

SCOTTISH BORDERS COUNCIL TEVIOT AND LIDDESDALE AREA FORUM

MINUTES of Meeting of the TEVIOT AND LIDDESDALE AREA FORUM held in Lesser Hall, Town Hall, Hawick on Tuesday, 21 February 2017 at 6.30 pm

Present:- Councillors: G. Turnbull (Chairman), S. Marshall (Vice-Chairman), A. Cranston, W. McAteer, D. Paterson, R. Smith,
Community Councillors: Mr M Grieve (Burnfoot), Mr C Griffiths (Items 1 to 6) (Hobkirk), Mr P Kerr (Southdean), Mr W Roberts (Denholm), Mr I Robson (Upper Teviotdale & Borthwick Water), Mrs M Short (Hawick).

In Attendance:- Neighbourhood Area Manager (Mr F Dunlop), Inspector Carol Wood (Police Scotland), Mr Russell Bell (Items 1 to 4) (Scottish Fire & Rescue Service) Democratic Services Officer (J Turnbull).

Members of the Public 17

1. MINUTE

There had been circulated copies of the Minute of the meeting held on 17 January 2017.

DECISION

AGREED to approve the Minute.

2. MATTERS ARISING FROM THE MINUTE

With reference to paragraph 6.3 of the Minute regarding an enquiry from a member of the public. It was advised that Sunderland Hall Bridge works had cost £2.8m and had been entirely funded by Transport Scotland.

- 2.2 With reference to paragraph 7.5 of the Minute, it was reported that at the A7 Action Group, Mr Head, Area Manager, Amey had advised that BT would carry out temporary diversion works at The Dunk which would allow Amey to access the embankment for the necessary repairs to be carried out. Mr Head had also advised that road closures were programmed for the end of February/March to carry out patching works at Skipper's Bridge, Langholm and embankment repairs at Linhope. Regarding works at Havelock Street, BT had repaired the manholes and it was anticipated that patching works would be completed by late February/early March.

- 2.3 In answer to a question from Community Councillor Mrs Short, it was noted that Amey was responsible for maintenance of the footpath at the riverside and maintenance works would be completed by the end of March.

DECISION

NOTED.

3. HOME ENERGY SCOTLAND

The Chairman welcomed Mr Asjad Rafiq, Community Liaison Officer, Home Energy Scotland who was present at the meeting to advice on the Scottish Government's initiative - Home Energy Scotland. Mr Rafiq began by advising that Home Energy Scotland offered free, impartial advice on energy saving and renewable energy. They also offered schemes for boiler replacement, cavity wall insulation, biomass boilers and were not

connected to any energy utility companies. The Forum then took part in an interactive exercise to determine the top five energy saving tips which were identified as: turning down the thermostat by one degree; replacing bulbs with energy saving bulbs; turning off appliances completely; spending one minute less in the shower; and not overfilling kettles. Mr Rafiq concluded by advising that further advice on energy saving was available from www.homeenergyscotland.org or their helpline Tel No. 0808 808 2282. The Forum thanked Mr Rafiq for the enjoyable presentation.

DECISION

NOTED the presentation.

4. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY

- 4.1 The Chairman welcomed Mr C Johnston Principal Officer – Plans and Research, who was present at the meeting to give a presentation on Draft Supplementary Guidance - Renewable Energy 2016. Mr Johnston explained that Scottish Borders Council's Local Development Plan (LDP) was adopted on 12 May 2016 and one of the recommendations was the requirement to produce Supplementary Guidance (SG) on renewable energy. A draft SG had been produced which provided planning guidance on a wide range of renewable technologies. Scottish Borders Council (SBC) had approved the SG on 22 December 2016; a 12 week public consultation then began which would end 17 on April 2017.
- 4.2 Mr Johnston advised that the role of SBC was to support the principals of sustainable development and renewable energy, within appropriate locations. Mr Johnston then referred to a map which detailed windfarm applications within the Scottish Borders and showed the status e.g. Approved, Pending Decision, Refused or Withdrawn. He explained that SG policy promoted sustainable development, whilst protecting natural and cultural assets. The Scottish Planning Policy (SPP) reaffirmed support for renewable energy and the requirement to attain national energy targets; the target of which was that by 2020, 100% of electricity should be produced by renewable energy. However, a balance had to be sought, as it was not about development at any cost. SBC's planning system was tasked with facilitating positive change while maintaining and enhancing the distinctive landscape character.
- 4.3 Mr Johnston further advised that the main policy within the Local Development Plan for windfarm developments was that if the development was judged to have an unacceptable, significant adverse impact, consent would only be granted if it was considered wider economic and environmental benefits outweighed any potential damage. Mr Johnston discussed the Spatial Framework which grouped areas into three. Group 1 identified areas where windfarms would not be acceptable e.g. National Parks and National Scenic Areas. Group 2 showed Areas of Significant Protection e.g. areas where windfarms might be appropriate in some circumstances if any significant effects could be overcome by siting, design or other mitigation. Group 3 highlighted areas with potential for windfarm development which would likely be acceptable subject to detailed consideration against policy criteria. Mr Johnston went on to explain that any developer interested in building windfarms would consider the LDP, Spatial Framework and Landscape Capacity prior to submitting a request. However, some developers still submitted applications significantly at odds with the Landscape Capacity study. Mr Johnston concluded by stating that turbines were becoming higher for example, 150m turbines, which meant that there was a requirement for appropriate lighting. In response to a question he explained that applications for expansion of existing windfarm sites or replacement with higher turbines would be considered as new proposals and were dealt with accordingly.
- 4.4 There followed a discussion when a number of issues were raised. It was highlighted that there appeared to be a conflict between text and maps with regard to the interpretation of what were considered to be a 'turbine landscape' as opposed to, for example 'a landscape with turbines'. Mr Johnstone was also asked about the changes to categorisation of turbine typologies which had been changed from 3no to 5no which

allowed more accurate and definitive text to be applied. Specific reasoning as to why the Landscape Study indicated the preferred typology types stated were largely outwith Mr Johnston's remit as these were proposed by the Landscape Consultant and Development Management officers. Mr Johnston was also asked to comment on the public impression that SBC were imposing far less restrictions on developments than before. Mr Johnston explained that SBC were dictated to by Scottish Government and were trying to maintain a balance between the government's promotion of windfarm developments and local landscape issues. SBC had refused a number of applications but the government had overturned their decisions. With reference to a question about decommissioning of sites, Mr Johnston advised that the lifespan of the majority of wind turbines was 25 years and then they would be removed unless applications were submitted for repowering on the sites. However, he was unsure if when decommissioning, the concrete bases on which they were positioned, would also be removed as no applications had yet been submitted to test this issue. Mr Johnston concluded that all responses to the public consultation would be considered and there would be an update on the findings referred to Members in summer 2017. Councillor Smith, Chairman of the Planning and Building Standards Committee, added that if anyone wished to discuss their concerns further he was available out with the meeting.

**DECISION
NOTED.**

5. PREPARATION OF NEW LOCAL DEVELOPMENT PLAN

Mr Johnston was also present at the meeting to advice on the preparation of the New Local Development Plan (LDP). He highlighted the timeline: The Main Issues Report (MIR) would hopefully be produced by December 2017, with the conclusion of the process being the adoption of the LDP in the spring 2021. He clarified that the MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR would be circulated for public consultation and would include identification of preferred sites for houses as well as alternatives. The MIR would also propose where planning policies could be updated, removed or merged and sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. The main component parts of the MIR included a Monitoring Report which Identified emerging issues to be addressed including consideration of options for new housing sites, removal of housing sites, employment sites and town centre policy. To facilitate community engagement with the LDP a series of workshops and exhibitions had been planned during the summer of 2017 and further information would be made available once the venues and dates were confirmed. The Chairman thanked Mr Johnston for both the informative presentations.

**DECISION
NOTED.**

6. NHS BORDERS

With reference to paragraph 7 of the Minute of 15 September 2015, the Chairman welcomed Ms Amanda Cotton, Consultant Psychiatrist, NHS Borders who was present at the meeting to update the Forum on matters of interest and concern within the Teviot and Liddesdale Area. Ms Cotton advised that in May 2015, representatives from NHS Borders had attended the Forum and gave a presentation on NHS Borders' proposal to relocate the Galavale Mental Health Unit in Galashiels, to Crumhaugh House in Hawick. At that meeting, it was reported that a planned £2m investment would refurbish Crumhaugh House into a 13-bed inpatient ward for the treatment of patients from 18 to 69 years with severe and enduring mental health problems. Ms Cotton further advised that since then, there had been a number of changes to the provision of care for those patients. This had led to a reconsideration of their decision and the relocation would not now be taking place; this had been approved by the Scottish Borders Health Board. Ms Cotton explained the reasons for the decision: NHS Borders had revised their assessment of health and

safety; there had also been a change to the nursing staffing model with staff sharing services with Huntlyburn, this would not have been possible if the rehabilitation centre was to relocate from its central location. Ms Cotton referred to the changes in the landscape of psychotic substances with increased physical risks; therefore moving patients away from urgent medical care would not be appropriate. In response to a question regarding NHS Borders' proposals for Crumhaugh House, she advised that she would refer back to the Board and ask for an update. The Forum expressed their disappointment that the largest town in the Borders was not able to accommodate the facility. Ms Cotton responded that the Rehabilitation centre served the entire Scottish Borders from Eyemouth to West Linton, therefore a central location, as close to patients' homes was a priority. The Chairman thanked Ms Cotton for the update but stated that NHS Borders centralisation policy was affecting other areas, not just Hawick. Members were also concerned that they had not been briefed on the changes to the proposal, prior to the release to the press; it was important that NHS Borders and the Council worked in partnership. It was noted that there would be a presentation from the Chief Officer for Health and Social Care Integration at the next meeting. Updates were also requested on Hawick Community Hospital and NHS Borders' performance monitoring and comparison with national targets.

DECISION

- (a) **NOTED**
- (i) **The report; and**
 - (ii) **That there would be a presentation from the Chief Officer for Health and Social Care Integration at the March Forum.**
- (b) **AGREED to request an update on Hawick Community Hospital and NHS Borders' performance monitoring and comparison with national targets.**

7. NEIGHBOURHOOD SMALL SCHEMES AND QUALITY OF LIFE

7.1 With reference to paragraph 3 of the Minute of 17 January 2017, there had been circulated a report by Service Director Neighbourhood Services seeking approval for proposed new Neighbourhood Small Schemes and Quality of Life Schemes from the Area Forum. Mr Dunlop advised that the following Neighbourhood Small Schemes had been requested for consideration by Teviot and Liddesdale Members: Re-route overhead cables at Bonchester Bridge; provide turf for Wilton Lodge Park; paint ornamental lampposts in Hawick; clean James Thomson Bridge, Hawick; install soakaway at Teviothead Cemetery; carry out improvements to drop kerbs in Hawick Town Centre; install seat in Buccleuch Road bus shelter.

7.2 With reference to paragraph 5 of the Minute of 20 September 2016, Mr Dunlop further advised that the public disposition for the Hawick Traffic Regulation Order Amendments ended on 17 February 2017. No objections or comments had been received during the period. The Traffic Regulation Order could now be made and the road markings to give effect to this Order would be implemented. The road markings would be laid week commencing 27 February and the signage as soon as practicable thereafter.

DECISION

- (a) **AGREED the following new Neighbourhood Small Schemes for implementation:-**

(i)	Re-route overhead cables at Bonchester Bridge	£4,047
(ii)	Provide turf for Wilton Lodge Park, Hawick	£ 175
(iii)	Paint ornamental lampposts in Hawick	£1,332
(iv)	Clean Thomson Bridge, Hawick	£ 352

(v)	Install soakaway in Teviothead Cemetery	£1,214
(vi)	Carry out improvements to drop kerbs in Hawick town Centre	£1,781
(vii)	Install seat in Buccleuch Road bus shelter, Hawick	£ 658

(b) NOTED:-

- (i) **the updates on previously approved Neighbourhood Small Schemes as detailed in Appendix A to the report;**
- (ii) **the updates on previously approved Quality of Life Schemes as detailed in Appendix B to the report; and**
- (iii) **the update on Hawick Traffic Regulation Amendments.**

8. SCOTTISH FIRE & RESCUE SERVICE

- 8.1 There had been circulated a report from Station Manager Russell Bell, Hawick Fire Station, presenting service delivery activity in the Teviot and Liddesdale Area for the month of January 2017. In summary, the report detailed that during the period of the report there had been three house fires (one chimney, two dwelling); two non-domestic fires (cars – accidental); three open fires (one refuse, two woodland); three special service occurrences and 15 unwanted fire alarms signals.
- 8.2 The report highlighted that in April 2017, the Scottish Fire and Rescue Service would introduce a common duty system throughout all Whole-time stations in Scotland. The 5 Watch Duty System was currently in use within the majority of the West Service Delivery Area and would now be rolled out nationally. Staff figures at Hawick Station would reduce from a total of 28 to 25 with 5 Watches of 5, replacing 4 Watches of 7. The new system would provide a more flexible and effective use of staff and would not affect the number of staff who day to day attended operational incidents on the fire engine as part of a water rescue team.
- 8.3 The Winter season thematic period continued and the Fire and Rescue service would be reporting their level of success against a range of indicators.

DECISION NOTED.

9. POLICE SCOTLAND

- 9.1 There had been circulated a report from Inspector Carol Wood, Police Scotland, updating the Teviot and Liddesdale Area Forum on performance activities and issues in the area. The Ward Plan priorities for Teviot and Liddesdale were highlighted as Drug Dealing and Misuse, Road Safety, Violent Crime and Antisocial Behaviour. In summary, with regard to the Drug Dealing and Misuse priority, Inspector Wood advised that whilst in custody on another matter a 36 year old male had been found in possession of a class B drug. A male had been found in possession of a class A drug and charged accordingly. Officers on patrol had stopped a 32 year old male, he was searched and found in be in possession of a Class C drug and was charged with this. Following a house search in Burnfoot a 24 year old male was found in possession of a class B drug. This male was also charged with driving under the influence of drugs. All offences had been reported to the Procurator Fiscal.
- 9.2 In terms of the Road Safety Priority, Community Officers continued to give attention to areas where they had received complaints of speeding and inconsiderate driving. Officer patrolled in identified locations to carry out periodic checks to positively influence driving

behaviour. In certain circumstances, motor vehicles could be seized by Police where there was evidence that the vehicle was being driven carelessly, or off road. It was essential that complaints about driving behaviour were notified to the police via 101 at the time. Vehicles continued to receive parking tickets and drivers were warned for parking longer than they should or breaching yellow line restrictions throughout the town. Whilst on patrol in Newcastleton a 37 year old man was charged for driving without insurance or a licence. He was reported for these offences and his vehicle was seized. Officers stopped a vehicle travelling on Buccleuch Road, Hawick. The driver was charged with a number of driving offences and his vehicle was seized. Two other drivers were charged for failing to have valid test certificates for their vehicle. Two fixed penalty tickets were issued for speeding.

- 9.3 In respect of the Violent Crime priority, there was one serious assault reported in Hawick during January. During a family argument a 23 year old male assaulted the 45 year old owner of the property. As a result the male sustained laceration to his head and required medical attention. The suspect was detained and subsequently charged with serious assault. He was kept in custody for his appearance at court the following day.
- 9.4 With regard to the Antisocial Behaviour priority, throughout December there were nine recorded police warnings and one fixed penalty ticket given for antisocial behaviour. A male was arrested in Croft Road, Hawick for breaching an antisocial behaviour order. He was detained in custody and appeared in court the following day.
- 9.5 Inspector Wood went on to highlight other issues during the period. With regard to Rural Crime whin bushes had been deliberately set alight near Upper Tofts Farmhouse, enquiries continued into this crime. Monday 13 February 2017 saw the launch of a national campaign highlighting the responsibility of dog walkers when taking their dogs into the countryside. A number of partners had come together on this campaign which was aimed at raising awareness of the devastating effects of livestock worrying. Police Scotland's advice was that dog owners who lived in rural areas or anyone walking and exercising their dogs in the countryside should ensure that their dogs were under control at all times. They should avoid going into any field where livestock was grazing. This did not just relate to the physical harm a sheep could come to but also the financial cost to the farmer where livestock was killed or injured. This was particularly relevant at this time of the year when the fields were full of pregnant ewes. Farmers and land managers could download signs from the Scottish Outdoor Access Code website to make sure it was clear to dog walkers what areas they should avoid at this time of year. Dog walkers could also find a lot of practical tips on staying safe with their dog at www.JesstheDog.org.uk. Police Scotland would fully investigate any reports of sheep worrying and charge individuals where there was sufficient evidence to do so. Inspector Wood concluded her report by advising that Police Scotland continued to ask communities to contribute to the Your View Counts consultation. The online consultation was available on <https://www.surveymoney.co.uk/r/8LMB9WX>.
- 9.6 In response to questions regarding the deployment of firearms at an incident and an update on the break-in at the motorbike shop, Inspector Wood advised that she has been on leave during the incidents but would investigate and report back to Members. In answer to a question regarding speeding traffic passing horse riders, she advised that specific incidents should be reported and would be investigated, drivers had been charged in the past and she asked that any incident be referred to Police Scotland giving details.

DECISION

NOTED the report.

10. **OPEN QUESTIONS**

10.1 **Wilton Lodge Park**

A member of the public reported that the goal posts at Wilton Lodge Park were not bolted down. Children were swinging on them and this was dangerous; Mr Dunlop advised that he would investigate.

10.2 **Roads at St Leonards and Williestruther Kennels**

A member of the public advised that the roads at St Leonards and Williestruther Kennels required cleaning, cars were getting stuck in the mud; Mr Dunlop would investigate.

DECISION NOTED

11. **COMMUNITY COUNCIL SPOTLIGHT**

11.1 Hawick Community Councillor, Mrs Short advised that there would be interesting speakers at their forthcoming community council meetings. In March there would be an update on the Community Empowerment Bill which all community councils had been invited to attend. In April the Project Officer from Stobs Camp would be reporting on the development. In May, they would be receiving an update on National Parks. In June, Live Borders would be attending to update on the reinstatement of the flume at the Leisure Centre and finally, in July, there would be representatives attending from the Borders Railway campaign.

11.2 Denholm Community Councillor, Mr Roberts thanked Mr Johnston for the earlier presentation on renewable energy which had been interesting. He related that, following a detailed briefing on the subject at the previous week's community council meeting, the community council had expressed grave concerns over the impact of the new guidance policy, and the likelihood that it would encourage developers to resubmit previously rejected windfarm applications, or generate new ones. It was felt that those concerns were justifiable as this had already happened, vis the new submission for the Barrell Law Wind Farm proposal. Mr Roberts advised that Denholm Community Council had finally reached an agreement with EFS Anemoui for the Langhope Rig Community Fund and were considering potential projects for this fund. They were also pursuing one or two small scheme projects. Mr Roberts further advised that there had been a meeting with SBC's Estates Surveyor regarding the replacement of the community storage facility and this was being pursued. The Community Council had also been consulted on the Pine Burns windfarm development. The Community Council had discussed SBC's introduction of charges for the use of public toilets throughout the Borders and how this would be implemented in Denholm. Mr Roberts continued that speeding at Jedward Terrace continued to be an issue, the positioning of the 30 mph limit sign and three stage warnings was inadequate and should be relocated. There was also concern at the location of the 30 mph at the other side of the village. Councillor Marshall advised that there would be a road safety meeting on site, he would circulate the time and date and also advise Inspector Wood.

11.3 Burnfoot Community Councillor Mr Grieve advised that the Burnfoot Carnival would be held on 9 July. He further advised that they continued to develop the Garden of Remembrance project.

11.4 Southdean Community Councillor Mr Kerr advised that following an election there were nine members on the Community Council. Broadband provision continued to be a major issue and BT were preparing a feasibility study. The Community Council had also been consulted on Pine Burns windfarm development and had objected as they had concerns about local roads and social economic aspects.

11.5 Mr I Robson, Upper Teviotdale and Borthwick Water advised that hopefully the bench, funded from the Quality of Life Scheme would be erected soon. The Community Council

were concerned at the amount of mud on the road from nearby farm transport. Timber transport was also damaging the road verges and they requested that could SBC arrange for an inspection of the road between Roberton and Craik

DECISION

- (i) **NOTED the reports; and**
- (ii) **AGREED that the Council be requested to arrange for an inspection of the roads and grass verges on the road between Roberton and Craik.**

12. **DATE OF NEXT TEVIOT AND LIDDESDALE AREA FORUM MEETING**

The next meeting of the Teviot and Liddesdale Area Forum was scheduled for Tuesday, 21 March 2017 at 6.30 pm in the Lesser Hall.

DECISION

NOTED.

The meeting concluded at 8.30 pm.