votes

Amendment – 4 voted

The Chair used his casting vote in favour of the Motion and the application was continued pending a site visit taking place.

Reference

22/01588/FUL &
22/01587/LBC

Nature of Development

Reinstatement, alterations
and extensions to
dwellinghouse

Location

Cavers House

DECISION: Application continued for site visit to take place.

NOTE

1. Mr Paul Allison spoke against the application. Mr Gavin Yuill and Mr Fraser Bell (agents) and Ms Julie Sharrer (applicant) participating via Microsoft Teams spoke in support of the application.

Reference

23/00382/FUL

Nature of Development

Removal of condition 5 of
planning permission
21/00794/FUL pertaining to
visibility splay

Location

Land East of Thistle Brae,
The Hardens, Duns

DECISION: Approved as per officer recommendation, subject to the following condition:

Condition

1. The development shall be implemented in accordance with the approved plans and drawings pursuant to planning permission 21/00794/FUL. The schedule of conditions attached to planning permission 21/00794/FUL, excluding condition 5 of 21/00794/FUL which is removed by this permission, still apply to this development, together with the drawings/information approved by the Planning Authority to discharge those conditions.
Reason: To secure control over matters agreed and already controlled by and under conditions attached to the original planning permission.

NOTE

1. Mr Richard Wood spoke in support of the application.

Reference

22/01988/FUL

Nature of Development

Construction and operation of battery energy storage system facility with ancillary infrastructure and access

Location

Land West Of Eccles Substation, Eccles, Coldstream

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

Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. No development shall commence until the following precise details have been submitted to and agreed in writing with the Planning Authority;
 - i. The final site layout
 - ii. The design and appearance of all buildings and equipment to be installed within the site including their external material and colour finish.
 - iii. The design and appearance of all acoustic fencing, means of enclosure and gates including their material and colour finishReason: Further details are require to achieve a satisfactory form of development which respects the character and amenity of the rural area.
3. No development shall commence until a scheme of phasing has been submitted to agreed in writing by the Planning Authority. This shall include a programme for completion of the main elements within the development including the siting of the battery storage equipment, ancillary infrastructure, the construction access and the maintenance access. Once approved, the development shall then be carried out in accordance with the approve scheme.
Reason: To ensure that the development of the estate proceeds in an orderly manner.
4. No development shall commence until a scheme of landscaping works, which has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include;
 - i. Existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. Indication of existing trees and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration and thereafter no trees or hedges shall be removed without the prior consent of the Planning Authority.
 - iii. Location of new trees, shrubs and hedges, which includes extending the landscaping around the northern boundary of the site and landscaping at the reinstated roadside verge following closure of the construction access.
 - iv. Schedule of plants to comprise species, plant sizes and proposed numbers/density
 - v. Programme for completion and subsequent maintenance.Reason: To ensure the satisfactory form, layout and assimilation of the development.
5. No development shall commence until precise details of the access upgrades are submitted to and agreed in writing with the Planning Authority, the details shall include;
 - i. Visibility splays of 2m x 215m in either direction at the junction with the A697.
 - ii. Specification of the surfacing and kerbing of the new access between the carriageway of the public road and site gates.

iii. The laying of a white edge line in accordance with diagram 1010 of the Traffic Signs Regulations and General Directions 2016 across the new access with the carriageway of the public road.

Thereafter the development should be completed in accordance with the agreed details and retained in perpetuity thereafter, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the access is formed to an appropriate standard which conforms to road traffic regulations and protects the integrity of the public road.

6. Within 2 weeks of the development hereby approved being brought into use the construction vehicular access shall be permanently closed off in accordance with the details shown on the approved drawing (drawing no. ECB02). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order amending, revoking or re-enacting that Order, the existing access shall not subsequently be reopened and no new access, other than that approved under this planning permission, shall be formed, laid out or constructed under the terms of Class 8 of Schedule 1 to that Order without an express grant of planning permission from the Planning Authority.

Reason: To ensure that the development is carried out as proposed and to minimise the number of accesses into the development, in the interests of road safety.

7. No development shall commence until the detailed drainage design which complies with SUDs principles has first been submitted to, then approved in writing by the Planning Authority. Thereafter the agreed details shall be fully implemented prior to the site becoming operational, unless otherwise agreed in writing.

Reason: To ensure the site is adequately drained and does not increase the likelihood of flooding within and beyond the site

8. No development shall commence until a scheme of decommissioning and restoration of the site including aftercare measures has been submitted for the written approval of the Planning Authority. The scheme shall set out the means of reinstating the site to agricultural use following the removal of the components of the development. The applicants shall obtain written confirmation from the Planning Authority that all decommissioning has been completed in accordance with the approved scheme and the scheme shall be implemented within 12 months of the final date electricity is exported from the site.

Reason: In to ensure that the site is satisfactorily restored following the end of the operational life of the development in the interests of the amenity of the area.

9. No development shall commence until full details of the proposed lighting for the development and an impact assessment of obtrusive light from the development have been submitted to and approved in writing by the Planning Authority. All lighting shall be provided and thereafter retained in accordance with the approved scheme.

Reason: In order to minimise the amount of obtrusive lighting from the development in the interests of the residential and visual amenity of the surrounding area.

10. Noise levels emitted by any plant and machinery used on the premises should not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR30 at all other times when measured within any noise sensitive dwelling (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: In order to protect the residential amenity of nearby properties.

11. No works in connection with the development hereby approved shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Species Protection Plan for breeding birds.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
12. No development shall commence until a proportionate Biodiversity Enhancement Plan has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Biodiversity Enhancement Plan.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
13. No development shall commence until a detailed Traffic Management Plan has first been submitted to and approved in writing by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved plan.
Reason: In the interests of road safety.

Informatives

With reference to Condition 5 it is recommended that:

1. Specification for access surfacing: 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.
2. Junction radius to be kerbed using 125mm by 255mm 45 degree splay kerbs.
3. It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

Note: Condition 13 added at the request of RPS Officer and Condition 1 amended to 5 years at the request of the applicant.

Reference
22/01993/FUL

Nature of Development
Erection of dwellinghouse

Location
Land Adjacent Rose
Cottage, Maxwell Street,
Innerleithen

DECISION: Refused contrary to officer recommendation for the following reasons:

The proposals are contrary to Policies PMD2 and PMD5 of the Scottish Borders Local Development Plan 2016 in that the site is not allocated for housing, the scale and density of the proposals are not appropriate for this site, and the erection of a house would result in inappropriate infill development. The proposals are also contrary to Policies EP9 and EP11 of the Scottish Borders Local Development Plan 2016 and Policy 7 of National Planning Framework 4 in that the erection of a house on this site will result in the loss of an area of green space and will not enhance the character of the conservation area.

NOTES

1. Mr Russell Blackhall, participating via Microsoft Teams, spoke against the application.
2. **Vote**
Councillor Scott, seconded by Councillor Moffat, moved that the application be approved as per officer recommendation.
Councillor Douglas, seconded by Councillor Orr, moved as an amendment that the application be refused on the grounds that the proposals are contrary to Policies PMD2 and PMD5 of the Scottish Borders Local Development Plan 2016 in that the site is not allocated for housing, the scale and density of the proposals are not appropriate for this site, and the erection of a house would result in inappropriate infill development; contrary to Policies EP9 and EP11 of the Scottish Borders Local Development Plan 2016 and Policy 7 of National Planning Framework 4 in that the erection of a house on this site will result in the loss of an area of green space and will not enhance the character of the conservation area.

On a show of hands, Members voted as follows:

Motion – 3 votes

Amendment – 5 votes

The application was accordingly refused.

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW
BODY held in the Council Chamber, Council
Headquarters, Newtown St Boswells on
Monday, 19 June 2023 at 10 a.m.

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

Apologies:- Councillors D. Moffat, E. Small.

In Attendance:- Chief Planning and Housing Officer, Principal Planning Officer (C. Miller), Solicitors (S. Thompson for para 1 and Fraser Rankine from para 2), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

MEMBERS

Having not been present when the following review was first considered, Councillors Mountford, Thomson and Scott left the meeting. Councillor Douglas chaired the meeting for the next item of business only.

1. CONTINUATION OF REVIEW 23/00001/RREF

- 1.1 With reference to paragraph 13 of the Minute of 17 April 2023, the Local Review Body continued their consideration of a request from Mr Richard Spray per John Handley Associates Ltd, 65A Leamington Terrace, Edinburgh EH10 4JT to review the decision to refuse the planning application for the Erection of a timber storage and processing facility with new access junction, yard area, landscaping, tree planting, SUDs and associated works and planning permission in principle for associated dwellinghouse with office for the timber processing facility on Land South West of West Loch Farmhouse, Peebles. The supporting papers included the comments from the Planning Officer, Ecology Officer and SBC Solicitor on the new information; written submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; further representations and Applicant response; additional information; consultation replies; objections and list of Policies. An accompanied site visit, to the applicant's existing timber storage and processing yard at Loanhead, Mid Lothian and also to the application site itself was undertaken on 22 May 2023.
- 1.2 The Review Body noted that the proposal was for the erection of a timber storage and processing facility. In considering the proposals, especially in relation to Policies ED7 and 29 and taking into account all submissions, the Review Body were of the opinion that, after balancing the processing and chipping elements against the use of the proposed site for timber storage and drying, any industrial process was a very small part of the overall development and that it predominantly involved forestry operations. Members noted the offer from the applicant to limit chipping to four days per month and the extent of timber storage on the site which would be left drying for lengthy periods without movement. The Review Body concluded that as the development was predominantly for forestry operations, it was more justifiable on a greenfield rather than brownfield site and that it was an appropriate development for a rural location, in compliance with the principle of Policy ED7.
- 1.3 The Review Body then considered specific criteria within Policy ED7, including noise and residential amenity which were also controlled by Policies HD3, 14 and 23. All submissions were considered in relation to noise impacts on nearby existing and proposed housing, including the offer by the applicant of a maximum 4 day limit of

chipping per month by condition, the location of the chipping and processing buildings to be furthest away from existing houses, the area of applicant ownership without any works proposed and, notwithstanding the proximity of West Loch Farmhouse, the degree of distance to the steading and other cottages that could be affected. Given all these factors, the Review Body were content that sufficient buffer existed to reduce the noise impacts of the development, which would be infrequent with regard to chipping noise. Members also noted the findings of the Noise Impact Assessment and were content that, with the full implementation of the mitigation in the Assessment secured by condition, the impacts of the development on residential amenity were reduced to acceptable levels and, thus, in compliance with Policies ED7, HD3, 14 and 23.

- 1.4 The Review Body then considered the issue of road safety under Policies PMD2 and ED7 and were in support of the Roads Officer's requirements for a scheme of road improvement, involving passing places on the public road. Subject to an appropriate condition securing the scheme for completion before the development became operational, the Review Body considered the proposal in compliance with Local Development Plan Policies PMD2 and ED7 in relation to access and road safety. There was discussion with regard to the applicant's offer to limit all timber received at the site to be sourced only from within the Scottish Borders and whilst Members understood the aims of such a restriction in relation to sustainability, reduced transport distances and to relate the facility to local product and were supportive of limiting the source of timber to the Scottish Borders, Members considered this to be a small and limited area and agreed to a condition which also included the Lothians as well as the Scottish Borders, subject to a condition securing an enforceable verification and monitoring scheme.
- 1.5 The Review Body then considered the planning permission in principle element of the application and the proposal for a dwellinghouse and office in the south-western corner of the site. The Review Body accepted the applicant's case for requiring residential and office accommodation on the site, noting that the applicant would accept conditions securing an occupancy link with the business and no commencement of the dwellinghouse/office until the timber storage and processing development was complete and operational. Subject to appropriate conditions, Members considered the site to be justified provision of accommodation on site for a worker in the adjoining business, complying with Clause F of Policy HD2, NPF4 Policy 17 and the Housing in the Countryside SPG.

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 further procedure;**
- (c) the development was an appropriate rural location for a facility which was predominantly a forestry operation and that the residential and environmental impacts could be addressed by appropriate planning conditions. The dwellinghouse/office was also considered to be justified, provided occupancy was tied to the business and commenced after the business opened; and**
- (d) the officer's decision to refuse the application be overturned and the application approved for the reasons detailed in Appendix I to this Minute, subject to conditions and a legal agreement.**

MEMBERS

Councillors Mountford, Thomson and Scott returned to the meeting.

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. REVIEW OF 23/00012/RREF

- 2.1 There had been circulated copies of a request from Mr Ian Swann, per MAKAR Ltd, Clachandreggy, Dores Road, Torbreck, Inverness to review the planning application in respect of the erection of dwellinghouse on Land West of the Old Barn, Westwater, West Linton. The supporting papers included the written submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); Additional Information and Consultation Replies.
- 2.2 The Planning Advisor drew attention to new evidence submitted with the Notice of Review documentation in the form of a comparative section with nearby property; a plan of the building group; detailed Landscape proposal; Privacy Diagram and responses from the SBC Tree Officer and a Tree Consultant which had been submitted with the review but which had not been before the Appointed Planning 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. It was therefore agreed that there was a need for further procedure in the form of written submissions to afford the Planning Officer and anyone he wished to consult with, the opportunity of assessing this new evidence and submitting their views.

DECISION

AGREED:-

- (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 revised plans 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 be not 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;**
- (e) consideration of the review be continued to a future meeting on a date to be confirmed.**

DECLARATION OF INTEREST

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

3. REVIEW OF 23/00009/RREF

- 3.1 There had been circulated copies of a request from Mrs Jane Prady, per WT Architecture, 4-6 Gote Lane, South Queensferry, Edinburgh EH30 9PS to review the planning application in respect of alterations and extension to dwellinghouse at Ratchill Farmhouse, Broughton. The supporting papers included the written submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officers report; Additional Information and Consultation Replies.
- 3.2 The Members noted that the site lay outwith the settlement boundary of Broughton, located within a grouping of traditional buildings in a secluded and mature landscape

setting. The cottage lay to the west of the grouping and was of a modest single storey nature. The proposal was a large contemporary extension to the existing cottage, however following discussion, the majority were of the opinion that the extension was appropriate in scale, height and form when considered in the context of the group of buildings as a whole and not solely as an addition to the existing cottage.

VOTE

Councillor Mountford, seconded by Councillor Richards, moved that the officer's decision be overturned and the application approved.

Councillor Cox, seconded by Councillor Scott moved as an amendment that the officer's decision be upheld and the application approved.

On a show of hands Members voted as follows:-

Motion - 4 votes

Amendment - 2 votes

The Motion was accordingly carried.

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 further procedure;**
- (c) that the development was consistent with Policies PMD2 and HD3 of the Local Development Plan and Policies 14 and 16 of National Planning Framework 4 and that there were no other material considerations that would justify departure from the Development Plan; and**
- (d) the Officers decision to refuse the application be overturned and the planning permission granted, subject to conditions, for the reasons detailed in Appendix II to this Minute.**

4. CONSIDER REVIEW OF 23/00010/RREF

4.1 There had been circulated copies of a request from Mr I Maxwell, c/o RM Architecture, Tintent, Rachan, Broughton to review the decision to refuse the planning application in respect of the modification of condition No.1 of planning permission 15/01355/FUL to allow the holiday chalet to be occupied as dwellinghouse. The supporting papers included the written submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; Additional Information; Support comments; consultation Replies and Objections.

4.2 The Review Body noted that this was a section 42 application for the deletion of condition 1 of planning permission 15/01355/FUL to allow the holiday chalet built on land at the disused railway line at Rachan, Broughton to be occupied as a dwellinghouse. Members considered whether there was a building group in the vicinity of the site under Clause A of Policy HD2 and were satisfied there was a dispersed building group at Rachan, which was characterised by the sense of place created by the Tomb Plantation, the former sawmill site, the pond and the existing estate dwellings. In considering the suitability of adding to this group, they did not accept that the site, formed part of this wider dispersed group or would be within its identifiable limits. Whilst acknowledging the points raised by the applicant that the site was part of the sense of place at the group, Members exercised their reasonable and proportionate planning judgement and gave weight to the

interpretation of the nature of the building group and disagreed. As the tourism use of the building had never commenced, the viability of the business had not been tested and whilst noting the health condition of the applicant, the members did not consider that this prevented operation of the business as set out in the applicant's original business plan, or indeed, by other parties on his behalf.

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 further procedure;**
- (c) after considering all relevant information, 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 for the reasons stated above; and**
- (d) the Officers decision to refuse the application be upheld and the planning permission refused, for the reasons detailed in Appendix III to this Minute.**

5. REVIEW OF 23/00011/RREF

- 5.1 There had been circulated copies of a request from Alistair Hodgson, per Camerons Strachan Yuill Architects, 9 West Street, Berwick-Upon-Tweed to review the decision to refuse the planning application in respect of the installation of photo voltaic array to roof at Scott House, Douglas Square, Newcastleton. The supporting papers included the Notice of Review; papers referred to in the Officer's Report and Consultation Replies.
- 5.2 Members noted that the property was within Newcastleton Conservation Area but was not a listed building. It was further noted that the photo voltaic panels were proposed on the south facing roof slope of the terraced property which was located within Douglas Square. The Review Body understood that Policies PMD2, EP9 and 7 required an alteration appropriate to the existing building, compatible with the character of its surroundings and preserving the special architectural character and appearance of the Conservation Area. However, Members also noted strong support for domestic renewable energy schemes at a national level which was reflected in Local Development Plan Policy ED9 and Policy 11. Members considered whether there were less visible alternatives for the panels but also accepted that, as required by Policy 7, the applicant was providing mitigation in the form of in-roof flush-fitting photo voltaic panels. This was considered an innovative method of fitting panels of lower visual impact and intrusion, minimising the impact on the Conservation Area

VOTE

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

Councillor Thomson, seconded by Councillor Cox moved as an amendment that the officer's decision be overturned and the application approved.

On a show of hands Members voted as follows:-

Motion - 3 votes
Amendment - 4 votes

The Amendment was accordingly carried.

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 further procedure;**
- (c) that the development was consistent with the relevant policies of the Local Development Plan and Supplementary Planning Guidance and there were no other material considerations that would justify departure from the Development Plan; and**
- (d) the Officers decision to refuse the application be overturned and the planning permission granted subject to conditions, for the reasons detailed in Appendix IV to this Minute.**

The meeting concluded at 12.50 p.m.

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SCOTTISH BORDERS COUNCIL WILLIAM HILL TRUST SUB-COMMITTEE

MINUTES of Meeting of the WILLIAM HILL TRUST SUB-COMMITTEE held via Microsoft Teams on Tuesday, 20 June 2023 at 1.30 pm

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

In Attendance:- Acting Chief Financial Officer, Managing Solicitor (C. Donald), and Democratic Services Officer (W. Mohieddeen).

1. **MINUTE**

There had been circulated copied of the Minute of the Meeting held on 21 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023**

There had been circulated copies of a report by Acting Chief Financial Officer that provided the details of the income and expenditure for the William Hill Trust Fund for the year 2022-23 including balance sheet values as at 31 March 2023, 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 2022-23 which showed a surplus of £9,529 for the year. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2023 which showed a decrease in reserves of £12,648. Appendix 3 of the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2023. The Acting Chief Financial Officer presented the report and answered Members' questions.

DECISION

NOTED:

- (a) **the actual income and expenditure for 2022-23 in Appendix 1 of the report;**
- (b) **the projected income and expenditure for 2023-24 in Appendix 1 of the report;**
- (c) **the final balance sheet value as at 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2 of the report; and,**
- (d) **the current position of the Aegon Asset Management Investment Fund in Appendix 3.**

3. **APPLICATION FOR FINANCIAL ASSISTANCE - MELROSE AND DISTRICT COMMUNITY COUNCIL**

There had been circulated copies of an application for financial assistance of £430 from Melrose and District Community Council to cover the two year standing charge of the electrical supply in the Square in Melrose. Members discussed the application and were in favour of approving the application.

DECISION

AGREED to grant Melrose and District Community Council an award of £430.

The meeting concluded at 1.40 pm.

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SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held in via Microsoft Teams on Tuesday, 20
June 2023 at 2.00 pm

Present:- Councillors D. Parker (Chair), J. Linehan, J. PatonDay and Mr A. Smith
(Lauderdale CC)

In Attendance:- Acting Chief Financial Officer, Estates Surveyor (J. Stewart), Solicitor (G.
Sellar), Graduate Trainee Surveyor (A. Watson) and Democratic Services
Officer (W. Mohieddeen).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 21 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023**

There had been circulated copies of a report by Acting Chief Financial Officer that provided the details of the income and expenditure for the Lauder Common Good Fund for the year 2022-23 including balance sheet values as at 31 March 2023, a full year projected out-turn for 2023-24 and projected balance sheet values as at 31 March 2024. Appendix 1 of the report provided the actual income and expenditure position for 2022-23 which showed a deficit of £18,154 for the year, which was better than the surplus figure reported at the 21 February 2023 meeting, as a result of an increase in income due to the sale of carbon units. Appendix 2 of the report provided an actual balance sheet value as at 31 March 2023 which showed a decrease in reserves of £121,195. Appendix 3a of the report provided a breakdown of the property portfolio which showed actual rental income and net return for 2022-23. Appendix 3b of the report provided a breakdown of the property portfolio which showed actual property expenditure for 2022-23. Appendix 4 of the report provided a breakdown of the property portfolio which showed actual property valuations at 31 March 2023. Appendix 5 of the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2023. The Acting Chief Financial Officer presented the report and answered Members' questions and clarified that the cash balance sheet for the year was in a deficit. Previously invested funding may need to be drawn to fulfil expenditure requirement detailed in the report for 2023-24. A budget of £10,500 had been set for grant awards which may also be reduced.

DECISION

(a) **NOTED**

(i) **the actual income and expenditure for 2022-23 in Appendix 1;**

(ii) **the final balance sheet value as at 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2;**

(iii) **the summary of the property portfolio in Appendices 3 and 4;**

(iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5;

(b) AGREED the projected income and expenditure for 2023/24 in Appendix 1 as the revised budget for 2023-24.

3. **APPLICATION FOR FINANCIAL ASSISTANCE - LAUDERDALE YOUTH FOOTBALL CLUB**

There had been circulated copies of an application from Lauderdale Youth Football Club for £10,000 to part-fund upgrades to the match pitch and training pitches used by the club, and to extend the club rooms to develop a community hub. While sympathetic to the aims of the project, Members raised concerns about ability of the funding position of the Common Good Fund to support the project at its current fundraising position. It was noted that the project had raised £7,000 of a projected £62,000 total cost and that the Common Good may be in a better position to assess an application to fund the project after further fundraising had taken place and other funding options were exhausted. The Estates Surveyor advised that if any development included an extension of the pavilion may require a community consultation should it extend beyond the designated area. Members agreed that further information on the project should be submitted along with evidence of further fundraising. Should further funds be required, the Sub-Committee would welcome a fresh application with detailed information on the project at a later date. The club were recommended to make contact with the Community Engagement team for support in exploring other funding sources.

DECISION

AGREED:

(a) Not to approve funding as requested in the application;

(b) To advise that the Sub-Committee were sympathetic to the application however further fundraising should be sought by the applicant and if outstanding funds were required then the Sub-Committee would welcome a fresh application along with evidence of fundraising and detailed information on the activities of the project; and,

(c) To recommend that the applicant contact Community Engagement to explore further funding options.

4. **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.

5. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 31 March 2023.

6. **GENERAL PROPERTY UPDATE**

Members considered an update on Common Good Property by Estates Surveyor.

The meeting concluded at 2.27 pm.

SCOTTISH BORDERS COUNCIL

MELROSE COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the MELROSE
COMMON GOOD FUND SUB-COMMITTEE
held by Microsoft Teams on Tuesday, 20
June 2023 at 3.30 p.m.

Present:- Councillors J. Linehan (Chairman), D. Parker and J. PatonDay,
In Attendance:- Director – Finance and Procurement, Community Services Managing
Solicitor, Democratic Services Officer (D. Hall),

1. **MINUTE**

The Minute of the Meeting of the Melrose Common Good Fund Sub-Committee held on 8 September 2022 had been circulated.

DECISION

APPROVED for signature by the Chairman.

2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023 AND PROPOSED BUDGET FOR FINANCIAL YEAR 2023/24**

There had been circulated copies of a report which provided the details of the income and expenditure for the Melrose Common Good Fund for the year 2022/23 including balance sheet values as at 31 March 2023 and proposed budget for 2023/24. Appendix 1 to the report provided the actual income and expenditure for 2022/23. That showed a surplus of £845 for the year, which was better than the projected surplus as a result of 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 2023. It showed an increase in the reserves of £9,885. Appendix 3 to the report provided a breakdown of the property portfolio showing actual property valuations at 31 March 2023, and Appendix 4 to the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2023. The newly appointed Director – Finance and Procurement, Mrs Suzy Douglas, presented the report and responded to Members questions. In response to a question regarding whether it would be possible to amalgamate the William Hill Trust and the Melrose Common Good, the Director undertook to investigate and respond. It was expected that the Common Good was required to exist by law, however simplified arrangements for grants would be explored. The Director confirmed that it would be prudent to invest any cash balance into investments if no grants or other expenditure was expected in the financial year.

DECISION

AGREED to: -

- (a) **note the projected income and expenditure for 2022/23 in Appendix 1 to the report;**
- (b) **the proposed budget for 2023/24 as shown in Appendix 1 to the report;**
- (c) **to note the projected balance sheet value as at 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2 to the report;**
- (d) **to note the summary of the property portfolio in Appendix 3 to the report; and**
- (e) **to note the current position of the Aegon Asset Management Investment Fund in Appendix 4 to the report.**

SCOTTISH BORDERS COUNCIL PENSION FUND COMMITTEE AND PENSION BOARD

MINUTES of Meeting of the PENSION
FUND COMMITTEE AND PENSION
BOARD held via Microsoft Teams on
Tuesday, 22 June 2023 at 10.00am.

Present:- Councillors D. Parker (Chairman), P. Brown, C. Hamilton, W. McAteer, D. Moffat, S. Mountford, W. McAteer, J. Pirone, S. Scott, Mr D. Bell, Mr A. Daye, Mr M. Drysdale, Mr M. Everett, Ms K M Hughes and Ms K Robb.

Apologies:- Councillor D. Moffat,

In Attendance: Chief Executive, Director – Finance and Procurement, Chief Officer – Audit and Risk, HR Shared Services Manager, Democratic Services Officer (D. Hall).

Also in Attendance: Mr A Ross and Mr A Singh (Isio), Mr J Boyd and Ms S Harold (Audit Scotland)

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 21 March 2023.

DECISION

NOTED for signature by the Chairman.

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

There had been circulated copies of the Minutes of the Meetings of the Pension Fund Investment and Performance Sub-Committee held on 28 June 2022 and 27 February 2023.

DECISION

NOTED for signature by the Chairman.

2. **INTERNAL AUDIT ANNUAL ASSURANCE REPORT 2022/23 FOR THE SCOTTISH BORDERS COUNCIL PENSION FUND**

There had been circulated copies of a report by the Chief Officer – Audit and Risk which presented the Internal Audit Annual Assurance Report 2022/23, which included the Chief Officer Audit & Risk's independent assurance opinion on the adequacy of the Scottish Borders Council Pension Fund's overall control environment. The Public Sector Internal Audit Standards (PSIAS) required that the Chief Officer Audit & 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. To meet the requirements of the PSIAS the Scottish Borders Council Pension Fund Internal Audit Annual Assurance Report 2022/23 included the required Internal Audit annual opinion, provided details of the Internal Audit activity during the year to support the opinion, and stated the conformance of the Council's Internal Audit service with the PSIAS. The Chief Officer Audit & Risk's opinion was that there were generally sound systems of governance, risk management and internal control operating within the Scottish Borders Council Pension Fund during 2022/23. Some areas for improvement were identified. The Internal Audit independent assurance opinion had been incorporated in the Pension Fund's Annual Governance Statement within the Annual Report and Accounts for the year to 31 March 2023. The Chief Officer – Audit and Risk, Ms Jill Stacey, presented

the report. Members welcomed the report and highlighted that it was positive to note that governance arrangements in place were adequate.

DECISION

AGREED to acknowledge the independent assurance provided on internal controls and governance arrangements as set out in the Internal Audit Annual Assurance Report 2022/23 for the Scottish Borders Council Pension Fund.

3. GOVERNANCE POLICY AND COMPLIANCE STATEMENT 2023

With reference to paragraph 4 of the Minute of the meeting held on 29 June 2022, there had been circulated copies of a report by the Acting Chief Financial Officer which proposed the revised Governance Policy and Compliance Statement for the Scottish Borders Council Pension Fund (the Pension Fund) following implementation of the 2015 regulatory changes. The report also requested approval of the Governance Compliance Statement for inclusion in the Pension Fund's Annual Report and Accounts 2022/23. Appendix 1 to the report contained the revised Governance Policy and Compliance Statement for the Pension Fund 2023. The Governance Compliance Statement for 2022/23 was included in Annex to the policy and demonstrated that the Pension Fund was in full compliance with published best practice guidance. Mrs Suzy Douglas, who had been the Acting Chief Financial Officer at the time of publication of the agenda, had been appointed as the Director - Finance and Procurement presented the report and explained that only minor amendments had been made to the statement. In response to a question regarding the lack of reference in the Policy to training requirements, and whether they had been met, Mrs Douglas explained that a training session in May had covered a lot of the requirements and undertook to report back to the Committee at a future date. It was highlighted that Members were required to attend two training sessions per annum.

DECISION

AGREED to approve the revised Governance Policy and Compliance Statement 2023 for inclusion in the Pension Fund Annual Report and Accounts 2022/23.

4. PENSIONS ADMINISTRATION PERFORMANCE 2022/23

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 2022/23 and requested the Committee's approval of its inclusion in the Annual Report for the Fund. Appendix 1 to the report contained the Pensions Administration Performance for 2022/23 as it would be included in the Fund's Annual Report and Accounts. During 2022/23 all payments, lump sums and monthly pension, 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 homework for the majority of the year. The team also had turnover with two members of the team being replaced during the year. The Annual Benefit Statements for all deferred members were issued in advance of the 31 August deadline in all instances and made available via Members Self Service for all active members. The annual Employer Liaison Meeting was again held as a virtual meeting in March with the hybrid working arrangements that were in place for the majority of the Fund employers. The event was well attended with representatives from the majority of the Fund Employers. Updates were provided on Administration and the requirements for the year end reporting. Due to the hybrid working position, with staff working predominantly from home, no payslips had been issued to pensioners, however online access had been promoted, this along with information on the application of the Pensions Increase had been published on the Pension Fund Website. The annual P60's had been issued in

accordance with the statutory timelines. Members welcomed the report and thanked the Team for their dedicated work.

DECISION

AGREED to note the Pension Administration Performance for 2022/23 as set out in Appendix 1 to the report and approve its inclusion in the Pension Fund Annual Report and Accounts 2022/23.

5. PENSION DASHBOARD AND DATA READINESS

With reference to paragraph 4 of the Minute of the meeting held on 12 September 2019 there had been circulated copies of a report by the Director – People, Performance and Change which sought approval to delegate the responsibility for the procurement of the Data Cleansing and Enrichment Service, Internet Service Provider (ISP) and Altair Mortality screening, as a supplement to the existing Pensions Administration System, for the Scottish Borders Council Pension Fund to the Director People Performance and Change. The report explained that in 2019 the Pension Fund agreed to the procurement and continued use of the Aquila Heywood (now known as Heywood Technologies) Pensions Administration System for a period of five years with the option to extend for a further five-year period on the approval of the Joint Committee and Board. All pension providers were going to need to connect to the Pensions Dashboard over time according to staging dates in legislation, the dates for this were currently unknown as there has been a delay announced and re-planning had not yet been shared. However, action needed to be taken for the Fund to be prepared for this on both a data and ISP provider selection. To take that forward it was proposed that action was taken using Heywood Technologies. Officers had been in discussion with Heywood Technologies over the pricing of additional services to support the data readiness and ongoing data management. The additional cost for the data services was £8,345 per annum with a one-off implementation fee of £1,697, with the annual fee being subject to indexation in line with the overall contract. That would allow the Fund to get its data up to date ahead of the go live of the Pension Dashboard which would improve the matching for those carrying out searches and avoid unnecessary additional work for the Fund in looking at partial matches. Additionally, it would address an action from the Clare Scott governance review to have a data improvement plan in place. With regard to the ISP implementation, the fees for that were £11,000 per annum with a one-off implementation fee of £10,000, with the annual fee being subject to indexation in line with the overall contract. Payment of those fees would not commence until such a time as the Fund was required to connect to the Dashboard. Heywood Technologies had developed a new Mortality screening module that directly connected to the Pensions Administration database and carried out checks for deaths, this covers active, deferred and pensioner members of the Fund. That would be used to supplement the Tell Us Once reporting method to add a further layer of control and mitigate risk of Tell Us Once not picking up on the passing of a scheme member. The fees for that were £2,000 per annum with a one-off implementation fee of £1,697, with the annual fee being subject to indexation in line with the overall contract. The HR Shared Services Manager, Mr Ian Angus presented the report and responded to Members questions. Regarding the dashboard, and how it relevant to the Fund, Mr Angus explained that under the relevant legislation the Fund was required to connect to the Department of Work and Pensions Pension Dashboard. That would enable pensioners to track and ultimately access all of the pots which they had funds in. The dashboard was part of a national initiative and would involve independent providers as well as local government pension schemes. In response to a question regarding plans to acquire updated information in instances where there was missing data, Mr Angus explained that the Fund was looking to use technology to fill in any gaps. Mr Angus undertook to investigate whether it would be possible to send out requests alongside Members Self-Service communications that

Members update their data where appropriate. Information would also be included on the Fund's website.

DECISION

AGREED to approve:

- (a) **the delegation of responsibility for the additional data cleansing and enrichment service along with the mortality screening to the Director People Performance and Change, with one off costs of £3,394 and annual fees of £10,345 for the duration of the contract subject to indexation on an annual basis for the support and maintenance; and**
- (b) **the delegation of responsibility for the Internet Service Provider connection to the Pensions Dashboard to the Director People Performance and Change, with one off costs of £10,000 and annual fees of £11,000 for the duration of the contract subject to indexation on an annual basis for the support and maintenance at the time we are required by legislation to connect.**

6. BUSINESS PLAN 2023/24 – 2025/26

There had been circulated copies of a report by the Acting Chief Financial Officer which presented the draft Pension Fund Business Plan 2023/24 – 2025/26 for approval. 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 2023/24 – 2025/26. The Business Plan 2023/24 – 2025/26 identified an Action Plan that would be delivered during the next three years to support the aims and objectives of the Fund. In response to a question regarding the review and implementation of the stewardship code recommendations, Mrs Douglas undertook to investigate whether the timeline stated in the plan was correct and update it if appropriate. Regarding the approval of the Training Policy and Training Programme for 2023/24, the Mrs Douglas undertook to assess the dates for reports related to the Programme and report back.

DECISION

AGREED to approve the Pension Fund Business Plan 2023/24 – 2025/26 as contained in Appendix 1 to the report.

7. RESPONSIBLE INVESTMENT MONITORING - PROJECT PLAN

There had been circulated copies of the Responsible Investment Monitoring Project Plan by Isio with the agenda. Mr Andrew Singh of Isio explained that the Plan had previously been circulated at meetings throughout the year. The Plan had been agreed in June 2022, and had laid out Environmental, Social and Governance (ESG) Workstreams. Mr Singh explained that the reports related to the current meeting, which related to Strategy and Risk Management, would be considered under Private Business. In response to a question regarding investment in ultra processed food producers, Mr Singh explained that investments in such an area were of growing concern due to the potential negative health impacts of their consumption. Whilst considerable focus had been given to the management of investments as they related to environmental factors in recent years, increased attention was being extended to other elements of ESG factors. It was acknowledged that if the Fund held a belief that investments should not be made in a certain area, then investments could be excluded in that sector.

DECISION

NOTED

8. **PENSION FUND BUDGET OUT-TURN TO 31 MARCH 2023**

There had been circulated copies of a report by the Acting Chief Financial Officer which provided a final out-turn position of the Pension Fund for 2022/23 and sought agreement for the budget for 2023/24. 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 17 March 2022 following the recommendations within the CIPFA accounting guidelines headings. The report was the final quarterly monitoring report of the approved budgets. Budgets for 2023/24 were included within the report for approval. The total expenditure to 31 March 2023 was £6.47m against a budget of £7.40m. That resulted in a budget underspend of £930k. 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 as they became due. Due to the maturing nature of the Fund and that requirement, the Fund had included within its investment strategy, the requirement for income generating assets. The graph in the report showed the Fund had been able to fully meet its cashflow requirements. In response to a question regarding the appointment of a Pensions Manager, Mrs Douglas explained that there were plans in place for recruitment, but the position had not yet been advertised. Isio had provided excellent support as an interim measure. In response to a question regarding the expected timescale for recruitment, Mrs Douglas outlined that due to the nature of the position a 3-month notice period for any successful applicant was often standard, on-boarding would take time and acknowledged that sufficiently qualified applicants were not common.

DECISION

AGREED:-

- (a) to note the actual expenditure to 31 March 2023;
- (b) to note the cash flow position; and
- (c) the proposed budget for 2023/24.

9. **INFORMATION UPDATE**

There had been circulated copies of a briefing note by the Acting Chief Financial Officer which provided 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. The HR Shared Services Manager confirmed that Hymans Robertson had confirmed that there were no changes to the draft Section 13 report, and that the Pension Fund had received no amber or red flags. The annual Overseas Life Certificate checks had been undertaken, with 42 issued and 22 returned. Certificates which were not returned would lead to the suspension of payments until the issue was resolved. In response to a question regarding whether pensioners were asked to return paperwork more than once before suspension, Mr Angus confirmed that a final reminder would be sent one week before the deadline date. Continual reminders were sent out as part of the process. Mr Angus confirmed that correspondence on the life checks were undertaken via email and explained that issues returning the certificates generally stemmed from pensioners getting access to appropriate Officials overseas. Mrs Douglas confirmed that work was underway on the refresh of the Pension Fund risk Register, supported by the Council's Chief Officer – Audit and Risk and Corporate Risk Officer, following the recommendations of the External Advisor, Clare Scott. Regarding the Stewardship Code, it was essential that the Fund take forward a number of future actions to sustain the accreditation. An independent consultant, Pat Tomlin, had been engaged to carry out project planning and develop an action plan to address identified

priorities. Scheme Advisory Bulletins had been circulated with the agenda. Further training opportunities would be assessed as they arose, and they would be brought to the attention of Committee and Board Members. Mrs Douglas confirmed that a training matrix would be put in place following earlier discussions.

**DECISION
NOTED**

10. **DRAFT ANNUAL REPORT AND ACCOUNTS 2022/23**

There had been circulated copies of a report by the Acting Chief Financial Officer which provided an opportunity to scrutinise and approve the draft Annual Report and accounts for the Pension Fund for 2022/23 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 were contained in the report. The draft Report and accounts contained in Appendix 1 to the report fully met those 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 2022/23 (the Annual Report) prior to External Audit Inspection by the statutory deadline of 30 June 2023. The draft Report and accounts were still subject to statutory Audit, which would commence in July 2023. Following the statutory Audit process the final Report and accounts would be submitted to the joint Committee and Board to review and of recommendation for approval. The Director presented the report and highlighted that the Fund had continued to strengthen its Governance and Stewardship over the past year. Key targets for the year had been met by the Pension Team. In response to a question regarding the risk register, Mrs Douglas explained that a Risk Register Review had been agreed at the March meeting, as it had been determined that 51 risks were too many to monitor. Regarding whether the Committee and Board had met the training requirements, Mrs Douglas undertook to ensure that adequate training was being provided in line with the requirements.

**DECISION
AGREED:-**

- (a) to note the Draft Annual Report and Accounts 2022/23; and
- (b) to approve their submission for review by the External Auditors, Audit Scotland.

11. **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

12. **MINUTE**

The Committee considered the Private Minute of the Meeting held on 21 March 2023.

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

The Committee considered the Private Minutes of the Meetings of the Pension Fund Investment and Performance Sub-Committee held on 28 June 2022 and 27 February 2023.

14. **INVESTMENT PERFORMANCE QUARTER TO 31 MARCH 2023**
The Committee noted the Quarter 4 Investment Performance report by Isio.
15. **QUINBROOK RENEWABLES IMPACT FUND**
The Committee considered and approved a report by Isio.
16. **ESG IMPACT ASSESSMENT – 6 MONTH PROGRESS REPORT**
The Committee noted a report by Isio.
17. **TCFD – STRATEGY AND RISK MANAGEMENT**
The Committee approved a report by Isio.

The meeting concluded at 12.15 pm.

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SCOTTISH BORDERS COUNCIL PENSION BOARD

MINUTE of Meeting of the PENSION BOARD
held Via Microsoft Teams on Thursday, 22
June 2023 at 12.15 p.m.

Present:- Councillor J. Pirone (Chair), Mr. A. Daye, Mr. D. Bell (Vice-Chair), Mr. M. Drysdale, Mr. M Everett, and Ms K Robb.
Apologies:- Councillor Ms K M Hughes
In Attendance:- Chief Executive, Director – Finance and Procurement, HR Shared Services Manager, Democratic Services Officer (D. Hall)

1. APPOINTMENT OF CHAIR AND VICE-CHAIR

Councillor Pirone explained that in line with the Pension Board constitution the Chair and Vice-Chair of the Pension Board rotate on an annual basis between a Scheme Member Representative and a Scheme Employer Representative. Mr David Bell, the outgoing Vice-Chair, was appointed Chair and Chaired the meeting. Mr Bell thanked Councillor Pirone for her hard work during the preceding year.

DECISION

AGREED that Mr David Bell take over as Chair of the Pension Board and that Councillor Pirone take over as Vice-Chair of the Pension Board.

2. MINUTE

There had been circulated copies of the Minute of the meeting held on 21 March 2023.

DECISION

NOTED for signature by the Chair.

3. PENSION BOARD MEMBERSHIP

The Director – Finance and Procurement explained that there had been no confirmation of the vacancy left by the resignation of Ms Laura Steven as the representative of LiveBorders. It was hoped that an appointment would be made in due course.

DECISION

NOTED the current composition of the Pension Board.

4. JOINT MEETING OF PENSION COMMITTEE AND PENSION BOARD

The Chair invited members of the Board to raise any issues which had arisen from the Joint meeting of the Pension Fund and Board. In response to a request that Isio produced reports include a covering report similar to Scottish Borders Council reports, the Chief Executive undertook to assess whether that would be possible for future meetings. It was hoped that the inclusion of a covering report would ensure that attendees were clear on what decision they were being asked to make. Regarding the appointment of Pat Tomlin to carry out work related to the Pension Fund, and the timeline for her work, the Director – Finance and Procurement, explained that Ms Tomlin would carry out a desk-based review to assess the scope of work required before meeting with Council officers to discuss the scope and timelines involved. The Chief Executive highlighted that it was expected that Ms Tomlin would be able to assist with the work related to the Stewardship Code resubmission. It was hoped that report could be brought to the joint Pension Fund and Board in September. In

response to a question regarding the delays to the Pension Dashboard, the HR Shared Services Manager, Mr Ian Angus, explained that the Department of Work and Pensions had made the decision to delay the project. All Local Government Pension Schemes were in a similar position awaiting detailed timelines. The Chief Executive outlined that Quinbrook Investments were investing in areas which were very complementary to the way the UK power network was developing, and that their mandate would sit well within the Pension Fund's ESG aspirations.

DECISION

AGREED that there were no issues to raise.

5. **CHAIRMAN**

The Chairman and attendees extended their congratulations to Mrs Douglas on her recent appointment as the Director – Finance and Procurement and wished her well with her future work. It was a positive to see a long-serving Council employee rise to a position of senior leadership.

6. **DATE OF NEXT MEETING**

The date of the next Meeting of the Pension Board was set for 14 September 2023 following the joint meeting of the Pension Fund and Board.

The meeting concluded at 12.30 p.m.

MINUTE of Meeting of the EILDON AREA
PARTNERSHIP held remotely by Microsoft
Teams on Thursday, 22 June 2023 at 6.00
pm

Present:- Councillors E. Thornton-Nicol (Chair), C. Cochrane, L. Douglas, E. Jardine, D. Parker, J. Paton Day and H. Steel together with 10 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillors J. Linehan, N. Mackinnon and F. Sinclair.

In Attendance:- Community Co-ordinator, Community Engagement Officer (E. Coltman), Democratic Services Officer (D. Hall)

1. **WELCOME**

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.

2. **ADDITIONAL INFORMATION DOCUMENT**

There had been circulated copies of an additional information document with the agenda.

3. **FEEDBACK AND EVALUATION FROM MEETING OF 23 MARCH 2023**

The Minute of the meeting of the Eildon Area Partnership held on 23 March 2023 had been circulated and was noted.

3. **SCOTTISH BORDERS CLIMATE CHANGE ACTION NETWORK UPDATE**

The Chair welcomed Ms Louise Cox of Scottish Borders Council to meeting to provide an update on the Scottish Borders Climate Change Action Network. Ms Cox explained that work on climate change had been reviewed over the preceding years and that it had become clear that one of the elements lacking across the region when it came to climate change action was peer support and collaboration. It was hoped that by establishing an umbrella organisation a joined-up approach could be established across the region that would help interested parties and groups link up and get support. The Southern Uplands Partnership was already an established Group supporting communities, and it had been decided that setting up a new organisation would not be necessary. An application was expected to be submitted to the Scottish Government for support in the near future, which would allow the creation of dedicated posts to help undertake key work. It was expected that agreement for the Southern Uplands Partnership to host potential staff would take time. Discussions with the Scottish Government on community led climate change action were ongoing. As part of phase 1, mapping and evaluating current capacity would take place, and it was hoped that engagement activities would be undertaken with local communities, in particular young people. In response to a question regarding the timescales involved, Ms Cox explained that there would be lead time for approval, and then recruitment. Attendees welcomed that work was ongoing behind the scenes in addition to the public facing elements and encouraged the good work to continue.

4. **COMMUNITY PLAN PRIORITIES CONSULTATION – NILE ISTEPHEN**

4.1 The Chair welcomed Mr Nile Istephen of Eildon Housing Association to provide a presentation on the refreshed Community Plan Priorities. Community planning was the process by which councils and other public bodies such as Health Boards and Police Scotland worked with local communities, businesses, and community groups to plan and

deliver better services and improve the lives of people who live in Scotland. Community Planning Partnerships was the name given to the group of organisations who deliver community planning. Initially the responsibility for leading CPPs sat with LAs. The Community Empowerment (Scotland) Act 2015 changed the responsibility to sit equally with five public sector bodies: LAs, NHS, Police Scotland, SFRS and Enterprise companies – in the Borders those lead partners were:

NHS Borders
Police Scotland
SBC
Scottish Fire & Rescue Service
South of Scotland Enterprise
Other partners include:
Borders College
Borders Community Action (Third Sector)
Health & Social Care Integration Joint Boards
Live Borders
Berwickshire Housing Association
Eildon Housing Association
Scottish Borders Community Councils' Network
Scottish Borders Housing Association
Waverley Housing

- 4.2 There was a CPP in each local authority area. It was further explained that under the Community Empowerment Act, Community Planning Partnerships were required to develop a ten-year Plan that set out the priorities for improving people's lives and reducing inequalities. A lot had changed over the last five years since the previous Community Plan was agreed in May 2018. There were new priorities, and it was important that the plan included those and like a lot of CPPs, there was an opportunity to completely review the plan to focus on what was most important for the area now. There would be a review of the new Plan at least twice in the next 10 years to ensure that it remained relevant. In putting together, the draft priorities for the new Plan, the data had been analysed to get an understanding of what was working well and what needed to be improved. The views of the public had been sought through other surveys and community-based meetings, including the Council's Community Conversations and 16 priority areas had been identified and arranged under the five themes; Economy, Skills, and Learning; Enjoying Good Health and Wellbeing; Good Place to Live, Grow Up and Enjoy a Full Life and Community Empowerment. Views were being sought on which priorities were the most important to those living in the Eildon Area Partnership and whether the themes were the right ones. The consultation was available online on SBC's website and available as a paper copy for those who would prefer to respond that way. The consultation would close on 16 July 2023. In response to a question regarding rural areas, Mr Istephan acknowledged that rural areas faced higher incidences of fuel poverty and stressed that digital connections were key to ensuring that people living in those areas were not disadvantaged. An effective public transport network would also be key to ensuring that people living in rural areas were not disadvantaged, and technology, through initiatives such as demand responsive transport, would be key in the future. Mr Istephan confirmed that the plan did not replace the Local Development Plan, which was focused on planning matters. The plan under discussion was focused on bringing partners together to approach broader issues and to co-ordinate action in a joined up and effective manner. Mr Harrow acknowledged that there were a considerable number of different plans under way, and that the plan under discussion was focused on avoiding duplication of work in very important sectors. The Chair encouraged attendees to fill out the consultation and ensure that their voices were heard.

5. **LOCAL HOUSING STRATEGY CONSULTATION PRESENTATION**

The Chair welcomed Ms Donna Bogdanovic to the meeting to provide a presentation on the Local Housing Strategy Consultation which was ongoing. Ms Bogdanovic explained

that the consultation on the Draft Local Housing Strategy 2023-28 was available online. The consultation was expected to conclude on 21 July 2023. It was stressed that this was the public's chance to express how they feel about housing in their area and to influence the provision of housing in future years. Ms Bogdanovic provided the link to the consultation and encouraged attendees to respond and to encourage others to complete the consultation. In response to a question regarding community buildings and spaces, Ms Bogdanovic explained that the Local Housing Strategy would be fed into the wider Local Development Plan and would form part of the wider picture of allowing communities to achieve their aspirations.

6. **EILDON AREA PARTNERSHIP ACTION TRACKER – UPDATE**

Mr Harrow explained that officers were keen to develop an action tracker that would be brought to future meetings of the Area Partnership. The action tracker would focus on ensuring that work was reported back to attendees following discussions and ensure that momentum was maintained in key areas. Members welcomed the idea.

7. **EILDON FUNDING TABLE 2023/24**

Copies of the Eildon Funding Table 2023/24 had been circulated with the agenda. The opening balance of the Neighbourhood Support Fund (NSF) had been £86k, and £1949 had been awarded since April 2023. Applications totalling £31.1k had been assessed and were awaiting decision. Mr Coltman explained that more detailed updates would be presented as awards were made and the year progressed.

8. **NEIGHBOURHOOD SUPPORT FUND**

8.1 There had been circulated copies of the Eildon Assessment Panel's recommendations as a supplement to the agenda. The Chair welcomed Ms Jenny Mushlin of the Eildon Assessment Panel to provide an overview of each of the recommendations.

8.2 **Melrose in Bloom**

Melrose in Bloom had applied for £5.75k to replace a wooden fence between the Boat Brae footpath and Melrose Bowling Club. The fence would follow the line of, and replace, an extant fence which had fallen into disrepair. The Assessment Panel had expressed concerns regarding a lack of clarity on land ownership and future maintenance obligations. Melrose in Bloom additionally had financial reserves. The Panel recommended not to fund the project as a result of those concerns. Members unanimously agreed not to fund the project.

8.3 **Live, Learn, Earn**

The application from Live, Learn, Earn was for £3.8k for a project which would support eight individuals over a twelve week period. The project would involve attendees undertaking one metal work session per week. The Panel were concerned at an overall lack of clarity with the application. It was not clear where the sessions would take place, quotations were not fully detailed and the breakdown of overall project costs had also been deemed vague. The Panel recommended not to fund the project. Members unanimously agreed not to fund the project.

8.4 **Hike and Bike Hub**

A £6.1k application from the Hike and Bike Hub had been received to cover ongoing rental costs for 9 months. The Eildon Area Partnership had previously approved funding for a project which provided affordable bike hire, servicing and maintenance as well as led cycles and guided walks. The Panel felt that the project had delivered positive outcomes in the area, and that the applicants had established strong partnership working with local community groups and businesses. It was highlighted that income generation by the Hike and Bike Hub had increased month and month, and the Panel felt that the funding applied for would the group to continue to move towards sustainability. The Panel had recommended that the application be approved in full. The Chair invited the applicants to address the meeting. Mrs Angela Crow thanked the Area Partnership for its support and

explained that she was happy to provide progress reports in the future. Members unanimously agreed to fund the project in full.

8.5 **Go Wild Scotland**

Go Wild Scotland had applied for £9,992.78 to support the ongoing employment of one full-time member of staff, paid at the national living wage for 6 months. The role would be to develop the group's community engagement activities at Mauldsheugh Wood in Selkirk; continue its work with local schools; expand its volunteering programme; develop nature-based activities; and develop a programme of ranger-led walks and wildlife tours in the region. The Panel were supportive of work which Go-Wild had undertaken to date and acknowledged the excellent work they had done at local schools. However, the Panel were concerned that Go-Wild had received a Neighbourhood Support Fund grant for staff costs in the previous year and felt that Go-Wild should seek other sourcing of funding to help meet their staffing costs. The Panel had recommended not to fund the application. The Chair welcomed Mr Gethin Chamberlain of Go-Wild to the meeting to discuss his application. In response to a request to play a video prepared by Go-Wild, the Chair explained that in the interests of fairness, and in line with standard orders, a late submission could not be accepted. Mr Chamberlain explained that Go-Wild had delivered an excellent outdoor nature education service, with particular focus on 6 local schools. In the region of 250 pupils had taken part in nature activities. Discussions had been held with a business expert, who believed Go-Wild could become self-funding based on sales and other factors. Mr Chamberlain explained that the funding applied for would allow Go-Wild to survive until it reached a more secure position and highlighted that they were a social enterprise, not run for profit. Following extensive discussions regarding whether it was appropriate to provide repeat funding to a single group, in particular for salary costs, consensus could not be reached on the application. Councillor Parker, seconded by Councillor Thornton-Nicol proposed that the recommendation of the Assessment Panel be upheld, and the application for funding be rejected. Councillor Jardine, seconded by Councillor Cochrane proposed that the recommendation of the Assessment Panel be overturned, and the application for funding be granted.

VOTE

Councillor Parker, seconded by Councillor Thornton-Nicol moved that the application for funding be denied.

Councillor Jardine, seconded by Councillor Cochrane moved as an amendment that the application for funding be approved.

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

Motion – 3 votes

Amendment – 4 votes

The amendment was accordingly carried, and the funding application for £9992.78 was approved.

8.6 **Galashiels Bowling Club**

Galashiels Bowling Club had applied for £10k to replace the existing felt covering on its pavilion roof. The Assessment Panel were unsure whether the Neighbourhood Support Fund was the most appropriate fund for the project and had recommended not to fund the application. Members unanimously agreed not to approve the application.

8.7 **Ettrick and Yarrow Community Development Company**

The application from Ettrick and Yarrow Community Development Company sought £10k for salary costs for a community forest ranger, so that the group could continue their work maintaining access and improving the Ettrick Marshes. The outdoor nature area at the

old Ettrick school would also be improved. The group was including 12 days of additional ranger help to assist jobs where two people were required. There was no vehicle access to the marshes, so all materials needed to be carried. The Panel felt that the application was similar to the application discussed at paragraph 8.5, and in the interests of consistency they had recommended not to fund. Members unanimously agreed not to fund the application.

8.8 **Lauder Larder**

Lauder Larder had applied for £5.4k of funding to help purchase a freezer, laptop, shelving, cookery books, and a years' worth of core products. The purchase of the freezer would allow the group to freeze food for its customers. The laptop would allow recipes to be typed up and printed. The Panel had recommended to approve the application in full. Members welcomed the project and encouraged the group not to purchase cookbooks given the availability of free recipes.

9. **NEXT AREA PARTNERSHIP – 7 September 2023**

Attendees agreed to hold the next meeting of the Eildon Area Partnership in person at Eildon Housing Associations Headquarters. It was expected that the meeting would be blended to allow digital and physical attendees to take part.

The meeting concluded at 7.50 p.m.

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SCOTTISH BORDERS COUNCIL KELSO COMMON GOOD SUB-SOMMITTEE

MINUTES of Meeting of the KELSO
COMMON GOOD SUB-COMMITTEE held
via Microsoft Teams on Tuesday, 27 June
2023 at 5.30 pm

- Present:- Councillors E. Robson (Chair), T. Weatherston, S. Mountford.
- Apologies:- Community Councillor Gavin Horsburgh.
- In Attendance:- Director of Finance and Procurement (Suzy Douglas), Solicitor (Lauren Mitchell), Democratic Services Officer (F Henderson).

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.

1. MINUTE AND ACTION TRACKER

- 1.1 There had been circulated copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 27 June 2023.

DECISION

AGREED to APPROVE the Minute for signature by the Chairman.

1.2 Action Tracker

The Action Tracker had been circulated. The Chairman advised that there was no update from the Woodland Trust and a longer term plan would require to be discussed prior to an update in September 2023.

- 1.3 In terms of the actions in respect of the Pinnaclehill Woodland, there had been circulated copies of a briefing note on work required at Pinnaclehill Woodland. Ballantyne Tree Services (on the BSC Works framework) had quoted for the following works at a cost of £600 + VAT:

- From the access next to Pinnaclehill Lodge, the trees on the mount are a mixture of semi-mature Douglas Fir, young Cherry, semi-mature Spruce and Sycamore. In the past, approximately 10 years ago, height was taken off a Fir.
Recommend: this time severing a 1m strip of ivy on the trees main stem, in particular those at the rear of 22/23 Pinnaclehill Park, when it dies back, reduce weight and sail affect within the trees crown.
- The trees in the Linn (burn running to the river) are a mixture of mature Beech and Sycamore. There was the odd dead Elm and stumps were noted on the opposite bank which was not work previously aware of
Recommend: sever ivy clearing 1m strip on mature trees adjacent the burn.
- Rear of 23 Pinnaclehill and top of steps, to the left just before the steps going down is a group of Hazel, four Sycamore and a Laurel. In the past these have been laterally reduced over the fence line. **Recommend:** Coppice hazel group, laterally reduce by 2m the Sycamore and Laurel.

- The bank behind 22 to 32 Pinnaclehill was particularly steep, and there were a number of 22m+ Beech, Lime and Sycamore. Storm Arwen caused the loss of a number of trees, most noticeable being a Beech which did have *Kreuzschumaria deusta* which affected the structural length of the main stem. The trees remain where they fell across the banking.

Recommend: ivy severance take place on all large trees, including those at the top of the bank. Also here, Maple and Lime may be pruned back and crown lifted 5 over the fenceline.

- The riverside footway between the two benches had a number of low growing Sycamore and Elm.

Recommend: crown raise to 4m over the footway.

- At the bottom of the second set of steps a mature Sycamore is leaning towards the river.

Recommend: severing ivy to reduce weight.

- Rear of 52 Pinnaclehill Park, the Horse Chestnut was pruned over 10 years ago now. That, along with Holly and Sycamore may be pruned back to clear fenceline.

Recommend: Lateral crown reduction to fend line at 5m.

DECISION

AGREED:-

- that Ballantyne Tree Services be instructed to carry out the work as detailed in the briefing note at a cost of £600 plus VAT as soon as possible;**
- that the Tree Officer assess any further work required in terms of safety and confirm that there were no other trees infected with *Kreuzschumaria deusta*;**
- that their thanks to the Tree Officer be recorded for arranging the work to be undertaken.**

2.0 FINANCIAL MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023

- 2.1 There had been circulated copies of a report by the Director of Finance and Procurement providing details of the income and expenditure for the Kelso Common Good Fund for the year 2022/23 including balance sheet values as at 31 March 2023, a full year projected out-turn for 2023/24 and projected balance sheet values as at 31 March 2024. Appendix 1 to the report provided the projected Income and Expenditure position for 2022/23, which showed a surplus of £11,820 for the year, which was higher than the surplus previously reported in January 2023. Director of Finance and Procurement advised that the projected surplus for 2023/24 was £8,880. Appendix 2 to the report provided an actual balance sheet value as at 31 March 2023 and showed a projected decrease in reserves of £101,288. Appendix 3(a) to the report provided a breakdown of the property portfolio showing rental income and net return for 2022/23, and actual property income to 31 December 2022. Appendix 3(b) provided a breakdown of the property portfolio showing projected property expenditure for 2022/23, and actual property expenditure to 31 March 2023. Appendix 4 provided a breakdown of the property portfolio showing actual property valuations at 31 March 2023. Appendix 5 detailed the value of the Aegon Asset Management Investment Fund to 31 March 2023. The Director of Finance and Procurement highlighted the main points in the report and answered Members' questions. In response to a question about capital valuations, the Director advised that the valuation had previously been undertaken in house, however it had been recognised that it was more important to have a valuation in March of each year and DMM Hall had undertaken the valuations, which had been very close to the internal valuations previously supplied.

DECISION

- (a) **AGREED** that the projected income and expenditure for 2023/24 detailed in Appendix 1 to the report as the revised budget for 2023/24;
- (b) **NOTED:-**
- (i) the actual income and expenditure for 2022/23 in Appendix 1;
 - (ii) the final balance sheet value as at 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2 to the report;
 - (iii) the summary of the property portfolio in Appendices 3 and 4 to the report; and
 - (iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.

URGENT BUSINESS

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chair 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 or to keep Members informed.

3.0 PINNACLEHILL PARK – ORCHARD PROJECT

There had been circulated copies of a request from Residents within Pinnaclehill Park to develop a small area of common good land currently designated as the 'play area'. Mrs Kirsty Robb, Resident presented the concept to the Members and explained that the land was a grassed area which was cut twice a year. There was no play equipment on the site, and there never had been any, with a path at one edge which gave access to the riverside walk as detailed in the map supplied. The purpose of the project was to turn the space into a community orchard with a strong emphasis on increasing the use of the space and the biodiversity of the site. The space would include benches to allow residents to meet and interact with each other.

- 3.1 All residents had been invited to attend an open meeting to discuss the proposed project and to gauge support or otherwise for the project. The meeting had been attended by 8 households and emails and notes of support had been received from a further 7 households. Possible plans and ideas had been discussed and some Volunteers to take the project forward were identified. The draft plans and information discussed with the Residents were submitted for information, including process and timing, benefits to the community, benefits to nature and the environment and funding. Following discussion the Sub-Committee agreed to support the project in principle, however prior to any further consideration and approval, the following actions required to be undertaken by the Residents:-

- Planning Permission sought
- Estimated costs be drawn together
- A formally constituted Group be established
- A bank account in the name of the constituted Group be opened established

DECISION

AGREED;-

- (a) that the Solicitor to the Kelso Common Good identify and confirm that the area of land in question was in the ownership of the Common

- (b) **that on confirmation that the area of land was in the ownership of the Common Good, the following steps be undertaken by the residents, and a lease of the land would be considered;**
- (c) **that the following actions be undertaken by the Residents**
- **Planning Permission sought**
 - **Estimated costs drawn together**
 - **A formally constituted Group be established**
 - **A bank account in the name of the constituted Group be opened**

The meeting concluded at 5.50 pm

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PEBBLES
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Tuesday, 27th
June, 2023 at 4.30 pm

- Present:- Councillors R. Tatler (Chair), M. Douglas, J. Pirone, E. Small and Community Councillor G. Ramsay
- Apologies:- Councillors D. Begg and V. Thomson
- In Attendance:- Acting Chief Corporate Governance Officer, Chief Financial Officer, Democratic Services Officer (L. Cuerden), Malcom Bruce (Peebles Christmas Lights Association)

1. PEBBLES CHRISTMAS LIGHTS ASSOCIATION

There had been circulated a funding application from the Peebles Christmas Lights Association. The Association had planned to purchase a replacement Christmas light display to be installed on the exterior wall of the Eastgate Theatre. The Association had recently been awarded £2,000 from the Neighbourhood Support Fund and had a funding shortfall of £5,500. An award of £3,000 was proposed which was agreed.

DECISION

AGREED to award £3,000 to Peebles Christmas Lights Association to part finance the purchase of a replacement lighting display.

2. ANY OTHER BUSINESS

There had been circulated a funding application from Frances Graham, secretary of Peebles Highland Games that requested £5,000 contribution to the cost of replacing the marquee used to stage the guests and competitors during the event each September. There followed a brief discussion on the possibility of other community groups being afforded the use of the marquee. Concern was expressed at liability if the marquee was to be damaged during or after such events. There was a suggestion that the Peebles Highland Games Committee consider charging other groups for the erection and removal of the marquee which would mitigate any damage by a third party. There was general agreement in principle to the proposal that the full amount be awarded with the proviso that other groups had the opportunity to hire the marquee, subject to adequate insurance cover.

DECISION

AGREED IN PRINCIPLE to award £5,000 to Peebles Highland Games for the purchase of a new marquee, on condition that other community groups were able to use it, subject to adequate insurance cover.

3. 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.

4. **PEEBLES RUGBY FOOTBALL CLUB**

Members were informed that the application was to be considered at the meeting of the Peebles Common Good Fund on 23 August 2023.

The meeting concluded at 5.05 pm

SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Monday, 3 July 2023 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott, E. Small, V. Thomson
In Attendance:- Lead Planning Officer (C. Miller), Lead Roads Planning Officer (D. Inglis), Senior Roads Planning Officer (A. Scott), , Solicitor (S. Thompson), Democratic Services Team Leader (L. McGeoch)

1. MINUTES

There had been circulated copies of the Minutes of the Meetings held on 5 and 15 June 2023.

DECISION

AGREED to approve the Minutes for signature by the Chairman.

2. APPLICATIONS

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

DECISION

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

3. APPEALS AND REVIEWS

There had been circulated copies of a briefing note by the Chief Planning and Housing Officer on appeals to Scottish Ministers and the Local Review Body.

DECISION

NOTED that:-

(a) Appeals had been received in respect of:-

(i) Installation of illuminated signage (retrospective), 35 Horsemarket, Kelso; and

(ii) Erection of a double garage, 32 Dunglass Road, Coldstream.

(b) Appeal decisions had been received in respect of:-

(i) Change of Use of an existing agricultural building to dwellinghouse, The Old Cow Shed, Lennel, Coldstream – Dismissed; and

(ii) Installation of insulated plasterboard system to walls, 68 High Street, Coldstream – Sustained.

(c) Review request had been received in respect of:-

- (i) Erection of dwellinghouse with access, landscaping and associated works, Land South and West of Greywalls, Gattonside;
 - (ii) Erection of dwellinghouse, Land Northeast of The Bungalow, Crosshill, Chirnside;
 - (iii) Demolition of stable and erection of dwellinghouse, Site Adjacent The Steading Whiteburn Farm, Lauder;
 - (iv) Erection of raised decking (retrospective), 33 Weensland Park, Hawick;
 - (v) Change of use of shop and alterations to form 2 no dwellinghouses, Shop, 22 - 24 South Street, Duns;
 - (vi) Erection of dwellinghouse, W Pearce and Sons St Ronan's Works, 2 Miller Street, Innerleithen; and
 - (vii) Erection of a dwellinghouse with access, landscaping, garden space, and associated works, Land West of Greywalls, Gattonside.
- (d) the following reviews had been determined as shown:-
- (i) Erection of timber storage and processing facility with new access junction, yard area, landscaping, tree planting, SUDs and associated works and planning permission in principle for associated dwellinghouse with office for the timber processing facility, Land South West of West Loch Farmhouse, Peebles - Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
 - (ii) Alteration and extension to dwellinghouse, Ratchill Farmhouse, Broughton - Decision of Appointed Officer Overturned (Subject to Conditions);
 - (iii) Modification of condition No.1 of planning permission 15/01355/FUL to allow the holiday chalet to be occupied as dwellinghouse, Land at Disused Railway Line Rachan, Broughton - Decision of Appointed Officer Upheld; and
 - (iv) Installation of photo voltaic array to roof, Scott House, Douglas Square, Newcastleton - Decision of Appointed Officer Overturned (Subject to Conditions)
- (e) Decision were still awaited in respect of Reviews for the following as at 22 June 2023:-

• Ravelaw Farm, Duns	• Land West of Greenburn Cottage, Auchencrow
• The Millers House Scotsmill Kailzie, Peebles	• Land South of Ebbastrand, Coldingham Sands, Coldingham
• Land West of The Old Barn Westwater, West Linton	• Paddock West of Hardens Hall, Duns
• 11 Tweed Avenue, Peebles	• Land North of Belses Cottage, Jedburgh
• 2 Rowan Court, Cavalry Park, Peebles	• Land South of 1 Kelso Road, Coldstream
• Church House, Raemartin Square, West Linton	• Land South of Greenbraehead Farmhouse, Greenbraehead, Hawick

<ul style="list-style-type: none"> • Land North West of Rosebank Cemetery Lodge, Shedden Park Road, Kelso 	<ul style="list-style-type: none"> • Land at Rachan Woodlands, Broughton
<ul style="list-style-type: none"> • Land South of Headshaw Farmhouse, Ashkirk, Selkirk 	<ul style="list-style-type: none"> • Land South East of Tarf House, West Linton

- (f) there remained One S36 PLI previously reported on which a decision was still awaited as at 22 June 2023 in respect of Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 11.10 am

APPENDIX
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00479/FUL	Change of use of garage blocks and alterations to form three dwellinghouses	Garage Blocks, Bothwell Court, Hawick

Decision: Refused for the following reasons:

1. The development is contrary to Policy PMD2 (i) of the Scottish Borders Local Development Plan 2016 in that it is inappropriate for the surrounding area due to its scale, mass and density
2. The development is contrary to Policy PMD5 of the Scottish Borders Local Development Plan 2016 in that it will result in the loss of privacy to adjoining properties, detract from the character and amenity of the surrounding area and lead to overdevelopment
3. The development is contrary to Policy HD3 b.ii of the Scottish Borders Local Development Plan 2016 in that it will result in overlooking, a loss of privacy and sunlight provisions to existing and surrounding properties.

VOTE

Councillor Mountford, seconded by Councillor Scott moved approval of the application.

Councillor Richards, seconded by Councillor Thomson, moved as an amendment that the application be refused for the reasons detailed above.

On a show of hands Members voted as follows:-

Motion - 4 votes
Amendment - 5 votes

The amendment was accordingly carried.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/01588/FUL & 22/01587/LBC	Reinstatement, alterations and alterations to dwellinghouse	Cavers House

Decision: Continued to a future meeting of the Planning and Building Standards Committee to enable the submission and consideration of further ecological surveys.

Note

Declaration of Interest - Councillor Cox declared an interest in the application detailed above in terms of Section 5 of the Councillors Code of Conduct and left the Meeting during the discussion.

Councillor Richards stated that he did not consider he had an interest to declare and remained in the Chamber.

Councillor Cox re-joined the meeting for consideration of the following application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/01887/FUL	Variation of Condition 1 to extend operational life of wind farm by additional 10 years	Land East of Kingledores Farm (Glenkerie), Broughton

Decision: Approved subject to the following conditions and a S75 legal agreement:

1. This permission shall be for a period of 35 years from the date of final commissioning. Within twelve months of the end of the period, unless a further planning application is submitted and approved, all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land restored to its former condition, or other such condition as may agree, to the satisfaction of the Planning Authority.

Reason: The anticipated design life of the wind farm is 35 years.

2. With the exception of the Condition hereby amended as above, the development shall be implemented in accordance with the plans, drawings, supporting information and schedule of conditions approved under application 07/02478/FUL and in accordance with all agreements/approvals under the terms of those conditions.

Reason: To ensure the development is implemented and operated in accordance with all measures within the approved schedule of conditions under the original wind farm planning consent, to ultimately ensure compliance the Development Plan and relevant planning policy guidance.

Informative

1. The Community Fund contribution per MW should match current Government guidance at the time when the ten year operating life extension commences.

NOTE

The Committee also asked for it to be noted in general that any agreed monitoring of Habitat and Woodland Management Plans should be carried out fully in accordance with the agreed schedules and timescales. The Planning Officer undertook to raise the matter with the Enforcement and Ecology Officers in this regard.

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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 5 July 2023 at 10.00 a.m.

Present:- Councillors J. Greenwell (Chairman) and D. Moffat.
Apologies:- Councillor M. Rowley
In Attendance:- Engineering Manager, Finance Technician (E. Mihulka), Solicitor
(S. Thompson), Democratic Services Officer (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 22 June 2022.

DECISION

NOTED for signature by the Chairman.

2. **FINANCIAL MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023**

There had been circulated copies of a report by the Director – Finance and Procurement which provided the details of the assets held by the Coldstream Common Good Fund as at 31 March 2023, a full year revenue out-run for 2022/23 and projected balance sheet values as at 31 March 2024. Appendix 1 to the report provided an Income and Expenditure account for the year to 31 March 2023. Appendix 2 to the report provided an actual balance sheet value as at 31 March 2023. It showed a decrease in reserves of £11,562. The Finance Technician, Ms Emma Mihulka, presented the report, and confirmed that the management of the Museum remained the responsibility of LiveBorders. In response to a question regarding the ownership of the portrait of General Monck located in the Museum, the Solicitor explained that following the consultation on Common Good assets the portrait was presumed to be a Common Good owned asset. Ms Mihulka undertook to investigate the inclusion of the portrait as part of the property portfolio valuation.

DECISION

AGREED to: -

- (a) **note the actual income and expenditure for 2022/23 in Appendix 1 to the report;**
- (b) **approve the proposed budget for 2023/24 as shown in Appendix 1 to the report;**
- (c) **note the final balance sheet value as at 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2 to the report;**
and
- (d) **note the summary of the property portfolio in Appendix 3 to the report.**

3. **HOME PARK – CAR PARK EXTENSION**

With reference to paragraph 5 of the Minute of the meeting held on 22 June 2022, the Chairman welcomed the Engineering Manager, Mr Paul Frankland to the meeting to

provide an update on the Home Park car park extension. Mr Frankland explained that following the meeting held on 22 June 2022 a cost estimate to extend the car park had been produced and passed to the Estates Strategy Manager, who had subsequently left Scottish Borders Council. Mr Frankland shared the plans which had been drawn up, which included space for 26 cars. Estimated costs for the works had been £162.5k. Members highlighted that it was important that any works to the car park had to have the support of the wider Coldstream community. In response to a question regarding surface composition, Mr Frankland confirmed that the projected plan was based on using tarmac and acknowledged that using grass screed blocks would cost more but not excessively so. The Chairman thanked Mr Frankland for his update and explained that the Placemaking group active in the town had taken an interest in the project. If the car park extension was part of a larger plan for the town, then it had a greater likelihood of securing funding. Mr Frankland undertook to circulate the project plans via email. The Elected Members undertook to discuss the project with the Placemaking Group.

DECISION

NOTED the update.

The meeting concluded at 10.20 a.m.

**SCOTTISH BORDERS COUNCIL
SELKIRK COMMON GOOD FUND SUB COMMITTEE**

MINUTE of Meeting of the SELKIRK
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Monday, 10 July 2023 at 16.00 pm.

Present:- Councillors C. Cochrane (Chair), L Douglas, E. Thornton-Nicol and
Community Councillor I. King
In Attendance:- Estates Surveyor (T. Hill), Solicitor (J. Webster), Statutory Accountant (G.
Reid) and Democratic Services Officer (D. Hall).

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 paragraphs 6 and 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

2. **28 MARKET PLACE, SELKIRK**

Members considered a report by the Director – Infrastructure and Environment and approved its recommendations.

The meeting concluded at 4.35 pm.

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