

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

6.	<p>Committee Minutes (Pages 3 - 58)</p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">(a)</td> <td style="width: 60%;">Berwickshire Area Partnership</td> <td style="width: 35%; text-align: right;">1 June 2023</td> </tr> <tr> <td>(b)</td> <td>Community Planning Strategic Board</td> <td style="text-align: right;">8 June 2023</td> </tr> <tr> <td>(c)</td> <td>Police, Fire & Rescue and Safer Communities</td> <td style="text-align: right;">28 June 2023</td> </tr> <tr> <td>(d)</td> <td>Chambers Institution Trust</td> <td style="text-align: right;">2 August 2023</td> </tr> <tr> <td>(e)</td> <td>Planning & Building Standards</td> <td style="text-align: right;">7 August 2023</td> </tr> <tr> <td>(f)</td> <td>Executive</td> <td style="text-align: right;">15 August 2023</td> </tr> <tr> <td>(g)</td> <td>Scrutiny & Petitions</td> <td style="text-align: right;">17 August 2023</td> </tr> <tr> <td>(h)</td> <td>Planning & Building Standards</td> <td style="text-align: right;">4 September 2023</td> </tr> </table> <p>(Copies attached.)</p>	(a)	Berwickshire Area Partnership	1 June 2023	(b)	Community Planning Strategic Board	8 June 2023	(c)	Police, Fire & Rescue and Safer Communities	28 June 2023	(d)	Chambers Institution Trust	2 August 2023	(e)	Planning & Building Standards	7 August 2023	(f)	Executive	15 August 2023	(g)	Scrutiny & Petitions	17 August 2023	(h)	Planning & Building Standards	4 September 2023	5 mins
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SCOTTISH BORDERS COUNCIL BERWICKSHIRE AREA PARTNERSHIP

MINUTES of Meeting of the
BERWICKSHIRE AREA PARTNERSHIP
held in Volunteer Hall, Langtongate, Duns,
TD11 3AF on Thursday, 1 June 2023 at 6.30
pm

Present:- Councillors J. Anderson, J. Greenwell, D. Moffat, A. Orr and M. Rowley

Other organisations attendees: Ms L. Anderson (Eyemouth CC), Mr E. Chester (Eyemouth Community Centre), Ms T. Collin (Allanton, Whitsome and Edrom CC), Mr K. Dickinson (Gavinton, Fogo and Polwarth CC); Ms M. Douglas and Ms H. Paxton (Greenlaw and Hume CC); Mr D. Fisher (Ability Borders/Scottish Borders Social Enterprise Chamber), Mr L. Inglis (Reston and Auchencrow CC); Ms P. Hood (Cockburnspath and Cove CC); Ms B. Landon (Borders Community Action), Mr A. Lester; Ms A. McNeill and Mr Lindsay Wood (A Heart for Duns); Mr D. Morgan (Hutton and Paxton CC); Mr B. Purvis and I. Woolley (Swinton and Ladykirk CC); Ms M. Rodger (Lammermuir CC).

Apologies:- Councillor C. Hamilton

In Attendance:- Community Co-ordinator, Strategic Housing Development Officer (L. Renwick), Community Engagement Officer (J. Purves), Chief Inspector Vincent Fisher (Police Scotland), Mr J. Boulton (Tweed Valley Rail Campaign), Mr B. Payne (Berwickshire Civic Society), Democratic Services Officer (W. Mohieddeen).

1. **WELCOME**

The Chair introduced Andrew Lester, Chair of A Heart for Duns who welcomed attendees to the Volunteer Hall. Mr Lester delivered a presentation that gave a brief overview of the work of A Heart for Duns and their acquirement of the Volunteer Hall. A Heart for Duns delivered a programme of events for the benefit of the Duns community which were highlighted in a video presentation.

2. **FEEDBACK FROM MEETING OF 30 MARCH 2023**

There had been circulated copies of the Minute of the Meeting held on 30 March 2023.

DECISION

AGREED to approve the Minute of the Meeting for signature by the Chair.

3. **LOCAL HOUSING STRATEGY 2023-28 CONSULTATION**

The Chair introduced Lindsey Renwick, Housing Strategy Team, to deliver a presentation on progress of the 2023-28 Local Housing Strategy Consultation. Scottish Borders Council was statutorily obligated to produce a local housing strategy every five years to be submitted to the Scottish Government. It was a key strategy for Scottish Borders Council that set out priorities for housing based on local and national strategies, and also outlines areas for partnership working. Through surveys and local engagement exercises, the 2023-28 draft strategy had been prepared over a period of 18 months. The Housing Strategy Team were available for community groups to discuss support for engaging in the consultation. Ms Renwick advised that the Local Housing Strategy was part of a framework of related strategies and housing policies, and noted that the Local Housing

Strategy was key for housing and linked with the Local Development Plan. Ms Renwick agreed to circulate the presentation slides and Berwickshire data profile with the Area Partnership following the meeting.

DECISION

- (a) **NOTED the update; and,**
- (b) **AGREED that the presentation slides and Berwickshire data profile be circulated to attendees.**

4. REFRESHED COMMUNITY PLAN PRIORITIES

4.1 The Chair introduced Chief Inspector Vincent Fisher to deliver an update on development of the Scottish Borders Community Plan and to ask for contributions to be made. The Community Plan was the process for Scottish Borders Council and other bodies such as Police Scotland to work with businesses and communities to improve services. The Scottish Borders Community Planning Partnership were obligated by the Community Empowerment (Scotland) Act 2015 to prepare and publish a Community Plan. Other agencies involved in Community Plan development included NHS, Scottish Fire and Rescue Service and South of Scotland Enterprise. Five themes had been developed with 16 priorities that engagement and research was to be undertaken on. The five themes were:

- Enough Money to Live on
- Economy, Skills and Learning
- Enjoying Good Health and Wellbeing
- A Good Place to Live, Grow Up and Enjoy a Full Life
- Community Empowerment

4.2 The consultation on the Community Plan was to close on 16 July 2023. During discussion of the Community Plan consultation, it was advised that the development of the Community Plan was instructed by legislation, however the consultation and engagement exercise provided opportunities for community-led planning, alongside the work of Place Making.

DECISION

NOTED the update.

5. FLAG FOR BERWICKSHIRE COMMUNITY CAMPAIGN

The Chair introduced Brian Payne, Chair of Berwickshire Civic Society who presented an update on the Flag for Berwickshire project. The project was delivered to be a community-led and community-designed project to develop a flag for the Berwickshire. It was noted that Berwickshire District ceased existing in 1996, but the name was still present in community institutions such as Berwickshire High School, housing associations and local newspapers. The competition had launched and full information could be found on the website www.flagforberwickshire.org and on the project's Facebook page. Development of the flag would be an open invitation for designs to be submitted with shortlisting to take place of the best designs to put forward for a public vote. Submissions were to open on 1 June 2023 and close on 30 July 2023, judging to take place in August 2023 and the public vote to take place from 5 September 2023. Judges were to be invited from the community and the competition was supported by the Court of the Lord Lyon. Designs were to be submitted electronically or paper-based using forms circulated by BAVS.

DECISION

NOTED the update.

6. **TWEED VALLEY RAIL CAMPAIGN**

- 6.1 There had been circulated copies of a presentation slide pack that summarised the aims of the Tweed Valley Rail Campaign. The Chair invited James Boulton to present to the Area Partnership about the campaign. The aim of the campaign was to re-establish a rail connection from Tweedbank Station through Kelso to Berwick. The campaign had a three-point plan which was:
- 1) Gauge support;
 - 2) Feasibility study; and,
 - 3) Build it.
- 6.2 Mr Boulton advised that reasons for pursuing the railway were to support tourism and leisure in the Borders, support active travel, provide access to work, education and healthcare, to attract investment by opening up other parts of the Borders, and encouraging more housing to be built. The campaign had received investment from the Cheviot Neighbourhood Support Fund to run for a second year and had received over 300 people signed as members or supporters of the campaign. Plexus and Schloss Roxburghe had supported the campaign and ongoing engagement was taking place with relevant MPs and MSPs. It was the position of the campaign that, alongside the feasibility study into the extension of the Borders Railway through Hawick to Carlisle, a feasibility study should take place to ascertain the benefits of opening the railway eastwards from Tweedbank to Berwick. During discussion of the presentation, it was advised that the Reston Station capacity for 14 charge points rather than 20. Attendees considered the potential for the railway to carry freight, supporting farmers and attracting tourists with steam locomotives.

DECISION

NOTED the update.

7. **BERWICKSHIRE NEIGHBOURHOOD SUPPORT FUND**

- 7.1 There had been circulated copies of a report from the Neighbourhood Support Fund panel that provided attendees with an update of activity of the panel. The panel met on 10 May 2023 to consider matters relevant to the fund, which included:
- 1) Panel membership;
 - 2) Delivery of the Neighbourhood Support Fund in 2023-24; and,
 - 3) Funding stream opportunities.
- 7.2 After a resignation, there were now four community members of the panel. The panel decided to approach interested people personally rather than circulate emails to promote opportunities to become members. The panel further decided that Scottish Borders Council should identify individuals and community groups that may have an interest in joining the panel. Those interested were to submit an application form which was to be facilitated by Scottish Borders Council.
- 7.3 During 2022-23, there were 58 applications received which requested a total of £211,000. 31 applications were approved which received a total of £95,497.19. The budget for the 2023-24 Neighbourhood Support Fund was £50,185. The panel made recommendations to the Area Partnership which included that the application maximum should remain at £5,000, the criteria should remain the same, there should be two application rounds in the year, the fund should open at 2 June 2023 with the first funding round to be considered for the 31 August 2023 meeting of the Berwickshire Area Partnership and the second round of applications to be considered at the 8 February 2023 meeting.
- 7.4 The panel made further recommendations for supporting applicants to consider other funding opportunities. It had been noted by the panel that some applications were eligible for other funds. The panel recommended that officers support applicants to consider other funding opportunities so that funding could also be secured elsewhere.

Furthermore, it was recommended that the Scottish Borders Council would share with the Berwickshire Area Partnership information related to funding opportunities that were available to support community activities.

DECISION

(a) AGREED:

- (i) That the Neighbourhood Support Fund 2023-24 maximum application value remain at £5,000;**
- (ii) That the application criteria remain the same;**
- (iii) That there be two application rounds in 2023-24;**
- (iv) That the first application round open on 2 June 2023 and applications be determined on the 31 August 2023 meeting of the Berwickshire Area Partnership;**
- (v) That the second application round be determined at the 8 February 2024 meeting of the Berwickshire Area Partnership;**
- (vi) That officers support Neighbourhood Support Fund applicants by advising of other funding opportunities for applicants to consider;**
- (vii) That officers share with Berwickshire Area Partnership a summary of information of related funding opportunities available to support community activity; and,**

(b) NOTED the update.

8. BERWICKSHIRE FUNDING TABLE 2023-24

There had been circulated copies of the Berwickshire funding table which outlined available funds and grant opportunities in Berwickshire. The Community Engagement Officer presented the paper and advised that the opening balance for the Neighbourhood Support Fund was £50,185 with a £4,500 carry-over which totalled £54,685.00.

DECISION

NOTED the update.

9. PLACE MAKING UPDATE

9.1 There had been circulated copies of a report from the Berwickshire Area Partnership Place Making Working Group which reported on progress of the working group and made recommendations to support communities with development of plans. The Chair invited the chair of the working group, Mr Dickinson, to present the report who advised that one of the main concerns that communities had was with having capacity to take forward the work in engaging their communities to develop a plan and implement it. Areas of support identified were:

- Additional dedicated support to work with communities to develop plans;
- Funding to provide for training, expenses, materials and workshops; and,
- A peer group support network to establish a group of contacts, information sharing, developing skills and providing a forum for communities to seek help and advice.

9.2 This formed the basis for a successful application for funding through Borders Community Action (BCA) for £83,600 to fund a dedicated officer, based in BCA, for 2023-24 to support communities in the eastern Borders with a focus on development of community-led plans in Duns and district, and Coldstream and district. The funding was drawn from

Scottish Borders Council Community Engagement. The funding award included £35,000 to enable facilitation, training, materials and workshops.

- 9.3 A place making support framework was established by Scottish Borders Council to help communities access support to develop plans. There were two parts to the framework which included support for communities to develop plans and technical support for business cases and investment plans. In summarising work that the working group could continue with, Mr Dickinson advised that there should be further oversight and coordination of work taking place across Berwickshire which may be of use to the Area Partnership. Mr Dickinson recommended that the Area Partnership note the work of the working group, address the challenges of oversight and coordination of place planning work by either continuing with the working group with modified terms of reference or incorporating the activity of the working group into the core agenda of the Area Partnership, that the BCA Place Officer reports to the working group and the Area Partnership on place making progress in Berwickshire, and that the Area Partnership should recommend to Scottish Borders Council to include community stakeholder participation on the Place Partnership Advisory Panel. Conversations which regarded continuing the work of the working group were to take place and any recommendations were to be brought back to the area Partnership at a future meeting.

DECISION

(a) AGREED:

- (i) To invite the BCA Place Officer to report to the Berwickshire Area Partnership on place making progress;**
- (ii) To recommend to Scottish Borders Council to include community stakeholder participation on the Place Partnership Advisory Panel;**

(b) NOTED:

- (i) The progress made by the working group; and,**
- (ii) The update.**

10. ADDITIONAL INFORMATION DOCUMENT

The Chair advised that additional information was included in the agenda pack which contained information on current consultations and links to useful information.

11. NEXT MEETING OF THE BERWICKSHIRE AREA PARTNERSHIP

The Chair advised that the next meeting of the Berwickshire Area Partnership was scheduled to take place on 31 August 2023.

The meeting concluded at 8.15 pm.

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SCOTTISH BORDERS COMMUNITY PLANNING STRATEGIC BOARD

Date:	8 June 2023, 2.00 pm.
Location:	Via Microsoft Teams
Attendees:	Cllr C. Cochrane (Chair), Councillors J. Greenwell, S. Hamilton, E. Jardine and E. Thornton-Nicol, Ms K. Hamilton (NHS Borders), Mr K. Langley (Scottish Fire & Rescue), Mr C. McGrath (SBCCN), C. Fancy (Eildon Housing Association), J. Dowland Gilliland (BCA)
Apologies:	Chief Executive, Director Social Work & Practice, Superintendent A. Carson (Police Scotland), Prof. R. Griggs (SOSE), K. Jackson (SOSE), Hilary Sangster (Scottish Fire & Rescue), C. Myers (NHS) and P. Smith (Borders College).
Also in attendance:	Director Resilient Communities, Participation Officer, C. Brown, Clerk to the Council, Democratic Services Officer (L. Cuerden), (all SBC); Ms J. Amaral (BCA); Ms M. Meldrum (Berwickshire Housing), K. Kiln (NHS Borders), Claire McElroy (NHS Borders), Rob Davidson (SOSE), S. Mitchell (SDS).

MINUTE AND ACTION POINTS

1. WELCOME & APOLOGIES FOR ABSENCE

The Chair welcomed everyone to the meeting. Apologies had been received and noted accordingly.

2. MINUTE AND ACTION TRACKER

- 2.1 Copies of the Minute of the Meeting held on 9 March 2023 had been circulated. Colin McGrath (SBCCN) raised an omission of his suggestion for an additional theme. This was subsequently located in paragraph 12.2 of the Minute of 9 March 2023.

DECISION

AGREED to approve the Minute for signature by the Chair.

- 2.2 Copies of an updated Action Tracker had also been circulated. Completed actions were to be removed from the tracker.

3. ENJOYING GOOD HEALTH & WELLBEING

- 3.1 There had been circulated copies of a report by Kirsty Kiln, NHS Borders, the purpose of which was to update members on the progress of Theme 3: Enjoying Good Health and Wellbeing. With reference to the outcomes of 'Increased life expectancy' and 'More people enjoying good mental health and wellbeing', it was confirmed that survey templates for baselining status for anchor organisations and FSD/ health in all Policies had been developed and circulated to members of the Joint Programme Board. There had

been an extension to the deadline until 30 June 2023 and all partners were requested to send this information to the Public Health mailbox. The completed plan was to be presented to the Board at a later date. With reference to actions related to 'Developing guidance for promoting good health and wellbeing', the Public Health team were reviewing data on uptake of health services and outcomes to identify health inequalities across the Borders, to be shared at a later date.

- 3.2 With reference to actions around 'Current volunteering landscape to be considered and opportunities to be promoted and maximised' Juliana Amaral reported that Borders Community Action (BCA) had supported 70 community groups/charities to recruit volunteers. There were 520 open opportunities for volunteers in the Borders, 97 volunteers had been signposted to community groups and 104 new volunteers were identified. From November to March, four drop-in sessions had been held at Galashiels Jobcentre and one in Hawick to increase awareness of volunteering roles in the community. A provider event was hosted for a number of organisations to provide an overview on the benefits of volunteering and opportunities available. The BCA continued to work with stakeholders to encourage referrals and there had been an increase in young people under 16 who wanted to begin volunteering. Restrictions which included insurance, PVGs and general risk aversion resulted in few organisations being able to meet the demand for places and plans were being developed with BCA to try to mitigate these factors. BCA were in discussion with schools and local youth groups to address opportunities for the under 16 cohort and 11 young people had been allocated formal consistent volunteer placements. A number of Saltire awards had been presented and a further 7 placements had been found with imminent start dates. Jenni Craig suggested the potential for the CPP to be more visible in encouraging volunteering and agreed to undertake further discussion with BCA. There was a strong demand for formal and informal volunteering opportunities across age groups and from the corporate sector. A draft consultation of the Strategy Plan was scheduled in June 2023. The challenge of mapping the volunteering opportunities undertaken by the public was highlighted, given the variety of volunteering activities both formal and informal. The suggestion of an audit of volunteering across the Borders was noted. It was possible to provide a snapshot of active committees and their member numbers during the BCA's internal review currently being undertaken. It was also suggested that the publication of live case studies may help to recruit new members to local committees and improve their sustainability going forward.

DECISION

NOTED the update.

4. MENTAL HEALTH IMPROVEMENT & SUICIDE PREVENTION PLAN

There had been circulated copies of report 'Creating Hope in the Scottish Borders' from Clare McElroy (NHS Borders), the purpose of which was to inform members of the action plan to increase the number of people in good mental health at every age and stage of life and to reduce the number of suicide deaths in the region, while working with partners and communities to tackle the contributory inequalities. The report detailed the two overarching principles, four key programmes and ten outcomes contained in the action plan which was specifically focussed on the adult population of the Scottish Borders. The three year action plan was underpinned by research, evidence and data including Lived Experience insight, training and capacity building, communications and advocacy of a Public Mental Health approach and monitoring and evaluation. The next steps were to put in place detailed programmes of work and structures for each of the ten areas of action. Accountability was provided via the Mental Health Partnership Board and operational responsibility lay with the Mental Health Improvement and Suicide Prevention Steering Group and programme delivery groups, alongside Third Sector, Housing Associations, Borders College, NHS Borders and Scottish Borders Council. There followed a brief discussion on social prescription, where concerns were expressed about the unintended consequences of peer based recovery strategies for the individuals who volunteer with mental health support groups. The initiative was not intended to replace

clinical interventions and Ms McElroy undertook to discuss with the steering group the protective risk factors further and how best to support community groups.

DECISION

NOTED the update.

5. **THE PROMISE**

There had been circulated for noting copies of a briefing paper by Mr S. Easingwood, Director Social Work and Practice, the purpose of which was to update members on progress to date regarding both the Children and Young People's Planning Partnership and planning and implementation of The Promise.

DECISION

NOTED

6. **YOUNG PEOPLE'S WELLBEING SURVEY**

With reference to paragraph 1 of the Minute of 9 March 2023, there had been circulated copies of a number of reports by Christine Brown, Education and Lifelong Learning that pertained to the Young People's Wellbeing Survey. Ms Brown presented the background to the Health and Wellbeing Census carried out in March 2022, a requirement of the Scottish Government. All Borders Schools participated with pupils from P5 to S6 involvement, with responses as follows: Primary – 82%; Secondary – 60%. 36% of pupils in S4 responded to the Substance Use questions. Following consultation, the sexual health and relationship questions were removed. The key findings of the census were that young people were negatively affected by the pandemic, as across all local authorities. Four areas had been identified for inclusion in the Education Improvement Plan: Bullying; Body Image; Young Carers; and Stress, Worry and Loneliness. The Respectful Relationships and Anti-Bullying policy had been approved at the meeting of the Education Sub-Committee on 24 May 2023 and was to be rolled out across all educational settings. The policy contained a clear definition of bullying and the processes, roles and responsibilities of staff, pupils, parents and carers. Work was to continue to strengthen the Personal and Social Education curriculum with action on Body Image. Action on Young Carers continued with partner organisations to ensure that a clear definition of a young carer was understood by all stakeholders and that they were fully aware of support available to them. Two online self-help services had been commissioned by Scottish Borders Council, Couth (P7-S6) and Together All (S5 and 6), to offer support around stress, worry and loneliness. Work with Quarriers was also ongoing along with the Building Resilience programme in primary schools and Young Minds Matter programme in secondary schools. In terms of next steps, it was reported that the next census was scheduled to take place in November 2023 rather than March 2024, following feedback from schools. Processes and procedures were to be strengthened to improve engagement and completion of the census questions. There followed a brief discussion where concern was expressed at the lack of data on sexual health for the Scottish Borders against a national increase in cases of STDs in 16-18 year olds. Consideration was to be given by the Education Sub-Committee to the inclusion of the sexual health questions for the next census and the ongoing work of Health Improvement Scotland, Public Health Scotland and the school nurse service was highlighted in providing support and information to children and young people. There was agreement that the communications to parents and careers required improvement for next time. There were also plans to improve the administration of the Drug Use survey to the S4 cohort to maximise engagement. Ms Brown agreed to circulate the Respectful Relationships and Anti-Bullying policy to Members.

DECISION

NOTED

7. **CHILDREN'S SERVICES PLAN 2023 - 26 AND ANNUAL REPORT 2022 - 23**

There had been circulated copies of two reports by Janice Robertson. The Children and Young People's Services Plan 2023-26 was to be brought to Council in June 2023. Ms Robertson provided an overview of the report and its appendices. The Plan recognised the need to continue to deliver against key priorities within the previous plans whilst making a fundamental shift to placing 'The Promise' at the heart of future planning. The report detailed key plans, strategies and legislations alongside budgets and specific funding for Children and Young People's Services in 2023/24.

Appendix 1 presented the plan for 2023-26. Appendix 2 detailed the Integrated Children & Young People's Plan Annual Progress Report 2022-23. The report reflected the progress and significant achievements made in the delivery of the four shared partnership priorities set out in the 2021-23 plan: Keeping children and young people safe; Improving health and wellbeing and reducing inequalities; Targeting support to maximise life experiences and opportunities and ensuring inclusion; and Increasing participation and engagement. Appendix 2A provided a progress report on the Whole Family Wellbeing Funding. Appendix 2B reviewed the 'Inspiring Young Minds', Kelso High School's Study Leave Programme April – June 2022. A number of successes were highlighted which included good levels of participation and positive partnerships developed between SDS and CLDS. A number of recommendations were to be considered, which included extra planning time, broader partnership involvement and further sessions with parents and school staff.

DECISION

AGREED the recommendation to endorse the Children & Young People's Services Plan 2023-26 and the Integrated Children & Young People's Plan Annual Progress Report 2022-23 before submission to Scottish Government.

8. CPP RESPONSE TO COMMUNITY WEALTH BUILDING CONSULTATION

There had been circulated copies of a report for noting by Director Resilient Communities, which detailed the Community Planning Partnership's response to the Scottish Government's Consultation on Community Wealth Building. This was a joint response compiled with partner organisations. The consultation focussed on legislative changes which were to introduce a new statutory duty bearing on public sector bodies to embed CWB in their practice. It gave a number of options that outlined how this was to be done and asked respondents to indicate their preference with suggested potential legislative changes. Appendix 1 detailed the Council's response which advocated against a new statutory duty for three main reasons: that CWB should be place-based and provide flexibility to anchor organisations in its implementation; that a number of new duties had recently been created by Scottish Government; and the range of duties combined with a limited funding envelope placed significant demand on public sector organisations. Furthermore, a consolidation or simplification of the policy landscape was essential to deliver value for money. The CPP also called for the adoption of non-statutory guidance and a simplification of the funding landscape for communities.

DECISION

NOTED the report

9. LOCAL HOUSING STRATEGY CONSULTATION

There had been circulated copies of a report by Donna Bogdanovic, Lead Officer Housing Strategy and Development, the purpose of which was to update members on the consultative draft Local Housing Strategy (LHS) 2023-28 and provide information on further planned consultation. A statutory requirement under the Housing (Scotland) Act 2001, the LHS detailed the joint and strategic approach of the local authority and its partners to deliver high quality housing and housing related services across all tenures to meet identified need in its area. The draft strategy, developed jointly with stakeholders, addressed some of the most significant and important challenges currently faced by the Council, its partners and communities and aimed to: provide a background to and a strategic framework for the future development of the local housing system; set out the five strategic outcomes for housing for the next five years; explain how national and local

developments impacted on the LHS; and propose new objectives through an outcomes based approach. The five draft strategic outcomes were as follows:

- 1: More homes in well designed, sustainable communities that increase opportunity for all;
- 2: People have access to homes which promote independence, health and wellbeing;
- 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;
- 4: Communities are regenerated through improving the quality and condition of housing and the built heritage; and
- 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.

These strategic outcomes had been agreed in order to address a number of key issues and challenges which were summarised at the end of each outcome section in the draft LHS. The current pressures on housing supply were highlighted and mitigations were being considered including better online advertisement of the available housing options and encouragement to residents to consider their longer term housing solutions earlier in life. Members were requested to promote the consultation as widely as possible.

DECISION

NOTED the report

10. CHILD POVERTY REPORT 2023 - 24, INCLUDING ANNUAL PROGRESS REPORT 2022/23

10.1 There had been circulated copies of a report by Director Resilient Communities which presented the Scottish Borders Local Child Poverty Report for 2022/23 and Action Plan for 2023/24 (Appendix 1) for endorsement before submission to Scottish Government. The report provided the Community Planning Partnership and Scottish Government with an update on progress made in the Scottish Borders against activities within the Action Plan for 2022/23 and set out planned actions for 2023/24. The report categorised the direct drivers of poverty: income from employment; costs of living; and income from social security and benefits in kind. Significant highlights were outlined: children in low income families (before housing costs) had risen from 14.6% in 2020/21 to 19.7% in 2021/22, similar to the trend for Scotland; percentages of children in low income families (before housing costs) in Scottish Borders Wards ranges from 11.6% in Tweeddale West to 30.6% in Hawick and Denholm; the median gross weekly pay for full time workers working in the Scottish Borders was £571.30, £69.20 less than elsewhere in Scotland; and 21.7% of employees aged 18+ earned less than the real living wage in 2021-22 and was higher than the Scottish average of 14.4%. There had been a sharp rise in workless family households since Covid-19. Scottish Borders had a lower proportion of households in receipt of Universal Credit (12.9%) compared to Scotland (16.1%). There were 3015 households (5.4%) claiming the Child Entitlement compared to Scotland (6.5%). Appendix 1 provided details of the activities and actions being carried out across the Scottish Borders to alleviate child poverty by Scottish Borders Council, NHS Borders and key partners. Appendix 1B detailed work undertaken to address child poverty in 2022/23 by Scottish Borders Council, NHS Borders and other partners. The report reflected the scale of work undertaken and Ms Craig urged proper scrutiny of the Action Plan 2023/24 and for all those involved in the partnership to continue to bring resources together effectively and to develop further innovations at subsequent meetings.

10.2 In response to a question on the impact of the Scottish Child Payment since November 2022, it was confirmed that the relevant data was not yet available. The matter of the CPP promoting the eligibility of this payment, in addition to others, to parents and carers was discussed. Targeted communications were possible for some benefits and a communication strategy was to be considered; the Education service was suggested as a key partner in this. There was a brief discussion on the ambition to move away from the

use of foodbanks in line with the Scottish Government press release on a 'Cash First' approach to supporting families. The matter was to be discussed at the next meeting of the Cost-of-Living Strategic Group.

DECISION

AGREED to endorse the Scottish Borders Local Child Poverty Report for 2022/23 and Action Plan 2023/24 before submission to the Scottish Government.

11. CPP TASK GROUP IMPROVEMENT PLAN

- 11.1 Jenni Craig gave a brief presentation on the work of the Task Group to date. Under Action 1 – Prioritise, there had been identified 16 potential priorities under 5 themes: Enough money to live on; Economy, skills and learning; Enjoying good health and wellbeing; A good place to live, grow up and enjoy a full life; and Community empowerment. A consultation was scheduled to run from 24 May to 16 July 2023 and was to include online and paper consultation and attendance at Area Partnerships and other community meetings. The draft plan was to be brought to the Strategic Board in September 2023. Under Action 2 – Governance, a mapping of governance arrangements in other areas was ongoing and proposals for future structure and governance processes was to be brought to the Strategic Board in September 2023. Under Action 3 – Performance, a framework for performance management was to be developed in parallel and to accompany the refreshed Community Plan/LOIP and brought to the programme Board for discussion in September 2023.
- 11.2 Ms Craig updated members on the Scottish Government requirement to provide a 2018 Community Plan Progress report. The report was to detail improvements to priority outcomes, the extent to which the CPP had participated with community bodies in carrying out its functions and the extent to which participation had been effective in enabling community bodies to contribute to community planning. Partners were asked to provide information for their themed areas as required and the draft was to be brought to the Strategic Board in September 2023, with data from 2022/23 where possible.
- 11.3 There was a brief discussion on the engagement with and empowerment of the community. Community empowerment was a key focus of SBC and there was a contribution to be made by Community Councils and its Network. Community engagement was done in a number of different ways, and should this be absent from any report, Ms Craig requested that any omissions were made known to the service for reflection on how to better include those measures.

DECISION

NOTED the update.

12. WORK PLAN PROGRESS REPORTS

There had been circulated for noting copies of reports on the three remaining themes: Theme 1: Enough money to live on; Theme 2: Access to work, learning and training; and Theme 4: A good place to grow up, live in and enjoy a full life. The Lothian and Scottish Borders Local Policing Plan 2023-26 had also been circulated.

DECISION

NOTED the reports.

13. THEME FOR NEXT MEETING

The theme for the next meeting on 7 September 2023 was noted as 'Enough money to live on' in advance of Anti-Poverty Week and the release of pending Poverty reports.

14. FORWARD PLANNER FOR FUTURE MEETINGS

Members noted the copies of the Forward Plan of meetings and items for the Community Planning Programme Board and Strategic Board which had been circulated.

15. **ANY OTHER BUSINESS**

There had been a suggestion for the next meeting on 7 September 2023 be held in person either There had been a suggestion for the next meeting on 7 September 2023 be held in person either at Council Headquarters or a partner base.
at Council Headquarters or a partner base.

16. **DATES OF FUTURE MEETINGS**

A number of dates had been identified. The next meeting of the Strategic Board was confirmed as 7 September 2023 at 2:00pm.

The meeting concluded at 4.15 pm

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

MINUTES of Meeting of the POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD held in COMMITTEE ROOM 4, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS and via Microsoft Teams on Wednesday, 28 June 2023 at 9.30 am

Present:- Councillors A. Orr (Chair), J. Anderson, N. Richards, E. Small, H. Steel, Mr James Ayling - NHS Borders, Mr Dan Blake - Berwickshire Housing, and Ms M Simpson - Voluntary Sector.

Apologies:- Councillor J. Pirone

In Attendance:- Chief Inspector Vincent Fisher, Area Commander Hilary Sangster Local Senior Officer (LSO) Midlothian, East Lothian and Scottish Borders (MELSB), Group Commander Keith Langley, Group Manager – Safer Communities and Homelessness, Participation Officer (C. Malster), Democratic Services Officer (D. Hall).

1. **CHAIR**
In the absence of Councillor Pirone, the Vice-Chair Councillor Orr chaired the meeting.

2. **MINUTES AND MATTERS ARISING**
There had been circulated copies of the Minute of the Meeting held on 16 March 2022.

DECISION **APPROVED the Minute**

3. **PROGRESS REPORTS/UPDATES ON SERVICE MATTERS - POLICE SCOTLAND**
1.1 There had been circulated copies of reports by Police Scotland with the agenda. Chief Inspector Vinnie Fisher explained that crime had fallen by 3.2% across the board. However, there were instances, largely cybercrime related offences, which had deviated from that trend. Thanks were expressed to those who had responded to the consultation on the Local Police Plan, which would shape local policing in the following years. Police Scotland were committed to working with communities to ensure that policing was led by communities as much as possible. The national Your Police 2023-24 survey was live, and independent surveys were also carried out which asked people who had contacted the police or used their services to share their views.

1.2 Chief Inspector Fisher presented the Quarter 4 Police Scotland report. Police Scotland were committed to protecting vulnerable people as a priority. In the year 2020/21 there had been 1468 missing person investigations. The number of investigations did not represent 1468 individual people going missing as there were instances of people going missing multiple times. The overall number of missing people in the Scottish Borders had increased by 2.4% for the year to date. The number of missing looked after children had increased by 131%, and the number of people going missing from an NHS premises had decreased by 36%. Chief Inspector Fisher highlighted that from May 2023 Police Scotland's 13 territorial divisions had begun utilising the Philomena Protocol, an award-winning scheme aimed at ensuring officers were better equipped to find children and young people when they were reported missing. There had been 1231 reported domestic abuse incidents in the year to date, which represented a 6.5% increase compared to the five-year average. Compared to the previous year, the number of incidents was a 4%

decrease. The detection rate was down by 9% compared to the previous year, and 5.9% compared to the five-year average. Chief Inspector Fisher explained that the conversion rate nationally was 41.4%, with the Scottish Borders rate higher by 3.4%. That rate represented a positive. The increase in the number of reported offences did not represent an increase in the number of incidents taking place across the period. People were more confident in reporting incidents, and society had less tolerance for domestic abuse. Hate crime had increased by 44% compared to the five-year average. Chief Inspector Fisher explained that hate crime had historically been underreported, however due to increased confidence and lower tolerance it was suggested that people were more confident to report incidents to Police Scotland. One in four hate crimes in 2020-21 involved a police officer as a victim, and whilst Police Scotland acknowledged that arrests were a heated moment, there was zero tolerance to hate crime. At the end of quarter 4 sexual crime in the Scottish Borders had shown an increase of 2.5% compared to the five-year average. Compared to the previous year, there had been decrease of 24.7% in the number of reported sexual crimes. In response to a question regarding the recording of the gender of victims of rape, Chief Inspector Fisher explained that there was no crime of rape of a man, and that 18% of Group 2 offences had a domestic element. 24% of Group 2 offences was non-recent. Crimes related to the supply of drugs had a clear overlap with organised crime. In the context of crimes of violence, there had been an increase by 50.64% compared to the five-year average. Chief Inspector Fisher explained that a number of offences created by the Domestic Abuse (Scotland) Act 2018, introduced in April 2019, were reported as part of Group 1 offences, and that the creation of those offences had skewed the data to some degree. Serious assaults had decreased by 5.56%, whereas robbery had increased by 79.69%. There was no discernible pattern to robberies which had occurred. They tended to be opportunistic and were often drug related. The number of anti-social behaviour incidents had decreased by 22.98% compared to the five-year average. Fire-raising was one area of criminality which had deviated from the trend. There was no pattern to the crime regarding the time, place, or commonality of the victim. Housebreaking had fallen by 20.27%. Chief Inspector Fisher explained that solving crimes of housebreaking often took the passage of time, and whilst they may remain unsolved for periods of time, they would be fully investigated. The number of fatal road casualties had increased by 50%, from 8 to 12. The total of road casualties had fallen by 18.98% from 158 to 128 compared to the previous year. Chief Inspector Fisher explained that incidents were often caused by driver fatigue. Considerable progress had been made over the decades to reduce the number of road casualties.

- 1.3 Chief Inspector Fisher introduced DCI Brian Burns, who provided insight into work related to tackling serious and organised crime. Through Operation Jabiru a serious organised crime gang which had been concerned with the supply of drugs in the Scottish Borders had been investigated, with 7 men and three women arrested in April. They had been reported to the Procurator Fiscal for offences relating to the supply of controlled drugs. DCI Burns was proud of the work of officers to disrupt and disband that group. Whilst specialised police tactics could not be discussed, work would continue to ensure that individuals and organisations involved in the supply of drugs would be targeted and disrupted. A rise in the number of incidents involving cuckooing, where organised gangs targeted vulnerable people and used their homes for the supply of drugs, was highlighted as a concern. County line operations from cities in England were also of concern and on the rise in the Scottish Borders. Police Scotland would continue to tackle such operations, and support children and young people as part of child protection matters. Whilst the picture for tackling organised crime was positive, proactive work levels needed to be maintained to tackle the issue. Police Scotland highlighted that during a recent incident involving the abduction of a child in Galashiels there had been strong collaboration between various partners and agencies. Thanks were expressed to the Scottish Fire and Rescue Service for their assistance with the investigation and search.
- 1.4 It was highlighted that a trend was emerging in the East of Scotland whereby housebreaking would be undertaken solely to acquire the keys to performance and high

specification vehicles. No other items would be taken. Stolen vehicles had been recovered in shipping containers bound for countries around the world. In response to a question regarding the classification of such thefts, DCI Burns confirmed that because the car had been stolen as part of house breaking, it would be categorised as such. Work was ongoing to tackle the national problem of the theft of tractors. GPS equipment had the potential to be particularly useful in such instances. In response to a question regarding a connection between spray painted tags and gang culture, Chief Inspector Fisher explained that there was very little connection between such activities and organised crime in the Scottish Borders. In response to a question regarding resourcing levels, Chief Inspector Fisher explained that future policing levels were of concern due to resource availability. Members thanked Police Scotland for their attendance and insightful presentation.

DECISION

AGREED to note the Report.

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

- 4.1 There had been circulated copies of the Scottish Fire and Rescue Service performance report 1 April 2022 to 31 March 2023. The Chair welcomed Area Commander Hilary Sangster and Group Commander Keith Langley to the meeting to present their reports. Area Commander Sangster explained that the new unwanted fire alarm signals (UFA) rules would be implemented on 1 July 2023 following extensive engagement and work with national and local crews. Service and strategic matters were not currently being affected by the Scottish Fire and Rescue Service budget being maintained at a flat level, however the organisation needed to make savings as a result of the budgetary pressures. Whilst some appliances were being withdrawn in other areas of Scotland, similar steps were not expected in the Scottish Borders. In response to a question regarding recruitment, Area Commander Sangster explained that staffing levels and capabilities were at a good standard and work was ongoing to ensure that training levels were kept high. Regarding whether recent good weather had caused issues across the region, Area Commander Sangster explained that in addition to normal duties, staff from the Borders had been assisting in tackling wildfires across Northumberland. In response to a question regarding a contact to discuss UFAs, Area Commander explained that David Girrity was best placed to respond to queries and undertook to provide his contact details.
- 3.1 Group Commander Keith Langley presented the performance report. SFRS had responded to 1749 incidents in the Scottish Borders, which included 70 accidental dwelling fires, 241 accidental fires and 390 special service incidents. False alarms accounted for 58% of emergency calls. It was expected that the change to UFAS response would lead to more time spent on training and community safety initiatives. SFRS measured its performance against 7 key indicators. 3 indicators were green, one yellow and 3 red. Group Commander Langley highlighted that because of the relatively low number of incidents involved, a 10% increase in a type of incident could represent a small increase in the actual number of cases. Staff continued to undertake routine and specific training to be prepared to undertake their duties.
- 3.2 There had been 16 casualties in the reporting period to date, an increase from 12 the previous year. Of those casualties there had been one death, four hospital visits due to slight injuries, 3 people treated by Scottish Ambulance Service and 8 people received first aid on the scene from SFRS. Analysis work was undertaken to identify trends and tackle any issues identified. There had been 117 incidents of deliberate fire raising, which typically involved grassland, refuse or derelict buildings. The focus of work was on youth intervention. 40 domestic fires had been recorded in the year to date. They tended to occur in agricultural, industrial, or educational buildings. Evidence showed that there was a close link between deliberate secondary fires and anti-social behaviour. SFRS had attended 78 road traffic collisions in the reporting period, 67 of which involved cars. SFRS undertook operational action on 21 occasions to rescue casualties. 40 people were

injured, and 8 people lost their lives. Group Commander Langley highlighted that SFRS were dedicated to ensuring that when people were extracted from RTCs, that injury was avoided. Home safety visits were being carried out and were focused on mitigating risk and ensuring that more vulnerable people were protected. There were two swift water teams, and it was important that the public were aware of the risks associated with swimming in open water. Members expressed their concerns that incidents of deliberate fire-raising persisted regardless of educational initiatives or targeted youth intervention. Group Commander Langley acknowledged the problem as persistent and explained that SFRS would persevere with their action to try and tackle the problem. The Chair expressed thanks to SFRS for their presentation.

DECISION

AGREED to note the Report.

5. SAFER COMMUNITIES UPDATE AND KEY ACTIVITIES

3.3 There had been circulated copies of the Quarterly Performance Report by the Group Manager- Safer Communities and Homelessness which covered the period 1 April 2022 to 31 March 2023. The Group Manager – Safer Communities and Homelessness, Mr Graham Jones presented the report and provided an update on various aspects related to the work of his team. Further elements of work undertaken by the homelessness services would be brought into the Safer Communities department with a view to ensuring that all aspects of homelessness services were contained within one team. The move to Langley was almost complete, with minor tasks still to be completed. Staff would be based there a permanent basis. Work to assist the resettlement of Ukrainian refugees had become more settled following an initial, large, flurry of activity. Ongoing issues related to accessing social housing continued to be a problem on a Scottish Borders and National level. Work on Community Speed Watch was ongoing. A community justice improvement plan was being worked on.

3.4 There had been a 6.6% decrease in group 1-5 crime compared to 2021/22, which represented 244 fewer victims. There had been a decrease of 42.9% in the number of people being monitored for antisocial behaviour. The number of early interventions undertaken by ASB partners had decreased by 11.6%. The new mediation service was in place and performance reporting commences from quarter 1 of 2022/23. There had been 18 referrals to the mediation service in 2022/23. 83.3% of referrals were unable to be progressed. Whilst the number of cases was high, a number of issues were resolved by mediation officers making contact with complainants, which had negated the need for full mediation intervention. There had been 392 referrals to the Domestic Abuse Service, which was 70 fewer compared to 2021/22. The DAAS Service Manager continued to monitor referrals on a weekly basis. There were plans to engage with Police Scotland regarding key messaging around domestic abuse and the agreed referral processes in the Scottish Borders. 133 referrals had been made at the Multi Agency Risk Assessment Conference (MARAC), which was 16 higher than 2021/22. MARAC had successfully moved to a full day meeting from January 2023, with all partners committed to planning attendance for the full day. In response to a request from Members for materials to hand out to people who approached them regarding domestic abuse and other issues, Mr Jones explained that information was on the Council website, and undertook to investigate whether other materials existed which would be helpful.

DECISION

AGREED to note the update.

6. HOSPITAL @ HOME PROJECT

Mr James Ayling, NHS Representative provided a strategic overview of the Hospital @ Home project. The aim of the project was to provide patients with treatment and care in their own homes to the same standard that would be provided at a hospital. Patients would not be required to stay in hospital, which would reduce risk and free up more beds.

It was hoped that a more extensive presentation on the project could be made at a future meeting.

**DECISION
NOTED**

7. **DATES OF FUTURE MEETINGS**

The next meeting would be held on Wednesday, 13 December 2023.

8. **CLARIFICATION**

Chief Inspector Vinnie Fisher explained that he wished to clarify some of his earlier remarks regarding his response regarding the recording of gender in incidents of the crime of rape. Whilst under the common law of Scotland it was not possible for a man to be raped, under the Sexual Offences (Scotland) Act 2009 there was no specific reference to gender. The definition of rape under the Act required penetration without consent. Police Scotland did record gender involved in reported incidents amongst other details.

The meeting concluded at 11.15 am

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SCOTTISH BORDERS COUNCIL **CHAMBERS INSTITUTION TRUST**

MINUTES of Meeting of the CHAMBERS
INSTITUTION TRUST held in via Microsoft
Teams on Wednesday, 2nd August, 2023 at
4.00 pm

Present:- Councillors R. Tatler (Chairman), D. Begg, M. Douglas and V. Thomson

Apologies:- Councillors J. Pirone

In Attendance:- Chief Legal Officer, Director Finance and Procurement, F. Colton (Live Borders), Localities Development Co-Ordinator (K. Harrow), S. Coe (Beneficiaries Group), 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 AND ACTION TRACKER**

There had been circulated copies of the Minute of the Meeting held on 10 May 2023 and the Action Tracker.

DECISION

AGREED to approve the action tracker and the Minute for signature by the Chair.

3. **BENEFICIARIES GROUP UPDATE**

3.1 The Chair reported that there had been no meeting of the Beneficiaries Group since 9 May. Sam Coe, Beneficiaries Group representative, provided a brief verbal update. There had been a meeting with Page\Park architects on 13 June to review progress on the Burgh Hall feasibility study and discuss architectural solutions. A report on this was to be made to both the Beneficiaries Group and the Trustees at their next meetings in September. The Chair confirmed that the Business Planning Group had met and were to provide an update at the next meeting. Sam Coe was to join the Group going forward.

3.2 There had been several events in the Burgh Hall since reopening which had highlighted the poor acoustics. It had been difficult for attendees to hear speakers both with and without the use of the PA system provided by Live Borders. There followed a discussion on mitigations. The stage curtains did not meet fire safety standards and required replacement. Gareth Smith agreed to obtain quotes to replace and rehang the curtains. Any new curtains had to be labelled correctly to comply with fire safety regulations. In addition, the rigging would require testing to ensure that the load bearing was sufficient for the new curtains and lighting fixtures. This was to be discussed further by Gareth Smith and Fiona Colton, Live Borders. The need to darken the hall during presentations was discussed. It was suggested that costs for curtains be obtained and brought to the next meeting. The curtains, to match the replacement stage curtains, were a temporary measure until such time as the funding was in place to install electric window blinds. It was anticipated that the cost of repairing the walls once the curtain rails were removed in future would not be prohibitive. A new induction loop was required and given the size of the hall, only a hard-wired system was suitable. A quotation had been requested from a local company. Fiona Colton had been provided with recommendations for acoustic

consultants with experience of historic buildings; consultants were to be engaged only if necessary following mitigations. There was a need for an improved PA system in the Hall. The unit owned by Live Borders was not suitable for such a large space. Fiona Colton confirmed that some users had been advised to relocate as the acoustics was to have been detrimental to their event. The acquisition of a new PA system could be considered as part of any wider acoustic survey of the Hall. Fiona Colton agreed to investigate the availability of a larger PA system within the Live Borders estate to use at the Peebles In Bloom event on 17 August 2023.

- 3.3 Gareth Smith provided an update on the roof leak in the Burgh Hall vestibule. The area of roof had been re-slatted some years ago and SBC were in possession of the original slates to be re-laid in the future to comply with building regulations. Previously there had been insufficient drainage from the guttering and several overflow pipes had been installed to address the issue. The recent wet weather had caused water ingress under the roof felt. It was anticipated that the roofer would have to remove a row of slate and replace and extend the roof felt. Gareth Smith was to meet the roofer on site on 3 August.

DECISION

AGREED to:

- (a) **consider quotations for new stage and window curtains at the meeting of 27 September 2023;**
- (b) **consider quotations for installation of an induction loop system at the meeting of 27 September 2023.**

4. CONDITION SURVEY UPDATE

With reference to paragraph 3 of the Minute of 10 May, Estates were to be contacted along with Page\Park architects in order to obtain a quote for a further condition survey, a dimensional survey and to include environmental conditions for the museum and gallery spaces. Sam Coe agreed to contact Page\Park for guidance on the specification. The Chair undertook to discuss the matter with Estates Manager Ray Cherry. It was anticipated that three quotes for the survey work could be obtained.

DECISION

AGREED to include an item to discuss the issue to the agenda for 27 September 2023.

5. FINANCIAL MONITORING REPORT TO 31 MARCH 2023

- 5.1 There had been circulated copies of a report by Director of Finance and Procurement the purpose of which was to provide Members with the details of the income and expenditure for the Chambers Institution Trust 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 2024. Appendix 1 provided the actual income and expenditure position for 2022/23. This showed a surplus of £83,508 for the year, which was better than the previously reported surplus on 8 June 2022, as a result of the grant received from Place Based Investment Program. Appendix 2 provided a balance sheet value as of 31 March 2023. It showed an actual decrease in reserves of £65,853. Appendix 3a provided a breakdown of the property portfolio showing actual rental income and net return for 2022/23. Appendix 3b provided a breakdown of the property portfolio showing actual property expenditure for 2022/23. Appendix 4 provided a breakdown of the property portfolio showing actual property valuations on 31 March 2023. Appendix 5 showed the value of the Aegon Asset Management Investment Fund on 31 March 2023.
- 5.2 It was agreed to amend future financial reports to remove reference to the Common Good Funds. It was confirmed that the current cash balance of £118,855 did not reflect the total spend on Burgh Hall renovations to date. Of the £100k awarded through the Place Based Investment Fund, an amount in the region of £52k had been spent to 31 March 2023. It

was anticipated that the remaining £48k expenditure was to be reflected in the financial reports for 2023-24. An updated financial position was to be obtained for the next meeting on 27 September. It was confirmed that the performance of the Aegon Investment Fund was on a par with other funds in the market over the last financial year 2022-23 and indications were of a slightly improving position going forward.

DECISION

AGREED to:

- (a) **note the actual income and expenditure for 2022/23 in Appendix 1;**
- (b) **the proposed budget for 2023/24 as shown in Appendix 1;**
- (c) **note the final balance sheet value as of 31 March 2023 and projected balance sheet value as at 31 March 2024 in Appendix 2;**
- (d) **note the summary of the property portfolio in Appendices 3 and 4; and**
- (e) **note the current position of the investment in the Aegon Asset Management Investment Fund in Appendix 5.**

6. SITING OF PUBLIC BENCH

There had been circulated information relating to the refurbished train station bench and suggested sites for installation. Gareth Smith proposed an area in the Burgh Hall Quadrangle to the left of the War Memorial in between the museum entrance and the information boards, to which Members agreed. The Neighbourhoods Team was to be contacted regarding securing the bench in place. The intention was to relocate the bench alongside the Station House, East Station car park, once it had been restored.

DECISION

AGREED to the secure installation of the station bench in the Quadrangle.

7. ANY OTHER BUSINESS

7.1 With reference to paragraph 5 of the Minute of 10 May 2023, the Chair advised that the John Buchan Museum had been in discussion with Gareth Smith and Planning regarding improvements to the exterior appearance and signage of the museum. An update and proposals were to be provided at the next meeting.

7.2 The Chair reported that a local artist Susan Mitchell had loaned an artwork for display. The artwork was a series of concertina panels depicting the North and South sides of Peebles High Street. It was proposed that the artwork be installed on the large wall in the Burgh Hall vestibule once the repairs were complete. This was agreed by the Trustees and was for consideration by the Beneficiaries Group. An alternative site for the relocation of the Boer War Memorial was to be identified.

DECISION

NOTED the update and AGREED to the installation of artwork in the vestibule, once roof repairs were completed.

8. PRIVATE BUSINESS

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

9. BURGH HALL DECORATION

Members considered a quote for the painting of the vestibule, back hallway and restroom areas. It was agreed that further quotations be obtained for consideration at the meeting

on 27 September 2023. Furthermore any painting work was to be carried out once the roof repair was complete.

The meeting concluded at 4.55 pm

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SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Committee Room 2, Council Headquarters, Newtown St. Boswells and via Microsoft Teams on Monday, 7th August, 2023 at 10.40 am

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

In Attendance:- Lead Planning Officer (B. Fotheringham), Lead Roads Planning Officer (D. Inglis), Solicitor (F. Rankine), Democratic Services Team Leader and Democratic Services Officer (W. Mohieddeen).

MEETING

Due to technical issues in the Council Chamber, the meeting was moved to Committee Room 2, Council Headquarters, Newtown St Boswells and commenced at 10.40 am.

1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 3 July 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 had been received in respect of:**

(i) **Erection of Stable, Keppel Gate Nettlingflat, Heriot - 23/00648/CLEU**

(b) **There remained 2 appeals previously reported on which decisions were still awaited when this report was prepared on 21 July 2023 which related to sites at:**

• **35 Horsemarket, Kelso**

• **32 Dunglass Road, Coldstream**

- (c) A review request had been received in respect of:
- (i) Proposed change of use for Units 8-2 and 8-3 to mixed use include Classes 1 and 10, U-Stor Business Units, Spylaw Road, Kelso – 23/00325/FUL;
- (d) The following reviews had been determined as shown:
- (i) Formation of access and boundary fence (retrospective), The Millers House, Scotsmill, Kailzie, Peebles – 22/01421/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);
- (ii) Erection of dwellinghouse, Paddock West of Hardens Hall, Duns – 22/01740/PPP – Decision of Appointed Officer Upheld (Terms of Refusal Varied);
- (iii) 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;
- (e) There remained 20 reviews previously reported on which decisions were awaited when the report was prepared on 21 July 2023 which related to sites at:

• Ravelaw Farm, Duns	• Land West of Greenburn Cottage, Auchencrow
• Land South of Ebbastrand, Coldingham Sands, Coldingham	• Land West of The Old Barn Westwater, West Linton
• 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
• Land North West of Rosebank Cemetery Lodge, Shedden Park Road, Kelso	• Land at Rachan Woodlands, Broughton
• Land South of Headshaw Farmhouse, Ashkirk, Selkirk	• Land South and West of Greywalls, Gattonside
• Land West of Greywalls, Gattonside	• Land Northeast of The Bungalow, Crosshill, Chirside
• Shop, 22 – 24 South Street, Duns	• Site Adjacent The Steading Whiteburn Farm, Lauder
• W Pearce and Sons St Ronan's Works, 2 Miller Street, Innerleithen	• 22 Weensland Park, Hawick

- (f) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 21 July 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00033/FUL	Change of use and alterations to derelict building to form recreational hut with new access and parking (retrospective)	Building East Of Peel Lodge, Craigmyle Park, Peel, Galashiels

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. This consent shall only permit the conversion and adaptation of the existing building in accordance with the approved plans and drawings, unless otherwise amended by any other condition in this schedule. It shall not purport to grant permission for the erection of a new building nor for any extensive rebuilding which would be tantamount to the erection of a new building.
Reason: To ensure the development is implemented in accordance with the approved plans and drawings, and complies with the statutory Development Plan
3. The development shall be implemented in accordance with the approved plans and drawings, including external material specifications and retention of yard, walls and railings, and subject to:
 - a) The roofing material being matt finished, and the frames of the solar panels being black
 - b) Design details and colours of the doors and windows, and the colour(s) of exposed rafter ends and eave/verge fascias (which shall all be timber), being implemented in accordance with details approved in writing by the Planning Authority
 - c) All external walls including cills, lintels and quoins, being constructed of either stone salvaged from the existing building or matching stone
 - d) Notwithstanding the approved site plan 002, no extension to the existing building is approved under this consent
 Reason: To ensure the development is sympathetic to the character of the building and its setting
4. The use of the building shall be limited to purposes wholly ancillary to the management and recreational use of the woodland within which it is located only by the owner of the building and woodland. The building shall not be sold or leased separately from the woodland, which incorporates the area identified in blue on the approved location plan 001. It shall not be used for any other purpose, including residential, holiday letting or other commercial or business purposes, and sleeping accommodation shall be limited to intermittent overnight use only by the owner.
Reason: To ensure the use of the building complies with the statutory Development Plan and does not have an adverse impact on the amenity of the surrounding area
5. No development shall commence under this consent until a Construction Method Statement has been submitted for the approval in writing of the Planning Authority, which

incorporates measures to minimise risk to the integrity of the Glenkinnon Burn SAC and SSSI. Where water and/or drainage services are required, details of the same shall be included in the CMS.

Reason: To minimise the risk of the construction of the development, and services where required, of adversely impacting the Glenkinnon Burn SAC or SSSI

6. No development shall commence under this consent until the applicant/developer has secured the implementation of a programme of archaeological work (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been formulated by, or on behalf of, the applicant/developer and submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons nominated by the applicant/developer and agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report

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

7. No development shall commence under this consent 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

8. The development shall be implemented in accordance with the method statement tree protection measures specified in "Tree Survey and Arboricultural Impact Assessment – Sam Lowe Tree Management – November 2022". There shall be no provision of external water or drainage measures to service the development unless in accordance with details that demonstrate that trees will be safeguarded in accordance with BS5837:12 and National Joint Utility Guidelines 4 during their installation, which have been submitted to and approved in writing by the Planning Authority. The installation of all services shall comply with the approved details

Reason: To safeguard the integrity of the woodland, including trees subject to Tree Preservation Order

9. The access, parking and turning area shall be implemented in accordance with the approved plans and drawings prior to the use of the building commencing under this consent, subject to the initial two metres being constructed in accordance with the specification in Informative Note 3; the top surfacing finish being agreed in writing with the Planning Authority; surface water drainage being sustainably managed to ensure no off-site run-off; and all banking to be graded to the lowest practicable level outwith tree protection barriers. Following implementation, the access, parking and turning area shall be retained free from obstruction.

Reason: To ensure the development is adequately serviced with off-street parking in the interests of safeguarding road and pedestrian safety, has minimal visual implications and sustainably manages surface water

10. There shall be no external storage of bins associated with the consented use unless in accordance with details which have first been submitted to and approved in writing with the Planning Authority

Reason: To ensure that external storage of waste, where required, is visually sympathetic and appropriate to setting

Informatives

1. The former use of the site is potentially contaminative and may have resulted in land contamination. The land is not currently identified as contaminated land and the Council is not aware of any information which indicates the level of risk the potential contamination presents. The historic use of the site is recorded within a Council database. This database is used to prioritise land for inspection within the Council's Contaminated Land duties. Should the applicant wish to discuss these duties their enquiry should be directed to the Council's Environmental Health Service.
2. For the purposes of this Planning Permission, intermittent use described in Condition 4 should comprise overnight stays not exceeding periods of two nights within any calendar week and which shall occur during no more than two weeks in any calendar month
3. In relation to Condition 9 above, the initial two metres of the access track shall constructed in accordance with the following specification: 75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1.

NOTE

Mr Adam Elder, participating via Microsoft Teams, and Mr Dudley Kitching, spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00777/FUL	Installation of communication lattice tower 35m high c/w headframe on new 6.5m x 6.5m RC concrete base and associated ancillary works	Land at Menzion Forest Block, Quarter Hill, Tweedsmuir

DECISION: Refused for the following reasons:

1. The proposed telecommunications mast is contrary to Policy 24 (e) of National Planning Framework 4 in that development would not minimise visual and amenity impacts. The proposed mast would also be contrary to Policy 25 of National Planning Framework 4 in that it does not contribute to community and local economy development that focuses on community and place benefits.
2. The proposed telecommunications mast is contrary to Policy ED6 of the Scottish Borders Local Development Plan 2016 in that it will have an adverse impact on the natural environment, particularly landscape and visual impact. The proposed development is also contrary to Policy IS15 (a) in that equipment would not be positioned or designed sensitively and would have an adverse effect on the environment, in particular, the Tweedsmuir Upland Special Landscape Area. The developers have not adequately demonstrated that an alternative location has been sought.

VOTE

Councillor Richards, seconded by Councillor Scott, moved that the application be approved as per officer recommendation.

Councillor Thomson, seconded by Councillor Small, moved as an amendment that the application be refused on the grounds that it would be contrary to NPF4 policies 24 and 25. The proposed development contravened policy 24 (e) that the proposed development would not minimise visual and amenity impacts. The proposed development contravened policy 25 in that it did not contribute to community and local economy development that focused on community and place benefits. The proposed development contravened policy ED6 of the Local Development Plan in that it would have an adverse impact on the natural environment, particularly landscape and visual impact. The proposed development was contrary to policy IS15 A in that equipment would not be positioned or designed sensitively and would have an adverse effect on environment in particularly Tweedsmuir Upland Special Landscape Area. The developers had not adequately demonstrated that an alternative location had been sought.

On a show of hands, Members voted as follows:

Motion	-	4 votes
Amendment	-	5 votes

The amendment was accordingly carried.

NOTE

Mr Matthew Toomey spoke against the application.

Reference

23/00816/FUL

Nature of Development

Replacement tank, new
tanker layby and associated
work

Location

Land South of Olivers
Transport Ltd, Main Street,
Eccles

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. Within 2 months of the effluent tank being installed, the fence and gate, as shown on the approved drawing (drawing no. 2122-814-SW-100-4 6), shall be erected on site, unless otherwise agreed in writing by the Planning Authority. Thereafter, the fence and gate shall be permanently retained and maintained, as such.
Reason: To ensure the timeous installation and completion of the fence and in the interests of the visual amenities of the area.
3. No works in connection with the development hereby approved shall commence unless 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:
 - a) The location of new trees, scrubs or hedges;
 - b) A schedule of planting to comprise species, plant sizes and proposed numbers and density;
 - c) A programme for the implementation, completion and subsequent management of the proposed landscaping.All soft and hard landscaping proposals shall be carried out in accordance with the approved planting scheme and management programme. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted. Once provided, all hard landscaping works shall thereafter be permanently retained.
Reason: To ensure the implementation and management of a satisfactory scheme of landscaping which will help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.
4. The proposed development hereby approved shall not be brought into use unless the lay-by has been provided in accordance with the approved scheme as shown on the approved drawing (drawing no. 2122-814-SW-100-2 5). Thereafter, the lay-by shall be permanently retained and maintained, as such.
Reason: To ensure the development is served by safe access from the public road.

Informatives

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

VOTE

Councillor Richards, seconded by Councillor Small, moved that the application be approved as per officer recommendation.

Councillor Thomson, seconded by Councillor Moffat, moved as an amendment that the application be refused on the grounds that the application be refused on the grounds that it contravened NPF4 policy 14 (c) in that the proposed development was poorly designed and would be detrimental to the amenity of the surrounding area. The proposed development contravened policy PMD2 (k) of the Local Development Plan as it was not compatible nor respectful to the surrounding area.

On a show of hands, Members voted as follows:

Motion	-	6 votes
Amendment	-	3 votes

The motion was accordingly carried.

NOTE

Mr Gregg Pearson (Leitholm, Birgham and Eccles CC) spoke against the application.

Reference

23/00249/FUL

Nature of Development

Extension to the existing substation and erection of two hybrid synchronous compensators

Location

Land North Of Eccles Substation, Eccles, Coldstream

DECISION: Continued to a future meeting to allow the applicant to provide additional supporting information.

VOTE

Councillor Douglas, seconded by Councillor Moffat, moved that the application be continued to a future meeting to allow the applicant to provide additional supporting information.

Councillor Scott, seconded by Councillor Cox, moved as an amendment that the application be not continued and determined at the meeting.

On a show of hands, Members voted as follows:

Motion - 6 votes

Amendment - 3 votes

The motion to continue the application to a future meeting was accordingly carried.

NOTE

The Committee agreed that the applicant should submit the following supporting information:

1. The total acreage of the application site;
2. The total acreage of Todrig Farm;
3. The percentage of agricultural land lost to the proposed development and the potential impact this would have on the viability of the farm;
4. What the applicant's long-term plans for the substation were? Was there a strategic plan in place for the future development of the wider substation site? If so, a copy should be submitted for members consideration;
5. Had the applicant considered any other sites for the proposed substation extension? If so, what sites were considered?
6. Was the applicant aware of other proposals for energy infrastructure from other providers at this site? If so, what was proposed and where?

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SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of Meeting of the EXECUTIVE COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells and via MS Teams on Tuesday, 15 August 2023 at 10.00 am

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

Apologies: Councillors C. Cochrane and J. Pirone.

In Attendance:- Chief Executive, Director – Corporate Governance, Director – Finance and Procurement, Director – Infrastructure and Environment, Director - Resilient Communities, Director- Social Work and Practice, Democratic Services Team Leader, Democratic Services Officer (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 13 June 2023.

DECISION

APPROVED for signature by the Chairman.

2. **EDUCATION SUB-COMMITTEE**

There had been circulated copies of the Minutes of the meetings of the Education Sub-Committee held on 10 November 2022 and 2 March 2023. Councillor Leigh Douglas highlighted that with reference to paragraph 3.8 of the Minute of 2 March 2023, Mr Neil Bennet should be referred to as “Chair of Berwickshire High School Parent Council” instead of “Chair of Berwickshire High School”. Regarding paragraph 4.5, Mr Jonathan Short should be referred to as “Chair of Hawick High School Parent Council” in place of “Chair of Hawick High School”. It was agreed to amend the Minute accordingly.

DECISION

APPROVED for signature by the Chairman as amended.

3. **MONITORING OF THE CAPITAL FINANCIAL PLAN 2023/24**

There had been circulated copies of a report by the Director – Finance and Procurement which provided an update on the progress of the 2023/24 Capital Financial Plan and sought approval for virements and the reallocation of funds. The monitoring tables contained in the report provided the details of actual expenditure to 30 June 2023. The June month end position reflected a projected outturn of £130.365m with a net budget variance of £4.827m. That included net timing movements from 2023/24 of £7.881m. Further, more significant, movements from 2023/24 were likely as the year progressed and there was further clarity on the timing of major projects. The construction material supply chain had continued to experience disruption, which was likely to cause delays in sourcing essential materials and impact on project timelines. Spend projections within the report were only to be treated as indicative. Recent experience had demonstrated significant slippage at outturn when compared to initial budgetary estimates by managers. A number of macro-economic factors continued to affect the Capital Plan in 2023/24. Unprecedented levels of inflation combined with disruption in the construction materials supply chain continued to impact on the wider economy and the Council. A surge in demand coupled with constraints on supply had led to price increases, shortages, and longer lead times. The impact of that on tender prices for major projects and the wider Capital Plan continued to be assessed. Current legally committed projects had a small

risk of impact and block programmes of work could operate within a cash constrained budget and were considered lower risk. However, it would impact on the scale of project delivery from the blocks. The most significant risk lay in contracts being tendered this year which could result in a budget pressure as had been highlighted through reports taken to Scottish Borders Council in May and June 2023 in respect of Earlston Primary School and Galashiels Academy. Any financial implications from those market conditions would be reported through the regular budget monitoring cycle, with any longer-term impacts reflected in the financial planning process. In anticipation of inflationary pressures, an inflation contingency was established in the 2021/22-year end to support potential budget pressures. During the 2023/24 budget setting process a Planned Programming Adjustment budget line was added to the Financial Plan. That was offset where unspent project budgets became available through the year. The remaining balance to address in 2023/24 remained £0.833m. Identified pressures in new build projects at Earlston Primary School and Galashiels Academy had increased the Planned Programming Adjustment in future years of the plan. The funding of those pressures would be considered as part of the 2024/25 financial planning process. Appendix 1 to the report contained a list of the block allocations approved for the year and the various approved and proposed projects to be allocated from them within the 2023/24 Capital Plan. A list of estimated whole project capital costs for single projects which would not be completed in the current financial year was contained in Appendix 3 to the report. The latest version of the CIPFA Prudential Code, published in December 2021, required from financial year 2023/24 onwards that quarterly monitoring of prudential indicators should be reported by Councils. In order to meet that, quarters 2 and 4 of each financial year would continue be reported through existing treasury management reports. Quarters 1 and 3, which were not previously reported, would now be included in monitoring reports. Appendix 4 to the report contained the first monitoring report and provided an updated position on key treasury indicators as at the 30 June 2023 quarter end. The information provided was a snapshot at the end of quarter 1. There were no concerns to highlight at this stage of the year. The Director – Finance and Procurement, Mrs Suzy Douglas, presented the report and responded to Members questions. In response to a question regarding the reporting of projects at risk, Mrs Douglas explained that the amber ratings in the report were highlighting that there were some concerns regarding the budget to fund the relevant project. If specific projects were at risk of not proceeding, then they would be highlighted appropriately. Regarding payments from the Scottish Government for free school meal provision, Mrs Douglas explained that the Council was aware of what it was receiving for the current financial year and confirmed that the sum was less than anticipated. In response to a question regarding budget pressures arising from iPad purchases, Mrs Douglas explained that there was no increased budget pressure as a result from the iPad purchases, and that the budget had been increased to take account for the expected sale of iPads. The Chief Executive clarified that the Council had a purchase and lease back deal in place for the iPads.

DECISION

- (a) AGREED the projected outturn contained in Appendix 1 to the report as the revised capital budget and approved the virements required.**
- (b) NOTED:-**
 - (i) the budget virements previously approved by Directors, detailed in Appendix 2 to the report, under delegated authority;**
 - (ii) the list of block allocations in Appendix 2 to the report;**
 - (iii) the list of whole project costs detailed in Appendix 3 to the report; and**
 - (iv) the update on key Treasury indicators at 30 June 2023 in Appendix 4 to the report.**

4. **2022/23 MONITORING OF THE GENERAL FUND REVENUE BUDGET 2023/24**

4.1 There had been circulated copies of a report by the Director – Finance and Procurement which provided budgetary control statements for the Council's General Fund based on actual expenditure and income to 30 June 2023 along with explanation of the major variances identified between projected outturn expenditure/income and the current approved budget. Forecasts had been completed at the first quarter of 2023/24 at the 30 June 2023 which projected overall pressures within the Council of £3.771m at the financial year end. £3.267m of service pressures had been identified at the end of the first quarter plus £0.504m of inflation pressures. All pressures were detailed in Appendix 1 to the report. The most significant service pressure of £3.377m related to additional forecasted costs in Children & Families Social Work, which was mainly attributable to an increase in out of area placement costs. That position was one being reported across the UK as the volume and complexity of cases increased, along with an increase in the cost of placements. That budget was already under significant pressure during 2022/23 and as such Elected Members had approved budget growth of £2.5m through the 2023/24 financial planning process. Those pressures of £3.377m were over and above the growth provided with an unprecedented requirement for out of area placements exhibiting over the first quarter of 2023/24. Urgent management action was underway to minimise any further escalation in costs to protect the ongoing financial sustainability of the Council. Current inflation levels in the UK were impacting the Council directly and through impacts on delivery partners. At the first quarter additional direct costs of 0.504m, over and above growth provided in the budget were forecast based on current inflation levels. The overall £3.771m pressure posed a significant risk to the Council's ability to balance the 2023/24 budget. The Recovery Fund was not sufficient to address the scale of pressure. The Council Management Team had reviewed the monitoring position and had proposed a 20% reduction in some previously approved earmarked balances, brought forward from 2022/23, as a solution to balancing the budget in 2023/24. Those reductions were shown in Appendix 2 to the report. Consideration was urgently being given to the permanent budgetary impact of pressures and how they would be funded through the 2024/25 financial planning process. Financial Plan savings of £11.418m required to be delivered in 2023/24. Appendix 4 to the report provided an analysis of deliverability. Following the June 2023 month end £5.343m (47%) savings had been delivered permanently, £5.456m (48%) were profiled to be delivered by 31 March 2023, and £0.619m (5%) had been delivered on a temporary basis through alternative savings.

4.2 The Director of Social Work and Practice, Mr Stuart Easingwood, provided assurances that the Council was responding to unprecedented demands on the services provided by Children & Families Social Work to the best of its abilities. The demand on services was being experienced on a Scotland and UK wide scale. Scottish Borders Council was committed to providing care for young people from the Scottish Borders locally as much as possible. Out of area placements were only considered once all other opportunities in the region were exhausted or if a Children's Hearing Panel had made a legal order in the interests of the young person. In response to a question regarding the level of educational engagement a young person receiving out of area care would have, Mr Easingwood explained that the Director of Education and Lifelong Learning was working to guarantee that no effort was spared in ensuring that young people were provided with an educational package alongside the appropriate care provision. Regarding in-region facilities at the proposed Tweedbank Care Village, Mr Easingwood explained that the plans were still progressing in partnership with Scottish Borders Housing Association and Aberlour. Mr Easingwood confirmed that a meeting was contemporaneously underway to discuss interim provision of facilities in the area whilst the Care Village plans were progressed. The plans for the Care Village were also under review with a desire to ensure that they were fit for purpose. The Chief Executive highlighted that the Council had a range of provisions in schools such as pastoral support; special service; partnership work with Quarriers and Aberlour; as well as Community Learning and Development engagement to support young people. In response to a question regarding the potential for foster care to help alleviate some of the pressures, Mr Easingwood explained that

there had been a 25% decline in the number of foster placements available nationwide, thanked foster carers for their invaluable undertaking and confirmed that work to recruit more carers would continue. In response to a request from Elected Members the Chief Executive undertook to provide a private briefing outlining the number of children involved, legislative landscape, and costs associated with the Children and Families Social Work service. Mr Easingwood confirmed that on a national level work was ongoing as part of the Children and Young Peoples Planning Partnership, and that all of agencies involved understood the need to be pro-active to resolve difficult issues. The Chief Executive explained that future care provision would not involve an either/or system of in-region or out of region care. Certain situations would likely always arise that could not be resolved at a local level, and the public sector needed to invest in the provision of care and care facilities for the future to avert a crisis. In response to a question regarding staffing provision, Mr Easingwood explained that it was important to create career trajectories for people, and that an attractive package needed to be developed to ensure that people were encouraged to pursue a career in care. Members welcomed the savings that had been achieved, or were profiled to be achieved, in the year. It was highlighted that referring to current levels of inflation as unprecedented was imprecise because despite the rate being high, rates had been much higher in previous decades. In response to a question uncertainty regarding receiving teachers' pay award finances from the Scottish Government, Mrs Douglas confirmed that a commitment had been made that the Council would receive funding, however there was uncertainty in relation to the timing of the payment.

DECISION

AGREED to:-

- (a) note the projected corporate monitoring position reported at 30 June 2023, the remaining pressures identified, the underlying cost drivers of this position and the identified areas of financial risk as reflected in Appendix 1 to the report;**
- (b) note the pressures of £3.771m detailed in Appendix 1;**
- (c) approve the CMT proposal to reduce earmarked balances, brought forward from 2022/23, by 20% as detailed in Appendix 2 to the report to allow the 2023/24 budget to be balanced;**
- (d) note the Recovery Fund resources detailed in Appendix 3 to the report;**
- (e) note the progress made in achieving Financial Plan savings in Appendix 4 to the report;**
- (f) approve the virements in Appendices 5 and 6; and**
- (g) approve the virements in Appendix 7 specifically related to the reduction in previously approved earmarked balances.**

5. BALANCES AT 31 MARCH 2024

There had been circulated copies of a report by the Director – Finance and Procurement which provided an analysis of the Council's balances as at 31 March 2023 and advised of the projected balances at 31 March 2024. The Council's General Fund useable reserve (non-earmarked) balance was £9.980m at the end of the financial year. The General Fund useable reserve was projected to be around £8.4m at 31 March 2024 in line with the Council's Financial Strategy. The requirement to draw down from reserves during 2023/24 to fund the 2023/24 pay award, which was yet to be agreed, had been recognised as part of that Strategy. The total of all useable balances, excluding development contributions, at 31 March 2024 was projected to be £61.906m compared to £62.244m at 31 March 2024. The movement in balances year to year was primarily due to the net effect of the

release of earmarked balances carried forward from 2022/23 into the 2023/24 revenue budget and the increase in allocated balances associated with service concessions (the reprofiling of PPP debt) as approved by Scottish Borders Council on 16 February 2023. The projected balance of the Capital Fund of £9.111m would be affected by any further capital receipts, developer contributions, interest credited, and any expenditure authorised to be financed from the Fund during the remainder of the financial year.

DECISION

NOTED:-

- (a) **the unaudited 2022/23 revenue balances at 31 March 2023;**
 - (b) **the projected revenue balances as at 31 March 2024 in Appendices 1 and 2 to the report; and**
 - (c) **the projected balance in the Capital Fund in Appendix 3 to the report.**
6. **PRIVATE BUSINESS**
AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix 1 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7. **GALASHIELS TOWN CENTRE REGENERATION – STRATEGIC SITE PURCHASE**
Members considered a report by the Director – Resilient Communities and made an in principle decision subject to receiving a further report.

The meeting concluded at 12.00 pm

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SCOTTISH BORDERS COUNCIL SCRUTINY & PETITIONS COMMITTEE

MINUTES of Meeting of the SCRUTINY &
PETITIONS COMMITTEE held via Microsoft
Teams on Thursday, 17 August 2023 at 10.00
am

Present:- Councillor E. Thornton-Nicol (Chair), J. Anderson, J. Cox, J. PatonDay, N. Richards, S. Scott, F. Sinclair

Apologies:- Councillors P. Brown, M. Douglas and E. Robson

In Attendance:- Chief Executive, Director Finance and Procurement, Director Resilient Communities, Clerk to the Council, Finance Analyst (T. Hutchison) and Democratic Services Officer (L. Cuerden)

1. **MINUTE AND SCRUTINY ACTION SHEET**

- 1.1 Copies of the Minute of Meeting held on 1 June 2023 had been circulated.

DECISION

APPROVED the Minute for signature by the Chair.

- 1.2 Copies of the Action Tracker for Scrutiny decisions had been circulated.

DECISION

NOTED the update to the Action Tracker

2. **COVID-19 RESERVE/RECOVERY FUND**

- 2.1 There had been circulated copies of a report by Director Finance and Procurement, the purpose of which was to provide Members with detailed financial information that showed the funding received from Scottish Government and that allocated from within the Council budget to the Covid-19 reserve/ Recovery Fund, the criteria for its spend and the actual spend and outcomes achieved. The 2020/21 budget had been approved by Council at the start of the pandemic and detailed work was undertaken for its review and initial 2020/21 forecasts which included best estimates of the impact of Covid-19 on Council finances. Quarterly monitoring to the Executive Committee continued during 2021/22. The Covid-19 reserve was created at the end of 2020/21 to allow the carry forward of available budget through earmarked balances. In August 2022 the Covid-19 reserve, held to provide one-off funding, was re-designated as a 'Recovery Fund' to support Covid recovery, inflationary pressures and wider operating constraints. The Council's contribution to the Covid-19 reserve over the full period was £11.884m. With the assumption that all Scottish Government funding of £60.821m had been deployed first, there remained £11.215m of Scottish Borders Council funding to be allocated to the Recovery Fund from redirected budgets. During the financial year 2022/23, it had become increasingly challenging to distinguish between pressures that arose from Covid -19 and from those associated with the operating environment. This contributed to the reasoning behind the establishment of the Recovery Fund. At the end of the first quarter of 2023/24, the balance in the Recovery Fund was £1.187m. With reference to the meeting of the Executive Committee held on 15 August 2023, there was agreed the decision that a number of earmarked balances brought forward

from 2022/23 were to be reduced by 20% to address some service pressures highlighted during the first quarter. The balance of the Recovery Fund was to be reduced to £950k going forward.

- 2.2 Appendix 1 provided a high-level audit trail of movements in the Covid-19 Reserve/Recovery Fund from August 2020 to 15 August 2023. Appendix 1 also provided the same information in a detailed breakdown, tracking funding and expenditure from August 2020 to date. Appendix 2 detailed Scottish Government funding provided to Scottish Local Authorities: the national allocation, SBC's share of this and the funding received shown over the three financial years. Also included was the breakdown of £74.3m Covid-19 business grants which supported 5,770 businesses. There was no financial cost or benefit to the Council from these grants, though funding was received for the significant administrative burden incurred. It was to be noted that the Finance and CAS teams had been under significant pressure, with an increased workload, the adjustment to working from home and recruitment challenges throughout. Notwithstanding, business had continued to be conducted in a timely and professional manner. With reference to paragraph 5.2 of the report, all drawdowns from the Covid-19 reserve and the Recovery Fund had been approved by Elected Members through full Council or the Executive Committee. Audit Scotland had reported favourably on the Council's approach to managing the reserve over 2020/21 and 2023/33 annual audits.
- 2.3 There followed a brief discussion during which gratitude was expressed to the Director Finance and Procurement, the Finance department, the Chief Executive and staff across the Council for their work to bring the Council through the crisis in a secure manner. With reference to the classification of grants awarded from the Recovery Fund, there had been a request for criteria used to assess whether funding was Covid-19 related or due to the new operating environment, so Members could judge their appropriateness. In response, Ms Douglas reported that there were no criteria on the appropriateness in funding other than the Elected Member decisions. A choice had to be made on whether money was spent from allocated reserves and 'topped up' later or spent from the Recovery Fund. On the matter of the £58k expenditure attributed to Elected Members, £38k was associated with Councillors' pay award pressures and a £20k increase in Councillors' travel expenses. This was possibly due to an increase in travel because of the return to in-person. The matter of the travel expenses budget was continually reviewed as part of the ongoing financial planning process. It was highlighted that the annual travel budget pre-Covid was between £60k and £70k. In response to a question on fluctuating percentages of SBC's share of Scottish Government funding, it was reported that while the general allocation was 2.2%, there were other allocations based on different criteria e.g. the number of teachers at the last census; a percentage allocation on top of base level funding; a higher number of SMEs in the Borders resulted in a higher % share of funding. Concern was expressed by some Members at the funding provided for street parties from the Recovery Fund, but this had received approval at full Council. In the main the Recovery Fund had been used in an appropriate way to support communities through an unprecedented time. The Chair thanked all staff and members of the community for their work during Covid to make the Borders safe, secure and protected.

DECISION

NOTED the financial information provided showing the funding received from Scottish Government and that allocated from within the Council budget to the COVID-19 reserve, the criteria for its spend and the actual spend and outcomes achieved.

4. DATE OF NEXT MEETING

The next scheduled meeting of the Scrutiny & Petitions Committee was due to be held on 19 October 2023 at 10am. However, there would be a Special meeting held on 26 September 2023 to hear a petition.

The meeting concluded at 10.45 am

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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, 4th September, 2023 at 10.00 am

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

Apologies:- Councillors V. Thomson

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

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 7 August 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 Appeals to the Scottish Ministers and Local Review.

DECISION

NOTED that:

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

(i) **Installation of illuminated signage (retrospective) – 23/00332/ADV – reporter’s decision: sustained.**

(b) **There remained 2 appeals previously reported on which decisions were still awaited when this report was prepared on 21 July 2023 which related to sites at:**

• 32 Dunglass Road, Coldstream	• Keppel Gate, Nettingflat, Heriot
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(c) **The following reviews had been determined as shown:**

(i) **Erection of agricultural building (retrospective), Ravelaw Farm, Duns – 22/00576/FUL – Decision of Appointed Officer Overturned (Subject to a**

Legal Agreement);

- (ii) Alterations and dormer extension to dwellinghouse, 11 Tweed Avenue, Peebles – 22/00788/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);**
 - (iii) Erection of dwellinghouse, Land South of Greenbraehead Farmhouse, Greenbraehead, Hawick – 22/00869/PPP – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);**
 - (iv) Erection of 2no dwellinghouses, Land South of 1 Kelso Road, Coldstream – 22/01416/PPP – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);**
 - (v) Erection of 4 no dwellinghouses, Land West of Greenburn Cottage, Auchencrow – 22/01666/PPP – Decision of Appointed Officer Upheld (Terms of Refusal Varied);**
 - (vi) Erection of dwellinghouse with detached garage, Land West of The Old Barn Westwater, West Linton – 22/01739/FUL – Decision of Appointed Officer Upheld;**
 - (vii) Erection of dwellinghouse with access, landscaping and associated works, Land South and West of Greywalls, Gattonside – 22/01824/PPP – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);**
 - (viii) 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 – Decision of Appointed Officer Overturned (Subject to Conditions);**
 - (ix) Installation of timber gates (retrospective), Church House, Raemartin Square, West Linton – 22/01935/FUL – Decision of Appointed Officer Overturned;**
 - (x) 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 – Decision of Appointed Officer Overturned (Subject to Conditions);**
 - (xi) Change of use of shop and alterations to form 2 no dwellinghouses, Shop, 22-24 South Street, Duns – 23/00026/FUL;**
 - (xii) Change of Use from Class 4 to Class 2 Veterinary Practice, 2 Rowan Court, Cavalry Park, Peebles – 23/00056/FUL – Decision of Appointed Officer Overturned (Subject to Conditions);**
 - (xiii) Erection of a dwellinghouse with access, landscaping, garden space, and associated works, Land West of Greywalls, Gattonside – 23/00260/PPP – Decision of Appointed Officer Upheld (Terms of Refusal Varied);**
- (d) There remained 8 reviews previously reported on which decisions were awaited when the report was prepared on 24 August 2023 which related to sites at:**

<ul style="list-style-type: none"> • Land South of Ebbastrand, Coldingham Sands, Coldingham 	<ul style="list-style-type: none"> • Land North of Belses Cottage, Jedburgh
<ul style="list-style-type: none"> • Land South of Headshaw Farmhouse, Ashkirk, Selkirk 	<ul style="list-style-type: none"> • Land Northeast of The Bungalow, Crosshill, Chirnside
<ul style="list-style-type: none"> • Site Adjacent The Steading Whiteburn Farm, Lauder 	<ul style="list-style-type: none"> • W Pearce and Sons St Ronan's Works, 2 Miller Street, Innerleithen
<ul style="list-style-type: none"> • 22 Weensland Park, Hawick 	<ul style="list-style-type: none"> • U-Stor Business Units, Spylaw Road, Kelso

- (e) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 24 August 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 10.37 am.

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APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00249/FUL	Extension to the existing substation and erection of two hybrid synchronous compensators	Land North 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 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. No development shall commence until a scheme of phasing has been submitted to and agreed in writing by the Planning Authority. This shall include a programme for completion of the main elements within the development, including extension of the existing substation, siting of two Hybrid Synchronous Compensators, erection of buildings to house the two Hybrid Synchronous Compensators and commencement of landscaping works. 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.
3. Prior to the installation of the two Hybrid Synchronous Compensators, precise elevation drawings of the two buildings which will house this apparatus, including external finishes and colours shall be submitted to and agreed in writing with the Planning Authority and thereafter the development shall be completed in accordance with the agreed details.
Reason: Final details of the structures to house the Hybrid Synchronous Compensators are required to ensure a satisfactory form of development which respects the character and amenity of the rural area.
4. No development shall commence until a scheme of landscaping works has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include;
 - a) Existing and finished ground levels in relation to a fixed datum (preferably ordnance) to illustrate the full extent of all ground works including how the site levels tie in with surrounding topography.
 - b) 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.
 - c) Location of all 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.
 - d) Landscaped treatment for the embankment within the site compound
 - e) Schedule of plants to comprise species, plant sizes and proposed numbers/density
 - f) Programme for completion and subsequent maintenance.
 Reason: To ensure the satisfactory form, layout and assimilation of the development.

5. 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

6. 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.

7. On receipt of any noise complaint relating to plant and machinery noise associated with the development hereby approved, the site operators shall:

- a) Within 21 days from receipt of a written request from the Planning Authority following a complaint to it from an occupant of a dwelling alleging noise disturbance at that dwelling, the site operator shall, at its expense, employ a consultant to assess an appropriate background level and the level of noise immissions from the plant on site at the complainant's property. The written request from the Planning Authority shall set out at least the date, time and location that the complaint relates to.
- b) The methodology for the assessment of the background level and the rating level of noise immissions shall be undertaken in accordance with BS 4142:2014+A1:2019. The assessment procedure shall be submitted for approval by the Planning Authority prior to assessment. The proposed time of day for assessing the background level shall be those times when the complainant alleges there was disturbance due to noise, having regard to the written request of the Planning Authority under paragraph (a), and such others as the independent consultant considers likely to result in a breach of the noise limits.
- c) The site operator shall provide to the Planning Authority the independent consultant's assessment of the rating level of noise immissions undertaken within 2 months of the date of the written request of the Planning Authority unless the time limit is extended in writing by the Planning Authority. The assessment shall include all data collected for the purposes of undertaking the assessment. The instrumentation used to undertake the measurements shall be calibrated and certificates of calibration shall be submitted to the Planning Authority with the independent consultant's assessment of the rating level of noise immissions. The assessment shall contain recommended mitigation measures that should ensure compliance with the condition if non-compliance is determined.

Reason: To ensure Condition 7 is adhered to and nearby residential amenity is protected

8. 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.

9. 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.

10. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved. The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-
- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition. and thereafter
 - b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
 - c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
 - d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to the satisfaction of the Council.
 - e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by th Council.

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

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

11. No development shall commence until the following Ecological Mitigation Measures have been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:
- a) a Species Protection Plan (SPP) for badgers and otters
 - b) evidence that a Badger licence has been obtained from NatureScot
 - c) a SPP for breeding birds which shall include a pre-development supplementary survey, in the event that development works are sought to be commenced during the breeding bird season (March to August)
 - d) a proportionate Biodiversity Enhancement Plan

Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.

Informatives

1. The applicant is advised that they should ensure that they are satisfied that the development can remain operational during and flooding and further flood risk advise is available within Section 5 of SEPAs standing advice on flood risk.

NOTE

1. Mr Denis O’Kane, Scottish Power Energy Networks, spoke in support of the application.

Reference
23/00787/FUL

Nature of Development
Erection of dwellinghouse

Location
Land North East of The
Lodge Philiphaugh Mill
Ettrickhaugh Road, Selkirk

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. No development shall commence until evidence confirming that mains water and foul drainage connections have been approved by Scottish Water has been submitted for the written approval of the Planning Authority. The development shall be serviced only using the approved mains water and foul drainage connections, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development is adequately serviced.
3. The development shall be implemented in accordance with the plans and drawings, including external material specifications, approved under this consent unless otherwise required by any other condition in this schedule.
Reason: To ensure the development has a sympathetic visual impact.
4. The development shall be serviced only using mains water and foul drainage connections, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development is adequately serviced.
5. Development shall be implemented in accordance with the ecological mitigation measures approved under Conditions 11 and 12 of 19/01687/PPP and under 22/00019/AMC, where applicable to the approved site.
Reason: To ensure suitable ecological mitigation is implemented during construction of the development.
6. Hedging specified on the approved site plan 10349-CSY-XX-XX-D-A-1302 Rev C shall be implemented to the same specifications as approved for Plots 1-6 under 22/00019/AMC within the first planning season following completion of the development and subsequently maintained in accordance with the measures agreed under that consent for Plots 1-6.
Reason: To ensure the development has a sympathetic landscape and visual impact.
7. Surface water drainage within the site shall be provided to the same specification as approved for Plots 1-6 under 22/00019/AMC prior to occupancy of the dwellinghouse, and the parking area/driveway shall be of permeable construction unless alternative means are otherwise agreed in writing with the Planning Authority.
Reason: To ensure sustainable management of surface water.
8. Protective fencing, of a specification that accords with BS5837:12, shall be erected along the route shown on the approved site plan (10349-CSY-XX-XX-D-A-1302 Rev C) prior to development commencing and shall be retained until development is complete.

No works shall be carried out within the protected areas unless compliant with BS5837:12.

Reason: To minimise risk to trees with public amenity value.

9. Bin storage shall be provided within the site in accordance with the approved site plan 10349-CSY-XX-XX-D-A-1302 Rev C prior to the dwellinghouse being occupied sufficient for one general waste and one recycling wheelie bin and subsequently retained unobstructed for such purposes.

Reason: To ensure the visually sympathetic and accessible storage of bins.

10. The parking area specified on the approved site plan 10349-CSY-XX-XX-D-A-1302 Rev C, and access to and improvement works, including footway, on Ettrickhaugh Road (all in accordance with 22/00019/AMC) shall be implemented prior to occupancy of the dwellinghouse. The parking area shall be subsequently retained free from obstruction for the movement and parking of at least two cars.

Reason: To ensure the development is adequately serviced in the interests of road and pedestrian safety.

11. The approved dwellinghouse shall not be completed prior to the completion of all houses within plots 1-5 approved under 22/00019/AMC.

Reason: To ensure the development has a sympathetic visual impact

Informatives

1. The new footway, turning head, road widening, drainage, and any enhanced street lighting required on Ettrickhaugh Road is currently subject to a Road Construction Consent (22/01420/RCC) and these features will potentially be adopted by the Council upon satisfactory completion. The carriageway widening will have to tie in with the existing carriageway in a manner acceptable to the Council as Roads Authority. All prospectively adoptable work must be undertaken by a contractor first approved by the Council.
2. Scottish Water advise that there is live infrastructure in the proximity of the site that may impact on existing Scottish Water assets. The applicant must identify any potential conflicts with Scottish Water assets and contact their Asset Impact Team via their Customer Portal for an appraisal of the proposals.
3. It is recommended that the Applicant signs up to FLOODLINE at www.sepa.org.uk or by telephone on 0845 988 1188; review the Online Planning Advice on Flood Risk; develop an evacuation plan for the building during times of flood warning and adopt water resilient materials and construction methods as appropriate within the development. Flood protection products such as floodgates and air-vent covers should also be considered for the development. Details of these can provided by SBC Flood & Coastal Management team who will be able to offer advice and provide discounts for the products.

NOTE

1. Application requires referral to Scottish Ministers due to outstanding objection from SEPA.