

**SCOTTISH BORDERS COUNCIL**  
**31 MAY 2018**  
**APPENDIX I**

**OPEN QUESTIONS**

**Questions from Councillor Paterson**

1. To Executive Member for Neighbourhoods and Locality Services

Will this administration not admit that they have got it wrong by cutting back on grass cutting in cemeteries and in well used areas in all of our Border Towns to try and save money while still proceeding with a multi-million pound scheme like the tapestry?

Answer from Councillor Aitchison

In February this year, Council agreed a series of revenue savings within the Neighbourhood team which included changes to the grass cutting regime. A significant part of the change was moving general amenity grass to a 20 day cutting cycle from a 10 day cutting cycle. High amenity areas remain on a 10 day cutting cycle and therefore this is a change to some, but not all, areas of grass. There does appear unfortunately to be a general misconception that all areas of grass are affected by these changes, which is not the case.

We are of course also encouraging communities to play “their part” in supporting the Council during these periods of budgetary constraint to maintain areas should they wish to get involved and Officers will actively support any such group..

The Great Tapestry of Scotland capital project, which is receiving a significant external financial contribution from Scottish Government to the value of £2.5m, plus the more recent success in leveraging in a further £1.2m of Regeneration Capital Grant Funding, is intended to contribute to the both the regeneration of Galashiels town centre and improve the overall tourism and visitor offer within the Scottish Borders as a whole.

Supplementary

Councillor Paterson asked that the decision to reduce the number of cuts be reversed. Councillor Aitchison advised that Councillor Paterson was aware of the process to change Council policy and, as a capital project for tourism would not fund grass cutting, Councillor Paterson would need to identify budget if the policy was to be changed. .

To Executive Member for Community Safety

2. Is the new Community Policing team working within the £280,000 budget they were given to do the job or is there a chance that they may go over budget bearing in mind that when the Council Leader, Cllr Haslam and Cllrs Turnbull and Aitchison presented the budget they said that it would be more than £280,000 which begs the question how much over £280,000 will it be allowed to go before action is taken?

Answer from Councillor McAteer

The SLA between SBC and Police Scotland provides that the charges will be £278,500.00 for 2018/19 paid in 4 instalments of £69,625.00.

Supplementary

Councillor Paterson asked who received the income from fines. Councillor McAteer advised that this was a regulatory issue and fines went to the Scottish Government.

3. Can the Executive Member please tell the Council how many parking fines and dog fouling fines the new Community Policing team have issued since they came into being ?

Answer from Councillor McAteer

Between 1<sup>st</sup> April and 25<sup>th</sup> May 2018 there have been 121 parking tickets issued by the CAT.

In an average year the police expect to issue 300 – 400 parking tickets issued by all police officers in the Borders. There have been no dog fouling tickets issued during this period.

As per the Terms of Reference of the Officer/Member Strategic Oversight Group, performance of the CAT will be reported on quarterly at the Police, Fire & Rescue and Safer Communities Board and Executive Committee.

#### Supplementary

Councillor Paterson asked if the Council should not receive the fine income to help offset the costs. Councillor McAteer advised that there was a clear service level agreement which detailed the roles and responsibilities of the CAT. The Team was very proactive and that it was less about the cost and more about improving the quality of life by supplementing the existing police service.

4. Do you not think that it would be a sensible way forward, in the interests of health and safety and possibly saving some poor person's life, if this Council would consider installing a defibrillator into halls owned by SBC and currently leased or hired out to the public or other organisations?

#### Answer from Councillor McAteer

The management and hire of town halls and other community venues such as swimming pools, leisure centres and community centres are now the responsibility of Live Borders. Currently 50% (17 out of 34) Live Border properties have AED's installed.

SBC in partnership with NHS Borders, Scottish Ambulance and Fire and Rescue Services and local charities have produced a guidance document for the public providing advice on the installation of Automated External Defibrillators (AED'S) with the aim of increasing survival rates. To date 276 AED's have been installed across the Scottish Borders at public venues including Live Borders managed town and village halls, community centres, leisure centres and other council owned properties such as schools and community hubs. Many of these AED's are funded through SBC community grants, charity fundraising or donation from organisations such as British Red Cross.

SBC and their partners remain committed to the Scottish Governments 'Out of Hospital Cardiac Arrest (OHCA) Strategy for Scotland' with the goal of increased availability of AED's and equipping our public with lifesaving skills. This strategy has increased survival rates in the Scottish Borders from 12% in 2015 to 29% in 2018. An increase of 17% in 3 years, exceeding the Scottish Govt target of 10% in 5 years.

#### Supplementary

Councillor Paterson commented on a recent event in Hawick Town Hall and asked the cost of providing a defibrillator was worth it even if it saved one life. Councillor McAteer recognised his concerns but advised that there was a defibrillator on the wall outside the Town Hall. The Council did promote their installation.

#### 5. To the Executive Member for Finance

Can the Executive Member please tell the Council if all members of the Ruling Administration were made aware by officers of the full implications that the cuts were going to have on the people of the Scottish Borders for example the reduced number of cuts to some grassed areas of the Scottish Borders meaning that some areas will only be cut every 20 days, there seems to be some confusion with some admin members.

#### Answer from Councillor Turnbull

As part of the 2018/19 budget setting process, a report entitled 'Neighbourhood Services – Grass Cutting & Biodiversity, Floral Gateway Competition' was presented to the Administration Budget Working Group on the 16th January 2018.

The proposals in the report contained savings of £345k, which included £215k of savings from grass cutting service redesign, with the recommendation that general amenity grass areas move from a 10 working day cycle to a 20 working day cycle, with high amenity areas continuing to be cut on a 10 day cycle. Other changes, to slopes and wild flower areas, were also included.

A further meeting with the Administration was undertaken on 23rd January by the Neighbourhoods Manager, who delivered a PowerPoint presentation to Elected Members. This provided further

clarity on the proposals, including photographic examples of the grass cutting pilot carried out during 2016/17. The proposals were approved by Council on 20th February as part of the 2018/19 Financial Plan.

A further briefing was held on 20th March which was open to all members to attend. A similar presentation detailing the service changes, including changes to grass maintenance was undertaken at that time.

#### Supplementary

Councillor Paterson asked if there was any possibility that Councillors may have been misled given a recent article in the Hawick paper. Councillor Turnbull advised he had no control over articles in the local press but reaffirmed that Members briefings had been held. There had been some delays in obtaining new equipment but this would be resolved soon.

#### 6. To Executive Member for Roads and Infrastructure

With the recent publicity regarding roads in and around the Teviot & Liddesdale Area getting resurfaced, while welcoming the work being done, I have to ask what criteria was used for doing the work to these roads. I have been contacted by people in my ward amazed at how these particular roads seemed to have leap frogged in front of other roads that look as if they are in a far worse condition. Was this work solely based on these roads being in a far poorer condition or was it just based on getting the popular vote and will this work to the roads mentioned in the local paper mean that work needing to be done to other roads in the Teviot & Liddesdale area will not now happen?

#### Answer from Councillor Edgar

During the budget setting process for 18/19, Officers were asked to identify high profile roads in villages and towns that would benefit from higher value capital improvement works - when compared to lower value revenue works that generally comprise more minor pothole or other repairs.

An additional £1.8m of revenue was allocated to Roads as part of the budget process, and of this additional £1.8m, £1.2m was allocated to the some of the identified roads with the balance of £600k being used to undertake a variety of revenue works including the provision of a 2<sup>nd</sup> jet patcher.

As six of the identified roads had already been included with the programme for 18/19 and as it was additional money, no other schemes were displaced from the planned programme.

#### Supplementary

Councillor Paterson asked if this meant that there would be more temporary filling of potholes when this money could have been used for more permanent repairs. Councillor Edgar advised that most potholes were filled on a permanent or semi-permanent basis.

#### **Question from Councillor S. Scott**

#### To Executive Member for Finance

Can the Executive Member please assure me that all the paper work/contracts for the care of the residents in Millfield Home, Jedburgh, and the new owners are now in place?

#### Answer from Councillor Turnbull

We have been working with Bield Housing Association and the purchasing care organisation to ensure that the transfer of care is completed with the minimum of disruption to residents. Whilst we cannot confirm that the contracts are in place we are confident that progress has been made for the sale and transfer and will be completed in June as previously noted.

#### **Question from Councillor Fullarton**

#### To Executive Member for Planning and Environment

What are the implications for SBC of the Scottish Government Proposals for Fees charged for Applications under the Electricity Act 1989?

### Answer from Councillor Miers

The Scottish Government has consulted on new fees for applications submitted under the Electricity Act 1989 which includes windfarm applications above 50MW capacity. Such applications are submitted to the Energy Consents Division of the Scottish Government who in turn consult with local authorities. In practice local authorities undertake the majority of the work associated with processing applications for which they receive a two thirds proportion of the fee. At present the maximum fee for an application between 50MW and 100MW is £18,000 of which local authorities get £12,000 in recognition of the substantial burden that falls on them.

The Scottish Government's proposal is to increase the maximum fee for developments of this size to £190,000 but there is no proposal to increase the fee payable to local authorities which would be capped at the existing £12,000. Scottish Borders Council would therefore continue to bear the burden of having to assess and respond to these applications but would receive no additional fee income. The proportion of fee provided to local authorities would drop from 66% to 6%.

- In effect this is an additional tax imposed on rural Scotland, because the work is done locally but the money goes to the Scottish Government
- Our suggestion in our response to the consultation was that local authorities should continue to receive c. 2/3rds of the fee – ie £125,000
- The cost implications to SBC, based on the last five years, has been calculated at c£1.25m
- If we all work together we can persuade the SG to drop this levy.

### Supplementary

Councillor Fullarton asked if he agreed that there was a 7% cut to local government. Councillor Miers advised that the Council needed to get this decision overturned.

### Question from Councillor Brown

#### To Executive Member for Neighbourhoods and Locality Services

There has been uproar across the Borders to the changes in the grass cutting regime: Kelso Provost, Dean Weatherston, is quoted in The Southern Reporter as saying "We've got all the brilliant new plants in the Coldstream Road .... But you can't see them, the grass is higher than the plants."

In my town of Jedburgh, writing about the disgraceful state of Castlewood Cemetery in a post in Facebook last week Ex-Councillor Rory Stewart states "the grass cutting is a concern, SBC seem to have moved the goalposts without due consultation with communities".

What consultation was there with communities in advance of the changes in grass cutting implemented in April this year?

### Answer from Councillor Aitchison

As part of its budget consultation, the Council proactively invited responses in the winter edition of its SBConnect magazine to a proposal to change grasscutting maintenance. This article was issued in December 2017 to all 56,000 households in the Scottish Borders.

We also asked the public for their views through our online engagement tool Dialogue.

The proposal was around cutting some grass areas less often to change the look and feel of areas, introducing wildflowers and working with communities to hand over or back responsibility for certain areas.

In total, we received 28 responses on the topic, of which 22 were supportive, two unsupportive and four neither supportive nor unsupportive.

On the issue in Kelso, It is the view of officers that it is regrettable that the location at Coldstream Road in Kelso, which has benefitted from community-led bulb planting, was referred to as a cause for concern.

The presence of bulbs within the established grass at the location prevents grass cutting until leaf growth has died back to the correct stage, as per good horticultural practice, prior to cutting. Doing so allows the below surface bulbs to grow and develop themselves sufficiently to continue to flourish the following year.

The area was monitored locally to determine when grass cutting should be carried out on the bulb planted areas, which has now been completed. In the interim, areas at the location which, as yet, have not been planted with bulbs were cut as per the agreed schedule.

This approach to maintenance of the area, following the flowering of the bulbs, is the same practice and timings as last year.

#### Supplementary

Councillor Brown advised there had not been enough communication with independent and opposition Members and communities. Councillor Aitchison advised that this saving had also been part of the opposition budget and that it had been discussed with Community Councils. He was accessible at all times to discuss concerns and that less grass cutting had led to more biodiversity including wild flowers, bees, etc. had been welcomed. He did accept that there had been some glitches in the introduction of the new policy.

#### **Question from Councillor Bell**

##### To the Leader

How many Member-Officer Working Groups, or Reference Groups are now operating across this Council. What is the general remit of each one and what is the defined lifetime of each?

##### Answer from Councillor Haslam

There are currently eight Member Officer Groups. These are:-

- The two Economic Development Working Groups for Hawick and Eyemouth. They will hold their first meetings in June to agree their terms of reference and timescales
- The Parking Issues Working Group which has the remit of ensuring the Council maximises parking opportunities in Border towns, ensuring sufficient turnover within town centres to bring economic benefits to the businesses located there, and, where parking restrictions are in place, that these are clearly marked and enforceable. The Group aims to report in August 2018
- The Police Community Action Team Oversight Group which has the remit of ensuring the Council maximises the value and operational effectiveness of the police Community Action Team (CAT) across the Scottish Borders; and an intelligence led approach to identifying priority areas of activity, supporting delivery of the Local Policing Plan and Community Planning Partnership Community Plan. This Group will meet so long as the CAT is in place.
- The Corporate Parenting Strategy Group which has the remit of fulfilling the Council's obligations as corporate parents. This is a legislative responsibility so this is an ongoing group
- The Planning Policy Working group which is a forum to discuss a wide range of planning issues e.g. LDP, policy development, the Planning Bill and Scottish Government Consultations. This is an ongoing group.
- Localities Bid Fund Assessment Panel which assesses application for funding against the criteria. Will remain in place for the duration of the Fund.
- Live Borders Trustee Liaison Group which discusses strategic direction, future priorities, and commissioning, as well as raising any concerns about the service delivery and /or the partnership. This is an ongoing group.

If item 12 on the agenda is approved later in the meeting a further group will be set up to maintain a strategic overview of the delivery of the investment programme in outdoor community spaces. This group will be required for the duration of the current capital programme.

There are also a number of Political Working Groups including Administration Policy Working Group, Administration Budget Working Group, Opposition Budget Working Group and the Living Wage Working Group.

## Supplementary

Councillor Bell accepted that some working groups did require a degree of privacy but there was a need for more public scrutiny. Councillor Haslam undertook to meet with Councillor Bell to ascertain how and where there could be greater transparency.

## Questions from Councillor Ramage

### 1. To Executive Member for Children and Young People

I have had complaints about the cutting of the library service in schools across the Scottish Borders from students, staff and parents. Can I ask what consultation has taken place and were staff, schools or Parents Councils informed?

### Answer from Councillor C. Hamilton

**There is no 'cut to the library service' – all libraries are remaining open and the pilot should actually lead to school libraries becoming more inclusive to pupils and open longer.**

In the 2016/17 budget it was agreed that there was to be a review of library services and savings were attached. This was based upon feedback from young people about wishing for more modernised and digitally enabled learning /study provision. The library review was held back for a year as the Scottish Government called for a national review of library provision. A document was then produced entitled 'How good is our school library?'

There is nothing in the document which states that professional librarians are required to manage school libraries. The modernisation we are aiming to achieve will meet the expectations set out in the document.

In our primary schools –some larger than our secondary schools- they do not have any staff managing the libraries. During consultation about school improvement the primary HTs felt that we had an inequitable approach. The very good practice in our primary school libraries was not being followed through into secondaries eg the primary library ambassador role was not continuing and this was in libraries with greater stock than some of the secondaries and the level of community involvement in primaries was not being followed through.

In 2017/18 budget it was agreed that the best way forward was to carry out a pilot in the schools where staff were on temporary contracts – and not librarians – to pilot a more modernised approach – which would also enable the library role to continue into secondary resulting in SCQF 5 leadership accreditation for pupils. The recent secondary estate and YOYP consultations with pupils reinforced that the young people wished for social space in schools to be transformed and they were very clear that libraries need to change: they want learning spaces that have a 'café style' ethos with digitally enabled resources and that they wanted libraries and social space to be more 'pupil owned and led'.

The Council in this pilot is listening to the young people and responding. The pilot will be evaluated and taken to the Executive and the 6 schools will continue to run as normal with the permanent staff. **NO LIBRARIES ARE CLOSING** – in the pilot we are actually looking at creating a space that could be open for the duration of the school day. In this 'modernisation of learning' pilot we also have to fulfil the opportunity that schools provide young people employability skills – a modernised digitalised learning/study space provides such an opportunity as well as accreditation ie recognition for pupil leadership.

Staff have been met with and all consultation and HR procedures have been followed throughout.

Parents will be informed of the developments and involved in the evaluation in school session 2018/19 ie next term as part of the normal improvement plan consultation process that takes place in schools when learning pilots are being trialled.

The pupil voice will continue to be at the heart of this pilot. Our ambition to be a pupil centred education service must respond to the modernisation ideas that children are wanting in some schools to create equal opportunities and also to respond to our children of today in terms of how they wish to learn/study.

### Supplementary

Councillor Ramage commented on 2 part-time librarians who had lost their jobs, the help and support they provided to vulnerable pupils and the fact that qualified librarians were now being replaced with volunteers. She asked if there was still a place for qualified librarians. Councillor Hamilton advised that pastoral staff provided the support to vulnerable pupils but she would take Councillor Ramage's comments back to the Department.

### 2. To Executive Member for Transformation and HR

In your budget you stated that SBC will be completing "a project to deliver rationalisation of the cleaning services including janitorial".

Can you explain how this will be accomplished and exactly how staffing will be targeted to reach your reduction?

### Answer from Councillor Mountford

Rationalisation was achieved through:

- 20% frequency reduction in cleaning to office and schools
- Standardisation of janitorial numbers across High Schools, including changes to working patterns
- An increase in the peripatetic janitorial model

The staffing implication to achieving this was managed through:

- The use of existing vacancies to maintain cleaning staff contract size – staff were issued with list of available hours and asked to preference. All staff who wished to maintain their existing hours were offered suitable alternatives.
- A similar approach was taken with the janitorial service, Vacancies were held to ensure that all permanent members of staff had options and were offered a suitable alternative role based on their preferences where possible.
- Changes to janitorial staff's working patterns in High Schools were also introduced in April.

All changes were made in full consultation with staff and Trade Unions.

### Supplementary

Councillor Ramage commented on the impact of the reduction on the cleanliness of schools and asked why it was the more economically vulnerable staff who were being targeted. Councillor Mountford advised that he did not agree that this was the case.

### Questions from Councillor H. Anderson

#### 1. To Executive Member for Roads and Infrastructure

Just in the last month:

- Clovenfords Community Council have written to SBC protesting against the proposed reduction in the 62 Galashiels – Clovenfords bus service – with no consultation
- A Selkirk Community Councillor resigned in protest against the cancellation of the 72 bus to BGH "without anything to replace it"
- Stow Community Council have written to SBC to protest about proposed changes to the X95 service – with inadequate consultation
- Cockburnspath Community Council members are extremely angry at the proposed cuts to the 253 bus service from Berwick-upon-Tweed
- West Linton Community Council have written to SBC to protest about proposed cuts to the 101/102 bus service from Biggar to Edinburgh and I have gathered over 2,500 signatures in support of a petition to protect this service – cuts again proposed with no consultation

Does this Tory-led administration believe the public have any right to consultation on these proposed changes to potentially vital rural transport links?

#### Answer from Councillor Edgar

There is no legal requirement to consult on changes to commercial bus services but the Council informs local elected members and Community Councils of proposed changes to subsidised bus services.

**Services 62 (Clovenfords) X95 (Stow) and 253 (Cockburnspath)** are all commercial services and the responsibility for consulting with communities lies with the Bus Operators.

**Service 72 (Selkirk)** was a wholly subsidised bus service which ceased to operate on 13th May 2018. An alternative route using services X95 and 73 is available to connect with services to Melrose and the BGH at the Galashiels Interchange. Through tickets are available on the alternative services at no extra cost to the original 72 journey. A new Sunday service on 73 was added to enhance the timetable. The Selkirk Community Council was informed on these changes on 16th March and notified of the change but offered no comment to the Council.

**Service 101/102 (West Linton)** is run in partnership with Swestrans/Dumfries and Galloway Council, SPT and Midlothian Council. This contract currently runs until August of this year. A new contract is currently being negotiated with tenders due to be returned in mid-June. SBC has also identified an alternative more cost effective service which could be delivered. Consultation on the available options will be undertaken with the community once the outcome of the current tendering process is known.

#### Supplementary

Councillor Anderson commented on the deep concern of communities and asked for an assurance that people were effectively consulted on any proposed changes. Councillor Edgar advised that the current contracts ran until August and once the tenders had been returned at the end of June consultation would be carried out if required.

#### 2. To Executive Member for Neighbourhoods and Locality Services

At the Council meeting on 29 March 2018 Cllr Aitchison was asked to consider reversing the proposed cut to Citizens Advice Bureau service provision, due to be implemented in September this year.

CAB advisors are now spending an hour or more per claimant assisting individuals with completing the initial on-line application form to apply for their Identify Verification Interview. Given the increasing pressure on these volunteer advisors, can Cllr Aitchison now confirm he is seriously considering reversing this proposed saving?

#### Answer from Councillor Aitchison

In this chamber last month I advised Councillor Robson that regular meetings were taking place between Council Officers and members of the Borders Citizens Advice Consortium. These meetings focus both on current and future arrangements. These meetings have been extremely productive and the matter you refer to has never been raised.

My understanding is that it normally takes between 5 and 15 minutes to verify your identity the first time you use GOV.UK Verify which is required for Universal Credit claims. Any time after that, it should only take a couple of minutes to sign in. Council Officers are providing support with digital access and the Jobcentres will also provide support to anyone who is having difficulty with GOV.UK Verify.

To fully understand the issues that you are highlighting Mrs Craig, Service Director for Customer & Communities will ensure this matter is discussed at the next meeting.

The agreed savings equate to an 8% reduction in funding over a two year period and a number of options are collectively being discussed to achieve these.

#### Supplementary

Councillor Anderson advised that she would be happy to provide information to the group and asked for the cut to be reversed as the CAB had never been needed more. Councillor Aitchison



advised that he was attending the next meeting on 11 June and asked that she provide him with her evidence so that the issues could be raised.