

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on 30 August 2012 at 10:00 a.m.

Present:- Councillors G. Garvie (Convener), S. Aitchison, W. Archibald, M. Ballantyne, S. Bell, C. Bhatia, J. Brown, N. Buckingham, J. Campbell, M. Cook, A. Cranston, G. Edgar, Z. Elliot, J. Fullarton, J. Greenwell, B. Herd, G. Logan, S. Marshall, J. Mitchell, S. Mountford, A. Nicol, D. Parker, D. Paterson, F. Renton, S. Scott, R. Smith, R. Stewart, G. Turnbull, N. Watson, T. Weatherston, B. White.

Apologies:- Councillors V. Davidson, D. Moffat, J. Torrance.

In Attendance:- Chief Executive, Director of Education and Lifelong Learning, Director of Environment and Infrastructure, Director of Public Health, Director of Social Work, Chief Financial Officer, Clerk to the Council.

CHAIRMAN'S REMARKS

1. The Convener offered the Council's congratulations to:-
 - (a) Councillor Cook on his appointment as Vice President of COSLA;
 - (b) Councillor Moffat on his appointment as Vice Chairman of the Lothian and Borders Police Board; and
 - (c) Councillor Renton on her appointment to the Council of European Municipalities and Regions.

DECISION

AGREED that congratulations be passed to the Members concerned.

MINUTE

2. The Minute of the Meeting held on 21 June 2012 was considered.

DECISION

AGREED that the Minute be approved and signed by the Convener subject to the amendment detailed in paragraph 3 below.

3. With reference to paragraph 23 of the Minute of 21 June 2012 in respect of membership of the Licensing Board the Leader advised that it should have been Councillor Brown rather than Councillor Torrance who had been appointed to the Licensing Board.

DECISION

NOTED that Councillor Brown had been appointed to serve on the Licensing Board.

COMMITTEE MINUTES

4. The Minutes of the following Committees had been circulated:-

Selkirk Common Good Fund	5 June 2012
William Hill Trust	8 June 2012
Lauder Common Good Fund	8 June 2012
Local Review Body	11 June 2012
Hawick Common Good Fund	19 June 2012
Teviot & Liddesdale Area	19 June 2012
Jedburgh Common Good Fund	20 June 2012
Cheviot Area	20 June 2012
Peebles Common Good Fund	21 June 2012
Audit	25 June 2012
Executive	26 June 2012
Hawick Common Good Fund	29 June 2012
Planning & Building Standards	9 July 2012
Jedburgh Common Good Fund	10 July 2012
Local Review Body	23 July 2012
Planning & Building Standards	6 August 2012
Peebles Common Good Fund	9 August 2012
Scrutiny	16 August 2012

DECISION

APPROVED the Minutes listed above.

EXECUTIVE

5. With reference to paragraph 11 of the Minute of the Executive held on 26 June 2012, Members agreed to approve the recommendation amending the Scheme of Delegation to allow Regulatory staff to undertake particular roles in relation to the enforcement of Regulations relating to the sale of tobacco.

DECISION

AGREED to approve the recommendation of the Executive that the Scheme of Delegation be amended to incorporate the authorisations in respect of Regulatory Staff as detailed in the Minute.

JEDBURGH COMMON GOOD FUND WORKING GROUP

6. With reference to paragraph 3 of the Minute of the Jedburgh Common Good Fund Working Group held on 10 July 2012, Members agreed to approve the recommendation to give a loan of up to £70,000 to Jedburgh Bowling Club.

DECISION

AGREED to approve the recommendation of the Jedburgh Common Good Fund Working Group that a loan of up to £70,000 be given to Jedburgh Bowling Club to assist with the demolition and rebuilding of their clubhouse.

SCRUTINY

7. It was noted that Councillor Stewart had given his apologies for the meeting on 16 August and should not also have been noted as present. With reference to paragraphs 2-4 of the Minute of Scrutiny held on 16 August 2012, Members agreed to approve the recommendation relating the Scrutiny work programme for 2012.

DECISION

(a) NOTED the amendment to the sederunt in respect of Councillor Stewart.

- (b) **AGREED** to approve the recommendation that the subject areas on the Scrutiny work programme for 2012, as detailed in the Appendix to the Scrutiny Minute, be taken forward.

OPEN QUESTIONS

8. The questions submitted by Councillors Logan, Archibald, Fullarton, Turnbull, Elliot, Weatherston and Ballantyne were answered.

DECISION

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

SCHEME OF ADMINISTRATION

9. There had been circulated copies of a report by the Chief Executive on proposed amendments to the Council's Scheme of Administration to implement a new committee structure for decision making. The report explained that the current committee structure had been in place since August 2001. The Administration's manifesto "Ambitious for the Borders 2012" contained the promise "we will work to enhance communication and transparency by improving the way the Council is structured to make Councillors more democratically and locally accountable." This had led to a review of the current decision making structure and a desire for a more inclusive committee structure which still met the needs of the Council, its partners, and the communities it served. The report outlined the proposed amendments to the Scheme of Administration, an amended copy of which was appended to the report, and highlighted the proposed changes to the decision making structure. A copy of the proposed calendar of meetings for the new Committee structure was also appended to the report. An amended page in respect of the Employee Council was tabled at the meeting. Members discussed the suggested changes and the following amendments were proposed and voted on:-

VOTES

Councillor Parker, seconded by Councillor Mitchell, moved approval of the recommendations in the report.

Councillor Ballantyne, seconded by Councillor Turnbull, moved as an amendment that the report be not approved and that the vote be taken by roll call.

The request for a roll call vote was unanimously approved.

Motion

*Councillor Aitchison
Councillor Archibald
Councillor Bell
Councillor Bhatia
Councillor Brown
Councillor Campbell
Councillor Cook
Councillor Cranston
Councillor Edgar
Councillor Garvie
Councillor Herd
Councillor Marshall
Councillor Mitchell
Councillor Nicol
Councillor Parker
Councillor Paterson
Councillor Renton
Councillor Smith*

Amendment

*Councillor Ballantyne
Councillor Buckingham
Councillor Elliot
Councillor Fullarton
Councillor Greenwell
Councillor Logan
Councillor Mountford
Councillor Scott
Councillor Turnbull
Councillor Weatherston*

Councillor Stewart
Councillor Watson
Councillor White

The Motion was accordingly carried by 21 votes to 10 votes.

Councillor Logan, seconded by Councillor Greenwell moved that an additional recommendation be added as follows:-

“approve the formation of a Member’s Referral Committee, whose function will be the management of the existing call-in procedure to review decisions of the Executive Committee and the 3 new service Committees” and that the vote be taken by roll call.

The request for a roll call vote was unanimously approved.

For the amendment

Councillor Ballantyne
Councillor Buckingham
Councillor Elliot
Councillor Fullarton
Councillor Greenwell
Councillor Logan
Councillor Mountford
Councillor Scott
Councillor Turnbull
Councillor Weatherston

Against the Amendment

Councillor Aitchison
Councillor Archibald
Councillor Bell
Councillor Bhatia
Councillor Brown
Councillor Campbell
Councillor Cook
Councillor Cranston
Councillor Edgar
Councillor Garvie
Councillor Herd
Councillor Marshall
Councillor Mitchell
Councillor Nicol
Councillor Parker
Councillor Paterson
Councillor Renton
Councillor Smith
Councillor Stewart
Councillor Watson
Councillor White

The amendment accordingly fell with 10 votes for and 21 votes against.

DECISION

DECIDED to:-

- (a) approve the Scheme of Administration as detailed in Appendix II to this Minute;**
- (b) approve the Calendar of Meetings as detailed in Appendix III to this Minute;**
- (c) agree that the new committee structure was brought into effect from Monday 15 October 2012;**
- (d) agree that the impact of the new committee structure be reviewed after it had been in operation for 18 months and a report be considered by Council in April 2014;**

- (e) **agree that, with the disbanding of Scrutiny, the Scheme of Remuneration for Members be changed and the Senior Councillor allowance allocated to the Chairman of Scrutiny be now paid to the Leader of the Opposition; and**
- (f) **agree that the Executive Member for Health Services be appointed as an additional Depute Leader, with no further remuneration allocated to this role.**

MEMBER

Councillor Scott left the meeting.

COMMUNITY PLANNING/SINGLE OUTCOME AGREEMENT 3

10. There had been circulated copies of a report by the Chief Executive which set out proposals for a revised approach to Community Planning in the Scottish Borders, along with the development of the Scottish Borders Single Outcome Agreement (SOA) 3. The report also explained the relationship and dependencies of community planning and the SOA to the Council's Corporate and Business Planning processes, ensuring alignment between community planning and the Council's corporate vision and priorities. Arrangements for Community Planning in the Scottish Borders had recently been reviewed to take account of changing perspectives on public service delivery, emphasising early intervention and prevention and economic growth and to ensure more effective performance management and accountability by Council Elected Members and partner boards, as well as meaningful involvement of Elected Members across community planning. From the outcomes of this review, it was proposed that the Council's work with partners be organised around four strategic policy themes, namely:

- Early Intervention and Prevention
- Place & Communities
- Economy & Infrastructure
- Future Model of Public Service Delivery

Single Outcome Agreement (SOA) 3 would be the partnership expression of the outcomes that SBC and its partners were working towards achieving for the communities of the Scottish Borders.

DECISION

AGREED:-

- (a) **to approve the revised approach to Community Planning and Single Outcome Agreement, developed by Scottish Borders Council in consultation with partners, as well as supporting the linkages to the Council Corporate and Business Planning process, as set out in the report; and**
- (b) **that a review of the new Community Planning arrangements be undertaken with partners after 18 months, and presented in a report to Council in April 2014.**

AUDIT COMMITTEE ANNUAL REPORT 2011/12

11. There had been circulated copies of a report by the Head of Audit and Risk containing the Audit Committee Annual Report 2011/12, a copy of which was appended to the report and was based on the annual self-assessment carried out by the Audit Committee on 13 March 2012 using the Smith Report Evaluation Checklist. This was the fourth such annual report and Scottish Borders Council continued to be a lead authority in adopting this practice.

DECISION

AGREED:-

- (a) to approve the Audit Committee Annual Report 2011/12 , as contained in the appendix to the report; and
- (b) that the Audit Committee Annual Report 2011/12 be published on the Council's website.

SCOTTISH BORDERS CHILDREN AND YOUNG PEOPLE'S CHAMPION AND SCOTTISH BORDERS YOUTH REPRESENTATIVE

12. This item was withdrawn from the agenda.

**DECISION
NOTED.**

STRATEGIC LOCAL PROGRAMME

13. There had been circulated copies of a report by the Director of Social Work bringing forward the Strategic Local Programme 2012/15 for approval by Members for submission to Scottish Government by 31 August 2012, and, providing detail on how local housing needs and priorities as set out in the Strategic Housing Investment Plan (SHIP) in relation to the Scottish Government's Affordable Housing Supply Programme (AHSP) would be delivered in Scottish Borders over a three year period within the new Scottish Government three year funding arrangement. The Scottish Government announced new ways to operate the Affordable Housing Supply Programme (AHSP), in January 2012, with Local Authorities now being required (working in partnership with housing associations) to put forward a 3-year Strategic Local Programme of social and affordable housing projects based on the Resource Planning Assumption (RPA) allocated by Scottish Government to the Scottish Borders. The total amount of new Scottish Government subsidy set out in the 3-year Resource Planning Assumptions for Scottish Borders was £2.841m. The Strategic Local Programme (SLP) contained in appendix 1 to the report showed how the affordable housing investment priorities, as set out in the Council's new Local Housing Strategy 2012-2017 and in the SHIP 2012-2015 would be delivered in practice within the constraints of the current financial environment and RSL financial capacity, at a local level over three years. This RPA allocation fell considerably short of fully supporting the costs of the projects outlined in the SHIP 2012-2015 submission but there was an assumption by the Scottish Government that the estimated £1.215m shortfall would be met through using the Council's 2nd Homes Council Tax budget in order to deliver a total of 93 new affordable housing units due to be provided by 31st March 2015.

**DECISION
AGREED to:-**

- (a) endorse the Strategic Local Programme so that it could be submitted to Scottish Government, Housing Investment Division (East) by the 31st August 2012;
- (b) endorse the principles as set out in Appendix 2 of the report;
- (c) the use of 2nd Homes Council Tax up to the amount of £1,215m to assist the delivery of the Strategic Local Programme;

- (d) remit the Chief Financial Officer and the Director of Social Work to liaise with Scottish Government Officials in order to direct the Council's funding contribution to assist individual projects set out in the SLP; and
- (e) remit the Director of Social Work to ensure that RSLs contributed to the Council's identified need for additional properties for use as temporary accommodation, re-housing priority groups (i.e. Core and Cluster) and to provide access to properties for Section 5 referrals under the Homelessness Legislation, with house sizes and localities agreed with the Council, before offer of grant stage.

COMMON GOOD AND TRUST FUND INVESTMENT STRATEGY

14. With reference to paragraph 11 of the Minute of 15 December 2011, there had been circulated copies of a report by the Chief Financial Officer proposing the next steps for implementing the approved Investment Strategy for Common Good and Trust Funds. Appendix 1 to the report contained the Investment Strategy for Common Good and Trust Funds and appendix 2 detailed the timescale for its implementation. In order to facilitate the process, it was proposed to establish a short life Member Officer Working Group to oversee the work and ensure that appropriate engagement and communication occurred. The report recognised concerns expressed by stakeholders regarding the low levels of interest being earned by Common Good and Trust Funds invested in the Council's Loans Fund, pending delivery of the new Strategy. It was therefore proposed that an interim arrangement be established for the management of the cash capital balances of the Common Good and Trust Funds, and that these were "de-pooled" from the current arrangements operating through the Council's Loans Fund. The change would enable the use of up to 3 month fixed term deposits which should enhance the interest rate achievable, interest payments would be retrospectively calculated and backdated to 1 April 2012. These arrangements would continue to be undertaken within the Council's approved Treasury Management Strategy and risk management framework. The Convener noted that this was Mr. Fagan's last Council meeting prior to his retirement and thanked him for his service to the Council.

DECISION

AGREED to:-

- (a) approve the Project Plan as set out in Appendix 1 to the report;
- (b) the creation of a short life Member Officer Working Group to oversee the delivery of the Project Plan and that the membership of the group would be made up of a representative from each Common Good Fund Working Groups;
- (c) approve the "de-pooling" of Common Good and Trust Fund cash capital balances from the current Loans Fund arrangements;
- (d) note that all Common Good and Trust Fund balances would continue to be managed within the Council's Treasury Management Strategy; and
- (e) approve the retrospective payment of interest on these cash capital balances back to 1 April 2012, based on the average interest rate achieved from September 2012 – March 2013.

MEMBER

Councillor Marshall left the meeting.

CIVIC GOVERNMENT LICENSING COMMITTEE

15. It was noted that there were two vacancies on the Civic Government Licensing Committee requiring to be filled. Councillor Parker seconded by Councillor Mitchell, moved that Councillors Campbell and Edgar be appointed to fill these vacancies and this was unanimously approved.

DECISION

AGREED to appoint Councillors Campbell and Edgar to the Civic Government Licensing Committee.

REPRESENTATIVES ON OUTSIDE BODIES

16. Councillor Parker, seconded by Councillor Mitchell, moved approval of the appointment of Councillors Bell and Davidson to be members of the "A Working Countryside" Group. Councillor Ballantyne, seconded by Councillor Logan, moved that Councillor Scott be appointed to the Group. It was unanimously agreed that the membership be increased to three and that all the nominations be accepted.

DECISION

AGREED to approve the appointment of Councillors Bell, Davidson and Scott to the Group.

MOTION BY COUNCILLOR BHATIA

17. Councillor Bhatia, seconded by Councillor Archibald, moved approval of her motion as detailed on the agenda in the following terms:-

"Scottish Borders Council extends its warmest congratulations to Scott Brash from Manor, near Peebles on his outstanding achievement of winning an Olympic Gold Medal in the Team Showjumping at London 2012, thereby bringing honour to Tweeddale and the wider Scottish Borders."

Councillor Bhatia spoke in support of her Motion which was unanimously supported.

DECISION

AGREED to approve the Motion as detailed above.

PRIVATE BUSINESS

18. **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 IV 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 21 June 2012 was approved.

Committee Minutes

2. The private sections of the Committee Minutes as detailed in paragraph 4 of this Minute were approved.

Hawick Common Good Fund Working Group

3. Members approved a recommendation relating to the tender for the removal and replacement of a shed at Pilmuir Farm.

Open Question

4. The question submitted by Councillor Turnbull was answered.

Borders Railway - Amendment to Terms of Transfer of Project to Transport Scotland

5. Members approved a report by the Director of Environment and Infrastructure on the transfer of the project to Transport Scotland.

Waste Treatment Project Contract Variation

6. This report was withdrawn from the agenda.

The meeting concluded at 12.20 p.m.

SCOTTISH BORDERS COUNCIL
30 AUGUST 2012
APPENDIX I

Questions from Councillor Logan

To The Leader

1. What is the total annual cost of all of Scottish Borders Council's publications? This should include SBConnect, brochures, leaflets etc. The costs should take account of an estimate of officers' time, preparation, printing and all relevant distribution costs.

Reply from Councillor Parker

Publications made available to the public for the financial year 2011/12 cost a total of £180,606. Costs include either internal or external printing costs where relevant and the cost of our internal Graphics department charged to each individual job on a full cost recovery basis.

Chief Executive

Cost of £49,842 including:-

- SB Connect - £39,354
- SB Scene - £ 6,017
- Publications related to domestic abuse - £1,662

Resources

Cost of £6,012 including:-

- £1,024 for Statement of Accounts
- £1,267 for Pension Fund annual report
- £2,565 to inform residents of Council Tax charges and payment methods

ELL

Cost of £59,340 including:-

- £23,771 for four What's On publications and associated design costs
 - £19,762 for Promotion of community & tourist facilities
- with the balance being to promote early learning provision / sports facilities / and commissioned reports.

Environment & Infrastructure

Cost of £54,774 including:-

- £18,612 for bus timetables
 - £13,572 for publications relating to the local plan
 - £16,841 to promote tourism / walking etc.
- With the balance relating to safer communities re-cycling etc.

Social Work

Cost of £10,637 including:-

- £1,590 Adult protection booklet
- £3,986 Care To-gether Newsletters
- £926 Children To-gether Newsletter

- £1,587 Housing Strategy Reports

2. Could we have an update on the progress of the Sunnybrae Lodge, Walkerburn Compulsory Purchase Order?

Reply from Councillor Parker

The Council approved the compulsory acquisition of Sunnybrae Lodge, Walkerburn on 24 November 2011. Officers from Economic Development & Environment and Legal & Democratic Services have been working to prepare the required Statement of Reasons and the project plan required to implement the repair of the building. This work has been delayed and officers have not made the progress that was expected.

Following this additional project planning work, it has now become apparent that we need to revise the area of land that is to be compulsorily purchased in order to more effectively protect the setting of the listed building and to ensure the practical and safe implementation of the repair work required.

Officers will bring a report to Council in September 2012 seeking approval for the revised area to be compulsorily purchased. Subject to approval, the work to secure the Compulsory Purchase Order will be expedited by an appropriate team of officers.

Question from Councillor Archibald

To the Executive Member for Roads and Infrastructure

Please provide an update on bus service delivery across the Borders by contractors from the private sector, in particular:-

- (a) proposals to take service 100/101 Dumfries-Edinburgh into local authority control from January 2013;
- (b) proposals to improve service 91 Peebles-West Linton;
- (c) what are the revenue implications of the changes; and
- (d) could we have a list of all bus services directly operated by Scottish Borders Council?

Reply from Councillor Edgar

- (a) Service 100, Dumfries to Biggar to West Linton to Edinburgh, is operated by a privately-owned bus company which receives public subsidy from the various councils it serves, to help operate it. This will not change. The contact is administered by Strathclyde Partnership for Transport (SPT) on behalf of Dumfries and Galloway, South Lanarkshire, Scottish Borders and Midlothian Councils. It is being proposed that the Regional Transport Partnership SWestrans (which covers Dumfries and Galloway) and SPT, who both receive government capital transport funding, provide the buses for the next contract, which will reduce the amount of public subsidy which will be required. A private bus company will operate the service on behalf of the above transport partnerships and the other councils involved, including Scottish Borders. Following public consultations and the required tender process, the new contract is planned to start in January 2013. The cost to this Council for the public subsidy is £97,000. There may be some minor changes made to the current timetabled service to improve its reliability.

- (b) There is an opportunity to improve the operation of Service 91, Peebles to Broughton to Biggar, which currently suffers from variable reliability due to the age of vehicles currently being used by Scottish Borders Council, who operates the service. It connects with Service 100 and so it would be opportune to recast both services at the same time. A tendering exercise will be carried out involving a slightly amended timetable and with options to improve the reliability of the service by specifying new or nearly new vehicles to be used. Again, consultations on timetabling changes will be held in advance of the issue of tenders. The private sector would be encouraged to take an active part in the tendering process.
- (c) At this time it is difficult to predict the impact of these changes on the Passenger Transport Revenue budget, but it would be expected that the contribution to Service 100 would reduce and the cost of Service 91 increase in generally similar amounts. Members will be asked to approve its contribution to the cost of Service 100 and the subsidy for Service 91, as appropriate, in the light of the overall budget which is available.
- (d) The Council only operates one local bus service directly, the aforementioned Service 91, together with a number of Demand Responsive Services, which are undertaken with its internal bus fleet when not required for schools work. These operate as the Eildon Explorer around Newtown St.Boswells, and in the areas around Bonchester Bridge (Service 910), Duns/Coldstream (Service 904), and the Ettrick Valley (Services 911/912).

Questions from Councillor Fullarton

1. To the Depute Leader (Finance)

Regarding the recent sale by Graham Construction to Belfinger Berger of their share of the consortium, were SBC informed of this and had they the opportunity to purchase this share?

Reply from Councillor Mitchell

Under the PPP contract Belfinger Berger originally held 75% of the equity financing stake in the PPP project and John Graham (Dromore) Ltd held 25%.

SBC did not get offered the chance to purchase the shares previously held by John Graham (Dromore) Ltd, and the Council were only informed after the event. Officers initial interpretation, of the provisions of PPP contract is that SBC approval should have been sought before the sale and officers are now considering what course action should be followed in response to this issue.

2. To the Executive Member for HR and Corporate Improvement

Neighbouring Councils seem to have flexibility of using local suppliers apart from Scotland Excel. Why don't we?

Reply from Councillor Cook

Scotland Excel manage nationally agreed contracts on behalf of the public sector. The Council also uses an extensive range of local Suppliers.

Total SBC *Influence-able spend in financial year 2011/12 was £117.7m of this spend figure £44.2m was spent with Local Border based Suppliers.

Analysis shows we spent 38% of our influence-able spend with Local Border based Suppliers during 2011/12.

*Definition of Influence-able spend is all 3rd party net spend on goods, works and services across the organisation – this excludes grant payments, and payments to external arms length organisations for example Scottish Borders Sports and Leisure Trust.

3. To the Executive Member for Roads and Infrastructure

I seek clarification that the new Administration is still committed to possibly funding a STAG II with East Lothian Council regarding local rail services on the East Coast between Reston and East Linton?

Reply from Councillor Edgar

I can confirm that Scottish Borders Council is committed to part-funding with others an appropriate study in relation to the development of a local rail service between Edinburgh and Berwick-upon-Tweed.

Questions from Councillor Turnbull

1. To the Executive Member for Roads and Infrastructure

How can Trading Operations gain contracts up to £0.5m and bypass the procurement procedure?

Reply from Councillor Edgar

Following the 1997 General Election, the newly elected UK government suspended insisting upon compliance by local councils with the requirement to enter contracts only after a competitive tendering process, and replaced the duty on councils to follow such a process with the duty to achieve Best Value. Councils were given broad scope as to how they could achieve Best Value and the £0.5m threshold referred to became Scottish Borders Council practice following consideration as to whether Best Value could be better achieved by using suitably skilled Council employed staff to carry out projects.

Where The Council does award works contracts internally the Chief Financial Officer, acting as Head of Procurement, signs off a Non Competitive Action form which is a business case justifying the decision to retain works in house on the basis of Best Value.

SBC Contracts, the section of the Council that operate as a significant Trading Operation, regularly competes successfully for contracts subjected by the Council and external clients to a tendering process.

It is also important to recognise that the award of this work direct is invaluable in ensuring that the Council has a sufficiently sized and skilled workforce to undertake the Winter Service and other emergency tasks when required.

2. To Executive Member for Environmental Services

What action is being taken to deal with the excessive weed problem in town centres?

Reply from Councillor Paterson

The exceptionally wet conditions this summer have provided ideal growing conditions, resulting in increased weed growth. Wet conditions have also increased the length of time taken for the application of the weed control to be applied.

The second of two application of street weed control this year, has now been applied to all major settlements. Some smaller settlements are still to be treated but these are expected to be completed by Friday 7th September.

Question from Councillor Elliot

To Depute Leader (Finance)

Further to my question in June 2012 can you now confirm what was the additional cost in Councillors travel allowances, additional staff costs and travel, and disruption and organisational costs to Peebles High School to relocate the June meeting from the Chamber at Council Headquarters?

Reply from Councillor Mitchell

The travel and subsistence cost of a Council Meeting in Newtown St Boswells (assuming all members attended) should be a maximum of:

1,160 miles at £0.45	=	£522.00
Teas / Coffees (42 @ £1.50)	=	£63.00
<u>Giving a total cost of</u>		<u>£585.00</u>

The Council meeting in Peebles High School on 21st June 2012 was attended by 28 members and 8 officers.

10 officers have not yet submitted a mileage claim and 3 shared transport with 15 members and 2 officers having submitted mileage claims.

947 miles at £0.45	=	£426.15
Teas / coffees 50 @ £2.20	=	£110.00
Lunches 33 @ £2.50	=	£ 82.50
<u>Giving a total</u>	=	<u>£618.65</u>

Total additional cost incurred to date of £33.65

Question from Councillor Weatherston

To the Executive Member for Planning and Environment

Do you agree that in line with the Councils new Policy of giving the Public a Bigger say and moving Council meetings around the area now is the ideal time for Scottish Borders Council to follow the example of many other Local Authorities in the Country in giving the Public the chance to express their views on a Planning Application in Person.

Does he also agree by allowing one representative three minutes to speak in support of an application and if needed one representative three minutes to speak objecting to an application would not be unreasonable and would remove the regular complaint on our Planning process that the Public were not allowed to Speak.

Reply from Councillor Smith

The new Planning System introduced by the Planning etc (Scotland) Act 2006 makes provision for public Hearings in respect of only a small number of major applications. The system does not

require authorities to permit verbal presentations to Committee in other cases and I would not support such a proposal.

Firstly, I am not aware of regular complaints being received about members of the public not being allowed to speak at Committee. Indeed the department advise me that they have received fewer than half a dozen comments, and only one formal complaint, on this matter in the past year. The current system appears to work well, and is accepted by most people who engage in the system.

Secondly, it would not necessarily be acceptable to permit just one representative to speak in support of an application and one objecting to an application. Individuals may support or object to applications for very different reasons. An individual would rightly feel aggrieved if they were not permitted to state their case when another individual was given that opportunity. Permitting individuals to speak may therefore by necessity result in many more than two individuals making presentations.

More fundamentally I do not consider that permitting verbal presentations would assist Members in making a decision, nor do I consider this would be in the best interests of Borders residents or communities.

It is my view that decisions are best taken when Members have had access to all representations in writing in advance of the Committee meeting. Members then have time to absorb and consider the written comments made in a way that they would not if new issues were raised at the Committee meeting as they inevitably would.

I also have serious concerns that permitting verbal presentations at Committee would disadvantage Borders residents and communities who in many instances would not be as well resourced or experienced in presenting to Committees. This would contrast with many developers who would have the resources to employ skilled professionals to present their case.

Question from Councillor Ballantyne

To the Leader

Could the leader please advise the members which rooms/offices/areas are being refurbished within the Council Headquarters, how much money is being spent on this and the reasons why?

Reply from Councillor Parker

Scottish Borders Council carries out routine maintenance and small-scale alteration works to all our Council buildings to keep them fit for purpose. We have an annual programme of works and the Council's property maintenance and work style transformation budgets fund these works. Dependent on the needs of the organisation we also arrange for work to be carried out where it is necessary to accommodate staff due to restructuring or relocation. The Council's Head of Property & Facilities Management is careful to ensure that we receive best value for money for the work undertaken and that there is a business case for all of the changes that we make.

In 2012/13 the current works are being progressed at HQ are as follows:

Works to accommodate moving NHS staff to HQ offices as part of SBC/NHS joint working - estimated cost £10,000

Works to relocate E&I staff to HQ as part of E&I restructure - estimated cost £25,000

Works to move mail room etc to old school building and demolish the Bristol Building (saves on running the Bristol Building and enhances staff car park) - estimated cost £25,000

Works to move Assessors out of Scott House to main HQ, to empty Scott House and save on running costs - estimated cost £15,000

Council Leaders office - £9,6006

Council Chamber and toilet refurbishment – still under consideration.

Scottish Borders Code of Governance

Scheme of Administration

Openness
Accountability
Responsiveness
Democracy

Scottish Borders Council
30 August 2012

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SECTION I

GENERAL

Purpose

1. The Scheme of Administration gives details of:-
 - (a) The constitution and membership of the Committees, Boards and other Groups of the Council;
 - (b) The allocation of the functions of the Council among the Committees of the Council; and
 - (c) The delegation to Committees of authority to exercise the functions of the Council.

Amendment

2. This Scheme may be amended at any time by the Council by decision by simple majority, or, for more minor changes arising from a decision of the Council or the Executive, by the Clerk to the Council in accordance with the Scheme of Delegation.

Interpretation

3. In this Scheme the following expressions have the following meanings assigned to them:
 - "Act" in relation to the functions of the Council means an Act of Parliament or any amendment or variation thereof, including Regulations made under an Act.
 - "The Local Government Acts" means the Local Government (Scotland) Act 1973, the Local Government etc (Scotland) Act 1994, and any other relevant statute relating to committees
 - "Administration" in relation to the membership of the Council and Committees means the ruling group formed by an alliance of the majority of Members on the Council.
 - "Area" in relation to the geographical area of jurisdiction of the Council shall be the Scottish Borders as defined in column 1 of Part 1 of Schedule 1 to the Local Government etc. (Scotland) Act 1994.
 - "Assessor" means the Assessor appointed by the Council as valuation authority under Section 27(2) of the Local Government etc. (Scotland) Act 1994, except in Section XV (Local Review Body) where its meaning is taken from the Planning etc. (Scotland) Act 2006.
 - "Committee", where the context permits, includes any Sub-Committee of that Committee.
 - "Convener" means the Convener for the time being of the Council.
 - "Co-opted Member" means any member of a Committee who is not an Elected Member.
 - "Council" means the Scottish Borders Council.
 - "Chief Executive" means the Chief Executive appointed by the Council.

“Director of Education” means the Director of Education & Lifelong Learning appointed by the Council.

“Elected Member” or “Member” means a Councillor elected to the Council in terms of Chapter 1 of Part 1 of the Local Government etc (Scotland) Act 1994, as amended.

“Vice-Convenor” means the Vice Convenor for the time being of the Council.

“Leader” means the Leader for the time being of the Council.

“Depute Leader” means the Depute Leaders for the time being of the Council.

“Opposition” in relation to the membership of the Council and Committees means the registered group formed by an alliance of Members outwith the ruling group on the Council.

Committees, etc.

4. Subject to the provisions of the Local Government (Scotland) Act 1973 and the Local Government etc. (Scotland) Act 1994 and any other relevant statutes, the Council shall appoint and maintain the following Committees, Sub-Committees, Boards, Consultative or Advisory Groups and Boards, namely:

Council Sub-Committees

Duns Common Good Fund
Galashiels Common Good Fund
Hawick Common Good Fund
Jedburgh Common Good Fund
Kelso Common Good Fund
Lauder Common Good Fund
Peebles Common Good Fund
Selkirk Common Good Fund
William Hill Trust

Executive Committee

Trading Operations Sub-Committee

Economic Development Group

Education Committee

Education Performance (HMIe) Sub-Committee
Attendance Sub-Committee
Education Appeals Sub-Committee

Environment and Infrastructure Committee

Social Work and Housing Committee

Social Work Complaints Review Sub-Committee

Appointment Committee

Audit Committee

Civic Government Licensing Committee

Licensing Board

Pension Fund Committee

Petitions Committee

Planning and Building Standards Committee

Local Review Body

Standards Committee

Appeals Panel

Staffing Appeals
Roads Appeals
Access to Personal Files Appeals

Procurement Appeals

Children's Panel Advisory Committee

Joint Consultative Group – Staff

Joint Consultative Group – Teachers

Employee Council

Members Sounding Board: Political Management Arrangements

Police, Fire & Rescue, and Community Safety Pathfinder Board

Community Health and Care Partnership

Community Planning Strategic Board

Area Forums

Berwickshire Area Forum

Cheviot Area Forum

Eildon Area Forum

Teviot & Liddesdale Area Forum

Tweeddale Area Forum

5. The respective Committees, etc., of the Council shall have the Constitution, Quorum, Terms of Reference and Delegated Powers, as detailed in the appropriate Section of this Scheme.
6. The Council may from time to time appoint such other Committees, Sub-Committees, etc., and/or Working Parties with such Constitution, Quorum, Terms of Reference and Delegated Powers as the Council may decide.
7. The Minutes of a meeting of a Sub-Committee will be submitted for approval as a correct record and signed by the person chairing the next meeting of the Sub-Committee and will be circulated to the next meeting of the parent Committee for approval of any recommendations.
8. The Minutes of parent Committees will be submitted for approval as a correct record and signed by the person chairing the next meeting of the Committee and will be circulated to the next meeting of the Council for approval of any recommendations.

SECTION II

PROVISIONS APPLICABLE TO ALL COMMITTEES

Referred Functions

1. Subject to the provisions of the Local Government (Scotland) Act 1973 and the Local Government etc. (Scotland) Act 1994 and any other relevant statutes, and subject also to the provisions of the Council's Standing Orders, where any function of the Council is referred to a Committee, the Committee shall not have the power to exercise the function in like manner as the Council, but the Committee shall consider any matter relating to that function and report to the Council or Committee as the case may be and any recommendation by the Committee on any such matter shall be subject to the approval of the Council, or of any Committee to which that function may have been delegated.
2. There shall be excluded from reference to any Committee the following:
 - (a) any matter specifically referred to another Committee;
 - (b) any matter which the Council may decide is specifically excluded from reference to the Committee.
3. Notwithstanding the reference to one Committee of any class of functions, the Council shall have power to refer any one of those functions on any particular occasion specifically to another Committee when by reason of the nature of the matter it ought, in the opinion of the Council, to be so referred.
4. Where any question arises out of or in connection with the functions referred to two or more Committees, these Committees shall confer together and give all necessary assistance before reporting to the Council either jointly or separately.
5. In the event of any difference arising between two or more Committees, the matter shall be determined by the Council after receiving reports on the matter from each Committee concerned.

Delegated Functions

6. Subject to the provisions of the Local Government Acts and any other relevant statutes and subject also to the provisions of the Council's Standing Orders, where any function of the Council is delegated to a Committee (or Sub-Committee), that body shall have the power to exercise the function in like manner in all respects as the Council could have exercised it had there been no delegation; provided, however, that it shall be competent for such Committee (or Sub-Committee) in relation to any delegated matter, instead of taking a decision on the matter, to make a recommendation on the matter to the Council or Committee as the case may be, in which event the matter shall be decided by the Council or Committee as the case may be after consideration of that recommendation. Any recommendation which requires a final decision by full Council shall be identified in the Minute of the Committee marking the recommendation with an asterisk*, and any recommendation which

requires a final decision by the Executive Committee shall be identified in the Minute of the Committee marking the recommendation with a hash#.

General

7. Subject to the provisions of the Local Government Acts and any other relevant statutes:
 - (a) Each Committee shall give effect to any instruction of the Council.
 - (b) The Council may at any time if they so determine deal with any matter included in the reference or delegation to a Committee although no report from such Committee is before them.
 - (c) The Council may, at any time, by decision recorded in the Minutes of the Council, vary, add to or restrict any reference or delegation to any Committee or Working Group.
 - (d) A Committee may at any time if they so determine deal with any matter included in the reference or delegation to a Working Group of that Committee although no report from such Working Group is before it.
8. The Council shall appoint all members of Committees and Sub-Committees unless otherwise provided in this Scheme. The appropriate Committee shall appoint all members of its Working Groups unless otherwise provided in this Scheme. The term of office of members of Committees shall be as decided by the Council. The Leader and Depute Leaders of the Council shall be entitled, in addition to their membership of the Executive Committee, to attend and speak at any Committee, Sub-Committee or Working Group of the Council – except Planning and Building Standards Committee, Licensing Board, and Civic Government Licensing Committee - but shall not be entitled to vote at these bodies unless as a duly appointed member of that body.
9. For the purpose of awarding Members' Allowances, including payments to Senior Councillors, and for the purpose of appointment of Members to Committees, the Council will apply the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007, the Local Government (Allowances and Expenses) (Scotland) Regulations 2007 and the Local Governance (Scotland) Act 2004 (Allowances and Expenses) Regulations 2007, and any subsequent variation or amendment thereto. The Council shall only recognise a political group, its Leader, Depute Leader (where specified by any political group), and the membership of any political group, where appropriate notice is delivered to the Council's Chief Executive or Proper Officer.

Furthermore, the Council shall take account of the preferred nominations submitted by the various groups, by notice signed by the Leader or Depute Leader of the group concerned and delivered to the Chief Executive or other authorised officer, in the selection of persons to be appointed as members of Committees, always however within the overall number of members of each group entitled by the Council to have membership of each Committee. The Council will also take account of any subsequent variation in the preferred nomination or nominations submitted by any group, by notice signed and delivered as aforesaid, in relation to the membership of any Committee, always subject to the same consideration as immediately before specified.

10. Casual vacancies in the membership of any Committee, however arising, shall be filled as soon as reasonably possible, taking account of Clause 10 of Section II of this Scheme, and the term of office of members so appointed to fill casual vacancies shall be as decided by the Council; provided that in the event of a casual vacancy arising within the period of three months immediately preceding the next ordinary statutory election of councillors, the Council in the case of a vacancy in the membership of a Committee may decide that the vacancy shall remain unfilled for the remainder of that period.
11. The Council shall appoint the Chairman and Vice-Chairman (if required) of each Committee (other than the Licensing Board, Area Forums and the Children's Panel Advisory Committee), and unless otherwise specified in this Scheme, the persons appointed shall be Elected Members. The Chairman and Vice-Chairman of an Area Forum shall be Elected Members and shall be appointed by the Elected Members who are members of that Area Forum. Each Committee shall appoint the Chairman of any Working Group of that Committee and the person appointed shall already be a member of that Committee.
12. A Committee may delegate to an Officer of the Council, or to an Officer or Officers in consultation with an Elected Member or Members as appropriate, authority to undertake or discharge any function which is delegated to that Committee or Sub-Committee. Authority may not be delegated to an individual Councillor or Councillors unless as members of a particular Committee or Sub-Committee meeting formally.
13. An Elected Member may take part in the proceedings of, speak and vote (if appointed as a voting member) at any Committee (or Working Group) of which he or she is a member.

An Elected Member may attend the proceedings of a Committee of which he or she is not a member but may not take part or vote and may only speak if, following a prior request to the Chairman, he or she is invited to address the Committee on the matter under consideration. Such a request may be granted where a specific Ward issue is involved, or otherwise in exceptional circumstances, at the Chairman's discretion.

A Co-opted Member may only attend, take part in, speak and vote at a meeting of a Committee of which he or she is a member.

14. Committee meetings are open for members of the public to attend except to the extent that they are excluded under Section 50(A)(2) and (4) of the Local Government (Scotland) Act 1973. Members of the public may not take part in Committee meetings and may only speak if, following a prior request to the Chairman, he or she is invited to address the Committee on the matter under consideration. The Chairman shall have sole discretion on whether to invite members of the public to address the Committee. No such right to speak will be granted where Committees are considering planning or licensing applications, other than when a Licensing Hearing has been convened.

Items for Agendas and Reports to Committees

15. Only those reports which require a decision to be taken by a Committee of the Council, or are necessary to enable the Committee to discharge its business or

exercise its monitoring role, will normally be included on the agenda of any Committee. It shall be delegated to the Clerk to the Council to make the final determination on whether or not an item of business should be included on an agenda. Any reports or other documents which are for information only will be included in an Information Bulletin prepared by the Clerk to the Council for issue to all Members of the Council on a regular basis.

SECTION III SCOTTISH BORDERS COUNCIL

Constitution

All 34 Elected Members.

Chairman

The Convener shall be Chairman of the Council and the Vice-Convener Vice-Chairman.

Quorum

- (a) The complete number of Council members is thirty four. Subject to Standing Order No. 18, no business shall be transacted at a meeting of the Council unless at least one-fourth (i.e. nine members) of the complete number of Council members are present.
- (b) Where there are vacancies of more than one-third of the Council members (i.e. more than 12 members), then the quorum of the Council is determined as follows:-
Until the number of members in office is increased to not less than two-thirds (i.e. 24 members) of the complete number of Council members, the quorum of the Council shall be determined by the actual number of Council members, instead of the complete number of Council members. The quorum, however, shall never be less than one-eighth (i.e. five members) of the complete number of members of the Council.

Decisions Excluded from Delegation to any Committee by Statute

1. The raising of money by Rates, Council Tax or borrowing.
2. Approve annually the Revenue Financial Plan and the setting of the level of Council Tax for any year.
3. Approve annually the overall Capital Financial Plan.
4. Approve the Council's and Pension Fund's statutory accounts.
5. Approve annually the Council's treasury management policy and strategy.
6. Approve any new policies and strategies.
7. Approve the Community Plan.
8. Except as provided for in the Financial Regulations, Scheme of Delegation and Standing Orders approved by the Council, in respect of the matters referred to the Committee, the incurring of any expenditure not provided for in the estimates of Capital or Revenue expenditure unless and until such expenditure is reported to and approved by the Council.
9. Except as provided for in the Scheme of Delegation and Standing Orders approved by the Council, the preparation, review and amendment of the Administrative Scheme regulating the constitution, membership, functions and powers of Committees of the Council.

10. Except as provided for in the Scheme of Delegation and Standing Orders approved by the Council, the preparation, review and amendment of the Standing Orders for regulating the proceedings and business of the Council and Committees.
11. Except as provided for in the Scheme of Delegation and Standing Orders approved by the Council, the preparation, review and amendment of the Scheme of Delegation detailing those functions delegated by the Council to its officers.
12. The making of an order for the compulsory acquisition of any land or buildings.
13. Other than to a Committee specially appointed for the purpose, the appointment of the Chief Executive and the dismissal of the Chief Executive, the Assessor or any Director.
14. All matters relating to elections of Councillors.
15. Matters relating to any alteration in the boundaries of the area or electoral wards and the number of Councillors.
16. The preparation, and review, of a Scheme for Elected Members' Allowances.
17. The appointment of representatives of the Council on outside bodies relating specifically to any of the functions delegated to the Council, Joint Committees and Boards and on the Convention of Scottish Local Authorities and any of its Committees and on other Local Authority Associations.
18. The taking of decisions to co-operate or combine with other local authorities in the provision of services, other than decisions relating to any arrangements under which the Council's Trading Organisations may co-operate or combine with other contracting units in the provision of services.
19. The preparation and review of the Scheme for Community Councils and carrying out those powers and duties relative to facilitating and co-ordinating the Council's relationship with Community Councils.
20. Consideration of Provisional Orders or Private Bills affecting the interests of the Council and approval of the terms of any Provisional Order or Private Bill to be promoted by the Council.
21. Approve the Strategic and Local Development Plans.
22. The consideration of planning applications in respect of National Developments and Major developments which are significantly contrary to the local development plan as defined within Section 38A(1) of the Town and Country Planning Act (Scotland) Act 1997.
23. The conducting of Pre-determination Hearings to consider representations from applicants and other interested parties in respect of National Developments and Major developments which are significantly contrary to the local development plan as

defined within Section 38A(1) of the Town and Country Planning Act (Scotland) Act 1997.

Other Functions

24. Approve items of expenditure for any Common Good of a value greater than £20,000.
25. Determine any matters affecting Common Good Funds, other than those delegated to Common Good Fund Sub-Committees.
26. Determine, if required, any matter referred or delegated to any other Committee.
26. Approve the change of status, or closure, of any school. [*Note: Where a recommendation has not been received from the Education Committee, the religious/teacher/parent council representatives on the Education Committee shall be given the opportunity to contribute to the debate.*]

(COUNCIL SUB-COMMITTEES)

COMMON GOOD FUND SUB-COMMITTEES

DUNS COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The three elected Scottish Borders Councillors representing the Ward of Mid Berwickshire.
- (b) A member of Duns Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

GALASHIELS COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The four Scottish Borders Councillors representing the Ward of Galashiels and District.
- (b) A member of Galashiels and Langlee Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

HAWICK COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The six Scottish Borders Councillors representing the Wards of Hawick & Denholm and Hawick & Hermitage.
- (b) A member of Hawick Community Council and a member of Burnfoot Community Council as non-voting members.

Quorum

Three Scottish Borders Councillors, with at least one from each Ward.

JEDBURGH COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The three Scottish Borders Councillors representing the Ward of Jedburgh and District.
- (b) A member of Jedburgh Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

KELSO COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The three Scottish Borders Councillors representing the Ward of Kelso and District.
- (b) A member of Kelso Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

LAUDER COMMON GOOD FUND SUB-COMMITTEE

- (a) The three Scottish Borders Councillors representing the Ward of Leaderdale and Melrose.
- (b) A member of Lauder Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

PEEBLES COMMON GOOD FUND SUB-COMMITTEE

- (a) The six Scottish Borders Councillors representing the Wards of Tweeddale East and Tweeddale West.
- (b) A member of Peebles Community Council as a non-voting member.

Quorum

Three Scottish Borders Councillors, with at least one from each Ward.

SELKIRK COMMON GOOD FUND SUB-COMMITTEE

Constitution

- (a) The three elected Scottish Borders Councillors representing the Ward of Selkirkshire.
- (b) A member of Selkirk Community Council as a non-voting member.

Quorum

Two Scottish Borders Councillors.

Chairman of each Sub-Committee

The Chairman of each Sub-Committee shall be a Scottish Borders Councillor.

Functions Referred

The following functions of the Council shall stand referred to each Sub-Committee:

1. The routine administration of the Common Good Fund.
2. Award of grants or loans of up to £20,000.
- *3. Make recommendations to Council in respect of grants or loans or major items of expenditure above £20,000.
4. Approve terms for hires, wayleaves, leases etc., and the sale or purchase of land and property up to a value of £20,000.
- *5. Make recommendations to Council in relation to the sale or lease or purchase of Common Good land or property of a value greater than £20,000.

6. Hold an annual meeting to consider a budget and to hear reports reviewing the performance of investments and on the factorage of property (except in the case of Duns where the size of the Common Good Fund does not merit such meetings) and otherwise to hold meetings on an ad hoc basis to deal with business as it arises.
7. Approve the amount of funds to be invested each year, as per the Corporate Investment Policy.
8. Consult such other parties as the Sub-Committee considers appropriate prior to decision making.
9. Ensure the implementation of decisions affecting the Common Good Fund and monitor their impact on the Common Good Fund.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Sub-Committee for consideration and recommendation only and must receive approval of Council.

(COUNCIL SUB-COMMITTEES)

WILLIAM HILL TRUST SUB-COMMITTEE

Constitution

- (a) The three elected Scottish Borders Councillors representing the Ward of Leaderdale and Melrose.
- (b) A member of Melrose Community Council as a non-voting member.

Chairman

The Chairman shall be a Scottish Borders Councillor.

Quorum

Two Scottish Borders Councillors.

Functions Referred

The following functions of the Council shall stand referred to the Sub-Committee:

1. The routine administration of the Trust Fund.
2. Award of grants or loans of up to £20,000 from the Trust Fund.
- *3. Make recommendations to Council in respect of grants or loans or major items of expenditure above £20,000.
4. Approve terms for hires, wayleaves, leases etc., and the sale or purchase of land and property up to a value of £20,000.
- *5. Make recommendations to Council in relation to the sale or lease or purchase of Trust Fund land or property of a value greater than £20,000.
6. Hold an annual meeting to consider a budget and to hear reports reviewing the performance of investments and on the factorage of property and otherwise to hold meetings on an ad hoc basis to deal with business as it arises.
7. Consult such other parties as the Sub-Committee considers appropriate prior to decision making, including Community Councils.
8. Ensure the implementation of decisions affecting the Trust Fund and monitor their impact on the Trust Fund.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Sub-Committee for consideration and recommendation only and must receive approval of Council.

SECTION IV

EXECUTIVE

Constitution

16 Members of the Council, being:-

Leader of the Council

Depute Leader of the Council (Finance)

Depute Leader of the Council (Health Service)

Executive Members for –

Community Planning (Vice-Convener)

Culture, Sport and Community Learning

Community Safety

Economic Development

Education

Environmental Services

HR and Corporate Improvement

Planning and Environment

Roads and Infrastructure

Social Work

Three members of the Opposition

Chairman

The Leader of the Council shall be Chairman of the Executive. The Depute Leaders shall be Vice-Chairmen.

Quorum

Seven members of the Executive shall constitute a Quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee -

Policy and Performance

1. Review and alter from time to time, as may be considered necessary, any existing policies or strategies not specifically within the remit of any other Council Committee.
- *2. Consider the broad needs of the Council's Area and matters of comprehensive importance, making recommendations to Council as necessary.
- *3. Advise the Council generally on policies.
- *4. Advise the Council on European Community matters.
- *5. Advise the Council generally on the allocation and control of its financial, manpower and land resources.

6. Ensure the Council meets its obligations for corporate and related service performance consistent with the Local Government in Scotland Act 2003 Parts I and II i.e. on Best Value and Community Planning.
7. Consider regularly Council performance against:-
 - The Single Outcome Agreement
 - Corporate and Improvement Plans
 - Relevant Business Plan actions and initiatives
 - Key performance indicators and other relevant performance indicators
 - Decisions taken by the Council and its Committees
 - Matters which do not come to notice through the formal decision making process
8. Consider public performance reporting mechanisms and content including:-
 - Statutory Performance Indicators
 - Annual Public Performance Report
 - Council newspaper(s)
9. Ensure the development of appropriate management information to facilitate the effective monitoring of Council performance.
10. Ensuring appropriate public consultation in the context of any of the above performance monitoring work.
11. Identify the requirement for any in-depth policy or practice review work arising from the monitoring of performance and refer to the appropriate Committee and/or Director, as necessary.

Scrutiny

12. Monitor the performance of the Authority towards achieving its policy objectives and priorities in relation to all functions of the Council not specifically referred to another Committee, and make recommendations to the Council, as appropriate.
13. Review the effectiveness of all the Council's work and the standards and levels of services provided not specifically referred to another Committee, and make recommendations to the Council, as appropriate.
14. Act as a focus for value for money and service quality exercises not specifically referred to another Committee.
15. Ensure the enactment of committee decisions and monitor their impact on Council services.

Resources and Services

16. Matters relating to the organisation and administration of all Departments and services of the Council.
- *17. Ensure that the organisation and management processes of the Council are designed to make the most effective contribution to the achievement of the Council's objectives,

keeping those processes under review, and recommending as necessary any changes in either the Committee or Departmental structure or the distribution of functions and responsibilities.

18. Initiate or carry out reviews of strategic or corporate significance and such other reviews as the Executive deem appropriate.
19. Consider all matters relating to the Council's Business Information and Technology services and requirements, including the communication requirements of the Council and all its Departments.
20. Consider all matters relating to the Council's arts, sport and culture services.
21. Consider all matters relative to the business management and financial controls of the Council's significant Trading Operations.

Financial Management

22. Consider regularly the Council's performance against the revenue and capital budgets and associated financial statements.
23. Within the context of the approved Capital Financial Plan, approve proposals for capital expenditure.
24. In line with Financial Regulations, make arrangements for the management of the Capital programme including the Capital Management Group.
25. Within the context of the approved Revenue Financial Plan, except where specifically delegated to another Committee, approve proposals for revenue expenditure, including proposals for virement in terms of Financial Regulation 7.9. For the avoidance of doubt, this means approval of all decisions relating to virements between Departments, capital finance from current revenue, policy changes and the carry forward of earmarked balances.
- *26. Consider requests to incur revenue expenditure not provided for in the approved Revenue Financial Plan and make recommendations to Council.
- *27. Consider requests to incur capital expenditure not provided for in the approved Capital Financial Plan and make recommendations to Council.
28. Consider all matters related to the banking arrangements of the Council.
29. Consider all matters relating to Treasury Management.
30. Invest any Funds, including Trust, Common Good and Pension Funds, under the control or direction of the Council.
31. Write off bad or irrecoverable debts.
32. Dispose of Rates appeals and claims for relief of Rates.
33. Consider all matters relating to the Council's portfolio of insurance policies.

34. Consider all matters related to the collection of Council Tax, Rates, (former) Community Charges, Water and Sewerage Charge (on behalf of Scottish Water) and acting as Collecting Authority therefore in terms of Section 79 of the Local Government etc. (Scotland) Act 1994.
35. Dispose of appeals or claims relating to (former) Community Charges insofar as they require to be dealt with by the Council.
36. Dispose of appeals or claims relating to Council Tax and (former) Council Water Charge insofar as they require to be dealt with by the Council.
37. The initiation of actions and procedures for the recovery of Rates, (former) Community Charges, (former) Council Water Charge, and Water Charges (on behalf of Scottish Water).
38. Approve applications for funding and authorise grants from £501 up to the value of £5,000 for projects with a Borders wide theme or from organisations out-with the Borders, subject to the following:-
 - (a) any payments shall be in accordance with the Council's code of practice on "Following the Public Pound";
 - (b) no award can be made where spending has taken place prior to approval;
 - (c) grants will require 10% match funding in cash or in kind;
 - (d) to maximise the scheme, other sources of funding must have been investigated prior to an application being made; and
 - (e) grants cannot pay for wages, salaries, fees of workers or sessional workers.
39. Approve applications for grants from £501 to £5,000 to the Scottish Borders Community Grants Scheme, where, after consultation, agreement has not been reached with at least 50% of the Members in the relevant Wards in each Area Development Forum.
40. Determine applications for financial assistance from outside bodies.
41. Hold overall budgetary responsibility for contributions to Local Festivals and associated entertainment.
42. Disburse funds to Community Councils from approved Revenue Budgets.

Property and Accommodation

43. Consider matters relating to land, buildings and the provision of associated facilities management services, other than aspects specifically remitted to other committees.
44. Consider matters relating to asset management planning for the Council's estate including the Corporate Property Asset Strategy and Management Plan.

45. Consider matters relating to the management of the administrative buildings of the Council and providing, furnishing, equipping and maintaining the necessary offices and buildings for this purpose.
46. Determine the standards, maintenance levels and resources allocated to the Council's estate, other than the aspects of property management specifically remitted to other Committees.
47. Consider matters relating to the acquisition of land and buildings for the Council other than aspects specifically remitted to other committees.
48. Make all necessary decisions in connection with negotiations relating to commercial developments, including the acquisition and disposal of land to facilitate such developments.
49. Consider the management, use and disposal of Council land and buildings other than aspects specifically remitted to other committees.
50. Consider the provision of facilities management related services to Council land and buildings, including janitorial, cleaning, catering and other services, except those specifically remitted to other committees.
51. Consider matters relating to energy and carbon management in Council buildings, other than aspects specifically remitted to other committees.

Staffing

52. Consider the training, development and welfare of all staff, including the preparation and review of Council policies on staffing issues and Health and Safety at Work, and the promotion of good human resources management and employment practices.
53. Consider all matters relating to the conditions of service, remuneration, allowances, superannuation and pensions of all employees, including consultation and negotiation with the appropriate Trades Unions as necessary, and the ratification of National Agreements and significant Local Agreements.

Business Transformation

54. Consider all matters relating to the implementation of the Business Transformation Plan workstreams.
55. Monitor and keep under review progress and delivery of all business change and transformation projects and programmes.
56. Monitor and approve the utilisation of Council financial resources allocated to support and enable the formulation and delivery of change and transformation projects.

Miscellaneous

57. Consider all matters relating to Best Value in respect of all services of the Council.
58. Consider new legislation.

59. Initiate or defend civil actions other than those relating to matters standing referred to other Committees.
60. Consider all matters not specifically referred to or delegated to any other Committee.
- *61. Make recommendations to Council regarding responses to statutory and other consultations.

Functions Delegated

All of the functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of the Council.

(EXECUTIVE COMMITTEE)

TRADING OPERATIONS SUB-COMMITTEE

Constitution

Five Members of the Council, being:

- (a) the Depute Leader (Finance)
- (b) the Executive Member for HR and Corporate Improvement
- (c) the Executive Member for Roads and Infrastructure
- (d) the Executive Member for Environmental Services
- (e) one Member from the Opposition.

Chairman

The Executive Member for HR and Corporate Improvement shall be Chairman of the Sub-Committee.

Quorum

Three members of the Sub-Committee shall constitute a quorum.

Functions Referred

The following functions of the Council in relation to significant Trading Operations shall stand referred to the Sub-Committee:-

1. The consideration of matters relative to business management of trading services including providing an appropriate level of scrutiny on the financial risk arising from trading operations.
2. The monitoring of the trading arrangements and operations in terms of the Local Government (Scotland) Act 2003.
3. The evaluation of financial controls and the detailed monitoring of financial and performance levels for trading services.
4. The evaluation of Financial Plans for delivering required performance levels from trading services.
5. Consideration of the strategic model employed by trading services, and to contribute towards the long-term strategic development process.
6. Consideration of matters relative to tendering for internal and external contract works.
7. The determination of appropriate processes and practices, within overall Council policy, to support the efficient and effective development of trading powers.
8. To understand the trading risk exposure and to evaluate measures to manage the trading risk-reward balance.
9. The consideration of Joint Arrangements with suppliers or other parties to improve the effectiveness and/or efficiency of the trading organisation.

Functions Delegated

All of the functions referred to the Sub-Committee.

SECTION V

ECONOMIC DEVELOPMENT GROUP

Constitution

Eleven Members, being the Leader, the Executive Member for Economic Development, four Elected Members drawn from the Council's Administration and a further three Elected Members drawn from the Opposition; and two non-voting members appointed from an external source.

Chairman

The Executive Member for Economic Development shall be the Chairman of the Group.

Quorum

Four Elected Members of the Group shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Group:-

1. Provide strategic leadership and vision for Economic Development in the Scottish Borders.
2. Develop and oversee the delivery of economic development plans.
3. Ensure key changes are implemented by the Council to achieve improved services for businesses, encouraging a 'business positive' culture across the Council.
4. Scrutinise and review the effectiveness of Council services promoting the economic development and well-being of the Scottish Borders.
5. Scrutinise the effectiveness of other agencies and organisations in promoting the economic development and well-being of the Borders.
6. Seek to engage and involve the local business community through a regular dialogue with key business groupings and other business stakeholders.
7. Have regard to, monitor, and receive information reports on, the performance and trends in the regional, national and UK economies.

Functions Delegated

All of the functions referred to the Group.

SECTION VI

EDUCATION COMMITTEE

Constitution

Sixteen members comprising -

- (a) Nine Elected Members, being six Members from the Administration including the Executive Members for Education; Culture, Sport and Community Learning; Social Work; and Health Service; and three Members from the Opposition.
- (b) Three other persons interested in the promotion of religious education appointed by the Council from nominations to be made in accordance with Annexation A to this Section.
- (c) Two teachers in the employment of the Council appointed as non-voting members by the Council from nominations to be made in accordance with Annexation B to this Section.
- (d) Two representatives from Parent Councils, one from the Primary Sector, and one from the Secondary Sector, appointed as non-voting members.

Chairman

The Executive Member for Education shall be Chairman of the Committee.

Quorum

Five Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

Policy and Performance

1. Review and alter from time to time, as may be considered necessary, any existing policies or strategies covered by the remit of this Committee.
- *2. Consider the broad educational needs of the Council's area, making recommendations to Council as necessary.
3. Ensure the Council meets its obligations for service performance (including partnerships) within Education consistent with the Local Government in Scotland Act 2003 Parts I and II i.e. on Best Value and Community Planning.
4. Consider regularly the performance within Education against:-
 - The Single Outcome Agreement
 - Corporate and Improvement Plans
 - Relevant Business Plan actions and initiatives
 - Key performance indicators and other relevant performance indicators
 - Matters which do not come to notice through the formal decision making process
5. Ensure the development of appropriate management information within Education to facilitate the effective monitoring of performance.

6. Identify the requirement for any in-depth policy or practice review work arising from the monitoring of performance and refer to the appropriate Committee or Director, as necessary.
7. Ensure services are delivered within the overall resources and management strategies as set by the Council and Executive; and ensure that maximum value for money and Best Value in Education Authority service delivery are achieved.

Scrutiny

8. Monitor the performance of the Authority towards achieving its policy objectives and priorities in relation to all functions of Education, and make recommendations to the Executive or Council, as appropriate.
9. Review the effectiveness of all work relating to Education and the standards and levels of services provided, and make recommendations to the Executive or Council, as appropriate.
10. Act as a focus for value for money and service quality exercises for Education.
11. Initiate or carry out reviews of strategic importance for Education.
12. Ensure the enactment of committee decisions on Education and monitor their impact on services.

Resources and Services

13. Oversee the functions of the Council under the Education (Scotland) Acts, the Education (Additional Support for Learning) (Scotland) Act 2004, and all other relevant legislation and regulations.
14. Consider all matters relating to education including pre-school education, primary education, secondary education and community learning and development.
- *15. Make recommendations on the change of status, or closure, of any school.

Financial Management

16. Monitor and keep under review the revenue budget for the Education Authority services.
17. Approve virements in excess of the limits for Heads of Service, provided there is no increase in the overall revenue budget envelope for the Education Authority services and there is no impact on other services' budgets. (Heads of Service may authorise virement where the budget heads involved are to be varied by not more than the greater of £5,000 or 10% of the original approved budget for each approved budget head, subject to a maximum of £100,000 in any financial year.) For the avoidance of doubt, this includes grossing up of budgets funded by external grants; technical accounting adjustments; and changes in intra-departmental budgetary management responsibility.

Business Transformation

18. Monitor and keep under review progress and delivery of all business change and transformation projects and programmes relating to Education and make recommendations to Executive as appropriate.

Miscellaneous

19. Consider all matters relating to Parent Councils.
- *20. Make recommendations to Council regarding responses to statutory and other consultations.

Functions Delegated

All of the functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of Council.

ANNEXATION A

REGULATIONS

for Nominations of Persons interested in the Promotion of Religious Education to be Appointed to the Education Committee

1. The Council shall appoint three persons interested in the promotion of religious education to be members of the Education Committee in accordance with Section 124 of the Local Government (Scotland) Act 1973, as amended by Section 31 of the Local Government etc. (Scotland) Act 1994.
2. The appointments shall be made by the Council as soon as possible after the ordinary statutory election of Councillors in the month of May and, subject to Regulation 5(e), the persons will be appointed and hold office until the day of the next ordinary statutory election of Councillors.
3. One person interested in the promotion of religious education shall be nominated by the General Assembly of the Church of Scotland in terms of Section 124 of the Local Government (Scotland) Act 1973 as amended. The Clerk to the Council shall, in a year of an election of Councillors, request the Principal Clerk of the General Assembly of the Church of Scotland to submit to him a nomination of the person not later than the First day of May in that year.
4. One person interested in the promotion of religious education shall be nominated by the Roman Catholic Church, in such manner as may be determined by its Scottish Hierarchy in terms of Section 124 of the Local Government (Scotland) Act 1973 as amended. The Clerk to the Council shall, in a year of an election of Councillors, request the Archbishop of Edinburgh and St. Andrews to submit to him a nomination of the person not later than the First day of May in that year.
5. One other person interested in the promotion of religious education shall be nominated in terms of Section 124 of the Local Government (Scotland) Act 1973, as amended. The nomination shall be made in accordance with the following provisions:-
 - (a) Not later than the Fifteenth day of March in the year of an election of Councillors, the Clerk to the Council, by advertisement in one or more newspapers circulating in the Area, shall give notice that the Churches or denominational bodies (other than the Church of Scotland and the Roman Catholic Church) who claim to have duly constituted charges or other regularly appointed places of worship within the Area and to be entitled to be represented at the meeting for nomination of one person with a view to appointment as a member of the Education Committee, may obtain copies of these Regulations on application to him; and that each of these Churches or denominational bodies who desire to be represented at the meeting for the nomination of one person with a view to appointment as a member of the Education Committee must transmit to him prior to the Thirty first day of March -
 - (i) A certified list of the names and situations of the duly constituted charges or other regularly appointed places of worship which such church or other denominational body claims to have within the Area;

- (ii) A certified statement of the number of representatives whom such church or denominational body claims to be entitled to have at the said meeting calculated in accordance with the following scale -

Number of duly constituted charges or other regularly appointed places of worship	Number of representatives at meeting
Not more than three	One
More than three and not more than six	Two
More than six and not more than ten	Three
More than ten and not more than fifteen	Four
More than fifteen and not more than twenty	Five
Each ten in excess of twenty	One additional

- (iii) The full names and postal addresses of the persons appointed to represent such Church or denominational body at the said meeting.

- (b) Not later than the Seventh day of April, the Clerk to the Council shall -

- (i) Prepare a list of the Churches or denominational bodies who have claimed to have duly constituted charges or other regularly appointed places of worship within the Area, which list shall, as regards each Church or denominational body included therein, show the total number of duly constituted charges or other regularly appointed places of worship and the number of representatives at the aforesaid meeting which such Church or denominational body has claimed.
- (ii) Transmit a copy of such list to each of the Churches or denominational bodies included therein, and at the same time intimate to such Churches or denominational bodies that they may inspect at his office all the certified lists of the duly constituted charges or other regularly appointed places of worship and all the certified statements of the numbers of representatives claimed at the aforesaid meeting which he has received from Churches or denominational bodies in the Area; and that any Church or denominational body included in the list may, within seven days after the date of such intimation, lodge with him objections to any of the certified lists or certified statements on the ground that such list or statement is inaccurate.

- (c) If any objection to any such certified list or certified statement on the ground that it is inaccurate is received by the Clerk to the Council in accordance with the immediately preceding paragraph, he shall, as soon as reasonably may be, fix a time and place for the hearing and determination of such objection and send a copy of each such objection to each Church or denominational body included in the list and intimate the time and place fixed for the hearing and determination of the objections, and each Church or denominational body included in the list may be represented at such hearing and determination by not more than two representatives. The Convener or a person nominated by him shall preside at such hearing and, after such procedure as he may prescribe, shall determine whether the objection is well founded and shall in accordance with the scale prescribed in paragraph (a)(ii) of this Regulation, fix the number of representatives whom each church or denominational body shall

be entitled to have at the meeting for the nomination of a person in terms of this Regulation. The determination of the Convener or the person appointed by him shall be final and not subject to review.

- (d) If no such objections are received or upon the determination of any such objections, the Clerk to the Council shall call a meeting of the representatives appointed by the Churches or denominational bodies for the purpose of nominating a person with a view to such person being appointed a member of the Education Committee. Such meeting shall be held in the Council's Headquarters, Newtown St. Boswells, not later than the Thirtieth day of April and shall be called by circular addressed and sent by post to each representative not less than six days prior to the date of the meeting. The Convener, or such other person appointed by him, shall preside and conduct and regulate the proceedings at the meeting, but he shall have only a casting vote. Each representative of a Church or denominational body present at the meeting shall have one vote only. The Clerk to the Council shall report the result of such meeting of representatives to the Council as soon as possible after the ordinary statutory election of Councillors.
- (e) In the event of a casual vacancy among the members of the Education Committee appointed in accordance with this Regulation, the provisions contained in this Regulation shall apply to and govern the constitution and covering of the meeting of representatives of Churches or denominational bodies for the purpose of filling such vacancy. The Clerk to the Council shall determine the dates for taking the action required of him, allowing periods of time between events similar to those specified in the preceding sub-paragraphs.

ANNEXATION B

REGULATIONS

for Nominations of Teachers to be Appointed to the Education Committee

1. The Council shall appoint two Teachers in the employment of the Council as Teachers' Representatives to be members of the Education Committee.
2. The appointments shall be made by the Council as soon as possible after the ordinary statutory election of Councillors in the month of May and, subject to Regulation 13, the Teachers' Representatives shall be appointed and hold office until the day of the next ordinary statutory election of Councillors.
3. Teachers entitled to nominate and vote for Teachers' Representatives and teachers entitled to be nominated as Teachers' Representatives shall be registered teachers holding full-time permanent appointments with the Council and engaged in Primary or Secondary Education as at the First day of March in the year of election.
4. A teacher shall be entitled to nominate and vote for not more than two Teachers' Representatives.
5. The Convener or a person nominated by him shall be the Supervising Officer to supervise the nominations of Teachers' Representatives and the decisions of the Supervising Officer on all matters relating to the nominations shall be final and not subject to review.
6. Not later than the Fifteenth day of March in the year of an election of Councillors, the Director of Education & Lifelong Learning shall send to all teachers entitled to nominate Teachers' Representatives a notice specifying the right of each teacher to nominate not more than two Teachers' Representatives and the arrangements for making nominations of Teachers' Representatives and for voting on the nominations if necessary.
7. Each nomination shall be on a form prescribed by the Director of Education & Lifelong Learning and shall be signed by two teachers, one as proposer and one as seconder, and shall be counter-signed by the nominee to signify his or her consent to the nomination.
8. Candidates may provide a personal statement of not more than 250 words, which statement must either accompany the nomination form or be lodged with the Director of Education & Lifelong Learning on the Seventh day of April in the year of the election at the latest. The statement will be reproduced and circulated by the Director of Education & Lifelong Learning with the ballot papers. Statements must not be defamatory, offensive, obscene, likely to incite racial hatred or political in nature or designed to effect public support for a political party. If any part of the personal statement is not permitted by reason of being defamatory, offensive, obscene, likely to incite racial hatred or political in nature, the circulation of it will be refused by the

Supervising Officer unless suitably amended by the candidate or candidates concerned. The candidates remain responsible for their own personal statement

9. Nominations must be lodged with the Director of Education & Lifelong Learning at Council Headquarters, Newtown St. Boswells, not later than 4 p.m. on the Thirty first day of March in the year of election.
10. Immediately after the closing date for the receipt of nominations, the Director of Education & Lifelong Learning shall issue to each teacher who is validly nominated, a list of the names and addresses of all teachers who are validly nominated. A teacher may withdraw his or her nomination by written intimation to that effect lodged with the Director of Education & Lifelong Learning not later than 4 p.m. on the Seventh day of April in the year of election.
11. Where more than two teachers remain validly nominated the Director of Education & Lifelong Learning shall, not later than the Fifteenth day of April in the year of election, send ballot papers to all the teachers entitled to vote.
12. Ballot papers, duly completed, shall be lodged in sealed marked envelopes with the Director of Education & Lifelong Learning not later than 4 p.m. on the Twenty fifth day of April in the year of election.
13. The Supervising Officer shall make arrangements for the ballot papers to be opened and the votes to be counted not later than the Thirtieth day of April in the year of election and shall forthwith notify the names of the persons duly nominated as Teachers' Representatives to the Chief Executive who shall report the names to the Council as soon as possible after the ordinary statutory election of Councillors.
14. In the event of a casual vacancy among the Teachers' Representatives on the Education Committee, the provisions contained in these Regulations shall apply to and govern the nomination of a successor Teachers' Representative. The Director of Education & Lifelong Learning shall determine the dates for taking the action required of him allowing periods of time between events similar to those specified in the preceding Regulations. The teachers entitled to nominate and vote for the Teachers' Representatives shall be registered teachers holding full-time permanent appointments with the council and engaged in Primary or Secondary Education all as at the Fifteenth day prior to the date fixed by the Director of Lifelong Learning for issuing the notice specified in Regulation 6 above.

(EDUCATION COMMITTEE)

EDUCATION PERFORMANCE (HMIE) SUB-COMMITTEE

Constitution

Three Elected Members, being the Executive Member for Education, together with two other Members of the Education Committee. The Teacher Representatives and Parent Council representatives are excluded from membership of the Sub-Committee.

Chairman

The Chairman shall be the Executive Member for Education.

Quorum

Two Members of the Sub-Committee shall constitute a quorum.

Functions Referred

The following functions of the Panel shall stand referred to the Sub-Committee:-

1. To consider all:
 - (i) pre-school, primary and secondary school Her Majesty's Inspectorate of Education (HMIE) published reports; and
 - (ii) community learning and development (CLAD) and other community services Her Majesty's Inspectorate of Education (HMIE) published reports
2. To request follow-up reports in respect of the implementation of HMIE Action Plans, if required, and make recommendations to the Education Committee, as necessary.

Functions Delegated

All of the functions referred to the Sub-Committee.

(EDUCATION COMMITTEE)

SCHOOLS ATTENDANCE SUB-COMMITTEE

Constitution

All Members of the Education Committee shall be Members of a Panel, from which the members of specific Schools Attendance Sub-Committees shall be drawn.

Five Members of the Panel shall constitute each individual Schools Attendance Sub-Committee.

Chairman

The Chairman of the Education Committee shall be the Chairman of the Schools Attendance Panel.

Selection of Schools Attendance Sub-Committees

- (a) Each Schools Attendance Sub-Committee shall be selected by the Clerk to the Council or his authorised representative in consultation with the Chairman of the Panel.
- (b) The Clerk to the Council or his authorised representative, in consultation with the Chairman of the Panel, shall appoint the Chairman of each Schools Attendance Sub-Committee.

Quorum

Three Members of an individual Sub-Committee shall constitute a Quorum.

Functions Referred

The following functions shall stand referred to the Committee:-

- 1. Deal with parents who are failing to meet their responsibilities regarding a child's attendance at school, if a parent:-
 - (a) fails to provide a reasonable excuse for the child's absence from school; and/or
 - (b) provides dubious excuses for the child's absence; and/or
 - (c) does not effectively address the matter of the child's absence from school.

Powers of a Schools Attendance Sub-Committee

If a parent fails to satisfy the Sub-Committee that there is a reasonable excuse for a pupil's non-attendance at schools, the Sub-Committee may:-

- 1. Proceed to prosecution through the Sheriff Court;
- 2. Report the circumstances to the Procurator Fiscal;
- 3. Warn the parent and postpone a decision for a six-week period. In this case only, if the child is of school age, the Sub-Committee may make an Attendance Order under Section 38 of the Education (Scotland) Act 1980.

4. Make an Attendance Order, having first obtained the views of the parent on which school he desires his child to attend; or
5. Refer the child to the Authority Reporter.

Functions Delegated

All of the functions referred to the Sub-Committee.

Administrative Arrangements

The Clerk to the Council or his authorised representative shall act as Clerk to the Attendance Sub-Committee and the Director of Education and Lifelong Learning or his representative shall present the case for the Council at any Attendance Sub-Committee hearing.

(EDUCATION EXECUTIVE)

EDUCATION APPEALS SUB-COMMITTEE

Constitution

The rules for the formal constitution and membership of the Education Appeal Sub-Committee are laid down in the Education (Scotland) Act 1980.

There may be up to three different categories of membership of the Appeal Sub-Committee as follows:-

- (a) Members of the Council who are not members of the Education Committee.
- (b) Members of the Education Committee (including non-elected members).
- (c) Lay members.

The following arrangements apply in respect of the selection of the Panel and individual Appeal Sub-Committees.

Appointment of Panel

A Panel from which members of Appeal Sub-Committees shall be drawn shall comprise 55 persons as follows:-

- (a) The Convener, who shall be Chairman of the Panel.
- (b) Vice-Chairman of the Education Committee, who shall be Vice-Chairman of the Panel.
[Neither of these persons may chair an Appeal Committee.]
- (c) Twelve Members of the Education Committee, which excludes the Teacher and Parent Council representatives (none of whom may chair the Appeal Committee).
- (d) Twenty three Members of Council who are not members of the Education Committee.
- (e) Eighteen persons who are not members of the Council or the Education Committee and who are either parents of children of school age or persons having experience in education or persons acquainted with the educational conditions in the area, and who are members of the nominated Parent Councils – one to be nominated by each Secondary Parent Council and by the Parent Council for the largest primary school in each of the catchment areas for the nine secondary schools. In the event of any such primary or secondary school not having a Parent Council or of any Parent Council declining to provide a nominee, then a nomination will be sought from the Parent Council of the next largest primary school and so on.

Functions Referred

The following functions shall stand referred to the Sub-Committee:-

1. Appeals by parents against decisions of the Council acting as Education Authority as to the schools, excluding nursery schools or classes, which their child or children should attend.
2. Appeals by parents against decisions of the Council acting as Education Authority to exclude their child or children from school.

3. Various appeals by parents in connection with their child or children being recorded as having marked or continuing special education needs.

Functions Delegated

All of the functions referred to the Sub-Committee.

Duration of Appointment

The term of office of members of the Panel shall be:-

- (a) In the case of Members of the Education Committee or of the Council, from the date of their appointment until the date of the next Council election.
- (b) In the case of persons nominated by Parent Councils, from the date of their appointment until the date when they are due to stand down.

Selection of Appeal Sub-Committees

5. (a) Each Appeal Sub-Committee shall be selected by the Clerk to the Council or his authorised representative in consultation with the Chairman of the Panel, or, in his absence, the Vice-Chairman of the Panel.
- (b) Each Appeal Committee shall comprise 5 persons being:-
 - 3 Members of the Education Committee or of the Council from the Panel.
 - 2 other persons from the Panel.
- (c) In the event of all 5 persons not being in attendance at a hearing of an appeal, the Appeal Sub-Committee shall be reduced to 3 persons including not less than:-
 - 1 Member of the Education Committee or of the Council from the Panel.
 - 1 other person from the Panel.
- (d) The Clerk to the Council or his authorised representative, in consultation with the Chairman or, in his absence, the Vice-Chairman of the Panel, shall appoint the Chairman of the Appeal Committee, who shall not be a Member of the Education Committee.

Administrative Arrangements

6. The Clerk to the Council or his authorised representative shall act as Clerk to the Appeal Committee and the Director of Education and Lifelong Learning or his representative shall present the case for the Council at any Appeal Committee hearing.

SECTION VII

ENVIRONMENT AND INFRASTRUCTURE COMMITTEE

Constitution

Nine members comprising -

- (a) The Executive Members for Environmental Services, Planning and Environment, and Roads and Infrastructure.
- (b) Three Members of the Administration.
- (c) Three Members of the Opposition.

Chairman

The Executive Member for Roads and Infrastructure shall be Chairman of the Committee.

Quorum

Five Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

Policy and Performance

1. Review and alter from time to time, as may be considered necessary, any existing policies or strategies covered by the remit of this Committee.
- *2. Consider the broad environmental needs of the Council's area, making recommendations to Council as necessary.
3. Ensure the Council meets its obligation for service performance within Environment and Infrastructure consistent with the Local Government in Scotland Act 2003 Parts I and II i.e. on Best Value and Community Planning.
4. Consider regularly performance within Environment and Infrastructure against:-
 - The Single Outcome Agreement
 - Corporate and Improvement Plans
 - Relevant Business Plan actions and initiatives
 - Decisions taken by the Council and its Committees
 - Key performance indicators and other relevant performance indicators
 - Matters which do not come to notice through the formal decision making process
5. Ensure the development of appropriate management information within Environment and Infrastructure to facilitate the effective monitoring of performance.
6. Identify the requirement for any in-depth policy or practice review work, within the remit of this Committee, arising from the monitoring of performance and refer to the appropriate Committee or Director, as necessary.
7. Ensure services are delivered within the overall resources and management strategies as set by the Council and Executive; and ensure that maximum value for money and Best Value in Environment and Infrastructure service delivery are achieved.

Scrutiny

8. Monitor the performance of the Authority towards achieving its policy objectives and priorities in relation to all functions of Environment and Infrastructure, and make recommendations to the Executive or Council, as appropriate.
9. Review the effectiveness of all work relating to Environment and Infrastructure and the standards and levels of services provided, and make recommendations to the Executive or Council, as appropriate.
10. Act as a focus for value for money and service quality exercises for Environment and Infrastructure.
11. Ensure the enactment of committee decisions on Environment and Infrastructure and monitor their impact on services.

Resources and Services

12. Initiate or carrying out reviews of strategic importance for Environment and Infrastructure.
13. Consider matters relating to asset management planning for the Council's engineering infrastructure assets, including the Roads Asset Management Plan.
14. Consider all matters relating to transportation, including Bus Service Contracts.
15. Approve the distribution of the Rural Community Transport Initiative to community transport providers.
16. Develop an understanding of the national position of flood risk management in Scotland and the UK in general and how this relates to the Borders.
17. Oversee the development of the most appropriate solutions for protection from flooding.
- *18. Advise the Council on the development of the Waste Strategy.

Financial Management

19. Monitor and keep under review the revenue budget for Environment and Infrastructure services.
20. Approve virements in excess of the limits for Heads of Service, provided there is no increase in the overall revenue budget envelope for Environment and Infrastructure services and there is no impact on other services' budgets. (Heads of Service may authorise virement where the budget heads involved are to be varied by not more than the greater of £5,000 or 10% of the original approved budget for each approved budget head, subject to a maximum of £100,000 in any financial year.) For the avoidance of doubt, this includes grossing up of budgets funded by external grants; technical accounting adjustments; and changes in intra-departmental budgetary management responsibility.

Business Transformation

21. Monitor and keep under review progress and delivery of all business change and transformation projects and programmes relating to Environment and Infrastructure and make recommendations to Executive as appropriate.

Miscellaneous

- *22. Make recommendations to Council regarding responses to statutory and other consultations.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of Council.

SECTION VIII

SOCIAL WORK AND HOUSING COMMITTEE

Constitution

Nine members comprising -

- (a) The Executive Members for Education, Social Work, Health Service, and Community Safety.
- (b) Two Members of the Administration.
- (c) Three Members of the Opposition.

Chairman

The Executive Member for Social Work shall be Chairman of the Committee.

Quorum

Five Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

Policy and Performance

1. Review and alter from time to time, as may be considered necessary, any existing policies or strategies relating to Social Work, including mental health, drug and alcohol, physical disability, older people, learning disability, children, criminal justice, and child and adult protection.
- *2. Consider the broad housing needs of the Council's area, making recommendations to Council as necessary.
3. Ensure the Council meets its obligations for service performance (including partnerships) within Social Work and Housing consistent with the Local Government in Scotland Act 2003 Parts I and II i.e. on Best Value and Community Planning.
4. Consider regularly the performance within Social Work, Criminal Justice and Housing against:-
 - The Single Outcome Agreement
 - Corporate and Improvement Plans
 - Relevant Business Plan actions and initiatives
 - Key performance indicators and other relevant performance indicators
 - Decisions taken by the Council and its Committees
 - Matters which do not come to notice through the formal decision making process
5. Ensure the development of appropriate management information within Social Work and Housing to facilitate the effective monitoring of performance.
6. Identify the requirement for any in-depth policy or practice review work arising from the monitoring of performance and refer to the appropriate Committee or Director, as necessary.

7. Ensure services are delivered within the overall resources and management strategies as set by the Council and Executive; and ensure that maximum value for money and Best Value in Social Work and Housing service delivery are achieved.

Scrutiny

8. Monitor the performance of the Authority towards achieving its policy objectives and priorities in relation to all functions of Social Work and Housing, and make recommendations to the Executive or Council, as appropriate.
9. Review the effectiveness of all work relating to Social Work and Housing and the standards and levels of services provided, and make recommendations to the Executive or Council, as appropriate.
10. Receive regular summaries of external inspection reports and key actions.
11. Act as a focus for value for money and service quality exercises for Social Work and Housing.
12. Ensure the enactment of committee decisions on Social Work and Housing and monitor their impact on services.

Resources and Services

13. Initiate or carry out reviews of strategic importance for Social Work, Criminal Justice and Housing.
14. Oversee Council responsibility for corporate parenting.
15. Consider any matters raised by the Chief Social Work Officer.

Property

16. Approve rents of dwelling-houses owned or in the control of the Council.

Financial Management

17. Monitor and keep under review the revenue budget for Social Work and Housing services.
18. Approve virements in excess of the limits for Heads of Service, provided there is no increase in the overall revenue budget envelope for Social Work and Housing services and there is no impact on other services' budgets. (Heads of Service may authorise virement where the budget heads involved are to be varied by not more than the greater of £5,000 or 10% of the original approved budget for each approved budget head, subject to a maximum of £100,000 in any financial year.) For the avoidance of doubt, this includes grossing up of budgets funded by external grants; technical accounting adjustments; and changes in intra-departmental budgetary management responsibility.

Business Transformation

19. Monitor and keep under review progress and delivery of all business change and transformation projects and programmes relating to Social Work and Housing and make recommendations to Executive as appropriate.

Miscellaneous

20. Make the final decision of Council for responses made to complainers making representations in relation to the discharge of, or failure to discharge, any of the functions of the Council under the Social Work (Scotland) Act 1968, or any of the enactments referred to in Section 2(2) thereof
- *21. Make recommendations to Council regarding responses to statutory and other consultations.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of Council.

(SOCIAL WORK AND HOUSING COMMITTEE)

SOCIAL WORK COMPLAINTS REVIEW SUB-COMMITTEE

Constitution

Three members as follows:- The Executive Member for Social Work and two independent persons. In the absence of the Executive Member for Social Work another Executive Member may substitute.

Chairman

The Chairman shall be appointed by the Sub-Committee and shall be an independent person.

Quorum

Three members of the Sub-Committee shall constitute a quorum.

Functions Referred

The following functions shall stand referred to the Complaints Review Sub-Committee:-

- #1. Where required, the review of responses made to complainers making representations in relation to the discharge of, or failure to discharge, any of the functions of the Council under the Social Work (Scotland) Act 1968, or any of the enactments referred to in Section 2(2) thereof.

Functions Delegated

All functions above NOT marked #. Those functions marked # are referred to the Committee for consideration and recommendation only and must receive approval of the Social Work and Housing Committee.

SECTION VIX

APPOINTMENT COMMITTEE

Constitution

Minimum of Five Members of the Council comprising –

- (a) the Leader
- (b) the Executive Member for HR and Corporate Improvement
- (c) the relevant Executive Member(s)
- (d) one other Member of the Administration
- (e) one Member from the Opposition

In this context, “relevant Executive Member(s)” means the Executive Member(s) for the Service(s) within which the appointment is being made, except in the case of an appointment to Chief Executive or Resources Departments, in which case it shall mean the Depute Leader (Finance).

Chairman

The Executive Member (HR and Corporate Improvement) shall be Chairman of the Sub-Committee.

Quorum

Three members of the Sub-Committee shall constitute a Quorum.

Functions Referred

The following functions of the Council shall stand referred to the Sub-Committee -

1. The recruitment of staff to posts at Director and Head of Service/Second Tier level.

Functions Delegated

All of the functions referred to the Sub-Committee.

SECTION X

AUDIT COMMITTEE

Constitution

Eight members, being six Members of the Council and two non-voting members appointed from an external source. The Council Members shall comprise the Convener and five Members not on the Executive Committee (3 from the Administration and 2 from the Opposition).

Chairman

The Chairman shall be one of the Scottish Borders Council Members.

Quorum

Three Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

1. The assessment of the adequacy and effectiveness of the Council's systems of internal financial control and framework of internal control to provide reasonable assurance of effective and efficient operations.
2. The assessment of the adequacy and effectiveness of the Council's risk management arrangements.
3. The assessment of the adequacy and effectiveness of corporate governance arrangements to ensure that the highest standards of probity and public accountability are demonstrated.
4. Review of the Council's audited Statement of Accounts and the Annual Report from the External Auditor to Members and the Controller of Audit, prior to submission to Council.
5. The approval of the Terms of Reference for Internal Audit and the strategic and annual internal audit plans.
6. The monitoring and review of the performance of internal audit.
7. All matters relating to the implementation of recommendations contained within internal audit reports.
8. The review of external audit plans and arrangements for effective liaison between external and internal audit.
9. The monitoring of responses to recommendations contained within external audit reports and the implementation of such recommendations.
10. The scrutiny of treasury management strategy and policies.

11. The assessment of the adequacy and effectiveness of the Pension Fund's systems of internal financial control and framework of internal control to provide reasonable assurance of effective and efficient operations.
12. Review of the Pension Fund's audited Statement of Accounts and the Annual Report from the External Auditor to members and the Controller of Audit, prior to submission to Council.
- *13. Consider and make recommendations if required on any matter within the remit of the Committee.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of Council.

SECTION XI

CIVIC GOVERNMENT LICENSING COMMITTEE

Constitution

Eleven Members of the Council, ideally being one Member from each Ward.

Quorum

Five members of the Committee shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

1. All matters relating to the Council's responsibilities for licensing under the Civic Government (Scotland) Act 1982, except those matters specifically delegated to the Head of Legal and Democratic Services.
2. All matters relating to the Council's responsibilities for the granting and revocation of miscellaneous licences, except those matters specifically delegated to the Head of Legal and Democratic Services.

Functions Delegated

All of the functions referred to the Committee.

SECTION XII

LICENSING BOARD

There shall be constituted the Scottish Borders Licensing Board, "the Licensing Board", meeting as required and having the following constitution, quorum and functions.

Constitution

The Licensing Board shall consist of ten Members of the Council, 2 from each of the following areas: Berwickshire (Berwickshire East and Mid Berwickshire Wards); Cheviot (Kelso & District and Jedburgh & District), Eildon (Galashiels & District, Leaderdale & Melrose, and Selkirkshire Wards), Teviot & Liddesdale (Hawick & Denholm and Hawick & Hermitage), and Tweeddale (Tweeddale East and Tweeddale West Wards).

Convener

The Convener of the Licensing Board shall be appointed at the first meeting of the Licensing Board from among their number.

Quorum

Five Members of the Licensing Board shall constitute a quorum.

Functions Referred

The following functions stand referred to the Licensing Board in terms of the relevant Liquor Licensing and Betting & Gaming Legislation.

1. All matters relating to Liquor Licensing.
2. The approval of disciplinary or enforcement action relating to Licensees.
3. All matters relating to Bookmakers' Permits, Betting Office Licences, Bingo Licences and Amusement with Prizes Permits for Liquor Licensed Premises.

Note: All Members of the Licensing Board must complete satisfactorily the required training before taking any part in Licensing Board proceedings.

SECTION XIII

PENSION FUND COMMITTEE

Constitution

Seven Members of the Council comprising –

- (a) the Convener
- (b) the Depute Leader (Finance)
- (c) the Executive Member for HR and Corporate Improvement
- (c) two other Members of the Administration
- (e) two members from the Opposition

(Trade Unions, Scheduled and Active Admissions Bodies to be invited to send representatives as observers)

Quorum

Four members of the Committee shall constitute a Quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee -

1. All matters relating to the Management of the Council's Pension Fund.
2. Employer discretions under Local Government Pension Scheme (Scotland) Regulations 1998.

Functions Delegated

All of the functions delegated to the Committee.

SECTION XIV

PETITIONS COMMITTEE

Constitution

Seven members, being five Members of the Administration and two Members of the Opposition.

Quorum

Three Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee -

1. Consider petitions submitted to the Council in accordance with the Council's approved petitions procedure and determine the appropriate action to be taken within the terms of the procedure.

Functions Delegated

All of the functions delegated to the Committee.

SECTION XV

PLANNING AND BUILDING STANDARDS COMMITTEE

Constitution

Thirteen Members of the Council, being, in addition to the Chairman and Vice-Chairman, ideally one Member from each Ward.

Quorum

Six members of the Committee shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

1. All matters relating to Town and Country Planning except the following:-
 - (a) Strategic Development Plan and Local Development Plan
 - (b) Applications referred under Section 38(A)(1) of the Town and Country Planning (Scotland) Act 1997
 - (c) Applications and other matters delegated to the Head of Planning and Building Standards
2. All matters relating to the Council's responsibilities for Building Control except those delegated to the Head of Planning and Building Standards.
3. Consideration and determination of appeals against the proposed refusal of applications for Building Warrants and Relaxations of the Building Regulations.

Functions Delegated

All of the functions referred to the Committee.

(PLANNING AND BUILDING STANDARDS COMMITTEE)

LOCAL REVIEW BODY

Constitution

Any five Members of the Planning and Building Standards Committee.

Chairman

The Chairman of the Local Review Body shall be the Chairman of the Planning and Building Standards Committee or in his absence the Vice-Chairman.

Quorum

Three Members shall constitute a quorum.

Assessor

The Review Body may appoint an Assessor to sit with the Local Review Body at any hearing session it elects to hold to advise on matters arising.

Functions Referred

The following functions of the Council shall stand referred to the Review Body:-

1. Conduct Reviews in accordance with Section 43A of the Town and Country Planning (Scotland) Act 1997 where the appointed person has:-
 - (a) Refused an application for planning permission or for consent, agreement or approval;
 - (b) Granted it subject to conditions; or
 - (c) Not determined it within such period as may be prescribed by regulations or a development order.

Functions Delegated

All functions referred to the Review Body

Note

Where the Local Review Body considers that the review documents before them provide sufficient information to enable them to determine the review, they may determine the review without further procedure. (Regulation 12 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure)(Scotland) Regulations 2008.)

Other than in circumstances where the Local Review Body considers the review documents provide sufficient information to enable them to determine the review without further procedure, the Local Review Body may consider the review:

- (a) by means of written submissions;
- (b) by holding one or more hearing sessions;
- (c) by means of a site inspection; or

(d) by a combination of procedures.

Functions Delegated

All functions detailed above.

SECTION XVI

STANDARDS COMMITTEE

Constitution

Eight Members of the Council, being, in addition to the Chairman, five members from the Administration and two members from the Opposition.

Quorum

Three members of the Committee shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Committee:-

1. All matters relating to the Ethical Standards in Public Life etc. (Scotland) Act 2000.
2. The adoption and application of the Code of Conduct for Councillors.
3. The consideration, investigation and determination of all complaints made concerning the conduct of Councillors.
- *4. The consideration and revision from time to time of the list of sanctions available to the Council in the event of misconduct on the part of a Councillor.
5. The consideration of reports from the Monitoring Officer on matters relating to the Ethical Framework.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of Council.

SECTION XVII

APPEALS

Constitution

All Members of the Council shall be Members of a Panel, from which the members of specific Appeal Committees (except for Education Appeals which are dealt with in Section XIII) shall be drawn, depending on the function so referred.

Chairman

The Executive Member (HR and Corporate Improvement) shall be the Chairman of the Appeals Panel.

Selection of Appeal Committees

Each of the following Appeal Committees shall be selected by the Clerk to the Council or his authorised representative in consultation with the Chairman of the Appeals Panel.

STAFFING APPEALS COMMITTEE

Constitution

Five Members drawn from the full Appeals Panel.

Chairman

The Chairman of the Panel shall chair the Committee or, in his absence, the Chairman shall be another Executive Member.

Quorum

Three Members of the Committee shall constitute a quorum.

Functions Referred

The following functions shall stand referred to the Committee:-

1. The consideration and determination of appeals by all employees against decisions in respect of discipline.
2. The consideration and determination of grievances by all employees.

Note: Grievances in respect of pay, gradings or conditions of service shall be dealt with through the relevant Council policies and procedures and not through the Staffing Appeals Committee.

Functions Delegated

All of the functions referred to the Committee.

ROADS APPEALS COMMITTEE

Constitution

Five Members drawn from the Appeals Panel, including the Executive Member for Roads and Infrastructure.

Chairman

The Chairman of the Committee shall be the Executive Member for Roads and Infrastructure.

Quorum

Five Members of the Committee shall constitute a quorum.

Functions Referred

The following functions shall stand referred to the Committee:-

1. The consideration of any unresolved matters arising in terms of the Roads (Scotland) Act 1984, as amended, in relation to:-
 - (i) The issue of Construction Consents for new roads, including objections from parties affected, appeals against conditions and recommended refusals.
 - (ii) The issue of Consents for the erection of scaffolding or deposit of materials or skips on a road.
 - (iii) Trading on or near principal roads.

Functions Delegated

All of the functions referred to the Committee.

ACCESS TO PERSONAL FILES APPEALS COMMITTEE**Constitution**

Three Members drawn from the Appeals Panel, including the Executive Member for Social Work.

Chairman

The Chairman of the Committee shall be the Executive Member for Social Work.

Quorum

Three Members of the Committee shall constitute a quorum;

Functions referred

The following function shall stand referred to the Committee:-

1. The consideration and determination of appeals by individuals who are the subject of information held on manually maintained Social Work records by the Council as Social Work Authority and who are aggrieved by any decision of that Authority concerning their access to, or rectification or erasure of, that information.

Functions Delegated

All of the functions referred to the Committee.

PROCUREMENT APPEALS PANEL

Constitution

Three Members drawn from the Appeals Panel, including the Depute Leader (Finance).

Chairman

The Chairman of the Committee shall be the Depute Leader (Finance).

Quorum

Three Members of the Committee shall constitute a quorum.

Functions Referred

The following function shall stand referred to the Committee:-

1. The consideration and determination of appeals by suppliers against the disqualification of their tender by the Council for any reason.

Functions Delegated

All of the functions referred to the Panel.

SECTION XVIII

CHILDREN'S PANEL ADVISORY COMMITTEE

Constitution

The Committee shall comprise seven members as follows:-

- Two Members appointed by the Council.
- Five members appointed by Scottish Ministers.

Chairman

The Chairman of the Committee shall be appointed by Scottish Ministers from within their five appointments, and the Chairman must reside in the Scottish Borders.

Quorum

Three members of the Committee shall constitute a quorum.

Functions Referred

The following functions, in terms of the Children (Scotland) Act 1995, shall stand referred to the Committee:-

1. The submission of names, following the recruitment process, of possible Children's Panel members to Scottish Ministers.
2. To advise Scottish Ministers as required on the suitability of persons referred to them as potential members.
3. To advise Scottish Ministers on such matters relating to the general administration of Panels as they may refer to the CPAC, to include:-
 - (i) the action to be taken in any circumstances which may cast doubt on the fitness of a Panel member to serve;
 - (ii) the extent to which any further training for Panel members may be needed;
 - (iii) working closely with the Children's Panel Chairman and the Authority Reporter to ensure the efficient and effective working of the Children's Hearing System.
4. Attend Children's hearings to observe Panel members according to agreed criteria, and participate in giving feedback to those Panel members.

Functions Delegated

All functions referred to the Committee.

SECTION XVII
JOINT CONSULTATIVE GROUP FOR STAFF

Constitution

Fourteen members comprising:-

- (a) The Executive Member (HR and Corporate Improvement) and seven other Members of the Council, being three members from the Administration and two members from the Opposition;
- (b) Eight employee Trade Union Representatives, namely:-
 - (i) Three from Unison
 - (ii) Three from Unite
 - (iii) One from General Municipal and Boilermakers Union
 - (iv) One other to be agreed by the Trade Unions
 - (v) One from GMB: MPO (only to attend for items relating to Chief Officials)

Chairman

The Executive Member (HR and Corporate Improvement) shall be the Chairman of the Group.

Quorum

Three Members of the Council and four Trade Union representatives shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Group:-

1. Consultation on matters relating to terms and conditions of employment, health & safety and welfare of all Council employees except Teachers. (The pay grading, efficiency or disciplinary record of any individual employee is not within the scope of the Group)

Functions Delegated

All functions referred to the Consultative Group.

SECTION XX

JOINT CONSULTATIVE GROUP FOR TEACHERS

Constitution

Fourteen members comprising:-

- (a) The Executive Member for Education and five other Members of the Council, being three members from the Administration and two members from the Opposition.
- (b) Eight employee Trade Union Representatives, namely:-
 - (i) Four from E.I.S.
 - (ii) Two from S.S.T.A.
 - (iii) One from P.A.T.
 - (iv) One other to be agreed by the Trade Unions

Chairman

The Executive Member for Education shall be the Chairman of the Group.

Quorum

Three Members of the Council and four Trade Union representatives shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Group:-

1. Consultation on matters relating to terms and conditions of employment, health & safety and welfare of all Teachers employed by the Council. (The pay grading, efficiency or disciplinary record of any individual teacher is not within the scope of the Group.)

Functions Delegated

All functions referred to the Consultative Group.

SECTION XXI

EMPLOYEE COUNCIL

Constitution

- (a) Four Elected Members of the Council, being the Convener, the Depute Leader (Finance), Executive Member for HR and Corporate Improvement, and the Leader of the Opposition.
- (b) Chief Executive, Director of Education and Lifelong Learning, Director of Environment and Infrastructure, Director of Resources, Director of Social Work.
- (c) Employee representatives from across the Council.

Chairman

The Convener shall be Chairman of the Employee Council.

Quorum

Two Elected Members of the Council, two of the Directors and two of the employee representatives shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Employee Council –

1. Share information and promote communication between Council management and staff.
2. Be informed and consulted on (but not as a negotiating body) issues affecting employment and the Council's plans, including:
 - Public sector reform and related issues
 - Information on recent or probable developments of the Council's activities, financial and economic situation
 - Organisational design and development
 - Budget development and implementation
 - Information and consultation on developments regarding employment arrangements, particularly where these may cause significant change to employment
 - Employee benefits
 - Council business issues.

Note: The Employee Council shall not affect the rights and responsibilities of Council management to make all business, financial, commercial, operational and technological decisions.

Functions Delegated

All functions referred to the Employee Council.

SECTION XXII

MEMBERS SOUNDING BOARD: POLITICAL MANAGEMENT ARRANGEMENTS

Constitution

Seven members of the Council, being the Leader, the Depute Leaders, and one member from each of the constituted political groups in the membership of the Council.

Chairman

The Chairman of the Board shall be the Leader.

Quorum

Four members of the Board shall constitute a quorum.

Functions Referred

The following functions shall stand referred to the Board:-

- *1. To advise on any review of decision-making and policy development processes and the working practices which support these processes.
- *2. To make recommendations on any changes or actions which will strengthen and enhance the democratic decision-making and policy development procedures.
- *3. To make recommendations on consultations requiring political input.
4. To exercise any delegated functions made by the Council.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Board for consideration and recommendation only and must receive approval of Council.

SECTION XXIII

COMMUNITY AND PARTNERSHIP BODIES

General

1. The Council is required, or has agreed, to set up, lead and/or participate in a number of Community and Partnership Bodies. The aim is to work in partnership with other key public, voluntary and private bodies, together with communities and businesses to maintain and improve the quality of life and meet the needs of Borders residents and their communities through the delivery of high quality public services, projects, advocacy and other actions.
2. The principles for going forward are –
 - To provide effective structures for delivery/implementation;
 - To include partner buy-in and Member involvement;
 - To have meaningful community involvement and stakeholder engagement as appropriate;
 - To help prioritise services where most needed;
 - To comply with any statute and regulations governing those public, private and voluntary sector organisations involved.
3. Each of the Community and Partnership Bodies in the following sections shall take cognisance at all times of the following over-arching outcome within the Single Outcome Agreement:-

**Our public services are high quality,
continually improving,
efficient and
responsive to local people's needs.**

4. Decisions at meetings of the Bodies in Sections XXIV to XXVII shall be reached on a consensus basis where possible between the SBC Elected Members and other members of the Body. Should consensus between SBC Elected Members and other members not be reached on a decision, then the matter shall be raised at each individual organisation's governing body.
5. Any delegated budgets shall operate as aligned budgets delegated to the Committee of Scottish Borders Council and the Committees or representatives of other partner organisations respectively, and this will mean that only Members of Scottish Borders Council may expend budgets delegated by Scottish Borders Council, and other organisations' budgets shall be expended in accordance with their own operating rules.

SECTION XXIV

POLICE, FIRE & RESCUE, AND SAFER COMMUNITIES PATHFINDER BOARD

Constitution

Twelve members, being seven Members of the Council, and five non-voting members appointed from an external source.

The Council Members shall comprise the Executive Member for Community Safety, one of the Members on the Lothian and Borders Police Board, one of the Members on the Lothian and Borders Fire and Rescue Board, two Members of the Administration and two Members of the Opposition.

The non-voting members shall comprise a representative from each of NHS Borders, the Scottish Borders Housing Network, Lothian and Borders Community Justice Authority, the voluntary sector, and the business sector.

Chairman

The Chairman and Vice-Chairman of the Board shall be Elected Members of the Council.

Quorum

Three Elected Members of the Council shall constitute a quorum.

Functions Referred

The following functions of the Council shall stand referred to the Board:-

1. Assess the adequacy and effectiveness of the Scottish Borders Policing Plan in terms of priorities, community engagement and performance related measures to provide reasonable assurance of effective and efficient implementation and operation.
2. Assess the adequacy and effectiveness of the Scottish Borders Fire and Rescue Plan in terms of priorities, community engagement and performance related measures to provide reasonable assurance of effective and efficient implementation and operation.
3. Assess the adequacy and effectiveness of the Scottish Borders Safer Communities Plan in terms of priorities, community engagement and performance related measures to provide reasonable assurance of effective and efficient implementation and operation.
- *4. Consider and make recommendations, if required, on any aspects of the Scottish Borders Police, Fire & Rescue, and Safer Communities Plans, in terms of issues or improvements.
5. Contribute to the delivery of the Scottish Borders Single Outcome Agreement (SOA) within the Scottish Borders Community Planning Transformation Plan, and in particular the local outcome indicators and programme in relation to the national outcome "We live our lives safe from crime, disorder and danger".
6. Monitor and keep under review progress and delivery of all Safer communities projects and initiatives.

7. Consider statistical reports on complaints on policing, fire and rescue, and safer communities in the Scottish Borders.
- *8. Consider and draft responses to any consultation documents pertaining to policing, fire & rescue services, and safer communities.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Board for consideration and recommendation only and must receive approval of the Council.

SECTION XXV

COMMUNITY HEALTH AND CARE PARTNERSHIP

General

The Community Health and Care Partnership shall be a Committee of NHS Borders and a Committee of Scottish Borders Council meeting together.

Constitution

(a) Five Elected Members of Scottish Borders Council being:-

- (a) the Leader
- (b) the Depute Leader (Finance)
- (c) Executive Member for Social Work
- (d) Executive Member for Education
- (e) Executive Member for Health Service

(Note:- Any other Member selected by the Leader of the Council may substitute for any of the above Elected Members should they be unavailable for a meeting of the Scottish Borders Health and Care Partnership Board)

(b) Five Non-Executive Members of NHS Borders

(c) Two representatives of the third sector, who shall be non-voting.

Chairman

The Chairman of the Board shall be the Executive Member for Health Service. The office of Vice-Chairman shall be held by a member of NHS Borders. The Chairman shall not have a casting vote.

Quorum

Three Elected Members from Scottish Borders Council and three members from NHS Borders shall constitute a Quorum

Budgets

Any delegated budgets shall operate as aligned budgets delegated to the Committee of Scottish Borders Council and the Committee of NHS Borders respectively, and this will mean that only Members of Scottish Borders Council may expend budgets delegated by Scottish Borders Council, and NHS Borders' budgets shall be expended in accordance with its own operating rules.

Functions Referred

The following functions of the Council, within policy, budget and legislative requirements, shall stand referred to the Board -

1. All governance arrangements relating to services delivered in partnership through the Scottish Borders Health and Care Partnership Board with NHS Borders and other stakeholders for adult and children's services - in terms of health and care, but not education - to include joint strategies, joint commissioning plans, service redesign (including financial decisions), monitoring of joint aligned or pooled budgets and

performance monitoring of joint outcomes relating to the community plan and single outcome agreement.

- *2. Propose criteria for approval by Scottish Borders Council and NHS Borders to assess the appropriate level of care required by an adult in accordance with the agreed policies from time to time of Scottish Borders Council and NHS Borders.
- *3. Ensure that adequate arrangements in terms of policy agreed by Scottish Borders Council and NHS Borders are in place to provide such care from within the annual budgets overseen by the Board. In the event that at any time an overspend is projected, a joint report will be submitted by the Board to the appropriate Committees of Scottish Borders Council and NHS Borders making proposals to address the overspend. On no account will the Board exceed its delegated budgets without an express resolution of both organisations, which resolution shall address the means of funding the overspend.
4. Consider the arrangements for the joint assessment and management of cases.
- *5. Consider and make recommendations in relation to any potential areas of joint working referred by either Scottish Borders Council or NHS Borders.
6. Consider such other health issues as the Chief Executive of NHS Borders may from time to time advise the Chief Executive of Scottish Borders Council in writing.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Board for consideration and recommendation only and must receive approval of the Council.

SECTION XXVI

COMMUNITY PLANNING STRATEGIC BOARD

General

The Community Planning Strategic Board shall comprise Scottish Borders Council Elected Members meeting together with Statutory and other Community Planning Partner representatives.

Constitution

- (a) Five Elected Members of Scottish Borders Council being:-
- (i) Leader
 - (ii) Executive Member for Community Planning
 - (iii) Executive Member for Economic Development
 - (iv) Executive Member for HR and Corporate Performance
 - (v) Executive Member for Health Service
- (b) Five representatives from the statutory Community Planning Partners, being:-
- (i) Chairman and Vice-Chairman of NHS Borders
 - (ii) Chairman of Scottish Enterprise Regional Advisory Board
 - (iii) Divisional Commander of Police Service
 - (iv) a representative from the Fire and Rescue Service
- (c) Other representatives of any other local body as agreed by Scottish Borders Councillors and the Statutory Planning Partners.

Chairman

The Chairman and Vice-Chairman of the Board shall be Elected Members of the Council. The Chairman shall not have a casting vote.

Quorum

Three Elected Members of the Council and three representatives from the statutory Community Planning Partners shall constitute a quorum.

Functions Referred

The following functions of the Council, within policy, budget and legislative requirements, and in compliance with any statute and regulations governing these public, private and voluntary sector organisations involved, shall stand referred to the Board -

- *1. Approve a strategy to achieve the objectives of the Community Planning Partnership, based on the National Outcomes within the Single Outcome Agreement, to include: -
- what the priorities are for the 4 key strategic themes of Early Intervention and Prevention; Place and Communities; Economy and Infrastructure; and Future Model of Public Service Delivery for the Scottish Borders
 - how they will translate into outcomes
 - what outcome indicators will be used to measure progress and the impact of collective activity.

2. Scrutinise the performance of each of the Delivery Teams for the 4 themes - Early Intervention and Prevention; Place and Communities; Economy and Infrastructure; and Future Model of Public Service Delivery for the Scottish Borders – in achieving its strategic priorities.
- *3. Consider and make recommendations, if required, on any aspects of Community Planning, in terms of issues or improvements.
4. Provide effective commitment and leadership and facilitate agreement between partners on the strategic priorities for the area.
5. Review commitments made by partners to agree future levels of activity.
6. Provide direction in reaching decisions on those issues that involve competing interests or are controversial or contentious.
7. Ensure other Elected Members, Council Committees and Partner Bodies are fully and regularly briefed on key Community Planning issues, developments and programmes which impact on their particular service interest.
8. Develop networks or discussion forums for sharing experiences in good practice.
9. Promote mutual understanding of need by sharing key organisational information.
10. Actively encourage opportunities for formal and informal joint working, joint use of resources and joint funding options, where this will offer scope for service improvement.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Board for consideration and recommendation only and must receive approval of the Council.

SECTION XXVII

AREA FORUMS

Constitution

Berwickshire Area Forum –

- (a) The six elected Scottish Borders Councillors representing the Wards of East Berwickshire and Mid-Berwickshire;
- (b) The Chairman or a representative from each of the Community Councils in the Berwickshire area;
- (c) A representative from NHS Borders;
- (d) A representative from the Police;
- (e) A representative from any other local body as agreed by the Scottish Borders Councillors.

Cheviot Area Forum –

- (a) The six elected Scottish Borders Councillors representing the Wards of Kelso & District and Jedburgh and District;
- (b) The Chairman or a representative from each of the Community Councils in the Cheviot area;
- (c) A representative from NHS Borders;
- (d) A representative from the Police;
- (e) A representative from any other local body as agreed by the Scottish Borders Councillors.

Eildon Area Forum –

- (a) The ten elected Scottish Borders Councillors representing the Wards of Galashiels & District, Leaderdale & Melrose, and Selkirkshire;
- (b) The Chairman or a representative from each of the Community Councils in the Eildon area;
- (c) A representative from NHS Borders;
- (d) A representative from the Police;
- (e) A representative from any other local body as agreed by the Scottish Borders Councillors.

Teviot and Liddesdale Area Forum -

- (a) The six elected Scottish Borders Councillors representing the Wards of Hawick and Denholm and Hawick and Hermitage;
- (b) The Chairman or a representative from each of the Community Councils in the Teviot and Liddesdale area;
- (c) A representative from NHS Borders;
- (d) A representative from the Police;
- (e) A representative from any other local body as agreed by the Scottish Borders Councillors.

Tweeddale Area Forum -

- (a) The six elected Scottish Borders Councillors representing the Wards of Tweeddale East and Tweeddale West;
- (b) The Chairman or a representative from each of the Community Councils in the Tweeddale area;
- (c) A representative from NHS Borders;
- (d) A representative from the Police;
- (e) A representative from any other local body as agreed by the Scottish Borders Councillors.

Chairman/Vice Chairman

The Chairman and Vice Chairman of each Area Forum shall be Members of Scottish Borders Council and shall be elected by the Members of the Council who are members of the relevant Area Forum.

Quorum

Three of the Scottish Borders Council Members of each Area Forum, including at least one representative from each Ward, shall constitute a quorum, except for the Eildon Area Forum where five shall constitute a Quorum.

Functions Referred

The following functions of the Council shall stand referred to each Area Forum, in compliance with any statute and regulations governing those public, private and voluntary sector organisations involved:-

1. Scrutinise the local impact and performance of Council and other services in the area.
2. Scrutinise the local impact and performance of the Community Planning Partnership in the area.
- *3. Make recommendations on the objectives and priorities for the area, including economic development, engaging with local communities and businesses as appropriate.
4. Provide direction for decision-making on those issues that involve competing interests or are controversial or contentious, other than planning applications.
5. Gain a shared understanding of need in the area.
6. Seek to engage and involve the local business community and consider ways to attract commercial enterprise to the area.
7. Act as a consultation body requiring local input, where appropriate.
8. Determine local holiday dates.
- *9. Consider and make recommendations for Local Byelaws and Management Rules.
- *10. Consider and make recommendations if required to the relevant Committee on local community matters, including local economic development plans.

- *11. Identify impediments and barriers which inhibit integrated approaches in local service provision, and make recommendations on how these could be overcome.
12. Approve Small Schemes and Roads Funding Members Priorities, including the use of Pay Parking income (restricted to specific towns only).
13. Approve all matters relating to street naming and numbering, where not delegated to officers.
14. Approve local traffic management schemes.
15. Approve the making of temporary, permanent or experimental orders for the regulation of traffic, including stopping-up orders.

Functions Delegated

All functions above NOT marked *. Those functions marked * are referred to the Committee for consideration and recommendation only and must receive approval of the relevant other Council committee.

General

In addition to the functions referred and delegated to the Area Forums, the Council or other Organisations may from time to time seek the views of Area Forums on specific matters or applications outwith their normal remit.

POLITICAL GROUPS

Constitution of political groups

1. (1) A political group shall be treated as constituted in relation to a local authority when there is delivered to the proper officer of the local authority a notice in writing which -
 - (a) is signed by two or more members of the local authority who wish to be treated as a political group; and
 - (b) complies with the provisions of sub-paragraph (3).
- (2) A political group shall cease to be constituted if the number of persons who are to be treated as members of that group is less than two.
- (3) A notice under sub-paragraph (1) shall state -
 - (a) that the members of the local authority who have signed it wish to be treated as a political group;
 - (b) the name of the group; and
 - (c) the name of one member of the group who has signed the notice and who is to act as its leader.
- (4) A notice under sub-paragraph (1) may specify the name of one or other member of the group who has signed the notice and who is authorised to act in the place of the leader when he is unable to act ("the deputy leader").
- (5) The name of the group or the name of the person who is the leader or deputy leader may be changed by a further notice in writing delivered to the proper officer and signed -
 - (a) in the case of a change in the name of the group or the deputy leader, by the leader of the group or a majority of the members of the group;
 - (b) in the case of a change of the leader of the group, by a majority of the members of the group.

Membership of political groups

2. Subject to paragraph 4, a member of the local authority is to be treated as a member of a political group if -
 - (a) he has signed a notice in accordance with paragraph 1; or
 - (b) he has delivered to the proper officer a notice in writing which is signed by him and by the leader or deputy leader of the group or by a majority of the members of the group, stating that he wishes to join the group.

Cessation of membership

3. A person is to be treated as having ceased to be a member of a political group when -
- (a) he has ceased to be a member of the local authority;
 - (b) he has notified the proper officer in writing that he no longer wishes to be treated as a member of the group;
 - (c) there is delivered to the proper officer a notice under paragraph 1 or 2(b) signed by the person whereby a new political group is constituted or he joins another political group; or
 - (d) there is delivered to the proper officer a notice in writing signed by the majority of the members of the group stating that they no longer wish him to be treated as a member of it.

Restriction on membership

4. No person shall be treated as a member of more than one political group at any given time and, accordingly, if a person changes the political group of which he is a member by a notice under paragraph 1 or 2 he shall from the date of delivery of that notice be treated -
- (a) in the case of a notice under paragraph 1, as a member only of the new political group which is constituted in accordance with that paragraph; and
 - (b) in the case of a notice under paragraph 2(b) as a member only of the group named in the notice.

SCOTTISH BORDERS COUNCIL
30 AUGUST 2012
APPENDIX III

APPROVED CALENDAR OF MEETINGS

OCTOBER 2012 - JULY 2013

Oct-11			
SAT	6	OCT	
SUN	7	OCT	
MON (SH)	8	OCT	
TUES (SH)	9	OCT	
WED (SH)	10	OCT	
THUR (SH)	11	OCT	
FRI (SH)	12	OCT	
SAT	13	OCT	
SUN	14	OCT	
MON	15	OCT	LOCAL REVIEW BODY 10.00 a.m.

TUES	16	OCT	EXECUTIVE COMMITTEE	10.00 a.m.
WED	17	OCT	LOCAL LICENSING FORUM	4.00 p.m.
THUR	18	OCT	PETITIONS COMMITTEE	10.00 a.m.
THUR	18	OCT	EMPLOYEE COUNCIL	3.00 p.m.
FRI	19	OCT		
SAT	20	OCT		
SUN	21	OCT		
MON	22	OCT		
TUES	23	OCT	CAPITAL MANAGEMENT GROUP	2.00 p.m.
WED	24	OCT	JCG: STAFF	10.00 a.m.
THUR	25	OCT	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	26	OCT	LICENSING BOARD	10.00 a.m.
FRI	26	OCT	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	27	OCT		
SUN	28	OCT		
MON	29	OCT	TRADING OPERATIONS SUB-COMMITTEE	10.00 a.m.
TUES	30	OCT	SOCIAL WORK & HOUSING COMMITTEE	10.00 a.m.
TUES	30	OCT	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
TUES	30	OCT	SELKIRK COMMON GOOD FUND SUB-COMMITTEE	2.30 p.m.
WED	31	OCT		
Nov-12				
THUR	1	NOV		
FRI	2	NOV		
SAT	3	NOV		
SUN	4	NOV		
MON	5	NOV	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	6	NOV	CHILDREN'S PANEL ADVISORY COMMITTEE	3.00 p.m.
TUES	6	NOV	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
TUES	6	NOV	TEVIOT AND LIDDESDALE AREA FORUM	6.30 p.m.
WED	7	NOV	JEDBURGH COMMON GOOD FUND SUB-CTEE	4.30 p.m.
WED	7	NOV	KELSO COMMON GOOD FUND SUB-COMMITTEE	5.30 p.m.
WED	7	NOV	CHEVIOT AREA FORUM	6.30 p.m.
THUR	8	NOV	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
FRI	9	NOV		
SAT	10	NOV		
	11	NOV		
MON	12	NOV	AUDIT COMMITTEE	10.00 a.m.
TUES	13	NOV	EXECUTIVE COMMITTEE	10.00 a.m.
WED	14	NOV	EILDON AREA FORUM	6.30 p.m.
THUR	15	NOV		
FRI	16	NOV		
SAT	17	NOV		
SUN	18	NOV		
MON	19	NOV	LOCAL REVIEW BODY	10.00 a.m.
TUES	20	NOV		

WED	21	NOV		
THUR	22	NOV	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	23	NOV	LICENSING BOARD	10.00 a.m.
FRI	23	NOV	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	24	NOV		
SUN	25	NOV		
MON	26	NOV	HEALTH AND CARE PARTNERSHIP BOARD	2.00 p.m.
TUES	27	NOV	EDUCATION COMMITTEE	10.00 a.m.
TUES	27	NOV	EDUCATION PERFORMANCE HMIE SUB-CTEE	2.00 p.m.
TUES	27	NOV	BERWICKSHIRE AREA FORUM	6.30 p.m.
WED	28	NOV	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	6.00 p.m.
WED	28	NOV	TWEEDDALE AREA FORUM	6.30 p.m.
THUR	29	NOV	ECONOMIC DEVELOPMENT GROUP	10.00 a.m.
THUR	29	NOV	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	30	NOV		
Dec-12				
SAT	1	DEC		
SUN	2	DEC		
MON	3	DEC	ST ANDREWS DAY HOLIDAY	
TUES	4	DEC	EXECUTIVE COMMITTEE	10.00 a.m.
WED	5	DEC		
THUR	6	DEC	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
THUR	6	DEC	SOCIAL WORK & HOUSING COMMITTEE	2.00 p.m.
THUR	6	DEC	EMPLOYEE COUNCIL	3.00 p.m.
FRI	7	DEC	PATHFINDER	10.00 a.m.
SAT	8	DEC		
SUN	9	DEC		
MON	10	DEC	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	11	DEC	PENSION FUND COMMITTEE	2.00 p.m.
TUES	11	DEC	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
WED	12	DEC	PETITIONS COMMITTEE	10.00 am
THUR	13	DEC	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	14	DEC	LICENSING BOARD	10.00 a.m.
FRI	14	DEC	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	15	DEC		
SUN	16	DEC		
MON	17	DEC	LOCAL REVIEW BODY	10.00 a.m.
TUES	18	DEC	CAPITAL MANAGEMENT GROUP	2.00 p.m.
WED	19	DEC		
THUR	20	DEC		
FRI	21	DEC		
SAT	22	DEC		
SUN	23	DEC		
MON (SH)	24	DEC	HQ BUILDING CLOSED	

TUES (SH)	25	DEC	HOLIDAY	
WED (SH)	26	DEC	HOLIDAY	
THUR (SH)	27	DEC	HOLIDAY	
FRI (SH)	28	DEC	HOLIDAY	
SAT	29	DEC		
SUN	30	DEC		
MON (SH)	31	DEC	HOLIDAY	
Jan-13				
TUES (SH)	1	JAN	HOLIDAY	
WED (SH)	2	JAN	HOLIDAY	
THUR(SH)	3	JAN		
FRI (SH)	4	JAN		
SAT	5	JAN		
SUN	6	JAN		
MON	7	JAN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	8	JAN		
WED	9	JAN		
THUR	10	JAN		
FRI	11	JAN		
SAT	12	JAN		
SUN	13	JAN		
MON	14	JAN	AUDIT COMMITTEE	10.00 a.m.
TUES	15	JAN	EDUCATION COMMITTEE	10.00 a.m.
TUES	15	JAN	CHILDREN'S PANEL ADVISORY COMMITTEE	3.00 p.m.
WED	16	JAN	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.30 p.m.
THUR	17	JAN	SOCIAL WORK & HOUSING COMMITTEE	10.00 a.m.
FRI	18	JAN		
SAT	19	JAN		
SUN	20	JAN		
MON	21	JAN	LOCAL REVIEW BODY	10.00 a.m.
TUES	22	JAN	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	22	JAN	STANDARDS COMMITTEE	2.00 p.m.
WED	23	JAN	WILLIAM HILL TRUST SUB-COMMITTEE	3.00 p.m.
WED	23	JAN	LOCAL LICENSING FORUM	4.00 p.m.
THUR	24	JAN	ECONOMIC DEVELOPMENT GROUP	10.00 a.m.
FRI	25	JAN	LICENSING BOARD	10.00 a.m.
FRI	25	JAN	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	26	JAN		
SUN	27	JAN		
MON	28	JAN	TRADING OPERATIONS SUB-COMMITTEE	10.00 a.m.
TUES	29	JAN	CAPITAL MANAGEMENT GROUP	2.00 p.m.
WED	30	JAN		
THUR	31	JAN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
Feb-13				

FRI	1	FEB		
SAT	2	FEB		
SUN	3	FEB		
MON	4	FEB	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	5	FEB		
WED	6	FEB	JCG: STAFF	10.00 a.m.
THUR (SH)	7	FEB	SCOTTISH BORDERS COUNCIL (SPECIAL)	10.00 a.m.
FRI (SH)	8	FEB		
SAT	9	FEB		
SUN	10	FEB		
MON (SH)	11	FEB		
TUES (SH)	12	FEB	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
TUES (SH)	12	FEB	TEVIOT AND LIDDESDALE AREA FORUM	6.30 p.m.
WED	13	FEB	JEDBURGH COMMON GOOD FUND SUB-CTEE	4.30 p.m.
WED	13	FEB	KELSO COMMON GOOD FUND SUB-COMMITTEE	5.30 p.m.
WED	13	FEB	CHEVIOT AREA FORUM	6.30 p.m.
THUR	14	FEB	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
THUR	14	FEB	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	15	FEB		
SAT	16	FEB		
SUN	17	FEB		
MON	18	FEB	LOCAL REVIEW BODY	10.00 a.m.
MON	18	FEB	HEALTH AND CARE PARTNERSHIP BOARD	2.00 p.m.
TUES	19	FEB	EXECUTIVE COMMITTEE	10.00 a.m.
WED	20	FEB	EILDON AREA FORUM	6.30 p.m.
THUR	21	FEB	PETITIONS COMMITTEE	10.00 a.m.
FRI	22	FEB	LICENSING BOARD	10.00 a.m.
FRI	22	FEB	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	23	FEB		
SUN	24	FEB		
MON	25	FEB	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
MON	25	FEB	SELKIRK COMMON GOOD FUND SUB-COMMITTEE	2.30 p.m.
TUES	26	FEB	CAPITAL MANAGEMENT GROUP	2.00 p.m.
WED	27	FEB	JCG: TEACHERS	2.00 p.m.
THUR	28	FEB	SCOTTISH BORDERS COUNCIL	10.00 a.m.
Mar-13				
FRI	1	MAR		
SAT	2	MAR		
SUN	3	MAR		
MON	4	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	5	MAR	PENSION FUND COMMITTEE	2.00 p.m.
TUES	5	MAR	BERWICKSHIRE AREA FORUM	6.30 p.m.
WED	6	MAR	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	6.00 p.m.
WED	6	MAR	TWEEDDALE AREA FORUM	6.30 p.m.

THUR	7	MAR	EMPLOYEE COUNCIL	3.00 p.m.
FRI	8	MAR		
SAT	9	MAR		
SUN	10	MAR		
MON	11	MAR	AUDIT COMMITTEE	10.00 a.m.
TUES	12	MAR	EDUCATION COMMITTEE	10.00 a.m.
TUES	12	MAR	EDUCATION PERFORMANCE HMIE SUB-CTEE	2.00 p.m.
WED	13	MAR		
THUR	14	MAR	SOCIAL WORK & HOUSING COMMITTEE	10.00 a.m.
FRI	15	MAR	PATHFINDER	10.00 a.m.
SAT	16	MAR		
SUN	17	MAR		
MON	18	MAR	LOCAL REVIEW BODY	10.00 a.m.
TUES	19	MAR	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	19	MAR	CHILDREN'S PANEL ADVISORY COMMITTEE	3.00 p.m.
WED	20	MAR		
THUR	21	MAR	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
THUR	21	MAR	ECONOMIC DEVELOPMENT GROUP	2.00 p.m.
FRI	22	MAR	LICENSING BOARD	10.00 a.m.
FRI	22	MAR	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	23	MAR		
SUN	24	MAR		
MON	25	MAR	TRADING OPERATIONS SUB-COMMITTEE	10.00 a.m.
TUES	26	MAR		
WED	27	MAR	LOCAL LICENSING FORUM	4.00 p.m.
THUR	28	MAR	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI (SH)	29	MAR		
SAT	30	MAR		
SUN	31	MAR		
Apr-13				
MON(SH)	1	APR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES(SH)	2	APR		
WED(SH)	3	APR		
THUR(SH)	4	APR		
FRI(SH)	5	APR		
SAT	6	APR		
SUN	7	APR		
MON(SH)	8	APR		
TUES(SH)	9	APR		
WED(SH)	10	APR		
THUR(SH)	11	APR		
FRI(SH)	12	APR		
SAT	13	APR		
SUN	14	APR		

MON	15	APR	LOCAL REVIEW BODY	10.00 a.m.
TUES	16	APR	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	16	APR	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
TUES	16	APR	TEVIOT AND LIDDESDALE AREA FORUM	6.30 p.m.
WED	17	APR	CHEVIOT AREA FORUM	6.30 p.m.
THUR	18	APR	PETITIONS COMMITTEE	10.00 a.m.
THUR	18	APR	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	19	APR	LICENSING BOARD	10.00 a.m.
FRI	19	APR	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	20	APR		
SUN	21	APR		
MON	22	APR	AUDIT COMMITTEE	10.00 a.m.
MON	22	APR	HEALTH AND CARE PARTNERSHIP BOARD	2.00 p.m.
TUES	23	APR	-	
WED	24	APR		
THUR	25	APR	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	26	APR	-	
SAT	27	APR		
SUN	28	APR		
MON	29	APR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	30	APR	EDUCATION COMMITTEE	10.00 a.m.
TUES	30	APR	CAPITAL MANAGEMENT GROUP	2.00 p.m.
May-13				
WED	1	MAY	GALASHIELS COMMON GOOD FUND SUB-CTEE	6.00 p.m.
WED	1	MAY	EILDON AREA FORUM	6.30 p.m.
THUR	2	MAY	SOCIAL WORK & HOUSING COMMITTEE	10.00 a.m.
FRI	3	MAY		
SAT	4	MAY		
SUN	5	MAY		
MON (SH)	6	MAY	PUBLIC HOLIDAY	
TUES	7	MAY	BERWICKSHIRE AREA FORUM	6.30 p.m.
WED	8	MAY	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	6.00 p.m.
WED	8	MAY	TWEEDDALE AREA FORUM	6.30 p.m.
THUR	9	MAY	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
FRI	10	MAY		
SAT	11	MAY		
SUN	12	MAY		
MON	13	MAY	LOCAL REVIEW BODY	10.00 a.m.
TUES	14	MAY	ECONOMIC DEVELOPMENT GROUP	10.00 am
TUES	14	MAY	STANDARDS COMMITTEE	2.00 p.m.
WED	15	MAY		
THUR	16	MAY	EMPLOYEE COUNCIL	3.00 p.m.
FRI	17	MAY		
SAT	18	MAY		

SUN	19	MAY		
MON	20	MAY		
TUES	21	MAY	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	21	MAY	CHILDREN'S PANEL ADVISORY COMMITTEE	3.00 p.m.
WED	22	MAY		
THUR	23	MAY		
FRI	24	MAY	PATHFINDER	10.00 a.m.
SAT	25	MAY		
SUN	26	MAY		
MON	27	MAY		
TUES	28	MAY		
WED	29	MAY		
THUR	30	MAY	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	31	MAY	LICENSING BOARD	10.00 a.m.
FRI	31	MAY	CIVIC GOVERNMENT LICENSING	11.00 a.m.
Jun-13				
SAT	1	JUN		
SUN	2	JUN		
MON	3	JUN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	4	JUN	EDUCATION COMMITTEE	10.00 a.m.
TUES	4	JUN	EDUCATION PERFORMANCE HMIE SUB-CTEE	2.00 p.m.
WED	5	JUN	JCG: TEACHERS	2.00 p.m.
WED	5	JUN	JEDBURGH COMMON GOOD FUND SUB-CTEE	4.30 p.m.
WED	5	JUN	KELSO COMMON GOOD FUND SUB-COMMITTEE	5.30 p.m.
THUR	6	JUN	ENVIRONMENT & INFRASTRUCTURE COMMITTEE	10.00 a.m.
THUR	6	JUN	SOCIAL WORK & HOUSING COMMITTEE	2.00 p.m.
FRI	7	JUN		
SAT	8	JUN		
SUN	9	JUN		
MON	10	JUN	HEALTH AND CARE PARTNERSHIP BOARD	2.00 p.m.
TUES	11	JUN	EXECUTIVE COMMITTEE	10.00 a.m.
WED	12	JUN		
THUR	13	JUN	PETITIONS COMMITTEE	10.00 a.m.
THUR	13	JUN	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	14	JUN		
SAT	15	JUN		
SUN	16	JUN		
MON	17	JUN	LOCAL REVIEW BODY	10.00 a.m.
TUES	18	JUN	PENSION FUND COMMITTEE	10.00 a.m.
TUES	18	JUN	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
TUES	18	JUN	WILLIAM HILL TRUST SUB-COMMITTEE	2.30 p.m.
TUES	18	JUN	SELKIRK COMMON GOOD FUND SUB-COMMITTEE	3.00 p.m.
WED	19	JUN		
THUR	20	JUN		

FRI	21	JUN	LICENSING BOARD	10.00 a.m.
FRI	21	JUN	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	22	JUN		
SUN	23	JUN		
MON	24	JUN	TRADING OPERATIONS SUB-COMMITTEE	10.00 a.m.
MON	24	JUN	CAPITAL MANAGEMENT GROUP	2.00 p.m.
TUES	25	JUN	AUDIT COMMITTEE	10.15 a.m.
TUES	25	JUN	ECONOMIC DEVELOPMENT GROUP	2.00 p.m.
TUES	25	JUN	HAWICK COMMON GOOD FUND SUB-COMMITTEE	4.00 p.m.
WED	26	JUN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
WED	26	JUN	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.30 p.m.
THUR (SH)	27	JUN		
FRI (SH)	28	JUN		
SAT	29	JUN		
SUN	30	JUN		
Jul-13				
MON (SH)	1	JUL	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES (SH)	2	JUL		
WED (SH)	3	JUL		
THUR (SH)	4	JUL		
FRI (SH)	5	JUL		
SAT	6	JUL		
SUN	7	JUL		
MON (SH)	8	JUL		
TUES (SH)	9	JUL		
WED (SH)	10	JUL		
THUR (SH)	11	JUL		
FRI (SH)	12	JUL		
SAT	13	JUL		
SUN	14	JUL		
MON (SH)	15	JUL	LOCAL REVIEW BODY	10.00 a.m.
TUES (SH)	16	JUL		
WED (SH)	17	JUL		
THUR (SH)	18	JUL		
FRI (SH)	19	JUL		
SAT	20	JUL		
SUN	21	JUL		
MON (SH)	22	JUL		
TUES (SH)	23	JUL		
WED (SH)	24	JUL		
THUR (SH)	25	JUL		
FRI (SH)	26	JUL	LICENSING BOARD	10.00 a.m.
FRI (SH)	26	JUL	CIVIC GOVERNMENT LICENSING	11.00 a.m.
SAT	27	JUL		

SUN	28	JUL		
MON (SH)	29	JUL		
TUES (SH)	30	JUL		
WED (SH)	31	JUL		

(SH) School Holiday