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## **HAWICK FLOOD PROTECTION SCHEME**

**Report by Project Director**

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### **SPECIAL HAWICK COMMON GOOD SU-COMMITTEE**

**04 october 2021**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report requests that the proposed new layout of the Hawick Common Haugh be submitted for a Planning Application.**
- 1.2 Through extensive consultation with the land owner, and users at the Common Haugh, it has been identified that a new proposed layout of the carpark is desired - to provide an 'enhanced' campervan location.

#### **2 RECOMMENDATIONS**

- 3.1 I recommend that the Committee:**
  - (a) Approves the request for this paper to submit a Planning Application for a proposed new layout at the Common Haugh.**

### **3 BACKGROUND**

- 3.1 Hawick Flood Protection Scheme was approved by Scottish Borders Council in December 2017 under the Flood Risk Management (Scotland) Act 2009 (the FRM). Thereafter it was granted its Deemed Planning Permission (DPP) by the Scottish Ministers. This 'approved' Scheme was then mapped into 'Construction Drawings' via the Detailed Design Process which was undertaken in partnership with the town. The 'Detailed Design' and thereby the actual product constructed on the ground must be within the legality of the Scheme's approvals.
- 3.2 At the Common Haugh area the Scheme required to re-configure the existing space with new flood walls and a modified parking area. Part of the green space over towards the Cobble Cauld/Victoria Road was changed to a hard surfaced area to offset the loss of parking alongside the river in the historical layout. All of this is included in the 'approved Scheme'. This reconfiguration allowed for the 'like for like' relocation of campervan parking from the corner of Albert Bridge over to the new corner by Victoria Road. It did not allow for increasing the number of campervan spaces or providing an 'enhanced' campervan location – which is what is now being proposed, and which has been developed further through extensive consultation with the people of Hawick and the Councillors/Common Good Committee. As such the Scheme need to ensure that full legal authority is in place for this 'enhanced' campervan location.
- 3.3 Under the FRM a Scheme is allowed to manage change which will inevitably occur when a Scheme is being constructed. This is managed through a Change Management process by the Scheme's Project Board under the FRM. The terms 'material change' and 'non-material change' are terms that are used within this process and relate specifically to the consideration of that change from a planning perspective. The processes have determined that the new proposed layout for the Common Haugh is a 'material change' and thus a stand-alone Planning Application is required. Permission to proceed to obtaining such a Planning Permission has been determined by the Scheme's Planning Working Group, reviewed and approved by the Scheme's Project Board, reviewed and noted by the town's Councillors and, if approved by this meeting, will be presented to a meeting of the Common Good Committee as the owner of the land.

### **4 COMMON HAUGH CARPARK**

- 4.1 Through the review and consultation process, this new proposed layout is the preferred option identified by all consulted parties. If this is not approved, the Scheme will revert back to installing the layout of the 'approved' Scheme.

### **5 IMPLICATIONS**

#### **5.1 Financial**

If approved, the funding for the Planning Application, and any additional construction works would be included within the financial budget of the Hawick Flood Protection Scheme and thereby drawn down from the

Scheme's Risk Budget. There are therefore no unbudgeted additional costs that the Council requires to allocate. It is estimated that the total cost of this change would be in the order of £75k.

## 5.2 Risk and Mitigations

- (a) The new proposed layout will require Planning Permission. We have engaged and consulted with all the stakeholders who use the Common Haugh carpark, who are all in agreement with new proposals.
- (b) Should the 'approved' Scheme layout be installed, there is a high risk that the land owner and users will not agree to final sign-off and handover of the works.

## 5.3 Integrated Impact Assessment

- (a) The design and implementation of the works identified within this report, will ensure that safe and integrated access within the town is provided.

## 5.4 Sustainable Development Goals

- (a) The design and implementation of the works identified within this report will ensure healthy lives and promote wellbeing for all ages.

## 5.5 Climate Change

- (a) The Hawick Flood Protection Scheme has carried out a Scheme Environmental Impact Assessment. The changes to the new layout will not have any adverse effects to the 'approved' layout with regards to climate change impact.
- (b) The new proposed layout will ensure that the resilience of the community/stakeholders will be enhanced.

## 5.6 Rural Proofing

This report does not affect nor amend rural proofing policies.

## 5.7 Data Protection Impact Statement

There are no personal data implications arising from the proposals contained in this report.

## 5.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to the Scheme of Administration or the Scheme of the Delegation as a result of the proposals in this report.

# 6 CONSULTATION

- 6.1 The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications

and any comments received will need to be incorporated into the final report.

6.2 Others to be consulted if required are –

- Corporate Equalities and Diversity Officer – for any new or revised policies/strategies to assure Equality Impact Assessment.
- Procurement Officer – if buying any goods or services.

### Approved by

**Name**

**Title**

### Author(s)

Name	Designation and Contact Number
Conor Price	Project Director – 07525 742361

**Background Papers:** None

**Previous Minute Reference:** None

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