

Minutes of the Meeting of Kelso Community Council on  
Tuesday 09 May 2023 at 7:00 in Kelso Town Hall



**PRESENT:** Councillors Owen Adams, James Boulton, Peter Cooper, Christine Hamilton, Gavin Horsburgh (Provost), Sharon Johnston (Secretary), James McCombie, Colin McGrath, Toni Oliver, Shirley Redgrave, Gus Russell and Gail Watson and Scottish Borders Councillors Simon Mountford, Euan Robson and Tom Weatherston

**IN ATTENDANCE** Mags Clark (Visit Kelso), PC Stuart Little (Police Scotland)

**APOLOGIES:** Councillor Paul Roberts

- *Please note questions to either the Scottish Borders Councillors or Kelso Community Councillors need to be submitted in writing to the Secretary seven days prior to meeting.*
- *Councillors to make a declaration of interest prior to discussion.*
- *All correspondence to be circulated via the Secretary.*
- *All Councillors and attendees to act in a courteous manner and direct questions through the Chairperson.*

## **Welcome**

The Provost welcomed Councillors to the meeting.

## **Police Matters**

The Police Report had been circulated.

Councillor Boulton asked if there was an increase in crime against animals. PC Little advised that this was quite rare in the Borders but north of Inverness it is more prevalent. Often it stems from abuse of the country code and not being aware. Peebles have had some issues with sheep-worrying but low level and no physical harm. This rare occurrence has caused some anxiety.

The Provost mentioned that, at Ferneyhill Cemetery there had been issues with ornaments going missing and flowers being stolen, with some night-time parking. PC Little asked that these events must be reported so the police can carry out surveillance. An intelligence log has been applied.

SBC Councillor Weatherston advised that he is on the CAT Committee and asked the question if reported locally to police, does it also need to go to the CAT team? PC Little advised that Sergeant Grainger had mentioned restructuring from community to CAT team. The change in role is not clear but the intention is to have

the community and CAT to work closely. CAT has been getting involved in some community policing. There is to be a Sergeants meeting on Friday 12 May to discuss how the community and CAT can work more closely together and the transferring of information more effectively.

SBC Councillor Weatherston said that CAT was to cover issues to come to SBC. PC Little replied that the hope was that the community role of the officers would become clear.

PC Little left the meeting.

### **Visit Kelso**

Mags Clark informed the council that the Visit Kelso newsletter had been issued to members highlighting the uptake in membership of two - three new members per month. She advised that this is partly down to Lesley at Crafty Creative recruitments. They are currently working with Karen on the hanging baskets and these should be going up next month. Visit Kelso appealed to the council to spread the word. For the Coronation and the Time Capsule lifting Visit Kelso organised a Crown Search. More than one hundred and twenty children took part looking for the gold crowns and got a sweetie from Crafty Creative.

The next Visit Kelso competition is Ladies' Day window competition at the end of May.

Visit Kelso are advertising in Kelso Life to spread the word about who Visit Kelso are and what they do for the community and that their core aim is to promote Kelso to residents and those further afield. Facebook and Instagram following is growing but not everyone is on social media. Mags Clark invited any ideas for promoting Visit Kelso. She advised the council that they do need more volunteers because the workload and activities are growing. They are looking for a full committee member to help with admin or marketing etc. Karen Hume will be stepping down and does huge amounts of administration so a replacement is needed.

SBC Councillor Weatherston asked how trading was. Mags Clark advised that generally, the feeling was "good" over the last few months. Kelso still had tourists visiting in the early part of the year. Some of the trade uplift had come from the Wellbeing Capital promotion. She advised that this will continue after the end of March using the photos and Wellness Warriors. Kelso has lots to offer as a Wellness Town and Visit Kelso is open to new ideas.

SBC Councillor Weatherston advised the council and Visit Kelso that Borders Event Centre is grossly underused. Mag Clark said that Floors, the racecourse, BEC and the ice rink are great assets to Kelso but need to keep working.

### **Minutes of the meeting held on 14 March 2023**

The Minutes had been circulated and there were no comments. They were approved, proposed by Councillor Oliver and seconded by Councillor Hamilton.

### **Matters arising from the minutes**

Councillor McGrath raised the issue of the underpass. SBC Councillor Robson reported that it has been reported and cleaned but likely not to remain clean as the slopes cause debris and mud to gather in the underpass. The lighting would be checked at night. SBC Councillor Robson questioned how much it is used and asked if KCC had information about how many people use it. The Provost suggested doing a Facebook poll to see how many people use it.

SBC Councillor Weatherston advised the council that the underpass was needed to accommodate people with disabilities. Women also reported feeling unsafe in the underpass.

SBC Councillor Robson advised the council that the storm drain near GD Autos had been cleared out and that it had been filling with vegetation.

Councillor Hamilton asked about the Conservation Area and if there was more information being made available by SBC Councillor Robson. SBC Councillor Robson confirmed that the programme was ongoing and then information would be provided. KCC agreed that this item should be added to future meetings' agenda.

### **Questions from the public**

Skate park Lighting: A letter from a member of the public was read out to the council where numerous points were made against the proposal of new lighting in the skatepark including the issue with litter dropping and parking in Sutherland Gardens. The Provost advised that he will make the members of the public aware of the planning application where neighbours and the public will be consulted.

Councillor Hamilton asked if this had been spurred by a request for input on KCC. The Provost confirmed it had come in before.

SBC Councillor Mountford informed the council that about 10 years ago complaints had come in about the skatepark and that it was screened off. However, complaints were received against the wall which had been constructed. It was removed to allow people to see the children.

The Provost noted that the skatepark had been in place for many years, for the same length of time as Sutherland Gardens.

SBC Councillor Weatherston confirmed that this used to be the tennis courts and, had it remained a court, would have been lit because Hawick, Peebles and Jedburgh are all getting floodlights within their skate parks.

Councillor Watson noted that the skatepark is used a lot and, aside from littering, it is well used and a good facility.

The Provost will respond to note that concerns have been highlighted.

Mags Clark from Visit Kelso suggested putting a bin right next to the skatepark which is sufficiently big enough to take the rubbish as sometimes it overflows.

The Provost confirmed that there are two bins at the skatepark and also at the corners of the entrance to the park. SBC Councillor Robson noted that there are some mornings when there is a lot of rubbish. He suggested talking to users of the skatepark explaining that the lighting proposal issues were linked to litter being left.

Councillor Oliver asked if CCTV could be added. The Provost confirmed that this would not be an option at the moment, but the lightning project is looking at CCTV

Councillor Cooper noted his interest as a resident of Sunderland Gardens and mentioned another issue which is that the lighting project is transparent so people are aware of the proposal. He noted that the process behind the running shelter was not as transparent as it might have been.

SBC Councillor Weatherston noted that the running shelter was subject to planning. The former Provost had recommended the location of the running shelter, following discussion with the Community Council members.

Councillor Cooper said he understood that the shelter had been located so as not to be visible from any of the houses, however, it was in fact visible.

Councillor Hamilton asked if possible to show the results of the Facebook survey. The Provost informed the council there was no link to the Facebook survey in the letter. The Provost has asked for clarification.

### **Kelso Community Council Code of Conduct**

The Provost noted that the Code of Conduct had been circulated and asked if all Councillors were in agreement to be bound by these rules. No objections were raised and the Code of Conduct was adopted by KCC.

Councillor Hamilton asked if some guidance on the declaration of interest could be provided. SBC Councillor Mountford said the guidance on conflicts of interest is that,

the test is “could a member of the public make a connection between a decision and a perception that there may be a link to the councillor?”

Councillor Hamilton asked if there is a risk in not being objective. SBC Councillor Weatherston said he declares any interest and proceeds, with that interest duly noted.

### **Kelso Community Larder**

Councillor Russell informed the council that the Larder was going very well and that they had saved close to two tonnes of food going to waste. He advised that there would be a volunteer meeting to discuss any feedback.

### **Kelso in Bloom**

The Provost informed the council that the beds at The Linn had been planted but they needed plants for three more beds. Out of the £2.5k grant about £1.4k had been spent so far and that more plants were to be purchased this week.

Councillor Redgrave asked when crocuses would be planted. Provost advised that it would be the end of the year and that he needed to liaise with SBHA / Waverly as to who owns the land at The Linn.

Councillor Hamilton mentioned that the Greener Gateway awards were imminent and asked that this be brought to the attention of Kelso In Bloom to make sure they are aware.

The next litterpick will be on Thursday 25th May, 6.pm

### **Tweed Valley Railway Campaign and KCC Railway Committee**

The report (appended to the Minutes) had been circulated. Councillor Boulton asked this item be kept on the agenda, as they are meeting many Community and Parish Councils.

Councillor Redgrave noted the support from Plexus. Councillor Boulton informed KCC that not only were Plexus a large local employer but also a global business worth around £3 billion.

### **Scottish Borders Community Council Network**

Councillor McGrath informed the council that the SBCCN update would be circulated to the Community Councillors. He informed the council that he condensed eight years of activity into a single page summary. Councillor McGrath advised the council that there were new Government officials in place following the Scottish Government change of leadership. The Community Minister remains unchanged.

Councillor McGrath informed the council that there was no chair at the moment, so there would be a meeting at the end of May. A Secretariat has been appointed and this is an important role for the next three years.

Councillor McGrath mentioned the strategic planning group and that there was limited progress on the NHS and Social Service merger and the issues of whether staff should also be merged. Councillor McGrath agreed to circulate a summary and was happy to field questions.

SBC Councillor Weatherston asked about the process for picking the community person to sit on the Councils' committees as proposed by the SBCCN? Councillor McGrath said this detail was in the legislation and would need to be consulted upon.

SBC Councillor Weatherston noted that the SBC Council representatives are elected by the public but community representatives would not be. Councillor McGrath advised these community roles would not be political positions and would be remunerated. He advised that he would be having a meeting with the Chief Executive and Jenni Craig.

### **Provost Report**

- Coronation of HM Charles III - The Provost advised the council that all went without incident and that some street parties had been organised. Councillor Oliver asked if any applications had been received for the £500 grant. Provost said a full event plan was required to access the grant which made applying difficult.

Councillor Redgrave noted that Stichill had applied for a grant and had used money towards purchasing a new screen and projector.

SBC Councillor Weatherston suggested that every organisation should have a grants officer who is trained on accessing grants. Emma Husband can provide assistance as there is allocated grant funding that is unclaimed.

- Time capsule - The Provost advised the Council that the Time Capsule was lifted and the contents are on display in the window of the Town Hall. He advised that the Time Capsule is cemented under the bull ring, it is waterproof, lead-lined and bone dry.

Both the Provost and the Duke of Roxburghe have written to Buckingham Palace to invite HM King Charles III to visit Kelso. The Provost had been informed that Anne Woodcock had also invited a member of the Royal Family to the opening of the Tweed in 2024.

A discussion took place about what should be replaced in the Time Capsule. The Provost suggested a medallion, similar to that placed by the late HM Queen Elizabeth II and Councillor Hamilton suggested that councillor's names could be engraved on lead, as in previous years. Visit Kelso suggested

putting in a digital copy of the media from 6 May 2023 to give more information about the news of that time, though questions were raised about potential obsolescence of the play-back equipment. Sharon Johnston (Secretary) asked if there had been anything buried about the Kelso Laddie and that this might be an idea to be included in the next burial of the Time Capsule. The Provost advised that there had not been anything about the Kelso Laddie in the capsule.

The Provost advised there is a video of the proclamation and of the laying of the wreath to the late HM Queen Elizabeth II produced by Mr. Graeme White. Visit Kelso suggested putting in a short digital message from all organisations about what Kelso was like in 2023.

The Provost expressed thanks to Hazel Woodsell and Christine Henderson from Kelso Heritage Society for their research into the contents of the capsule, and to SBC Kelso Roads Department who went above and beyond of their duties.

- Complaints Procedure - The Provost has received no feedback from Community Action Borders (TSI) on how to set up a complaints procedure and will follow up with Fiona Benton.

Councillor McGrath had asked how many complaints had been received by SBC. The Provost suggested applying for a Freedom of Information request to get this information, and the Provost noted that the agenda item was about a Community Council complaints procedure and not SBC.

- The Provost advised that the phonebox in Horsemarket was to be repaired and repainted by BT.
- The Provost will be attending Polish day on 16th May 2023.
- Councillor McGrath has agreed to attend the Border Union Agricultural Education Day on behalf of Kelso Community Council.
- Kelso Laddie Declaration: Provost extended his congratulations to the new Kelso Laddie Andrew Thompson. Provost stressed the importance of Councillors attending. Only three of the 12 Councillors attended. Provost said that it is an honour for Councillors to be invited and it would be a great pity if attendance was poor.

## **Secretary's Report**

Correspondence, consultations, planning, traffic regulations etc. had been circulated and a summary is attached to the minutes.

Correspondence from SBC highlighted the five year housing structure and asked that KCC look at this and add any views.

## **Consultations**

There were no consultations.

## **Walking Festival 2023**

The Walking Festival report had been circulated. Councillor Redgrave advised that since the tickets had been on sale for over a week, three walks were already sold out. Visit Kelso are providing assistance with Tina Newton on publicity as is Wendy Richardson on social media. SBC are providing funding for three Heras fencing panels and the Convenor's budget will cover the civic ceremony to open the festival on Saturday 2nd September at 6.30pm – 8.00pm. The Civic ceremony is an opportunity for walkers to meet walk leaders and sponsors and tickets for the social events will go on sale on 1st June. This will be open to the people of Kelso as well as walkers. All bookings are via Eventbrite.

## **Scottish Borders Council Report**

SBC Councillor Euan Robson reported on several items of concern to the Community Council that had been raised at recent meetings.

Parking – There was nothing to report at this meeting about traffic management.

Shedden Park Toilets – SBC Councillor Mountford advised the council that the toilets in Shedden Park should now be open. However, it was noted that they were not. SBC Councillor Mountford agreed to look into this.

20 MPH sign Hunter's Bridge – SBC Councillor Robson informed the council that the 20mph issue at Hunters Bridge would have to go into a future traffic regulation order before it can be implemented. Provost asked if double yellow lines on Bridge Street could also be added to TRO. SBC Councillor Robson agreed, along with the disabled spaces and other issues. SBC Councillor Robson advised that because it is a conservation area certain signage complications arise.

Councillor Hamilton asked if it could be noted that the dropped kerb on the bypass near the roundabout could be included to ensure pushchairs and others can cross safely.

SBC Councillor Weatherston noted that 20 MPH was hugely controversial. Perhaps grading down to 30MPH could be a solution.

Graffiti - SBC Councillor Robson advised the council that the graffiti under Hunter's Bridge had been painted with a special paint which makes it easier for graffiti to be covered up. He suggested using this paint on the bus stop too, to make future repairs easier. The Provost agreed to have a discussion about this.



Contented Vine Crossing Point - The Provost advised that the crossing point at The Contented Vine is subsiding which is problematic for those with mobility issues. SBC Councillor Robson agreed to look into this.

Glebe Field Wall – Councillor Boulton asked for an update. SBC Councillor Robson advised KCC that the parties may be nearing an agreement on funding the repair.

Union Street scaffold – Councillor Boulton asked for an update since a cabin was now located in Union Street. SBC Councillor Mountford advised that the scaffolding was essential for the works so the road would be closed until the work was complete. The Provost asked if there was a charge to close the road. SBC Councillor Weatherston said he did not think so and agreed to follow this up.

Abbey Heras Fencing – this was to be removed by the end of June. Historic Environment Scotland to speak to Road Safety. SBC Councillor Robson agreed to follow this up.

Advertising signage – Councillor Hamilton noted that concert posters had been put up on Rennie Bridge. SBC Councillor Weatherston said it is illegal to put posters on lampposts and these can be removed, as too can the banners at Croft Park if complaints are received.

A short discussion took place about street furniture. Councillor Redgrave noted that Place Plans are important for this. Councillor Hamilton noted that accessibility is important.

SBC Weatherston noted that a number of items had been on the agenda for too long and that the SBC Councillors would look to find a way to speed these items up, perhaps with a Red-Amber-Green report.

### **Consideration of Licensing applications**

There were no considerations of licensing applications. However, SBC Councillor Weatherston advised the council that the five-year licensing policy was due to be renewed. A 14 hour opening policy has become standard, for example (11:00 to 01:00). Some larger councils have longer hours but Perth and Kinross, for example, review applications on a case-by-case basis. SBC Councillor Weatherston suggested that more flexibility may be helpful. He encouraged the council to respond. The consultation is to be published shortly, however, a first draft would come to the council first.

### **Consideration of planning applications**

23/00562/FUL | Part-retrospective external alterations of amenity building and erection of exterior canopy, and other infrastructure and landscape works, and a change of use of the building to a licenced premises for ancillary food and drink provision and ancillary games/entertainment activities for the occupants of

Springwood Park only | Springwood Caravan Park Springwood Village Kelso  
Scottish Borders TD5 8LS - no objections

23/00590/FUL | Installation of solar photo voltaic array to industrial roof space |  
Factory 1 And 2 Works Kenneth Forbes Lee Forbes Way Pinnaclehill Industrial  
Estate Kelso Scottish Borders TD5 8DW – no objections.

23/00595/FUL | Window replacement | 67 Bowmont Street Kelso Scottish Borders  
TD5 7DZ– no objections

23/00605/FUL | Installation of solar photovoltaic array to roof | Kelso High School –  
no objections

9 Woodmarket change of use from 3 flats to dwelling house - Councillor Russell  
declared an interest in this application. Councillor Hamilton asked if KCC could  
comment. SBC Councillor Weatherston confirmed that it was possible.

Spylaw Road - It was noted that a petition had been circulated, based on 2011 and  
2012 minutes, suggesting that retail use may be permitted in the field to the south of  
the bypass. This was causing concern among traders. SBC Councillor Weatherston  
has received correspondence. SBC Councillor Mountford declared a conflict given  
his position on the planning committee, recused himself and left the meeting. SBC  
Councillor Weatherston said that if an appeal were received, it would be handled in  
accordance with due process. Councillor McGrath suggested a planning specialist  
should present to the council.

The Provost wished to reassure the council and community that there are no plans  
for a new retail park in a field on the outskirts of town, opposite Sainsbury's.

Councillor Boulton asked if any properties had retail use consent. SBC Councillor  
Weatherston confirmed that they had. Councillor Boulton said he understood the  
road was zoned differently for industrial use, but had several examples of retail and  
other uses. SBC Councillor Weatherston noted that several properties had secured  
planning permission e.g. for the gym, nursery and hot food takeaway. Visit Kelso  
noted that the SBC Council does periodically check on use because this also  
impacts rateable values. After further discussions on the recent planning application,  
the Community Council changed it's decision to give approval to the Spylaw Road  
change of use application due to this area being already heavily mixed use which  
also includes retail of business of such a large size that shops in the square would  
not have a similar size to operate

### **Any other business**

There was no other business and the Provost thanked Councillors and brought the  
meeting to a close.

The next Kelso Community Council meeting will be held on Tuesday 13th June 2023.