

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of the Blended Meeting of the EXECUTIVE COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Tuesday, 12 March 2024 at 10.00 am

Present:- Councillors E. Jardine (Chairman), L. Douglas, M. Douglas, C. Hamilton, S. Hamilton, J. Linehan, S. Mountford, D. Parker, J. Pirone, M. Rowley, R. Tatler, F. Sinclair, E. Thornton-Nicol, and T. Weatherston.

Apologies:- Councillors C. Cochrane, J. Greenwell and E. Robson

In Attendance:- Chief Executive, Director – Corporate Governance, Director – Education & Lifelong Learning, Director - Finance and Procurement, Director- Infrastructure and Environment, Director – People, Performance & Change, Director - Resilient Communities, Democratic Team Leader (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held 13 February 2024.

DECISION

APPROVED for signature by the Chairman.

2. **CORPORATE PROCUREMENT STRATEGY 2024/25**

There had been circulated copies of a report by the Director – Finance and Procurement which sought approval of the Corporate Procurement Strategy for 2024/25 ahead of publication. The Procurement Reform (Scotland) Act 2014 set out specific duties for contracting bodies (including Local Authorities). Those duties included the publishing of a procurement strategy and an annual report on delivery of the strategy. The Corporate Procurement Strategy for 2024/25 aligned with the approved Council Plan. The Director Finance and Procurement, Mrs Suzy Douglas, presented the report and responded to questions. In response to a question regarding plans for future meet the supplier events, Mrs Douglas confirmed that planning for future events was ongoing. Mrs Douglas undertook to explore whether it would be possible to present the community benefit of specific contracts in future reports. Regarding spend in the report listed as not categorised, Mrs Douglas explained that due to the wide range of different types of contracts the data would be too expansive to display in the report. Members welcomed the report.

DECISION

AGREED to approve the Corporate Procurement Strategy as contained in Appendix 1.

3. **CAPITAL PROGRAMME 2024/25 - BLOCK ALLOCATIONS**

There had been circulated copies of a report by the Director- Finance and Procurement which sought approval for the proposed individual projects and programmes within the various block allocations in the 2024/25 Capital Investment Plan. Appendices A-Q to the report contained proposals for various projects to be allocated from the block allocations. Those overall block allocations were approved in the 2024/25 Capital Investment Plan at the meeting of Scottish Borders Council on 29 February 2024. Due to ongoing development of asset plans, not all projects had been fully identified and when that information was available it would be brought for consideration as part of the quarterly monitoring reports. In response to a question regarding Jedburgh Grammer Campus demolition costs, the Chief Executive provided assurance that a report would be presented to the Committee once final tender costs were known. The demolition would

not proceed until that report had been approved. Regarding the £170k allocation to Council HQ building upgrade works, the Director Infrastructure and Environment, Mr John Curry, explained that as part of the Council's drive to rationalise its estate further investment in the Headquarters building was planned in areas where services would be co-located into shared facilities. It was highlighted that certain projects within the play area blocks had the potential to slip to later years. In response to a question regarding Selkirk High School refurbishment spend, the Director Education and Lifelong Learning, Mrs Lesley Munro, explained through investment the current provision could be improved to a comparable standard in layout and design to more modern schools. The Chief Executive outlined that future capital spending plans involving buildings were likely to be curtailed due to budgetary pressures and the Council needed to look to adapt its buildings rather than replace them where possible. In response to a question in relation to the Peebles flood protection project Mr Curry confirmed that the project was at an early stage with no concerns that it would not proceed. Mr Curry confirmed that an update would be provided regarding planned installation of solar panels on Council buildings. The Chief Executive confirmed that there were no plans to replace Selkirk high school within current capital plans.

DECISION

AGREED to approve the block allocation breakdowns contained in Appendices A-Q of the report.

DECLARATION OF INTEREST

Councillor Rowley declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion.

4. SELF-CATERING LEGISLATION CHANGES

There has been circulated copies of a report by the Director Infrastructure and Environment which outlined the impact that changes to the local taxation of self-catering properties had on the Council's Trade Waste Collection Service and to recommend a way forward. The law relating to the local taxation of self-catering properties changed with effect from 1st April 2022. In order to be classed as a Non-Domestic property and liable for Non-Domestic rates instead of Council Tax, a self-catering property was now required to provide evidence to the Assessor of 70 days of actual letting as well as 140 days of intention to let from 2022-23 onwards. If the property was not considered by the Assessor to be self-catering it would enter the Council Tax Valuation List, at an appropriate valuation band, and would be liable for Council Tax. The Assessor had reviewed all Self-Catering Properties against the new conditions for the financial year 2022/23 and a number had failed to meet the new requirements and had been moved from the Valuation Roll to the Council Tax Valuation List. Those properties were now asked to pay Council Tax, which in most cases would be more expensive than paying business rates and claiming business rates relief (SBBS). As a result a number of those properties had requested a full refund of their Trade Waste Contracts for the periods 2022/23 and 2023/24. It was recognised that this would be an ongoing issue that would change from year to year i.e. in future more Self-Catering Properties may not meet the new criteria and vice versa. The Council needed to agree how it was going to deal with the requests for Trade Waste refunds in those instances to ensure consistency and fairness. The Waste and Passenger Transport Manager, Mr Ross Sharp-Dent, presented the report and responded to Members questions. In response to a question regarding when the legislative change was communicated to trade waste contract holders, Mr Sharp-Dent explained that whilst the change came into effect from April 2022 the Council had yet to make a decision regarding whether to refund those who had taken out trade waste contracts or not. Communications would be sent to the relevant parties once future arrangements were agreed. Members agreed that Option 3 in the report was the most prudent course of action and highlighted that effective communication with contract holders was extremely important.

DECISION

AGREED to:-

- (a) **note the report; and**
- (b) **implement Option 3 outlined in the report.**

5. SCOTTISH BORDERS COUNCIL'S QUARTER 3 2023/24 PERFORMANCE INFORMATION

With reference to paragraph 7 of the Minute of the meeting held on 5 December 2023, there had been circulated copies of a report by the Director People, Performance and Change which presented a summary of Scottish Borders Council's Quarter 3 2023/24 performance information. The information contained in the report would be made available on the SBC website at www.scotborders.gov.uk/performance. The Director People, Performance and Change, Mrs Clair Hepburn, presented the report and highlighted that the 16 milestones reported in the quarter showed that 9 of them had been achieved as planned. There was 1 milestone which had been rescheduled to a future quarter and there were 6 milestones which had been partly completed and work would continue on them. Of the 91 indicators presented 65 were in a good position of which 14 were particularly positive. 15 were highlighted as areas of focus for improvement and 11 information only figures which provided context to some of the performance indicators. The Community Action Team (CAT) had been operating at full strength since 1st June and the upturn in the statistics since that date was notable, particularly for High Visibility Foot Patrols and Mobile Patrols hours. In response to a question regarding comparison with other Local Authorities, Mr Hepburn explained that the annual report included benchmarking data comparisons and the information published online also provided significant context to the figures. The Director undertook to explore the inclusion of a quick reference guide to allow the public to understand the data in an easier manner. In response to concerns regarding school attendance rates, Mrs Munro explained that each school had their own specific plans to improve attendance. It was agreed that a briefing would be organised to outline those plans. In response to a question regarding the number of FOI requests which had been received, Mrs Hepburn confirmed that the Council received a considerable number of requests and that they were prioritised based upon their due date. The Chairman highlighted that Selkirk High School's esports team had competed in their first ever match.

DECISION NOTED:-

- (a) **the Quarter 3 2023/24 Council Plan Key Milestones and Performance Indicators Report contained in Appendix 1 to the report; and**
- (b) **the Quarter 3 2023/24 Community Action Team Performance Report contained in Appendix 2 to the report.**

6. PRIVATE BUSINESS DECISION

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 Paragraph 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7. GALASHIELS TOWN CENTRE REGENERATION

Members considered a report the Director – Resilient Communities and deferred a decision on its recommendations.

The meeting concluded at 11.45 am