

# SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the TWEEDDALE  
AREA FORUM held in Council Offices,  
Rosetta Road, Peebles on Wednesday, 23rd  
November, 2016 at 6.30 pm

Present:- Councillors W. Archibald (Chairman), S. Bell, K. Cockburn, G. Garvie, G. Logan.  
Community Councillors R. Howard, C. Lewin, M. McIntosh, G. Parker, R. Tatler, J. Taylor, G. Tulloch.  
Apology:- Councillor C. Bhatia.  
In Attendance:- Neighbourhood Assistant Area Manager, Inspector T. Hodges, (Police Scotland), Democratic Services Officer (K. Mason).

Members of the Public:- Approximately 30.

## 1. ORDER OF BUSINESS

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

## 2. MINUTE

There had been circulated copies of the Minute of the Meeting held on 23 August 2016.

## DECISION NOTED.

## 3. MINUTES - TWEEDDALE AREA FORUM - A72 ACTION SUB-COMMITTEE

There had been circulated copies of the Minutes of Meetings of the A72 Action Sub-Committee held on 6 September and 20 October 2016. The Chairman of the A72 Action Sub-Committee, Councillor Cockburn thanked members of the Sub-Committee for the work carried out and asked that the recommendations as detailed in the minute of 20 October 2016 be endorsed by the Tweeddale Area Forum. Members discussed a proposed amendment to the recommendations, submitted by Community Councillor Lewin in the following terms "that the Action Sub-Committee's future activities should be extended to include the A701 and the A703", and agreed that although not to be part of the recommendations listed below, that the request be forwarded to the next group or its successors to take forward. Community Councillor Tatler requested that a further recommendation be added in the following terms "that there be an audit or review of street furniture" and this was unanimously accepted, and added to recommendation (g).

## DECISION

\* **AGREED to recommend that:-**

- (a) **the Tweeddale Area Forum, or its successors, create an action group, in the next Council term, comprising of Councillors (both local and with relevant portfolios), Community Councillors, and other interested parties such as local parliamentarians, and the group should also take into account how future works on the A72 could benefit business development in Tweeddale, such as cycling tourism;**
- (b) **the replacement of the existing anti-skid surfacing at the approaches to The Nest Roundabout be considered in future Road Maintenance Programmes;**

- (c) **Officers be asked to investigate the provision for a crossing for cyclists on the Innerleithen Road, Peebles beyond the entrance to the Peebles Hotel Hydro to facilitate a connection with the multi-use path where it came out at Whitestone Park and that meantime, Community Councillor Tatler would liaise with the developers of the Hydro Gardens houses to ascertain if access could be provided through the estate;**
- (d) **Officers explore the possible provision of a traffic island in the middle of the road where the 30 mph limit was at the west end of Clovenfords to stop vehicles speeding before leaving the village;**
- (e) **Officers recognise the strategic importance of the A72 in light of the volume of traffic it carried when determining Council's roads budgets;**
- (f) **the Tweeddale Area Forum, or its successors, request Officers to provide a further report on the condition of the A72 to be brought to the Area Forum, or its successors, at a future date (to be agreed), and that the report requested indicate whether the spend, or repairs, to the road infrastructure were comparable in any of the following 3 sections of the A72; West of Peebles, East of Peebles, and in Peebles;**
- (g) **Officers prepare an audit or review of the signage and street furniture on the A72;**
- (h) **the A72 Woodend – Tighnuit section be given consideration in the Council's Capital Plan, as budgets allow;**
- (i) **the Area Forum, or its successors, consider and act on any information that may come from any forthcoming, or future investigations into vehicle collisions and vehicle related accidents on the A72; and**
- (j) **Officers investigate the possibility of reducing the speed limit at the junction of the A72 and the A701.**

#### 4. **SPEED LIMIT REVIEW 2016**

There had been circulated copies of a report by the Chief Officer, Roads proposing to introduce a 40 mph speed limit in the vicinity of Caerlee Corner. The report explained that the A72 at Caerlee Corner was assessed in the 2015 Speed Limit Review for a 30 mph speed limit extension and did not meet the criteria. Local Members and the local Community Council requested that the site be re-assessed for a 40 mph buffer zone supported by the continuing accident record and the high degree of local concern. Members commended the proposal.

#### **DECISION**

**APPROVED the amendment to The Scottish Borders Council Various Roads (40 mph Speed Limit) Order 2004 to include the section of A72 shown in Appendix A and described in Appendix B to the report.**

#### 5. **ORDER OF BUSINESS**

As discussed in paragraph 1 above, at this juncture of the meeting it had been agreed to consider the report on Disabled Persons Parking Spaces – Traffic Regulation Order. However, the Chairman, having been advised that members of the public who had expressed their intention to be present at the meeting when discussions took place in relation to the report had not yet arrived because according to the information detailed on the agenda the item would not be considered until around 7.20 p.m., agreed to hear the

following presentations before considering the report, to allow for the members of the public to be present. Councillors Cockburn and Logan expressed their dissent at this change in the order of business.

**6. PRESENTATION - DRAFT SUPPLEMENTARY GUIDANCE ON HOUSING**

Mr Charles Johnston, Principal Officer – Plans & Research, Environment and Infrastructure gave a presentation on the Council's requirement for proposed housing sites to meet housing land requirements. The Council had approved draft Supplementary Guidance (SG) identifying proposed sites on 10 November to go out for public consultation. Mr Johnston advised that the Reporter from Scottish Government had identified a shortfall in housing in the Scottish Borders of 916 units. He explained that the criteria set for housing land included that the development should be in keeping with the settlement and local area and that the required infrastructure was either committed or would be funded by the developer. Five or more units were required for the site, developer interest; infrastructure issues, transport, and contamination assessment were also key considerations. A call for sites had identified 113 sites which had been submitted from third parties; 165 sites had been assessed in total. Stage 1 of the assessment of the site was the initial Red Amber Green (RAG) assessment which was against set criteria and this process had eliminated some sites. Stage 2 was a detailed assessment of potential sites and consultation with internal and external parties. Stage 3 was the identification of preferred and alternative sites. The Reporter had now confirmed that 811 units were required in the Scottish Borders. The units had been identified approximately as follows: 60% in the Central Borders, 20% in Berwickshire and 20% in Northern Scottish Borders. The proposed sites in Tweeddale were (a) Caerlee Mill, Innerleithen; Rosetta Road mixed use, Peebles; and March Street Mills, Peebles. Mr Johnston then answered questions about the specific sites identified. The Chairman thanked Mr Johnston for his informative presentation.

**DECISION  
NOTED.**

**7. PRESENTATION - COMMUNITY EMPOWERMENT ACT**

7.1 Clare Malster, Communities and Partnerships Team, was in attendance to give a presentation on the Community Empowerment (Scotland) Act 2015. In her introduction Ms Malster advised that although the Act, which was made up of 11 parts, received Royal Assent on 24 July 2015, it was recognised that further regulations and guidance were required for most parts of the legislation. Part 2 was about Community Planning and more specifically local organisations working to benefit the local community. This would be carried out through joint working, agreeing joint policies and making sure partners knew what each other was doing. Community Planning Partners, who had a statutory duty, were the Scottish Fire and Rescue Service, Police Scotland, NHS Borders, Scottish Enterprise and Scottish Borders Council (SBC). All these partners had the same statutory responsibility. The Local Outcomes Improvement Plan (LOIP) replaced Single Outcome Agreements. The LOIP would contain the outcomes for the Scottish Borders that were a priority for the Community Planning Partnership. Appropriate community groups must be consulted when developing the LOIP. Subject to the approval of Scottish Parliament the legislation would come into force on 20 December 2016.

7.2 Locality plans focused on smaller areas, and again appropriate community groups must be consulted. Part 3 of the Act concerned Participation Requests. Ms Malster explained that a participation request was a request that could be made by a community participation body which believed it could improve the outcome of a service. The request must be agreed unless there were reasonable grounds for refusal. It was hoped that this part of the Act would come into force in February/March 2017. Part 4 of the Act dealt with Community Right to Buy. Ms Malster explained that communities with populations over 10,000, would now be able to use community right to buy. Part 5 of the Act was regarding Asset Transfer requests. Assets were land or buildings owned by public authorities. Public authorities would be required to publish a register of their assets and Scottish Borders Council had published their register on their website. Ms Malster went on to explain that a group could request to buy or lease land from a public authority if it had a written constitution, was open to anyone in the community,

was community led and was for the benefit of the community. This part of the Act would come into force on 23 January 2017. Part 8 of the Act was the requirement for all Councils to publish a list of all their Common Good properties, Councils would have to consult with community councils or other community groups before selling or changing the use of any of their common good properties. Part 9 of the Act dealt with allotments. The Act set out a standard size of 250 square metres for an allotment and applications for allotments would be required to be submitted in writing. Part 10 was in respect of public decision making. This part of the Act would give Scottish Ministers the power to require that public authorities, such as SBC, promoted and supported the involvement of the community in the decision and activities of the organisation. In concluding her presentation, Ms Malster advised that further information on the Act could be found on the website at: [communityengagement@scotborders.co.uk](mailto:communityengagement@scotborders.co.uk) The Chairman thanked Ms Malster for her informative presentation.

## **DECISION**

**NOTED the presentation.**

### **8. DISABLED PERSONS PARKING PLACES - TRAFFIC REGULATION ORDER**

- 8.1 There had been circulated copies of a report by the Chief Officer Roads advising that the purpose of the report was to amend the Scottish Borders Council (Disabled Persons Parking Places) Order 2015. The report explained that since the making of the original order in 2015 a number of additional requests had been received, as well as bays which were no longer required and had been removed. The report detailed the amendments within the Tweeddale area as part of a region-wide Traffic Regulation Order (omitting those which were no longer required since the beginning of consultation). Mr Gary Haldane, Assistant Engineer – Road Safety and Traffic Management answered Members' questions. In regard to the recommendation to remove the most south westerly bay located at South Park West, Peebles, Mr Aston asked that Members take account of all the email correspondence to them from his wife asking, for the reasons stated, that the bay located at South Park West be not removed. He asked Members to remember that he was disabled.
- 8.2 Councillor Bell advised he was going to leave the table to speak on behalf of those residents who supported the recommendation that the bay be removed. He advised he would take no part in any vote which might take place following the debate. Councillor Logan asked that his dissent be recorded in relation to Councillor Bell's action. Councillor Bell advised that he had taken legal advice in regard to speaking on behalf of those wishing the bay to be removed in accordance with the recommendations of the Officer. He explained that when he was elected he had taken the view that one of his responsibilities was to speak for those who did not have a voice. He had visited the site and formed a view himself, he had spoken to Mr and Mrs Aston who had been friendly and helpful and had also spoken to the objectors who had asked Mr Bell to speak on their behalf. He was saddened by the different views but advised he had in the past driven a lorry and it was his view that he would not be able to turn a lorry in the area in question and it would be dangerous to reverse out of the area. He pointed out that the Council refuse department had also indicated the difficulties experienced by their drivers. In response to a question raised by Councillor Logan, the Assistant Engineer – Road Safety and Traffic Management advised that Mr and Mrs Aston had been informed in a letter that if there were any objections to the disabled bay being in place that it might be removed; clearly provision of the bay had not worked out. The Neighbourhood Assistant Area Manager advised if the parking bay remained there could also be issues in regard to the provision of winter maintenance along the street which might result in the road not being gritted meaning refuse vehicles would be unable to empty the bins.

**VOTE**

*Councillor Logan, seconded by Councillor Cockburn moved that the disabled parking bay located at South Park West provided for Mr Aston be not removed.*

*Councillor Garvie, seconded by Councillor Archibald, as an amendment moved acceptance of the Officer's recommendations to remove the parking bay located at South Park West.*

*On a show of hands, Members voted as follows:-*

*Motion - 2 votes*  
*Amendment - 2 votes*

*The Chairman exercised his casting vote in favour of the amendment, and accordingly the recommendations contained within the Officer's report were approved.*

#### **DECISION**

- (a) APPROVED the amendment of disabled parking places in the Tweeddale Area listed in Appendix A to the report (as amended by removals) to The Scottish Borders Council (Disabled Persons Parking Places) Order 2015.**
- (b) AGREED that the area where the parking bay was to be removed at South Park Bay be marked "keep clear".**

#### **9. PRESENTATION - BUSINESS GATEWAY**

Ms Annie Watt, Business Gateway Growth Adviser was present to give a presentation on Business Gateway. Business Gateway was part of the economic development department of the Council and part of the National Business Gateway network. Business Gateway worked closely with Scottish Enterprise and their core business was giving advice and information. Business Gateway offered:- start up support and advice; growth support and advice; enquiry fulfilment research service; workshops and access to public sector finance sources. Their team's specialisms were textiles; manufacturing; food and drink; renewables; tourism; access to finance; ICT; and social enterprise. Ms Watt gave details on sources of finance available and additional support linkages. The Chairman thanked Ms Watt for her informative presentation.

#### **DECISION NOTED.**

#### **10. LOCAL PUBLIC HOLIDAYS 2017**

There had been circulated copies of the proposed local public holiday dates for 2017 in the Tweeddale Area.

#### **DECISION**

**AGREED to determine the Public Holidays for the Tweeddale Area for 2017 as detailed in the report.**

#### **11. OPEN QUESTIONS**

- (a)** With reference to paragraph 3 of the Minute of the Tweeddale Area Forum of 23 August 2016, Mandy Taylor, Business Partner, On A Shoe String, understood that more information on the proposed traffic island – Peebles Old Town A72, would be available at tonight's meeting. Councillor Cockburn advised that he had met with Ms Taylor and other businesses to consider the issues. He understood that the provision of a traffic island was unlikely because it would create more challenges. The

Neighbourhood Assistant Area Manager advised of the intention to have dropped kerbs at either side of the road at the top of the Old Town. Further information would be available at the next meeting of the Tweeddale Area Forum.

**DECISION**

(a) **NOTED the position.**

(b) **AGREED that an update on the position would be made available at the next meeting of the Tweeddale Area Forum.**

- (b) Mr Robert Balfour referred to accidents in the Manor, Stobo and Lyne area and on the B7201 between Stobo and Drumelzier where there had been 48 accidents. The Neighbourhood Assistant Area Manager would take forward these concerns to the Road Safety and Traffic Manager.

**DECISION**

**AGREED that the Neighbourhood Assistant Area Manager would take forward concerns about accidents in the Manor, Stobo and Lyne area and on the B7201 between Stobo and Drumelzier to the Team Leader, Road Safety and Traffic Manager.**

**12. COMMUNITY COUNCIL SPOTLIGHT**

- (a) Community Councillor Howard referred to a feasibility study for the cycle path from Walkerburn to Clovenfords. It was hoped that £10,000 could be released from SB Local Small Schemes towards the study and it was noted that there was also a possibility of funding from SEStran. Members were supportive of the initiative.

**DECISION**

**NOTED the position.**

- (b) Community Councillor Lewin referred to rural transport in the Broughton area, explaining there was no taxi service and it was too expensive to hire a taxi to come from Peebles. There was no bus service on a Sunday and during the week only a limited service was provided. In conversation with Tweed Wheels and also with the Council's Transport Group through Margaret Smal he was working towards producing a leaflet for the elderly and disabled to advertise affordable community transport available from Tweed Wheels. It was also hoped that an arrangement would be put in place with Tweed Wheels for group transport. He had asked the Democratic Services Officer to forward him a contact list of all the Tweeddale Community Councils to ensure Community Councils were given details of the planned service. He advised there was likely to be a small schemes request to help with this initiative and asked Members for their support.

**DECISION**

**NOTED.**

- (c) Community Councillor Tatler advised he was contacting the other Community Councils in Tweeddale with a view to forming a Tweeddale Community Council Network. The Royal Burgh of Peebles and District Community Council was also planning to undertake an Audit of the Sports and Leisure Facilities in Peebles and District.

**DECISION**

**NOTED.**

13. **POLICE SCOTLAND.**

Inspector Hodges advised that having been seconded to manage the Safer Communities Department at Scottish Borders Council for the past year, he was delighted to return to the Community Inspector role for the North of the Scottish Borders. He thanked Inspector Mike Bennett for his excellent stewardship in his absence and was pleased to advise Inspector Bennett remained working in the area as one of the 24/07 Response Team Inspectors. From a Community perspective Inspector Hodges advised his old team remained in place and in particular here in Tweeddale there were Sergeant Duncan Marker, PC Diane Sorrel (Peebles), PC Niki Craig (Tweeddale West), PC Chris Burnside (Tweeddale East) and PC Shona Furness (LIO). Since 1 April 2016 Tweeddale had had 6 housebreakings reported and the Community Investigation Unit based at Galashiels continued to investigate these crimes and the links with similar crimes in the neighbouring areas. Car theft remained a rare crime in Tweeddale but a couple had taken place this year and were subject to ongoing investigation. This was in conjunction with colleagues from Midlothian and Edinburgh where it was highly suspected the culprits were based and where this type of crime was more prevalent. Inspector Bennett had previously highlighted the increase in thefts of pedal cycles in particular in Tweeddale East as an emerging trend at the last Tweeddale Area Forum. A substantial amount of proactive work had been undertaken in this respect but 5 additional thefts had been reported since late August 2016. Inspector Hodges urged owners to take all reasonable steps to ensure additional security both at home and when transporting cycles by car was considered. There had been 3 internet/phone-based frauds reported in relation to vulnerable victims but no bogus caller related crimes within Tweeddale since the last meeting on 23 August 2016. A Division Team was dedicated to disturbing and detecting those involved in the supply and distribution of controlled drugs to our Communities and part of that team were based in Galashiels and carried out regular proactive, intelligence work in the Tweeddale area. As reported at the last Forum, there had recently been an increase in the number of detections for drink driving in the Scottish Borders, with people being caught in rural locations, having been drinking at a village pub and then choosing to drive home. Police Scotland's message was very simple - if you are intending driving, do not drink. Members of the public were encouraged to report all drink drivers either directly to the police on 101 or anonymously to Crimestoppers on 0800 55 111. 50 parking tickets had been issued from the end of August until 21 November. Inspector Hodges was in the final stages of planning and resourcing the annual Festive Initiative which would concentrate on the licensed trade, shop lifting and safety on our roads. Police Officers would also be working closely with the High School to ensure the Christmas dances were safe and enjoyable events.

**DECISION  
NOTED.**

14. **SCOTTISH FIRE AND RESCUE SERVICE**

There was no update.

***The meeting concluded at 8.50 pm***