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

6.	<p>Committee Minutes (Pages 3 - 36)</p> <p>Consider Minutes of the following Committees:-</p> <table data-bbox="260 748 1171 985"><tr><td>(a) Executive</td><td>12 March 2024</td></tr><tr><td>(b) Chambers Institution Trust</td><td>13 March 2024</td></tr><tr><td>(c) Tweeddale Area Partnership</td><td>19 March 2024</td></tr><tr><td>(d) Chambers Institution Trust</td><td>21 March 2024</td></tr><tr><td>(e) Eildon Area Partnership</td><td>21 March 2024</td></tr><tr><td>(f) Planning and Building Standards</td><td>25 March 2024</td></tr><tr><td>(g) Eildon Area Partnership</td><td>28 March 2024</td></tr></table> <p>(Copies attached.)</p>	(a) Executive	12 March 2024	(b) Chambers Institution Trust	13 March 2024	(c) Tweeddale Area Partnership	19 March 2024	(d) Chambers Institution Trust	21 March 2024	(e) Eildon Area Partnership	21 March 2024	(f) Planning and Building Standards	25 March 2024	(g) Eildon Area Partnership	28 March 2024	5 mins
(a) Executive	12 March 2024															
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| (a) | Executive | 12 March 2024 |
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| (d) | Chambers Institution Trust | 21 March 2024 |
| (e) | Eildon Area Partnership | 21 March 2024 |
| (f) | Planning and Building Standards | 25 March 2024 |
| (g) | Eildon Area Partnership | 28 March 2024 |

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SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of the Blended Meeting of the
EXECUTIVE COMMITTEE held in Council
Chamber, Council Headquarters, Newtown
St Boswells and via Microsoft Teams on
Tuesday, 12 March 2024 at 10.00 am

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

Apologies:- Councillors C. Cochrane, J. Greenwell and E. Robson

In Attendance:- Chief Executive, Director – Corporate Governance, Director – Education & Lifelong Learning, Director - Finance and Procurement, Director- Infrastructure and Environment, Director – People, Performance & Change, Director - Resilient Communities, Democratic Team Leader (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held 13 February 2024.

DECISION

APPROVED for signature by the Chairman.

2. **CORPORATE PROCUREMENT STRATEGY 2024/25**

There had been circulated copies of a report by the Director – Finance and Procurement which sought approval of the Corporate Procurement Strategy for 2024/25 ahead of publication. The Procurement Reform (Scotland) Act 2014 set out specific duties for contracting bodies (including Local Authorities). Those duties included the publishing of a procurement strategy and an annual report on delivery of the strategy. The Corporate Procurement Strategy for 2024/25 aligned with the approved Council Plan. The Director Finance and Procurement, Mrs Suzy Douglas, presented the report and responded to questions. In response to a question regarding plans for future meet the supplier events, Mrs Douglas confirmed that planning for future events was ongoing. Mrs Douglas undertook to explore whether it would be possible to present the community benefit of specific contracts in future reports. Regarding spend in the report listed as not categorised, Mrs Douglas explained that due to the wide range of different types of contracts the data would be too expansive to display in the report. Members welcomed the report.

DECISION

AGREED to approve the Corporate Procurement Strategy as contained in Appendix 1.

3. **CAPITAL PROGRAMME 2024/25 – BLOCK ALLOCATIONS**

There had been circulated copies of a report by the Director- Finance and Procurement which sought approval for the proposed individual projects and programmes within the various block allocations in the 2024/25 Capital Investment Plan. Appendices A-Q to the report contained proposals for various projects to be allocated from the block allocations. Those overall block allocations were approved in the 2024/25 Capital Investment Plan at the meeting of Scottish Borders Council on 29 February 2024. Due to ongoing development of asset plans, not all projects had been fully identified and when that information was available it would be brought for consideration as part of the quarterly monitoring reports. In response to a question regarding Jedburgh Grammer Campus demolition costs, the Chief Executive provided assurance that a report would be presented to the Committee once final tender costs were known. The demolition would

not proceed until that report had been approved. Regarding the £170k allocation to Council HQ building upgrade works, the Director Infrastructure and Environment, Mr John Curry, explained that as part of the Council's drive to rationalise its estate further investment in the Headquarters building was planned in areas where services would be co-located into shared facilities. It was highlighted that certain projects within the play area blocks had the potential to slip to later years. In response to a question regarding Selkirk High School refurbishment spend, the Director Education and Lifelong Learning, Mrs Lesley Munro, explained through investment the current provision could be improved to a comparable standard in layout and design to more modern schools. The Chief Executive outlined that future capital spending plans involving buildings were likely to be curtailed due to budgetary pressures and the Council needed to look to adapt its buildings rather than replace them where possible. In response to a question in relation to the Peebles flood protection project Mr Curry confirmed that the project was at an early stage with no concerns that it would not proceed. Mr Curry confirmed that an update would be provided regarding planned installation of solar panels on Council buildings. The Chief Executive confirmed that there were no plans to replace Selkirk high school within current capital plans.

DECISION

AGREED to approve the block allocation breakdowns contained in Appendices A-Q of the report.

DECLARATION OF INTEREST

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

4. SELF CATERING LEGISLATION CHANGES

There has been circulated copies of a report by the Director Infrastructure and Environment which outlined the impact that changes to the local taxation of self-catering properties had on the Council's Trade Waste Collection Service and to recommend a way forward. The law relating to the local taxation of self-catering properties changed with effect from 1st April 2022. In order to be classed as a Non-Domestic property and liable for Non-Domestic rates instead of Council Tax, a self-catering property was now required to provide evidence to the Assessor of 70 days of actual letting as well as 140 days of intention to let from 2022-23 onwards. If the property was not considered by the Assessor to be self-catering it would enter the Council Tax Valuation List, at an appropriate valuation band, and would be liable for Council Tax. The Assessor had reviewed all Self-Catering Properties against the new conditions for the financial year 2022/23 and a number had failed to meet the new requirements and had been moved from the Valuation Roll to the Council Tax Valuation List. Those properties were now asked to pay Council Tax, which in most cases would be more expensive than paying business rates and claiming business rates relief (SBBS). As a result a number of those properties had requested a full refund of their Trade Waste Contracts for the periods 2022/23 and 2023/24. It was recognised that this would be an ongoing issue that would change from year to year i.e. in future more Self-Catering Properties may not meet the new criteria and vice versa. The Council needed to agree how it was going to deal with the requests for Trade Waste refunds in those instances to ensure consistency and fairness. The Waste and Passenger Transport Manager, Mr Ross Sharp-Dent, presented the report and responded to Members questions. In response to a question regarding when the legislative change was communicated to trade waste contract holders, Mr Sharp-Dent explained that whilst the change came into effect from April 2022 the Council had yet to make a decision regarding whether to refund those who had taken out trade waste contracts or not. Communications would be sent to the relevant parties once future arrangements were agreed. Members agreed that Option 3 in the report was the most prudent course of action and highlighted that effective communication with contract holders was extremely important.

DECISION

AGREED to:-

- (a) note the report; and**
- (b) implement Option 3 outlined in the report.**

4. SCOTTISH BORDERS COUNCIL'S QUARTER 4 2023/24 PERFORMANCE INFORMATION

With reference to paragraph 7 of the Minute of the meeting held on 5 December 2023, there had been circulated copies of a report by the Director People, Performance and Change which presented a summary of Scottish Borders Council's Quarter 3 2023/24 performance information. The information contained in the report would be made available on the SBC website at www.scotborders.gov.uk/performance. The Director People, Performance and Change, Mrs Clair Hepburn, presented the report and highlighted that the 16 milestones reported in the quarter showed that 9 of them had been achieved as planned. There was 1 milestone which had been rescheduled to a future quarter and there were 6 milestones which had been partly completed and work would continue on them. Of the 91 indicators presented 65 were in a good position of which 14 were particularly positive. 15 were highlighted as areas of focus for improvement and 11 information only figures which provided context to some of the performance indicators. The Community Action Team (CAT) had been operating at full strength since 1st June and the upturn in the statistics since that date was notable, particularly for High Visibility Foot Patrols and Mobile Patrols hours. In response to a question regarding comparison with other Local Authorities, Mr Hepburn explained that the annual report included benchmarking data comparisons and the information published online also provided significant context to the figures. The Director undertook to explore the inclusion of a quick reference guide to allow the public to understand the data in an easier manner. In response to concerns regarding school attendance rates, Mrs Munro explained that each school had their own specific plans to improve attendance. It was agreed that a briefing would be organised to outline those plans. In response to a question regarding the number of FOI requests which had been received, Mrs Hepburn confirmed that the Council received a considerable number of requests and that they were prioritised based upon their due date. The Chairman highlighted that Selkirk High School's esports team had competed in their first ever match.

DECISION NOTED:-

- (a) the Quarter 3 2023/24 Council Plan Key Milestones and Performance Indicators Report contained in Appendix 1 to the report; and**
- (b) the Quarter 3 2023/24 Community Action Team Performance Report contained in Appendix 2 to the report.**

6. PRIVATE BUSINESS DECISION

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

SUMMARY OF PRIVATE BUSINESS

7. GALASHIELS TOWN CENTRE REGENERATION

Members considered a report the Director – Resilient Communities and deferred a decision on its recommendations.

The meeting concluded at 11.45 am

SCOTTISH BORDERS COUNCIL CHAMBERS INSTITUTION TRUST

MINUTES of Meeting of the CHAMBERS
INSTITUTION TRUST held in via Microsoft
Teams on Wednesday, 13 March at 5.00 pm

Present:- Councillors R. Tatler (Chair), D. Begg, J. Pirone and M. Douglas
Apologies:- Councillors E. Small and V. Thomson
In Attendance:- Chief Legal Officer, Chief Officer Estates, Strategic Economic Investment
Lead Officer, Community Engagement Officer (E. Husband), S. Coe
(Beneficiaries Group) and Democratic Services Officer (L. Cuerden)

1. **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.

2. **GOVERNANCE ARRANGEMENTS**

Members discussed governance arrangements for the Chambers Institution Trust and its Trustees.

The meeting concluded at 5.50 pm

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SCOTTISH BORDERS COUNCIL TWEEDDALE AREA PARTNERSHIP

MINUTES of Meeting of the TWEEDDALE
AREA PARTNERSHIP held in the DRILL
HALL, WALKERSHAUGH, PEEBLES on
Tuesday, 19 March 2024 at 7.00 pm

- Present:- Councillors M. Douglas (Chair), D. Begg, J. Pirone and R. Tatler.
- Apologies:- Councillors E. Small and V. Thomson, K. Peebles (Eddleston CC), P. Maudsley (Peebles CC)
- In Attendance:- Participation Officer (C. Malster), Community Engagement Officers (H. Lacon, K. Harrow), Community Learning and Development Officer (J. Dobbing), Community Learning Officer (R. McDowell), Democratic Services Officer (L. Cuerden)
- Also In Attendance:- C. Lewin (Tweeddale Assessment Panel), Crick Carleton (Chair, Tweeddale Area Partnership Place Making Working Group), J. Jepson, C. Whitmore (Clovenfords & District Community Council), I. Gibson (Peebles Youth Voice), D. Hodson (Tweeddale Youth Action) and other Members of the Public.

1. **WELCOME AND INTRODUCTIONS**

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

2. **MINUTE AND ACTION TRACKER**

There had been circulated copies of the Minute of the meeting held on 6 February 2024 and the Action Tracker.

DECISION

AGREED the Minute and **NOTED** the Action Tracker

3. **FEEDBACK FROM PREVIOUS MEETING**

Hannah Lacon gave a brief recap on the introduction of Alex Waterstone-Law, the recently elected MSYP. Alex had already been contacted on a number of issues and was to be invited to attend future meetings of the Area Partnership where diary commitments allowed. Crick Carleton had provided a thorough summary of the progress of Peebles Town Team and the wider Place Making programme.

DECISION

NOTED

4. **ROUND TABLE DISCUSSION**

Clare Malster, Participation Officer introduced the purpose of the evening's round table discussion. The review of Area Partnerships had restarted following a break due to the pandemic. Attendees were encouraged to share thoughts and pose questions on Area Partnerships. A summary document on responses was to be collated and circulated to attendees in due course.

DECISION

NOTED the update.

5. **PEEBLES YOUTH VOICE**

Iain Gibson, Administrator of Peebles Youth Voice (PYV) provided attendees with an update on local initiatives to increase provision for local young people. PYV was a collective of organisations with a focus on youth provision and support in Peebles and to bridge the gap between young people and the local community. The programmes and facilities were for young people in Tweeddale and it was acknowledged that wider access was challenging and relied on public transport or parent/carer drivers. Mr Gibson reported that a survey that had been produced for the young people of Peebles High School and he hoped that this would provide a good base of information on barriers for young people and potential gaps in services and facilities for them locally. Work on the youth shelter in Victoria Park had begun and an opening event was to take place in due course. Several future youth events had been planned at the Eastgate Theatre (film and music evenings). Mr Gibson thanked SBC, Community Councils, Elected Members and communities for their support in working towards their objectives. In response to a question on governance and resultant funding opportunities, Mr Gibson reported that PYV had considered becoming a constituted group. However at present, the organisation was content to work under the umbrella of the Peebles Community Trust and fulfil an enabling role for other organisations with a focus on action for and by young people.

DECISION

NOTED the update.

6. **FLOOD MANAGEMENT IN TWEEDDALE**

Colin Kerr provided an update on progress to date. Six communities had been brought together to develop a strategy. Some of those communities had received SWIFT water rescue training from Scottish Fire and Rescue Service, with Innerleithen's training pending. The process of engaging with stakeholders had begun and positive responses had been received from SEPA, Scottish Water, SBC Resilience Team and Tweed Forum. An early warning system provided by WhatsApp between farmers and ghillies had been deployed recently and it was intended that this communication tree continue for future weather events. The redeployment of the temporary flood barrier at Hawick to Peebles was to be put to SBC, as was a larger sandbag store at Walkershaugh, 'Path Closed' signs, and sandbags for Walkerburn Primary School. Another possibility to discuss was the installation of flood gates, akin to snow gates, to close flooded roads. The group had considered the purchase of 2-way radios, the result of which was a need for 20 sets and a funding source for their purchase was being sought. The group hoped to complete all outstanding actions within 6 months. SEPA and Scottish Water were to be invited to speak to communities and the next meeting of the Flood Group in Peebles was to be arranged soon. There followed a brief discussion on the perceived benefit of river dredging as a flood prevention measure and water management practices by Scottish Water. Dredging was not acceptable to SEPA and alternative mitigations such as that at Eddleston Water were the alternatives.

DECISION

NOTED the update.

7. **NEIGHBOURHOOD SUPPORT FUND**

Chris Lewin Chair of the Tweeddale Assessment Panel shared the criteria for NSF applications and the process and challenges of their assessment. The criteria had remained mostly unchanged, and a few changes had been suggested by the current Panel. The updated criteria, to be piloted over 2024/25, was to be attached to the Minute of this meeting. This was to be Mr Lewin's last Area Partnership meeting as he stepped down as Chair of the Panel. The Chair thanked Chris for his work over the past three years in advising Members. Those interested in joining the Tweeddale Assessment Panel were to contact Hannah.lacon@scotborders.gov.uk. There was a suggestion that Elected Members have the opportunity to contribute to the Panel's deliberations on the NSF applications prior to consideration at Area Partnership meetings. Hannah Lacon

confirmed that feedback and evidence from groups was a condition of an NSF award and that it was often challenging to obtain. Repeat applications were only considered where an evaluation of the previous award was provided. There was a suggestion that future Area Partnership meetings begin with an evaluation round-up, whereby group representatives were invited to share the impact of NSF awards and raise awareness of their work and that of the Partnership and Panel.

8. **FUNDING TABLE OVERVIEW**

There had been circulated copies of the Tweeddale Funding Table which showed available funds in the Tweeddale area. Hannah Lacon reported that there was an opening balance of £60,138.77 at 1 April 2023. Were all applications under consideration to be successful, there would be a deficit of £2,356.47.

DECISION NOTED

9. **NEIGHBOURHOOD SUPPORT FUND**

- 9.1 Chris Lewin of the Tweeddale Assessment panel provided an overview of each of the applications. The Assessment Panel had carefully considered each application and any conflicts of interest were declared during the Panel's deliberations.

Innerleithen Golf Club had applied for £7,500 to part fund a second-hand tractor and trailer for £15,000 to replace their existing one which was at the end of its life. They had not provided evidence of funding sought elsewhere and the award was capped at £5k.

DECISION AGREED TO FUND £5,000

Peebles County Cricket Club had applied for £3,194 towards the purchase of a new bowling machine. It was to support the development of cricket at the High School and was available for other clubs to use.

DECISION AGREED TO FUND £3,194

Linton Lifts had applied for £590 to support with the costs incurred to assess demand in a local car lift scheme similar to the one in Broughton.

DECISION AGREED TO FUND £590

The Dyslexic Collective had applied for £4,000 to pay for practical items to help dyslexic learning students in their first year at Peebles High School. Councillor Pirone agreed to liaise with the school to obtain their approval of the equipment and its use.

DECISION AGREED TO FUND £4,000 on condition of a letter of approval of the equipment and its use in school from Peebles High School.

10. **ANY OTHER BUSINESS**

- 10.1 The SEStran (South East Scotland Transport Partnership) 'Do The Ride Thing' event was to be held in Walkerburn on Thursday, March 28 from 10am-2pm. A fleet of e-bikes was to be available for the local community to try out with cycling instructors there to lend a

helping hand. The event was part of SEStran's project to promote the use of e-bikes for travel and leisure throughout March and April. The event was located at the GO e-Bike Hub, behind Unit 7, Tweedvale Mills East, Walkerburn, EH43 6AB. Walkerburn Community Development Trust (WCDT) operated the hub and had a number of e-bikes on loan from SEStran.

10.2 Jean Dobbing, Community Learning & Development Officer spoke briefly on her role as ESOL (English as a Second or Other Language) co-ordinator for adults. Along with Richard McDowell, Jean worked with adults, unaccompanied minors and families to support their English learning. Attendees were encouraged to contact Jean for any support needed in the area at jean.dobbing@scotborders.gov.uk or cld@scotborders.gov.uk.

10.3 Councillor Tatler confirmed that the Levelling up Fund had awarded the Chambers Institution Trust £4.4m. There had been a drop-in session at the Burgh Hall on 18 March, attended by around 70 people, to gather initial opinion on the draft vision proposal (available here: [Agenda for Chambers Institution Trust on Wednesday, 28th February, 2024, 4.00 pm - Scottish Borders Council \(moderngov.co.uk\)](#)). There was to be a standing item on the Area Partnership agenda to provide an update on progress.

11. **OPEN FORUM**

There was a brief discussion on the Pingo bus service and the possibility of this being trialled in Tweeddale. Councillor Begg confirmed that he had been in discussion with SBC around the service difficulties experienced in the Berwickshire pilot area and that costs to roll out a programme were likely to be prohibitive. There was to be further discussion on the 91 and 93 service between Councillor Begg and Gordon Grant, Principal Public Transport Officer, SBC.

6. **DATE OF NEXT MEETING**

The next meeting of the Tweeddale Area Partnership was noted as 11 June 2024, via Microsoft Teams.

The meeting concluded at 9.00pm

SCOTTISH BORDERS COUNCIL CHAMBERS INSTITUTION TRUST

MINUTES of Meeting of the CHAMBERS
INSTITUTION TRUST held via MICROSOFT
TEAMS on Thursday, 21 March 2024 at 4.00
pm

Present:- Councillors R. Tatler (Chair), D. Begg, M. Douglas and J. Pirone

Apologies:- Councillors E. Small and V. Thomson

In Attendance:- Director Corporate Governance (from 16:30), S. Coe (Beneficiaries Group), J. Dyer, 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. An additional matter was to be considered under Item 8.

2. MINUTES

There had been circulated copies of the Minute of the Meetings held on 24 January and 28 February 2024.

DECISION

AGREED to approve the Minutes for signature by the Chair.

3. BENEFICIARIES GROUP UPDATE

- 3.1 The Chair shared the main points from the meeting of the Beneficiaries Group on 20 March 2024, the Note of which was to be appended to this Minute. The public consultation drop-in event held on 18 March saw around 70 attendees give their feedback on the project vision document. A summary of these responses was to be appended to this Minute, along with the Community Consultation Report by Jason Dyer. A few key points were highlighted by Members: the need to ensure good Wi-fi for the hearing loop to operate effectively; concern around the proposal to open a café and its impact on local businesses; a large amount of the Levelling Up award was to be spent on the fabric of the building to make it more sustainable for the future.

DECISION

NOTED the update.

4. JOHN BUCHAN MUSEUM

- 4.1 Gareth Smith had no further update to provide on possible measures to improve the frontage and signage of the museum. The question of whether Estates was to take a lead on this was raised. A meeting with Planning officers and representatives of the John Buchan Museum was still to be arranged by Gareth Smith/Estates.
- 4.2 Gareth Smith provided an update on Burgh Hall works. Vents had been installed to the pipe box and were not to be painted. Their effectiveness was not known yet, but feedback was to be sought from the Peebles Pensioners Association who were regular users of the hall. There was to be no curtain hung in the balcony and the acoustic panels were to be installed by the end of April.

DECISION

NOTED

5. **ANY OTHER BUSINESS THE CHAIR DECIDES IS URGENT**
The Chair requested that two standing items be included on the monthly agenda going forward: Levelling Up Fund Report and Financial Report.
6. **PRIVATE BUSINESS DECISION**
AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.
7. **PRIVATE MINUTE**
Members considered the Private Minutes of 24 January and 28 February 2024.
8. **BURGH HALL FOYER CABINET**
Members considered the placement of the cabinet and shelving and agreed to arrange a site visit for measurements to be taken.

The meeting concluded at 4.30pm.

MINUTE of Meeting of the EILDON AREA
PARTNERSHIP held Via Microsoft Teams on
Thursday, 21 March 2024 at 6.00 pm

Present:- Councillors E. Thornton-Nicol (Chair), N. Mackinnon, F. Sinclair, and H. Steel together with 6 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillors C. Cochrane, E. Jardine, J. Paton Day L. Douglas, J. Linehan, and D. Parker.

In Attendance:- Community Co-ordinator (K. Harrow), Community Engagement Officer (E. Coltman), Democratic Services Team Leader.

1. **QUORUM**

The Chair explained that the meeting was not quorate and could not proceed. A meeting would be convened on Thursday, 28 March 2024 to consider the Neighbourhood Support Fund applications and criteria. An additional meeting would be held in late April.

The meeting concluded at 6.10 p.m.

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Public Document Pack

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, 25th March, 2024 at 10.00 am

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

Apologies:- Councillors A. Orr, E. Small and V. Thomson

In Attendance:- Principal Roads Planning Officer, Barry Fotheringham, Sarah Thompson and Planning Officer

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 5 March 2024.

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 copied of a report by the Chief Planning and Housing Officer on Appeals to the Scottish Ministers and Local Review.

DECISION

NOTED that:

- (a) **An appeal had been received in respect of replacement roof to glasshouse, Garden House Linthill, Melrose – 23/00646/LBC;**
- (b) **There remained three appeals previously reported on which decisions were still awaited when the report was prepared on 15 March 2024 which related to sites at:**

<ul style="list-style-type: none">• Land East of Kirkwell House, Preston Road, Duns	<ul style="list-style-type: none">• Middle House, Kingsmuir Hall, Bonnington Road, Peebles
<ul style="list-style-type: none">• Land South East of Mounthooly House, Jedburgh	

- (c) Review requests had been received in respect of:
- (i) Replacement roof to glasshouse, Garden House Linthill, Melrose – 23/00647/FUL;
 - (ii) Commercial storage facility comprising 30 no. storage containers with associated works, Former Gas Works, Princes Street, Innerleithen – 23/01003/FUL;
 - (iii) Change of use of church and alterations to form dwellinghouse (revision to planning permission 22/01508/FUL), Westruther Parish Church, Westruther – 23/01381/FUL;
 - (iv) Change of use of public house, alterations and extension to form dwellinghouse, Public House, 3 Orrock Place, Hawick – 23/01845/FUL;
- (d) The following reviews had been determined as shown:
- (i) Erection of dwellinghouse, Land West of The Garden House, Brieryyards, Hornshole Bridge, Hawick – 22/00532/PPP – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
 - (ii) Erection of dwellinghouse, Land South of 1 Old Edinburgh Road, Eddleston – 23/00844/FUL – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
 - (iii) Erection of dwellinghouse with access and associated works, Land East of Mos Easley, Teviothead – 23/01007/PPP – Decision of Appointed Officer Overturned (Subject to Conditions);
 - (iv) Erection of dwellinghouse, Garden Ground of Glenfield, Redpath – 23/01014/FUL – Decision of Appointed Officer Upheld;
- (e) There remained eight reviews previously reported on which decisions were still awaited when the report was prepared on 15 March 2024 which related to sited at:

• The Blue House Near Swansfield Farm, Reston, Eyemouth	• Land Adjacent Carnlea, Main Street, Heiton
• Middle House, Kingsmuir Hall, Bonnington Road, Peebles	• Land East of Blinkbonny Farmhouse, Kelso
• Land East of Buckletons, Stichill Stables, Kelso	• 8 St Dunstan, Lilliesleaf
• Land East of Morebattle Mains Cottages, Morebattle	• 11A Roxburghe Drive, Hawick

The meeting concluded at 12.40 pm

APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
21/01808/S36	Onshore wind farm of 14 turbines with a maximum tip height of 180 metres, and ancillary infrastructure.	Land Southwest of Brockhouse Farmhouse, Fountainhall, Galashiels

DECISION: Members agreed that the Council objects to the application, contrary to officers' recommendation for the following reason:

The proposed development would be contrary to Policy 11 of National Planning Framework 4 and Policy ED9 of the Scottish Borders Council Local Development Plan 2016 in that the scale and height of the turbines are of such an imposing nature that they would overwhelm the local community and landscape, having an unacceptable adverse impact on the local community and residential amenity as well as significant adverse landscape and visual impacts. The project design and mitigation has not demonstrated how these impacts will be addressed.

VOTE

Councillor Scott, seconded by Councillor Moffat, moved that the Council do not object to the proposed development as per officer recommendation.

Councillor Richards, seconded by Councillor Douglas, moved as an amendment that the application be refused on the grounds that the proposed development would be contrary to Policy 11 of National Planning Framework 4 and Policy ED9 of the Scottish Borders Council Local Development Plan 2016 in that the scale and height of the turbines are of such an imposing nature that they would overwhelm the local community and landscape, having an unacceptable adverse impact on the local community and residential amenity as well as significant adverse landscape and visual impacts. The project design and mitigation has not demonstrated how these impacts will be addressed.

On a show of hands, Members voted as follows:

Motion	-	2 votes
Amendment	-	4 votes

The amendment was accordingly carried.

Reference

23/01782/FUL

Nature of Development

Removal Condition no. 24 of
planning permission
18/01385/FUL pertaining to
a scheme of woodland
management

Location

Land At The Croft Dingleton
Road Melrose

DECISION: Refused as per officer recommendation.

NOTE

Ms Carrie Henderson spoke as an objector to application.

Reference

23/01038/S36

Nature of Development

Construct of a Battery
Energy Storage System and
associated infrastructure.

Location

Land West of the Eccles
Substation

DECISION: Members agreed with officer recommendation, that SBC do not object to the proposed development, subject to the imposition of the following planning conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The battery storage facility and associated infrastructure hereby approved shall be removed from the site no later than 40 years after the date when electricity is first generated unless otherwise approved by the Planning Authority through the grant of a further planning permission following submission of an application. Written confirmation of the commencement date of electricity storage shall be provided to the planning authority within one month of that date.
Reason: In order to limit the permission to the expected operational lifetime of the battery storage facility and to allow for restoration of the site in the event that the use is not continued by a further grant of planning permission for a similar form of development.
3. No development shall commence until the following precise details have been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be completed in accordance with the agreed details;
 - i. the final site layout,
 - ii. the design and appearance of all buildings and equipment to be installed within the site including their external material finish and colour
 - iii. the design and appearance of all acoustic barriers, fences and means of enclosure including their material finish and colour
 - iv. details of any lightingReason: The final proposed site layout has not yet been determined therefore further details are require to achieve 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 details, which has first been submitted to and approved in writing by the Planning Authority and thereafter the development should be undertaken in accordance with the agreed details of the scheme shall include ;
 - i. Existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
 - iii. Location of new trees, shrubs and hedges
 - iv. Precise details of the gradient and height of the bund being provide along the southern boundary of the site
 - iv. Schedule of plants to comprise species, plant sizes and proposed numbers/density
 - v. A programme of completion and subsequent maintenance and in the event of failure proposals for replacement planting.

Once agreed all soft landscaping shall be implemented before development works commence within the site.

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

5. 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 (unless otherwise dictated through the grant of a new planning permission for a similar form of development) the scheme shall be implemented within 12 months of the final date electricity is generated at the site and in any case before the expiry of the time period set by Condition 2.
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.

6. There shall be no commencement of development until a Traffic Management Plan (TMP) has been submitted to and approved in writing by the Planning Authority. The TMP to include:
 - a. The detailed delivery route and vehicle numbers for all cars, HGV deliveries and abnormal loads associated with the development and measures to ensure that the specified routes are adhered to, including monitoring procedures;
 - b. Name and contact details of a nominated person to whom any road safety issues can be referred.
 - c. Details of all dry runs associated with the delivery of any abnormal loads to be communicated to the Council prior to the run.
 - d. Timetables for all deliveries of abnormal loads to be submitted to the Council prior to the deliveries taking place.The approved TMP shall be implemented in full, unless otherwise agreed in advance in writing by the Planning Authority and all work within the public road boundary to be undertaken by a contractor first approved by the Council.
Reason: To ensure all construction traffic access the site in a safe manner and that any upgrading works or repairs to public roads are carried out timeously to the Council's specifications, in the interests of road safety.

7. No development shall commence until precise details of the site access, which shall include detailed drawings of its construction specification and its visibility splays in both directions, have first been submitted to and approved in writing with the Planning Authority. Thereafter, the access road shall be completed before any other construction works are undertaken on site.
Reason: To ensure the development is served by an acceptable form of access.

8. No development hereby approved shall commence until the detailed design of all drainage arrangements has first been submitted to, and 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.

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will

be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant Council Headquarters, Newtown St Boswells, MELROSE, Scottish Borders, TD6 0SA Customer Services: 0300 100 1800 www.scotborders.gov.uk archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

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

10. No development shall commence until the following Ecological mitigation and enhancement 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
- b) a scheme detailing compensatory planting and habitat enhancements

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

11. 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.

Reference

23/01466/FUL

Nature of Development

Erection of 70 no. dwellinghouses and associated infrastructure

Location

Land at, and including, Howdenburn Primary School and School House, Howdenburn Drive, Jedburgh

DECISION: Approved as per officer recommendation, subject to a legal agreement (covering development contributions towards play space), and the following conditions and informatives:

1. The residential units hereby approved shall meet the definition of "affordable housing" as set out in the adopted Scottish Borders Local Development Plan 2016 (and emerging Local Development Plan 2) and accompanying supplementary planning guidance and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would attract contributions to infrastructure and services, including local schools.
2. No development shall commence until precise details (including samples, where requested by the Planning Authority) of all external wall and roof materials for the approved buildings (which shall include more than one wall render colour), and full details of the surfacing of all shared surfaces and footways have first been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority.
Reason: To ensure the material finishes respect the character and appearance of the surrounding area.
3. Notwithstanding the details shown on the plans hereby approved, no development shall commence until revised elevation drawings of House Type B, C, D, G1/G2/G3 and M have first been submitted to and agreed in writing with the Planning Authority. The amended elevations shall include additional architectural interest through the use of additional and complementary materials as well as adjustments to the fenestration. Thereafter the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority.
Reason: Further details are required to ensure the external appearance of the colony units respects the character of the surrounding area.
4. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority, thereafter the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority. Details of the scheme shall include:
 - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. soft and hard landscaping works
 - iii. precise design of nodes/feature planters
 - iv. a programme for completion and subsequent maintenance
 - v. public art, play space, street furniture and education boardsReason: To ensure the satisfactory form, layout and assimilation of the

development.

5. No development shall commence until precise details of the design of the SUDS scheme has first been submitted to and approved in writing with the Planning Authority. The sustainable urban drainage system shall comply with CIRA C753 SuDS Manual. Once approved the development shall be carried out in strict accordance with the agreed details. Prior to occupation of the first dwellinghouse hereby approved written evidence shall be supplied to the planning Authority that the development has been connected to the public water drainage network.
Reason: To ensure that the development does not have a detrimental effect on public health or ecological interests.
6. No development shall commence until a scheme of details relating to the following pedestrian improvements has first been submitted to and agreed in writing with the Planning Authority. Thereafter, the development shall be completed in accordance with the agreed details. The details shall include (i) improvements to the pedestrian route to the north-west of the Site to/from Grieve Avenue (ii) creation of a pedestrian link in the south-east corner of the Site from Howdenburn Drive, through the Proposed SUDS Area and (iii) a programme for completion.
Reason: To ensure that the development hereby approved is served by appropriate pedestrian facilities upon completion.
7. The development hereby approved shall only be carried out in strict accordance with a programme of phasing which has first been submitted to and approved in writing by the Planning Authority.
Reason: To ensure that the development of the estate proceeds in an orderly manner.
8. No development shall commence until a Construction Traffic Management Plan has first been submitted to and agreed in writing with the Planning Authority and thereafter the development shall be completed in accordance with the agreed details. The details shall include (i) access arrangements for construction traffic (ii) temporary traffic measures required during the construction period (iii) access arrangements for staff traffic during the construction phase.
Reason: To ensure the traffic associated with the construction of the development does not have a detrimental impact on the existing road network within the vicinity of the site and its users.
9. No development shall commence until a scheme submitted by the Developer to identify and assess potential contamination on site has first been submitted to and approved in writing by the planning authority. Thereafter no construction work shall commence unless in strict accordance with the scheme so approved. The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:
 - a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and e of this condition, and thereafter;
 - b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.

c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).

d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.

e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council. Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

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

10. No development shall commence until the developer has secured a Written Scheme of Investigation (WSI) detailing a programme of archaeological works. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA). The WSI shall be submitted by the developer no later than 1 month prior to the start of development works and approved by the Planning Authority before the commencement of any development. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results are undertaken per the WSI.

Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

11. No development shall commence until written evidence is provided to the Planning Authority that mains water and foul drainage connections are available to serve the development. All public mains services shall be provided prior to occupancy of the dwellinghouses hereby approved and shall be maintained thereafter throughout occupancy of the dwellinghouses.

Reason: To ensure the development is adequately serviced and to maintain existing surface water run-off levels from the site.

12. No development shall commence until a Construction Environmental Management Plan has first been submitted to and agreed in writing in writing by the Planning Authority. Thereafter no development shall take place except in strict accordance with the approved scheme.

Reason: To ensure that trees and residential amenity which will be affected by the development are afforded suitable protection during the construction and operation of the development.

13. Prior to occupation of the first dwellinghouse a scheme of street lighting details shall be submitted to and agreed in writing by the Planning Authority and thereafter the lighting shall be installed as per the approved details.

Reason: In the interests of road and pedestrian safety and to safeguard residential amenities and limit light pollution.

14. No development shall commence until a Landscape and Habitat Management Plan, including measures to protect wildlife and light pollution in accordance with the Preliminary Ecological Appraisal (TD Tree & Land Services Ltd, September 2023), shall be submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place except in strict accordance with the approved scheme.
Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.
15. Notwithstanding the details shown on the drawings hereby approved, no development shall take place until a revised site plan showing all existing and proposed ground levels, as well as finished floor levels of the dwellings and their private amenity spaces hereby approved, has been submitted to and approved in writing by the planning authority. Thereafter the development shall be completed in accordance with the approved plan. The revised plan should ensure that the finished floor levels of all residential properties are satisfactorily above the adjoining finished ground levels.
Reason: To mitigate surface water flood risk and impacts to existing trees/hedges.
16. Prior to installation, details of the Air Source Heat Pumps (ASHPs) including specification, siting and noise levels shall be submitted to and agreed in writing by the Planning Authority and thereafter the ASHPs shall be installed as per the approved details, and kept in perpetuity, unless otherwise agreed in writing.
Reason: To ensure acceptable noise levels for residential amenity.
17. Prior to commencement of development, biodiversity enhancements in accordance with those proposed in the Preliminary Ecological Appraisal (TD Tree & Land Services Ltd, September 2023), shall be submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place except in strict accordance with the approved biodiversity enhancements scheme and shall be completed prior to occupation of the 65th residential unit.
Reason: To ensure the development provides biodiversity enhancements for species and habitats in accordance with Policy 3 of NPF4.
18. The proposed roads, footpaths and parking spaces/areas indicated on the approved drawings shall be constructed to ensure that each dwellinghouse, before it is occupied, shall be served by a properly consolidated and surfaced carriageway, parking area and footpath/shared surface.
Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and pedestrians.
19. No development shall take place, except in strict accordance with the recommendations of the Arboricultural Impact Assessment (TD Tree & Land Services Ltd, September 2023), including the protection of retained trees, and works and removals of trees.
Reason: To protect the existing trees which will be retained and ensure works are undertaken by arborists with the appropriate insurance and qualifications and approved contractors of the Arboricultural Association

Informatives

1. The applicant shall give consideration to the provision of electric vehicle charging points and associated infrastructure.
2. All prospectively adoptable roads, pavements and associated infrastructure will require Road Construction Consent. The applicant should discuss this separately with the

Council's Roads Planning Service to establish the scope and requirements of Council adoption.

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

Please note Scottish Water's consultation comments and that all proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water.

Reference

23/01682/PPP

Nature of Development

Caravan Park comprising of static caravans, landscaping, formation of new access and associated work

Location

Land South-East Of The Beeches, Howpark, Grantshouse, Duns

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

1. No development shall commence until the precise details of the following have been submitted to and approved in writing by the Planning Authority:
 - a) the siting, design and external materials of caravans and building(s):
 - b) the means of pedestrian and vehicular accesses to the site:
 - c) the internal road network and parking arrangements:
 - d) surface water drainage arrangements, including precise details of site drainage and surface water management (covering layout details, specifications and calculations), which shall utilise SUDS techniques and shall include details of landscaping (including planting to provide additional habitat):
 - e) external lighting (which shall be low level and bat friendly and shall incorporate the measures set out in Section 4.4.1 of the Direct Ecology V1.2 report dated 8.11.23); and
 - f) hard and soft landscaping of the site (which shall incorporate the measures set out in Section 4 of the Direct Ecology V1.2 report dated 8.11.23).

Thereafter, the development shall be carried out in strict accordance with the agreed details and shall not become operational until the agreed pedestrian and vehicular accesses, internal road and path networks, parking, and surface water drainage arrangements are completed and operational. Further, no external lighting shall be installed within the development except that so approved. All unless otherwise agreed in writing by the Planning Authority.

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

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

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

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

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

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

4. All planting, seeding or turfing comprised in the approved scheme of soft landscaping under condition 1 shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of five years from the date of completion of planting, seeding or turfing.

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

5. No development shall take place until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

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

Reason: To safeguard a site of archaeological interest.

6. No development shall commence until a Scheme for Woodland Management and Tree Protection has been submitted to, and approved in writing by, the Planning Authority. The Scheme shall include:
 - a. proposals for Woodland Management, including the retention, maintenance, and regeneration of the trees and hedges within the site and all trees protected by the Tree Preservation Order BCC4 and proposals for the removal of invasive species;
 - b. a detailed drawing, showing the position, species and root protection area of trees and hedging within and adjacent to the site, those to be retained, those to be felled, tree protection measures for the construction phase and the routes of all services. The drawing shall be based on an Arboricultural Impact Assessment which covers all trees within and adjacent to the site in accordance with the most up to date British Standards.

Once approved, a) the agreed Woodland Management measures shall be carried out in perpetuity and b) the agreed tree protection measures shall be put in place prior to and throughout the construction process. All unless otherwise agreed in writing by the Planning Authority.

Reason: To safeguard the existing woodland and tree resource, to secure visual containment of the development, to ensure adequate protection or replanting of trees and hedging is secured and for visual amenity of the area.

7. No development shall commence until the following have been submitted to and approved in writing by the Planning Authority:
 - a. scheme of post-construction ecological enhancements, including a timescale for implementation. The scheme shall incorporate the measures set out in Section 4 of the Direct Ecology V1.2 report dated 8.11.23;
 - b. A Species Protection Plan for breeding birds and badgers which shall incorporate provision for a pre-development supplementary survey and a mitigation plan and shall demonstrate how the recommendations set out within Section 4.5.1 of the Direct Ecology V1.2 report dated 8.11.23 have been and will be addressed.

- c. A Construction and Environmental Management Plan, which shall incorporate the measures specified in sections 4.2.1 and 4.10 of the Direct Ecology V1.2 report dated 8.11.23.

Thereafter no development shall be carried out except in strict accordance with the agreed measures and the approved scheme of post-construction ecological enhancements shall be implemented within the approved timescale. All unless otherwise agreed in writing by the Planning Authority.

Reason: For the protection of protected species and to provide a reasonable level of ecological enhancement relative to the environmental impact of the development in accordance with the statutory development plan.

8. No development shall commence until a detailed foul drainage scheme has been submitted for the written approval of the Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the development hereby approved becoming operational and shall remain operational throughout its occupancy. There shall be no variation to the approved scheme unless such variation has been approved in writing by the Planning Authority.

Reason: To ensure the development is adequately serviced.

9. No development shall commence until written evidence is provided on behalf of Scottish Water that a mains water connection shall be made available to serve the development, unless otherwise agreed in writing by the Planning Authority. Thereafter, the approved water supply shall be operational prior to occupancy of the development and no alternative water supply shall be used without the prior written agreement of the Planning Authority.

Reason: To ensure the development can be adequately serviced.

10. Prior to the occupation of the development hereby approved, a flood event evacuation plan shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be operated in strict accordance with the agreed evacuation plan.

Reason: to reduce the impact of flooding during flood events.

11. The development hereby approved shall be occupied for holiday use only and shall not be used as a person's sole or main residence or as temporary or permanent residential accommodation. The occupation of the caravans shall be restricted to genuine holidaymakers and shall not be let to the same individual, and/or to different individuals within the same family, group and/or party, for any period of time in excess of 4 weeks in total within any consecutive period of 13 weeks. The operator shall maintain an up-to-date register of the names of all holiday makers staying in the caravans and their main home addresses. This information shall be made available for inspection at all reasonable times by an authorised officer of the Planning Authority.

Reason: To ensure compliance with the adopted development contributions policy, to retain effective control over the development and to ensure that the caravans, in line with the details presented in support of the planning application, are only used as holiday accommodation and are not used as private dwellinghouses by any long term or permanent residents.

Informatives

1. Bat roosting potential was identified within the site at the toilet block and trees however no works are proposed at either. Further surveys would be required should this change at the Approval of Matters Specified in Conditions (AMC) stage.
2. SEPA recommend a minimum 600mm freeboard allowance is used to account for the inherent degree of uncertainty involved in all flood modelling. Detailed proposals at the Approval of Matters Specified in Conditions (AMC) stage.

should reflect this requirement.

3. In respect of condition 7, the applicant is advised that approval under the planning condition by the Planning Authority will not purport to grant technical approval of the scheme on behalf of the Council as regards Building Regulations under the Building (Scotland) Act 2003. It is for the applicant to secure compliance with the Building Regulations separately (regulated by the Council's Building Standards Authority), and to also comply with registration/licensing requirements in the Water Environment (Controlled Activities) Regulations as implemented by SEPA. The applicant should therefore ensure that any scheme is first designed to comply with the Building Regulations and CAR requirements before making any submissions seeking compliance with the planning condition. Submission of the following is recommended:
 - A basic scaled site plan showing the location and layout of the treatment tank and discharge system (e.g. soakaway), and any connection to (and details of) any watercourse outfall. If the soakaway is to be mounded, basic sectional drawings should be provided. The discharge system should be sized in accordance with the Building Regulations and the applicant should confirm that is the case. Not doing so risks the need for subsequent changes that will need to be subject to a revised condition submission
 - If the scheme has a Building Warrant and/or CAR Registration/License from SEPA, then confirmation to that effect should be included with your submission.

MINUTE of Meeting of the EILDON AREA PARTNERSHIP held in the Council Chamber, Council HQ and via Microsoft Teams on Thursday, 28 March 2024 at 2.00 pm

Present:- Councillors E. Thornton-Nicol (Chair), C. Cochrane, L. Douglas, J. Linehan, N. Mackinnon, D. Parker, J. PatonDay, F. Sinclair and H. Steel.
Apologies:- Councillors E. Jardine
In Attendance:- Community Engagement Officer (E. Coltman), Democratic Services Team Leader.

1. **WELCOME**

The Chair welcomed everyone to the meeting of the Eildon Area Partnership and explained that it was being held to consider funding applications.

2. **NEIGHBOURHOOD SUPPORT FUND 2023/24**

2.1 There had been circulated copies of applications to the Neighbourhood Support Fund 2023/24 with the agenda. The Chair invited the Community Engagement Officer, Mr Erin Coltman, to provide a summary of the applications.

2.2 **Lauderdale Initiative**

Mr Coltman explained that the Lauderdale Initiative had been awarded £10k at the meeting of the Eildon Area Partnership in September 2023 to fund the purchase and installation of Christmas lights on Lauder High Street. The Group had delivered their project with an underspend of £1,785 due to some of the required works being carried out by BEAR Scotland for no charge. The Group had requested that they retain that underspend to fund the purchase and installation of two motifs and an LED tree topper. The Assessment Panel had recommended that £814.31 be retained by Lauderdale Initiative, with the remaining £970.69 returned to the Neighbourhood Support Fund.

2.3 **Bowden Village Committee**

The application from Bowden Village Committee was for £5k to assist in a project being undertaken to restore the Brunton Fountain. The overall project aimed to restore the Fountain's foundations, archive the process, collect, and collate the history of Thomas Brunton for a booklet, increase public awareness, seek Category C listed status, and arrange for the Brunton family grave in Bowden Kirkyard to be cleaned. The final phase of the project was to use strong conservation practice to reinstate and make sound the foundations of the Fountain and re-erect a cleaned and re-inscribed fountain with the original fixtures and fittings. The Assessment Panel had recommended that the project receive the funding in full, however payment would be withheld until confirmation of an award from the Fallago Rigg Environment Fund or that the deficit was covered by another funding source.

2.4 Members discussed the applications in detail and highlighted that the funding for the Bowden Village Committee project was reliant upon a portion of the underspend from the Lauderdale initiative project being returned to the Neighbourhood Support Fund pot. Members unanimously agreed that the full underspend from the Lauderdale Initiative be returned to the Neighbourhood Support Fund. Members considered the historical and

cultural importance of the Brunton Fountain and unanimously agreed to approve the application for £5k from Bowden Village Committee.

The meeting concluded at 2.20 p.m.