

# SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTE of Meeting of the AUDIT AND SCRUTINY COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells on Thursday 1 November 2018 at 10.00 am

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Present:- Councillors S. Bell (Chairman), H. Anderson, K. Chapman, J.A. Fullarton, S. Hamilton, N. Richards, H. Scott, S Scott, E. Thornton-Nicol

In Attendance:- Service Director Assets & Infrastructure, Network Manager, Chief Officer Economic Development, Clerk to the Council, Trainee Democratic Services Officer (E. Graham); Lead Petitioner (K. Payne), Cockburnspath & Cove Community Council (N. Simpson)

## 1. **WELCOME AND INTRODUCTIONS**

The Chairman welcomed those present to the meeting and introductions were made.

## 2. **MEMBER**

In terms of Section 5 of the Councillors' Code of Conduct, Councillor Fullarton declared himself as the local Member, but did not declare an interest and participated in the meeting.

## 3. **MINUTE**

There had been circulated copies of the Audit and Scrutiny Committee Minute of 24 September 2018.

## **DECISION**

**APPROVED for signature by the Chairman.**

## 4. **COVE CAR PARK PETITION**

4.1 There had been circulated copies of an extract from the Audit and Scrutiny Committee Petitions procedure. The Chairman explained the procedure to be followed and highlighted the main points. The Chairman then welcomed Mr Kevin Payne, Lead Petitioner, who is in attendance to present a petition on Cove Car Park and who is accompanied by Mr Neil Simpson, Cockburnspath & Cove Community Council. Mr Payne commenced his presentation by explaining further the information in the supporting statement and referred to the photographs attached to the papers. The Petitions submission form had been submitted with a total of 41 signatures, from 33 properties of which 25 were permanently occupied. This is due to the increasing number of visitors to Cove and residents had raised concerns over road safety, parking and the road conditions.

*The petition requested that consideration be given to:-*

*(i) Speed Control*

*(ii) No through road signage*

*(iii) Residents' parking areas*

*(iv) Limitation on size of vehicles entering the Cove (other than service/emergency vehicles)*

4.2 Mr Payne advised that there were no speed restrictions, other than 'Slow' painted on the road. Street lighting is only present on part of the road and it is single track with no pavements or grass verges. The road is the only access to Cove Harbour and is used by villagers, visitors, children and families. Traffic volumes were also a factor and a 'No

Through Road' sign would help reduce the number of vehicles entering Cove. The road is not suitable for large vehicles and there is an increasing number of tour buses and very large motorhomes coming into the village. The road ran along a cliff top and had been protected in the past from erosion. Vehicle numbers had vastly increased and this is limiting parking in the village, especially during Summer weekends. Residents were having difficulty parking near to their homes which is impacting on young families and the elderly. Emergency vehicles and refuse vehicles were also having difficulty accessing properties. The existing signage in the car park for 'No Overnight Camping' is unpoliced and not enforced; and residents who had erected their own parking signs on private properties had noticed an observable difference. There had been multiple pleas to the Council for designated residents' parking. In conclusion, the residents were asking the Council to act on a simple, low cost request to make Cove a safer place for residents and visitors and to:-

- (i) Designate ten parking spaces for residents use only;
- (ii) Introduce a 15mph speed limit into the village;
- (iii) Limit vehicle size into the village; and
- (iv) Erect a "No through road" sign.

4.3 Members then asked Mr Payne a number of questions. Mr Payne advised that the speed limit on the road is 60mph from the A1, which reduced to 30mph where there were streetlights. In Summer, tourists walked from Cockburnspath to Cove on the road, which had no grass verges, no room for pavements, and no passing places, which meant pedestrians had to move into residents' driveways to allow vehicles to pass. Councillor Fullarton explained that parking in Cove and Cockburnspath had always been an issue, particularly in the Summer, with approximately 12 houses having no private parking. In response to a question about whether consideration had been given to an asset transfer of the car park under the Community Empowerment (Scotland) Act, Mr Payne advised that some residents were against this due to the potential economic liability. While there is no space to make the car park larger, a possible location for another car park had been identified but this could prove controversial. Cove Harbour Conservation Ltd owned the harbour and generated some income from film/photoshoots, but the harbour lay around ½ a mile from the village, with no additional land available. Any revenue raising possibilities would be for the harbour and not the community.

4.4 There had been circulated copies of a briefing note by the Service Director Assets & Infrastructure responding to the Petition on Cove Car Park. The report stated that the Council is in the process of introducing an area-wide Traffic Regulation for off-street car parks in the Scottish Borders. At Cove, the intention is to restrict vehicles to under 3.5 tonnes and for the maximum stay to be 48 hours. This reduced period is in response to complaints about non-residents, particularly those in motorhomes, parking in the vicinity to the exclusion of residents. Reducing the speed limit is currently being considered but it is proposed to be 30mph in line with other villages in the Borders. There is no proposal for the Council to promote a Traffic Regulation Order (TRO) to limit the size or weight of vehicles on this route. The "No Through Road Sign" at the top of the road into Cove had been amended to read Cove (only). In addition, a "No Through Road – unsuitable for HGVs and Buses" sign is currently on order. Mr Young, the Network Manager, reported that there were constraints on what could be done and there were no plans to introduce residential parking. To reserve 10 spaces for residents would put added pressure on the remaining car parking spaces. To introduce informal parking would cause problems when residents came to sell their properties as parking rights would not be part of title. The road to Cove is the national speed limit of 60mph but would fit the criteria for a 30mph speed limit; 20mph is generally in place around schools to protect children and families. The proposed TRO would give the Council the power to deal with any complaints. The signs would show that the road is not suitable for HGVs or buses. While the Council had adopted and maintained the car park, the ownership of the ground would need to be checked, as adoption did not necessarily mean ownership. It may be possible to re-visit the layout of the car park to see if more spaces could be created, but a turning space would also need to be created for larger vehicles. The Council would undertake surveys on the usage of the car park. Members then discussed the issues of having a TRO and

signage which would not be monitored on a regular basis. Any review of speed limits would be carried out as part of a Borders wide review as it is a major exercise, carried out in conjunction with the police, and due to start in Summer 2019. There is also a discussion around residents' car parking permits; the street lighting; and whether plans were in place to look at the future impact of erosion on the road, although officers confirmed that current monitoring showed there were no structural concerns at this stage. In response to a question as to whether there could be a '20's plenty' sign on the road, the officer explained that Transport Scotland no longer permitted these signs as research had shown they were ineffective.

- 4.5 The petitioners thanked the officers for their continued help and thanked Councillors for their support. The Chairman summarised the points raised and asked officers to consider the options and to report back with practical solutions. The Chairman thanked the petitioners and officers for their attendance and the comprehensive, clear reports that were provided to the Committee.

## **DECISION**

**AGREED to refer the issues raised by the Cove Car Park petition to the Service Director Assets & Infrastructure to carry out the following work:**

- (a) Introduce the new TRO proposing a restriction on vehicle size to under 3.5 tonnes and a time limit for parking of 48 hours;**
- (b) include the Cove road in the proposed review of speed limits due to start in Summer 2019, with the aim of reducing the speed limit on the road to 30mph;**
- (c) ensure the signage "Unsuitable for HGV/buses" and "No Through Road" be erected as soon as possible;**
- (d) review the current layout of the car parking spaces to ascertain if further spaces could be made, including a turning area for large vehicles e.g. the refuse lorry;**
- (e) consider erecting a "Slow pedestrians" sign;**
- (f) seek clarification on the ownership of the car park; and**
- (g) consider options for permitted parking for residents, liaising with Mr Payne and Cove residents about any way forward.**

## **5. BROADBAND REVIEW**

- 5.1 With reference to paragraph 3 of the Minute of 3 September 2018, the Chairman welcomed Mr Bryan McGrath, the Council's Chief Officer Economic Development, who gave Members an initial presentation as part of Scrutiny's review of the progress made in delivering improved broadband services in the Scottish Borders by the Digital Scotland Superfast Broadband Programme. The Chairman referred to the review and that Scottish Borders Council had contributed significantly to the rollout of the Scottish Government's Digital Scotland Superfast Broadband (DSSB) programme, contributing £8.4m over two years to help extend the rollout as far as possible in the Scottish Borders. It is noted that two special Scrutiny meetings had been arranged for Monday 5 November and Wednesday 21 November and papers would be compiled with previous reports for the first meeting. Members of the Digital Scotland Superfast Broadband (DSSB) would be attending on 5 November to give a presentation. A glossary of acronyms would be made available to assist Members with the complex terminology.

- 5.2 Mr McGrath's presentation explained that the focus of the DSSB programme is on improving the digital infrastructure across Scotland. DSSB were working on the roll-out of fibre on a much wider basis, but still relying on the existing copper cable network to get back to people's houses and businesses. Fibre to the Cabinet (FTTC) is key to the programme with a top speed on copper cables of 80Mbps with Fibre to the Premises (FTTP) currently running up to 300Mbps. However, using the old copper cables means that the quality of the signal falls away the further a household or business is from the cabinet. If a premises is more than a mile from a cabinet it would likely not receive the full superfast broadband speed. There is complexity around fibre to the cabinet in particular within rural areas. A lot of houses and businesses were spread over considerable distances and were connected to 'exchange only' lines, a line that goes back directly to

the telephone exchange. This created a challenge on how to provide a superfast service. Solutions for these 'exchange only' lines were developed later in the programme. The practicalities in putting in the cabinets and boxes had been a massive engineering project. There is a huge requirement on the role of local authorities, the co-ordination process between contractors, roads authorities and all other local authorities. Road works were ongoing with the challenge around land ownership where boxes need to be fitted. Stickers were put on cabinets in conservation areas with challenges around the siting of the cabinets.

- 5.3 A relatively small number of connections were being provided by Fibre to the Premises (FTTP). These full-fibre connections have only started to appear in the latter part of the roll-out, and provide the fastest speeds available. Work had been carried out on overhead/underground cables and following existing phone lines in place with distances between telegraph poles being reviewed. Internal customer wiring required to be reviewed and the installation work is also different. FTTC connections can be activated easily by the householder, but if FTTP is required this involved an engineer visiting the premises. The DSSB roll-out is aiming to roll-out fibre as far as possible as it helps to future proof the network. DSSB had recognised that they would only get to 95% of premises in Scotland but Scottish Government's commitment recognised the importance of 100% in premises and the proposed R100 programme would reach this by the end of 2021. It is noted that the R100 programme is in the procurement process at the moment, with the anticipated date for the contracts being Spring/Summer 2019. In response to a question on digital data being transferred by satellite and whether this could be a solution to reach outlying properties, it is reported that this is sometimes the only option for a connection but the Government is pushing for funding for full fibre into as many premises as possible in future. It is further reported that many sub-Saharan countries did not have a legacy of copper networks and were therefore using full-fibre networks already, while other countries had put massive public funding into fibre at an earlier stage.
- 5.4 Discussions were held on the format of the future meetings and it is noted that R100 would not be considered as the review is about DSSB, which should then feed in to the R100 programme. Members were advised to scan through the papers that would be circulated and to consider the expectations of DSSB and on what had actually been achieved. There is a short discussion on the Scottish Wide Area Network (SWAN). The Council had signed up to be part of the public services network in order to get communication networks into schools, contact centres and council premises.

## **DECISION**

### **NOTED:**

- (a) the presentation; and
- (b) that a special meeting of Audit and Scrutiny Committee to consider the Broadband Review would be held on Monday 5 November at 1pm in Committee Room 2 with a presentation by Scottish Government Digital Scotland Superfast Broadband (DSSB) team; and a further meeting would be held on Wednesday 21 November at 10.30am in the Council Chamber, Council Headquarters.

*The meeting concluded at 12:45*