

**SCOTTISH BORDERS COUNCIL
HAWICK COMMON GOOD FUND SUB-COMMITTEE**

MINUTES of Meeting of SPECIAL HAWICK
COMMON GOOD FUND SUB-COMMITTEE
held via Microsoft Teams on Monday, 4
October 2021 at 2.00 p.m.

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- Present:- Councillors G. Turnbull (Chairman), W. McAteer, D. Paterson,
C. Ramage, N. Richards, S. Marshall, Mr J. Campbell (Hawick CC).
- Apologies:- Mr W. Fletcher (Burnfoot CC).
- In Attendance:- Estates Strategy Manager (N. Curtis), Managing Solicitor (R. Kirk), Property
Officer (F. Scott), Democratic Services Officers (W. Mohieddeen and F.
Henderson).
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1. **MINUTE**

There had been circulated Minutes of the meeting held on 17 August 2021.

DECISION

APPROVED the Minute for signature by the Chairman.

2. **HAWICK COMMON HAUGH LAYOUT**

- 2.1 There had been circulated copies of a report outlining a proposed layout of the Hawick Common Haugh. The report requested that the Sub-Committee endorse the proposed layout to go forward for a planning application. Connor Price, Project Director explained that through extensive consultation with the land owner, and users at the Common Haugh, it had been identified that a new layout of the carpark was desired - to provide an 'enhanced' campervan location and details of the proposed layout were circulated with the report. The report explained that the Hawick Flood Protection Scheme (FPS) was approved in December 2017 under the Flood Risk Management (Scotland) Act 2009 (the FRM). 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.
- 2.2 As 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 was 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 was what was now being proposed, and which had been developed further through extensive consultation with the people of Hawick and the Councillors/Common Good

Committee. As such the Scheme needed to ensure that full legal authority was in place for this 'enhanced' campervan location.

- 2.3 Under the FRM a Scheme was allowed to manage change which would inevitably occur when a Scheme was being constructed. This was 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 was a 'material change' and thus a stand-alone Planning Application was required. Permission to proceed to obtaining such a Planning Permission had been determined by the Scheme's Planning Working Group, reviewed and approved by the Scheme's Project Board, reviewed and noted by the elected members.
- 2.4 Through the review and consultation process, the new proposed layout was the preferred option identified by all consulted parties and if not approved, the Scheme would revert to the layout detailed in the initial approved Scheme.
- 2.5 During discussion, members noted that the car park had been laid out in Zones and included areas for car parking, electric vehicles, disabled parking, school buses, heavy-goods vehicles (HGV) and increased campervan provision which had been a challenge to balance and resulted in three HGV spaces being designated and a one way system. In response to a question about improving signage to reduce the confusion surrounding the car park layout, it was confirmed that there was an obligation to replace signage although the scheme was not at that stage and there would be further consultation on unique branding for new and appropriate signage. There followed some discussion on the possibility of temporary signage in the meantime and it was agreed that temporary signage would be reviewed and a report back to the Sub-Committee. Members discussed the position of CCTV and whether lighting columns could house additional cameras. Mr Price advised that there would be an interactive exhibition in the Town Hall, Hawick in November to update the public on the progress of the Scheme. Mr Price highlighted that the Scheme was not resurfacing the entire parking area and the scope of the project was to build flood protection and replace damaged land. The Members were of the opinion that the entire area should be resurfaced and formally requested that the roads department look at costings for resurfacing the entire area. The Project Director committed to work with the Estates Strategy Manager to assess work required to upgrade the surface of the Common Haugh and connectivity and facility for CCTV. Members raised concerns that there was no provision for the sluice and the Property Officer and Estates Strategy Manager updated the Sub-Committee.

DECISION

(a) AGREED:-

- (i) that the proposed new layout of the car parking at the Common Haugh be submitted for a planning application;**
- (ii) that the temporary signage be reviewed and that a report be brought to a future meeting;**
- (iii) that the roads department look at costings for resurfacing the entire area at the Common Haugh;**
- (iv) that the height of the drains be looked at.**

(b) NOTED that an interactive meeting was to be held in the Town Hall, Hawick in November on the progress of the Project.

3 WILLIESTRUTHER LOCH

The Hawick Community Council had raised concerns about water safety at the Williestruther Loch due to the increase in wild swimming, canoeing etc. by members of the public and the Property Officer presented pictures of warning signage currently displayed at Williestruther Loch. It was noted that people couldn't be prevented from accessing Williestruther Loch due to Right to Roam legislation. Members discussed the dangers presented at Williestruther Loch, alongside what individuals could do to ensure their safety and that further signage erected at the Car Park and Waters Edge would clearly explain the risks of participating in water activities. The Property Officer advised that the annual inspection had been carried out on the lifebelts provided and these were deemed appropriate and sufficient.

DECISION

AGREED that the Estates Strategy Manager and Managing Solicitor work with the Property Officer to draft wording for signage and to gather costings for design and erection to be presented to the next meeting of the Sub-Committee.

4 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 the appropriate paragraph of Part I of Schedule 7A to the Act.

5. PRIVATE MINUTE

The Sub-Committee considered the private minute of the meeting held on 17 August 2021.

6. HAWICK MARKET

The Sub-Committee considered a presentation on Hawick Market.

The meeting concluded at 3.40pm.