

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 7 October 2015 at 10.00 a.m.

- Present:- Councillors G. Garvie (Convener), S. Aitchison, W. Archibald, M. Ballantyne, S. Bell, C. Bhatia, J. Brown, M. Cook, A. Cranston, V. Davidson, J. Fullarton, I. Gillespie, B. Herd, G. Logan, W. McAteer, S. Marshall, D. Moffat, A. Nicol, D. Parker, D. Paterson, F. Renton, S. Scott, R. Smith, J. Torrance, G. Turnbull, B. White.
- Apologies:- Councillors J. Campbell, K. Cockburn, G. Edgar, J. Greenwell, J. Mitchell, S. Mountford, R. Stewart, T. Weatherston.
- In Attendance:- Chief Executive, Depute Chief Executive (People), Depute Chief Executive (Place), Corporate Transformation and Services Director, Service Director Regulatory Services, Service Director Children and Young People, Chief Financial Officer, Chief Social Worker, Chief Officer Health and Social Care Integration, Chief Officer Audit and Risk, Clerk to the Council.
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1. CONVENER'S REMARKS

- 1.1 The Convener congratulated Peter Handley from Kelso who had received the Health Walk Volunteer of the Year Award and Ian Gibb and Tom McGhee from Earlston Paths Group who had received the Community Path Volunteer of the Year Award at the recent Volunteer Awards 2015. He also congratulated Councillor Mountford on his appointment as Chairman of SBHA.

DECISION

AGREED that congratulations be passed to those concerned.

- 1.2 The Convener read out a letter that he had received from the Lord-Lieutenant of Roxburgh, Ettrick and Lauderdale thanking the Council on behalf of Her Majesty the Queen for the major part the Council had played in Her recent visit to open the new Borders Railway at Tweedbank.

DECISION NOTED.

2. MINUTE

The Minute of the Meeting held on 27 August 2015 was considered.

DECISION

AGREED that the Minute be approved and signed by the Convener.

3. COMMITTEE MINUTES

- 3.1 The Minutes of the following Committees had been circulated:-

Health & Social Care Joint Integration Board	10 August 2015
Local Review Body	17 August 2015
Executive	18 August 2015
Hawick Common Good Fund	18 August 2015
Teviot & Liddesdale Area Forum	18 August 2015
Scrutiny	20 August 2015
Galashiels Common Good Fund	20 August 2015
Eildon Area Forum	20 August 2015

Civic Government Licensing	21 August 2015
Police, Fire & Rescue and Safer Communities Board Executive	28 August 2015
Selkirk Common Good Fund	1 September 2015
Tweeddale Area Forum	1 September 2015
Pension Fund	2 September 2015
Pension Fund Board	3 September 2015
Duns Common Good Fund	3 September 2015
Berwickshire Area Forum	3 September 2015
Planning & Building Standards Executive	3 September 2015
Teviot & Liddesdale Area Forum	7 September 2015
Hawick Common Good Fund	15 September 2015
Jedburgh Common Good Fund	15 September 2015
Kelso Common Good Fund	16 September 2015
Cheviot Area Forum	16 September 2015

DECISION

APPROVED the Minutes listed above subject to paragraphs 3.1 to 3.3 below.

3.2 SCRUTINY COMMITTEE

With reference to paragraph 2 of the Minute of the Scrutiny Committee of 20 August 2015, it was recommended that Scottish Borders Council write to the Scottish Government requesting that the 1980 Scotland Education Act be amended to give Local Authorities the power to enforce Section 37 of the Act in order to ensure that children who were being home schooled received a satisfactory education appropriate to their age and aptitude. The Leader suggested that a report on this matter be considered by the Executive Committee (Education Theme) before any further action was taken and following discussion this was agreed.

DECISION

AGREED that a report be submitted to the Executive Committee (Education Theme) in advance of any letter to the Scottish Government regarding Home Schooling.

3.3 POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD

With reference to paragraph 4.3 of the Minute of the Police, Fire & Rescue and Safer Communities Board of 28 August 2015, it was recommended that a report be prepared for the Council on the Future of the Pathways Project and that Officers would promote the young drivers initiative and a communications plan would be put together to ensure all avenues of communication were covered.

DECISION

AGREED to approve the recommendation detailed above.

3.4 TWEEDDALE AREA FORUM

With reference to paragraph 13 of the Minute of Tweeddale Area Forum of 2 September 2015, it was recommended that representations be made to the Scottish Government asking if, following the resignation of the Chief Constable, consideration be given to reviewing Policing in this area and in Scotland in general with a view to ensuring greater accountability.

DECISION

AGREED to approve the recommendation detailed above.

4. OPEN QUESTIONS

The questions submitted by Councillors McAteer, Logan, Brown and Fullarton were answered.

DECISION

NOTED the replies as detailed in Appendix I to this Minute.

5. **INTEGRATED CULTURE AND SPORT TRUST FEASIBILITY**

With reference to paragraph 7 of the Minute of 25 June 2015, there had been circulated copies of a report by the Corporate Transformation and Services Director detailing the outcome of dialogue with Borders Sport and Leisure Trust (BSLT) on the feasibility of an Integrated Culture and Sport Trust and seeking approval for the formation of an Integrated Culture and Sport Trust with BSLT. The report explained that the Feasibility Study had been undertaken jointly by officers from SBC and BSLT. The team worked closely with a Reference Group comprising six Elected Members, 2 of whom were also BSLT Trustees from SBC, along with two other BSLT Trustees. The Feasibility Study was appended to the report and it concluded that an Integrated Trust should be formed to support improved delivery of outcomes making BSLT and Cultural Services stronger together. There were a number of critical factors which would be required to ensure the success of the Trust and these included:-

- Strong leadership from Trustees, Elected Members and senior management of BSLT and SBC to drive forward the actions necessary to make the implementation and operation of an Integrated Trust a success
- A strong long-term partnership relationship between BSLT and SBC
- A positive attitude amongst all parties to make the Integrated Trust a success
- Trustees should consider an appropriate name for the Integrated Trust to reassure all stakeholders, including staff, that Culture was given appropriate focus
- Sufficiently funded to succeed as a strong and sustainable business for the future

The Director reassured Members that the formation of a Trust would not affect the ownership of heritage collections. Members discussed the proposal and thanked staff for their positive input into the process. The need to protect Community Centres and maintain their current autonomy was highlighted. An assurance was also given that the cataloguing of collections would continue and that confirmation would be made soon on those buildings owned by Common Goods. The continuation of the Member Officer Working Group was supported.

DECISION

AGREED:-

- (a) **to note the findings of the feasibility report;**
- (b) **to the formation of an Integrated Culture and Sport Trust with Borders Sport and Leisure Trust;**
- (c) **that the Chief Executive, Corporate Transformation & Services Director and Chief Financial Officer, in consultation with the Council Leader, the Deputy Leaders and Executive Member for Culture & Sport, be authorised to work with BSLT to complete all necessary due diligence processes and develop the necessary agreements to facilitate the successful transfer to the Trust of the agreed services, facilities and staff with an anticipated go-live date of 1 April 2016;**
- (d) **that the proposed Performance Management Framework for BSLT (including for Community Centres) with effect from 1 April 2016 be brought back to the Executive Committee for approval no later than 8 March 2016;**
- (e) **to note consultation with key staff and trade unions would continue throughout the transfer process along with appropriate engagement with key stakeholders and the community;**
- (f) **to recommend to the Community Planning Strategic Board to adopt the Integrated Trust as a CPP Partner, represented at Strategic Board level and on the Joint Delivery Team; and**

- (g) to the continuation of the Member Reference Group to support the work required to 31 March 2016.**

6. CORPORATE PLAN – MID POINT REVIEW

With reference to paragraph 7 of the Minute of 25 April 2015, there had been circulated copies of a report by the Chief Executive providing an update on progress made in working towards the eight corporate priorities stated within the Council's Corporate Plan, approved in April 2013. It also proposed an updated Corporate Plan which included a summary of priorities for the coming years and an updated Performance Management Framework. The report explained that the internal and external context had changed significantly and as such a revised Corporate Plan was proposed, a copy of which was contained in Appendix 1 to the report. The revised edition still focused on the same vision, values and priorities, with only a slight change of wording to Priority 2, to reflect changes to service priorities within the Children and Young People's Service Directorate and a focus on inclusion. Against each of the 8 Corporate Priorities, Scottish Borders Council could demonstrate that significant progress had been made, either through ongoing performance improvement or through the delivery of key pieces of work or projects that contributed to each priority. Annex 1 within the Appendix provided an Executive summary as well as a more detailed look at each of the 8 priorities. There were two annexes to the 2013 Corporate Plan (Annex 1: Delivering against our Priorities, and Annex 2: Performance Management Framework) and again, revisions to both were proposed in Appendix 1 to reflect the changing local and national context, progress made, priorities for the future, and reporting arrangements. Members discussed the report and asked that on the page headed "Current Challenges" within the "Our workforce" section the word "senior" before "staff" be deleted. A more explicit mention of the relationship with the Voluntary Sector, particularly in terms of services provided for children and families, was also requested.

DECISION

AGREED to:-

- (a) note the progress made in working towards the corporate priorities, detailed in Appendix 1 (Annex 1) to the report;**
- (b) approve the new wording of Corporate Priority 2 – "Improving attainment and achievement levels for all our children and young people, ensuring an inclusive approach"; and**
- (c) note the amendments made to the Performance Management Framework, contained in Appendix 1 (Annex 2) to the report, to reflect and respond to internal and external changes.**

7. HEALTH & SOCIAL CARE INTEGRATION STRATEGIC PLAN

There had been circulated copies of the draft Strategic Plan 2016-2019 for the Scottish Borders Health and Social Care Partnership together with a copy of the draft easy read booklet. The Chief Officer Health and Social Care Integration advised that the document was in the consultation phase with stakeholders and the public, and now included a section on how success would be measured. The Depute Leader (Health Services) advised that the document had already been commended by the NHS and encouraged Members to submit any comments. The final version would be brought to Council in the New Year.

DECISION

NOTED the draft Plan.

8. CHIEF SOCIAL WORKER ANNUAL REPORT

There had been circulated copies of a report by the Chief Social Worker containing the eighth annual report on the work undertaken on behalf of the Council in the statutory role of Chief Social Work Officer (CSWO). The CSWO report, attached as Appendix A to the report,

provided the Council with an account of decisions taken by the Chief Social Work Officer in the statutory areas of Fostering and Adoption, Child Protection, Secure Orders, Adult Protection, Adults with Incapacity, Mental Health and Criminal Justice. The report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2014 to March 2015, and highlighted some of the key challenges for Social Work for the coming year. The report explained that 2014 has been a period of consolidation of the new governance arrangements for Social Work in Scottish Borders Council. However, there had been significant changes including the continuing implementation of Self Directed Support and further work to fully implement legislation to integrate Adult Health and Social Care Services and the Children and Young People's Bill. Public Protection arrangements had continued to be a high priority for the Council during this period. There had been a number of achievements including ongoing improvements in the discharge process that had enabled people to move to appropriate care settings in a timely way. The implementation of Getting It Right For Every Child was well under way and the Early Years agenda was well advanced. Processes for Self Directed Support were in place to provide service users and carers greater say in choice and the management of their care arrangements and over 300 people were now using this approach. Challenges facing Social Work for 2015/16 were identified which include work to maintain the quality of the social care provision, recruitment and retention of Social Care Staff across all sectors, ongoing financial constraints and introducing new arrangements for children and young people including the named person. Work was also progressing for the implementation of the new arrangements for Community Justice.

DECISION

AGREED to approve the report of the Chief Social Work Officer.

9. STATEMENT OF ACCOUNTS AND ANNUAL REPORT 2014/15

- 9.1 There had been circulated copies of a report by KPMG, the Council's Auditors together with a report by the Chief Financial Officer and a copy of the Annual Accounts 2014/15. It was noted that these had been approved by the Executive Committee on 29 September 2015 to meet the necessary legislative requirements. The Leader paid tribute to the officers involved in the preparation of the accounts and noted that the accounts were improving each year. Councillor Ballantyne as Chairman of the Audit and Risk Committee commented on that Committee's review of the accounts and echoed the Leader's comments. She further highlighted that the accounts had received an unqualified statement from the Auditors and commented on the improved format which made the accounts easier to read.

DECISION

NOTED the Scottish Borders Council's Audited Annual Accounts for the year to 31 March 2015.

9.2 GROUP AND SUBSIDIARY BODY ACCOUNTS 2014/15

There had been circulated copies of the Annual Accounts for the following Group and Subsidiary Bodies:-

- (a) SBC Common Good Funds
- (b) SBC Welfare Trust
- (c) SBC Education Trust
- (d) SBC Community Enhancement Trust
- (e) Thomas Howden Wildlife Trust
- (f) Ormiston Institution
- (g) SBC Charity Funds
- (h) Bridge Homes LLP

It was noted that these had also been approved by the Executive Committee on 29 September 2015.

DECISION

NOTED the Audited Annual Accounts for the year to 31 March 2015 in respect of the group and subsidiary bodies listed above.

9.3 PENSION FUND ANNUAL REPORT AND ACCOUNTS

There had been circulated copies of a report by KPMG, the Council's Auditors together with a report by the Chief Financial Officer and a copy of the Annual Accounts 2014/15 in respect of the Council's Pension Fund. It was noted that these had also been approved by the Executive Committee on 29 September 2015 to meet the necessary legislative requirements. Councillor White as Chairman of the Pension Fund Committee commented on the performance of the Fund which had now reached £0.5 billion for the first time. The overall fund performance was 11.8% and had outperformed the benchmark. Councillor White also thanked officers for their work in this area.

DECISION

NOTED the audited Scottish Borders Council Pension Fund Annual Report and Accounts 2014/15.

10. ANNUAL REPORT ON TREASURY MANAGEMENT 2014/15

With reference to paragraph 6 of the Minute of 20 November 2014, there had been circulated copies of a report by the Chief Financial Officer containing the annual report of treasury management activities undertaken during the 2014/15 financial year. The annual report provided an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. All of the performance comparisons reported upon were based on the revised indicators agreed as part of the mid-year report approved in November 2014. The report also detailed the Council's borrowing requirement to fund capital investment undertaken during 2014/15, how much the council actually borrowed against the sums budgeted, and the level of external debt carried on the council's balance sheet within approved limits. During the year the Council had, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing and therefore did not undertake additional long term borrowing during the year. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code and the Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2015.

DECISION

AGREED:-

- (a) to note that treasury management activity in the year to 31 March 2015 had been carried out in compliance with the approved Treasury Management Strategy Policy; and**
- (b) the annual report of Treasury Management activities for 2014/15 as detailed in Appendix 1 to the report.**

11. APPOINTMENT OF SELECTION COMMITTEE FOR THE EXTERNAL MEMBERS OF THE AUDIT AND RISK COMMITTEE

There had been circulated copies of a report by the Chief Officer Audit and Risk seeking approval for the appointment of a Selection Committee for the purpose of interviewing, selecting and appointing persons for the positions of external member of the Audit and Risk Committee. The report explained that the Council had had two external members on its Audit and Risk Committee since 2002 to improve independence and objectivity and to ensure that the Audit and Risk Committee's role in the scrutiny process was robust. The independence of the Audit and Risk Committee has been recognised by external inspection agencies over the years most notably within the Best Value reports on Scottish Borders Council. The appointment of the existing external members of the Audit and Risk Committee would end on 31 October 2015. There was currently one vacancy and a formal recruitment process was underway. The one existing external member had indicated his interest in being re-appointed. The appointment of external members of the Audit and Risk Committee would be for a fixed

period to 31 October 2018. Approval was sought for the appointment of a Selection Committee for the purpose of interviewing, selecting and appointing persons as external members of the Audit and Risk Committee comprising the Convener, the Chairman of the Audit and Risk Committee and the Depute Leader (Finance). The Leader suggested that Councillor Nicol also be part of the Committee and following discussion this was approved.

DECISION

AGREED to appoint a Selection Committee, comprising the Chairman of the Audit and Risk Committee, the Convener, the Depute Leader (Finance) and Councillor Nicol for the purpose of interviewing, selecting and appointing persons as external members of the Audit and Risk Committee.

12. MEMBERSHIP OF THE LICENSING BOARD AND THE CIVIC GOVERNMENT LICENSING COMMITTEE

With reference to paragraph 11 of the Minute of 20 November 2014, there had been circulated copies of a joint report by the Corporate Transformation and Services Director and the Service Director Regulatory Services detailing the outcome of a review of the membership of the Licensing Board and the Civic Government Licensing Committee and gives options for the number of Members of the Board and Committee. The report explained that a review of licensing had been undertaken to consider the appropriate number of members on both the Civic Government Licensing Committee and the Licensing Board. The 2 bodies were governed by different sets of legislation so could be combined. In terms of membership of Licensing Boards and Civic Government Licensing Committees (or equivalent) in other local authorities, there was a wide variation across Scotland and Appendix 1 to the report gave details of the number of members on each of these. Nationally, while there was a slight correlation with the number of members of Licensing Boards, there is no discernible pattern in membership numbers for the Committees which dealt with Civic Government Licensing. Each Council had taken a decision on numbers based on its own local requirements and circumstances. As there was not a specific national pattern of membership numbers on either Licensing Boards or Civic Government Licensing Committees, the current number of members on Scottish Borders Council's Board and Committee was not out of place. It was therefore for Scottish Borders Council to choose the appropriate number of members of a particular body (albeit in line with legislation), to ensure quality decisions were made, following due process. One option would be to leave the size of the Board and Committee unchanged. Another would be to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board. A further option would be, given the generally positive reaction to the reduction in numbers on the Planning and Building Standards Committee and the Local Review Body, to reduce the number of members of both the Licensing Board and the Civic Government Licensing Committee to 9.

VOTE

Councillor Parker, seconded by Councillor Logan, moved the option to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board.

Councillor Ballantyne, seconded by Councillor Scott, Moved as amendment the option to reduce the number of members of both the Licensing Board and the Civic Government Licensing Committee to 9.

On a show of hand Members voted as follows:-

<i>Motion</i>	-	<i>15 votes</i>
<i>Amendment</i>	-	<i>4 votes</i>

The Motion was accordingly carried.

DECISION

DECIDED to reduce the number of members of the Civic Government Licensing Committee to 10 to match the number on the Licensing Board.

13. **MOTION BY COUNCILLOR BALLANTYNE**

Councillor Ballantyne, seconded by Councillor Scott, submitted alternative wording in respect of her Motion as follows:-

“The paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should be brought to Council prior to the signing of construction contracts and should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected.”

There was a short recess while advice was taken from Officers regarding the competency of the amendment. The amendment was then accepted and Councillor Ballantyne spoke in support of her Motion and highlighted that the main purpose was to ensure that the final arrangements worked for both parties. In response to a question from the Leader, the Chief Executive advised on the impact of the Motion should it be approved and that it could affect the letting of the contracts. The PQQ had already been issued and it was expected that the tender would be awarded within the next 2-3 months.

Councillor Parker, seconded by Councillor Cook, moved as an amendment as follows:-

“The paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected.”

VOTE

On a show of hands Members voted as follows:-

<i>Motion</i>	-	8
<i>Amendment</i>	-	16

The amendment was accordingly carried.

DECISION

DECIDED that the paper on the Great Tapestry of Scotland, due to be brought to Council pursuant to the decision of 18 December 2014, should specifically cover matters relating to the intellectual property arrangements for the Tapestry itself and all marketing, promotional and gift materials associated with it, recognising that this was an essential requirement to ensure that the interests and investment of Scottish Borders Council were recognised and protected.

14. **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 Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

Minute

1. The private section of the Council Minute of 27 August 2015 was approved.

Committee Minutes

2. The private sections of the Committee Minutes as detailed in paragraph 3 of this Minute were approved.

The meeting concluded at 12.20 p.m.

SCOTTISH BORDERS COUNCIL

7 OCTOBER 2015

APPENDIX I

OPEN QUESTIONS

Questions from Councillor McAteer

To Executive Member for Environmental Services

1. Following recent public comments, where the Executive Member for Environmental Services stated that Scottish Borders Council will not pursue those that do not pay dog fines, can we receive an assurance that this is not the policy of this Council, and can we have an explanation of circumstances when it might be justified or appropriate to take this course of action?

Reply from Councillor Paterson

I can confirm it is the Council's policy to pursue the recovery of fixed penalty notices served for dog-fouling. There are circumstances in which this will not be appropriate such as where a household is assessed as vulnerable, there are concerns over the ability to pay and where it is not economically viable to carry out further recovery and enforcement activity.

This Council recognises the distress, inconvenience and risks to health that dog fouling causes in our communities. That is why I have instructed Officers to develop a new strategic approach to dealing with this issue which will come before Council at the earliest opportunity.

2. In light of a recent announcement that Fife Local Authority plan to introduce monthly street waste collection, can the Executive Member for Environmental Services provide reassurance that this diminution of a valuable service will not be similarly introduced to Scottish Borders Council during the life of this Council?

Reply from Councillor Paterson

On the 25th June Council unanimously approved its approach to the development of a new Waste Management Plan, which will include a full review of the delivery options for its kerbside collections.

A Member-Officer Reference Group has been established with member representation from all parties which will be fully engaged in the development of this new Plan.

Until such time the review is complete it is not possible to confirm what the kerbside collection services will look like in the future. However at the current time the Council has no plans to implement 4 weekly collections of residual waste.

It is worth highlighting that Fife is currently only introducing 4 weekly collections to 2,000 households. This forms part of a 9 month trial which aims to collect data to inform future kerbside collection service delivery models.

Supplementary

Councillor McAteer asked for confirmation that a 4 weekly collection could not be ruled out. Councillor Paterson advised that nothing was being ruled out at present but reaffirmed that there were no plans at this time to implement 4 weekly bin collections.

To the Executive Member for Community Safety

3. In view of Police Scotland's recent decision to cease to provide Ward related crime and incident statistics, can the Executive Member for Community Safety explain how Scottish Borders Council will now be able to provide the transparency and reassurance Ward constituents seek, specifically given the continued challenge to the effectiveness of Police Scotland in relation to Community Policing?

Reply from Councillor Moffat

The Scottish Borders Police, Fire and Rescue and Safer Communities Board has the responsibility for scrutinising the performance of policing in the Scottish Borders based on crime and incident statistics. The Council receives the detailed minutes of these meetings. The Police Scotland Scottish Borders Local Policing Plan 2014 -17 sets the objectives and priorities for local policing in the Scottish Borders and the Plan was approved by the Council at its meeting on the 27th March 2014. To supplement this Plan, Police Scotland earlier this year has renewed individual Multi Ward Police plans which cover the whole of the Scottish Borders. These were developed on the basis of consultation and engagement with local communities. These local plans identified priorities for each ward and the Police are focusing on responding to these priorities and reporting progress to Area Committees. Some statistics can be provided such as if there has been a reduction or increases in relevant demand for police in a given area but only where this demand is directly associated to the Multi-Member Ward plan priority. These are used to demonstrate if the work being conducted by officers is having a positive impact in reducing the occurrences of the identified priority.

Supplementary

Councillor McAteer asked Councillor Moffat to agree that more detailed and inclusive figures on crime, including solvency rates, were needed so that people could understand what was happening in their areas. Councillor Moffat stated that Police Scotland provided the opportunity for anyone to look-up information regarding their area. It was not broken down by town at present but this would hopefully be available within the next few months.

Questions from Councillor Logan

To Executive Member for Education

1. If the maximum number of N5 examinations a student can sit is restricted to six, do you agree that some of pupils in the Scottish Borders are at a disadvantage compared to students elsewhere in Scotland when trying to gain places on the best University courses?

Reply from Councillor Aitchison

I disagree with the assumption that Scottish Borders young people are disadvantaged by the number of National qualifications they are presented for within Scottish Borders Schools.

The implementation of Curriculum for Excellence has resulted in a change to qualifications; replacing Standard grades with National qualifications. Despite the changes to qualifications, entry level to university remains the same. Students require good quality grades at Higher level for all degree courses. For a limited number of courses students may be required to gain Advanced Highers in specific subjects, as well as Highers.

Competitive courses require top Higher grades achieved in one sitting, as well as extras such as relevant work experience and/or wider achievement. Some competitive courses, such as medicine or dentistry, require five Highers at A grade as well as a strong performance in an additional Cognitive ability test.

Scottish Borders approach to National 5 is consistent with the rest of Scotland, although a few schools do offer up to eight presentations.

Scottish Borders approach to N5 examinations provides students with a strong foundation to prepare for Higher and Advanced Higher Exams which are more relevant and necessary for entry to university.

Supplementary

In response to a question from Councillor Logan on the availability of courses, Councillor Aitchison highlighted the problem of becoming obsessed by numbers of subjects studies and

the need not to put excessive pressure on students when school was about much more than academic achievement. He also commented on the sharing of subject provision for the smaller high schools and advised that this was a work in progress. However, he highlighted that Scottish Borders Council was currently 4th in terms of Scottish Local Authorities in providing positive destinations for school leavers.

To the Leader

2. With reference to the proposed new building at Tweedbank to house the Great Tapestry of Scotland, can you inform us of the additional cost that will occur to meet all of the conditions imposed by the Chief Planning Officer particularly in phase 2?

Reply from Councillor Parker

The Tapestry project will not incur additional costs as a consequence of the conditions imposed by the Chief Planning Officer. The reference to Phase 2 relates to the wider Business Park Project and the costs to be incurred are already built into the anticipated project costs for that separate project.

3. Given the public concern highlighted in letters, reports in the local press and verbally by our constituents, do you agree that the 25 October 2012 report to Council, entitled "Waste Treatment Project Contract Variation", contains nothing that could possibly be construed as commercially confidential or sensitive and should now be released to the public?

Reply from Councillor Parker

No, I do not agree. The contents of that report are covered by a confidentiality agreement by which we are bound.

Supplementary

Councillor Logan stated that in his opinion there was nothing confidential in the report and that he was happy to submit himself to the Court of Public Opinion and if he had made a mistake he was willing to apologise and asked Councillor Parker if he was prepared to do the same. Councillor Parker reiterated that the report was covered by a confidentiality agreement.

4. To the Executive Member for Social Work

In light of the success of the pilot scheme introduced last year by Perth and Kinross Council in conjunction with the Perth and Kinross Credit Union will you reconsider the decision not to promote Capital Credit Union's prepaid debit card in the Borders? This card, entitled credEcard, has a myriad of benefits apart from assisting with budgets particularly for those people who do not have access to bank accounts.

Reply from Councillor Renton

As reported previously at Council we have actively promoted the use of credit unions in the Scottish Borders and the partnership between Capital Credit Union and the Council was indeed a good example of our commitment to supporting disadvantaged families in the Scottish Borders.

We have in the past hosted awareness raising days, supporting Credit Union road shows and more recently Capital Credit has been promoting its services here at HQ.

The Council is always willing to support the work of ethical credit lenders to assist those people who do not have access to bank accounts but whilst we may support initiatives that help people to manage their finances in a sustainable way we cannot actively 'promote' any single organisation, bearing in mind there will be other products out there.

Capital Credit Union has attended the Council's Strategic Partnership Against Poverty where these matters are discussed and we would welcome a discussion with them on how best they can be supported with this or any other initiative.

Supplementary

Councillor Logan asked why if another Council was doing this why this Council would not.
Councillor Renton undertook to provide additional information outwith the meeting.

Question from Councillor Brown

To the Depute Leader (Health Services)

Will the integration of Health and Social Care in the Borders be able to address the on-going issue of Hawick Community Hospital refusing to admit patients who reside out-with Hawick, which is contrary to the assurances given to the people of Jedburgh when the Cottage Hospital closed? Is this not a breach of equality and choice within the Health and Social Care Services?

Reply from Councillor Bhatia

'The Health and Social Care Partnership', in the context of the Integrated care Fund Plan, is reviewing the primary and community services in central Borders including access for patients to local services.

When the community hospital in Jedburgh was closed there was an agreement that patients could access community hospital and enhanced community health services locally. The GPs who provide medical cover in Hawick Community Hospital decided 18 months ago not to accept patients outside the area. It is recognized that this is of concern to the community and to the local members and this will be taken into account when looking at future services.

The Chief Officer will be happy to meet with local members to discuss the issues.

Supplementary

Councillor Brown asked that if the ward boundaries were changed as proposed would the GPs in Hawick then refuse to treat people from Denholm and the surrounding Area. Councillor Bhatia acknowledged that there was a problem with GP contracts and this was being looked at by the Scottish Government.

Questions from Councillor Fullarton

1. To the Executive Member for Environmental Services

The Council's recycling rates have fallen from 46% to 38% - what will this cost the Council in landfill tax each year if it continues at this rate?

Reply from Councillor Paterson

In 2014 the Council sent over 30,000 tonnes of household waste to landfill. As a result the Council spent approximately £2.5 million on landfill tax. In August, the Council agreed to close its landfill site at Easter Langlee allowing waste to be diverted and therefore minimising the costs associated with landfill tax. It will also assist the Council in working towards European and national recycling and landfill targets.

It is important to outline that a number of positive steps have already been taken since 2014, to increase the household recycling rate including various Community Recycling Centre upgrades, with improvement works beginning at Hawick CRC this autumn. In addition, a new community recycling centre was opened in Kelso this year, while 2015 has also seen a new statutory food waste collection service introduced in 6 communities.

Supplementary

Councillor Fullarton asked if the offer by Zero Waste Scotland to review the withdrawal of the green waste collection was now seen as an opportunity lost. Councillor Paterson advised that it had been made clear to the Council at the time of the withdrawal of the green waste service that recycling rates would fall.

2. To the Executive Member for Education

We are aware of current shortfalls in teacher recruitment in Maths and Sciences. Can the Executive Member give us an update on the outcomes of the Teacher Recruitment Open Day held at the McDonald Cardrona Hotel?

Reply from Councillor Aitchison

Over 300 teachers attended the "Cardrona Recruitment" day from across the Scottish Borders, Scotland and the rest of the UK.

All subject vacancies across the secondary sector were advertised prior to the 'Cardrona day' and candidates were interviewed for all vacant positions. All vacancies in the secondary sector were filled as a result of this process prior to the summer holidays, including all science and mathematics posts.

Since the recruitment day there have been 4 additional Maths vacancies across the secondary sector and these positions are currently advertised nationally. We expect to be able to recruit to these vacancies in the very near future.

The event at Cardrona was extremely positive, not only did it allow us to attract many high calibre candidates across the range of secondary school subjects but it also provided us with an opportunity to promote the good work taking place in our schools right across the Scottish Borders.

Supplementary

Councillor Fullarton asked what steps would be taken to fill the current vacancies given the current problems in these subjects. Councillor Aitchison confirmed that given the success in filling previous vacancies he was confident that these posts would be filled.

3. To the Executive Member for Community Safety

As the Chairman of the Police, Fire & Rescue, and Safer Communities Board, the Executive Member must know that the likelihood of 30% of current police officers retiring in the next 3 years is a cause for concern. Does the Executive Member know if this percentage is reflected in the number of police based in the Borders and will he raise this with the Scottish Police Authority Board?

Reply from Councillor Moffat

I understand the staff survey was carried out by an independent body. Every officer and member of support staff from Scottish Police Authority and Police Scotland was invited to participate, and 11796 responded (50.4%). There is response rate by region, and East has 29.5% of the response (3476 people). 71% of respondents were police officers. There were no specific statistics for the Scottish Borders. The response rate is really positive and gives us a foundation for improvement and future engagement. 33% of all respondents did indicate an intention to leave, however 49% of those 9181 respondents said it was changes to the pension that made them consider leaving. There are a lot of positives in the survey - 73% of respondents felt their team worked well together, 83% felt they were treated with respect by colleagues. On 3 September 2015, the Cabinet Secretary for Justice asked the Chair of the Scottish Police Authority to undertake an immediate review of governance in policing and asked that the review report be provided in six months. I believe that this national review by the Scottish Police Authority will lead to the greater accountability of Police Scotland at national level and stronger links between the national and local scrutiny of policing in the Scottish Borders, through the Scottish Borders Police, Fire and Rescue and Safer Communities Board which I chair.

Supplementary

Councillor Fullarton asked if Councillor Moffat considered that the justice reforms in Scotland were not working given that 30% of officers wanted to leave. Councillor Moffat advised that it was the pension issue which was the main problem. He also commented on plans to improve the scrutiny of the Police at a local level.