

**Please find attached the Public Minutes in respect Item  
6 on the agenda for the above meeting**

6.	<p><b>Committee Minutes</b></p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> <li>(a) Audit &amp; Risk</li> <li>(b) Cheviot Area Forum</li> <li>(c) Planning &amp; Building Standards</li> <li>(d) LLP Strategic Governance Group</li> <li>(e) Police, Fire &amp; Rescue and Safer Communities Board</li> <li>(f) Executive</li> <li>(g) Selkirk Common Good Fund</li> <li>(h) Scrutiny</li> <li>(i) Civic Government Licensing</li> <li>(j) Lauder Common Good Fund</li> <li>(k) Hawick Common Good Fund</li> <li>(l) Teviot &amp; Liddesdale Area Forum</li> <li>(m) Peebles Common Good Fund</li> <li>(n) Tweeddale Area Forum</li> <li>(o) Berwickshire Area Forum</li> <li>(p) Planning &amp; Building Standards</li> <li>(q) Jedburgh Common Good Fund</li> <li>(r) Executive</li> <li>(s) Community Planning Strategic Board</li> <li>(t) Galashiels Common Good Fund</li> <li>(u) Eildon Area Forum</li> <li>(v) Pension Fund</li> <li>(w) Executive</li> </ul>	<p>16 January 2017</p> <p>1 February 2017</p> <p>6 February 2017</p> <p>7 February 2017</p> <p>10 February 2017</p> <p>14 February 2017</p> <p>15 February 2017</p> <p>16 February 2017</p> <p>17 February 2017</p> <p>21 February 2017</p> <p>21 February 2017</p> <p>21 February 2017</p> <p>1 March 2017</p> <p>1 March 2017</p> <p>2 March 2017</p> <p>6 March 2017</p> <p>7 March 2017</p> <p>7 March 2017</p> <p>9 March 2017</p> <p>9 March 2017</p> <p>9 March 2017</p> <p>16 March 2017</p> <p>21 March 2017</p>	5 mins
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(a)	Audit & Risk	16 January 2017
(b)	Cheviot Area Forum	1 February 2017
(c)	Planning & Building Standards	6 February 2017
(d)	LLP Strategic Governance Group	7 February 2017
(e)	Police, Fire & Rescue and Safer Communities Board	10 February 2017
(f)	Executive	14 February 2017
(g)	Selkirk Common Good Fund	15 February 2017
(h)	Scrutiny	16 February 2017
(i)	Civic Government Licensing	17 February 2017
(j)	Lauder Common Good Fund	21 February 2017
(k)	Hawick Common Good Fund	21 February 2017
(l)	Teviot & Liddesdale Area Forum	21 February 2017
(m)	Peebles Common Good Fund	1 March 2017
(n)	Tweeddale Area Forum	1 March 2017
(o)	Community Planning Strategic Board	2 March 2017
(p)	Berwickshire Area Forum	2 March 2017
(q)	Planning & Building Standards	6 March 2017
(r)	Jedburgh Common Good Fund	7 March 2017
(s)	Executive	7 March 2017
(t)	Galashiels Common Good Fund	9 March 2017
(u)	Eildon Area Forum	9 March 2017
(v)	Pension Fund	16 March 2017
(w)	Executive	21 March 2017

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# SCOTTISH BORDERS COUNCIL

## AUDIT AND RISK

MINUTES of Meeting of the AUDIT AND RISK held in Council Headquarters, Council Headquarters, Newtown St Boswells on Monday, 16 January 2017 at 10.15 am

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Present:- Councillors M. Ballantyne (Chair), I. Gillespie, A. J. Nicol and S. Scott.  
Apologies:- Councillors B. White, J. Campbell. Mr M. Middlemiss  
In Attendance:- Chief Financial Officer, Chief Officer Audit and Risk, Democratic Services Officer (P Bolson); Mr A Haseeb – Audit Scotland and Mr G Samson – Audit Scotland.

### 1. WELCOME

The Chairman welcomed those present to the meeting and introduced Mrs Gillian Woolman, Assistant Director of Audit Scotland who would represent the Council's external auditors on the Audit and Risk Committee along with her colleague, Mr Haseeb.

### 2. ORDER OF BUSINESS

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

#### DECISION NOTED.

### 3. MINUTE

3.1 There had been circulated copies of the Minute of 14 November 2016.

#### DECISION APPROVED for signature by the Chairman.

3.2 It was noted that all relevant reports had been presented to Council as detailed in the Minute of 14 November 2016.

#### DECISION NOTED.

### 4. RISK MANAGEMENT IN SERVICES

4.1 Mr Stephen Renwick, Projects Manager, was in attendance to give a presentation on the strategic risks facing Assets and Infrastructure, the internal controls and governance in place to manage and mitigate those risks and the way in which risk management was embedded within the service. Mr Renwick explained that Assets and Infrastructure was formed in 2006 and had brought together seven services from across the Council, namely Catering; Cleaning; Capital Projects; Design Services which included Engineering and Architecture; Estates; Fleet; and Property. Each service had developed a Service Risk Register through the Business Planning Process and these were owned by the relevant Service Managers. Reviews were carried out by the Service Director and their Management Team and where appropriate and necessary, risks would be escalated to the Corporate Management Team. Mr Renwick explained that there had been a number of key overarching issues that had affected the way in which services had operated and provided examples to demonstrate this. These included: financial pressures along with the need for increased efficiency; time, cost, quality and inflation; statutory compliance; increasing demands and expectations; Government policies and legislation; change

management; and a historical lack of investment in property. There were a number of internal facing key risks facing Assets and Infrastructure which included Health and Safety non-compliance; legislative failure, data breaches; and breaches of the Code of Conduct. The main outward facing risks comprised third party failures; contract management of projects; and failure to inspect and maintain roads/bridges/buildings and Mr Renwick provided some examples for Members' information. There were corporate processes in place to manage these risks and they included effective project, programme and change management; change control and financial monitoring; business planning; provision of effective and appropriate training; regular risk monitoring; self-evaluation, review, inspections, scrutiny and KPI development and monitoring.

- 4.2 Members asked Mr Renwick questions relating to aspects of the presentation. With regard to the safety of buildings, Mr Renwick explained how those owned by SBC would be considered as part of the Risk Register whereas those under third party ownership would be dealt with by enforcement, if appropriate. Discussion followed in relation to the current property market and the strategic risks relating to the service. Members were in agreement that it would be useful to receive more detailed information relating to financial and staffing resources to assist them in understanding the strategic risks facing services. Members noted that Internal Audit was currently undertaking work with Mr Renwick's team and progress would be reported to the Audit and Risk Committee at its March meeting. Discussion also took place regarding the utilisation of external Project Managers and Mr Renwick confirmed that they would be employed under Scottish Borders Council Conditions and that he would have oversight of any associated risks. With regard to the new Community Right to Buy section of the Community Empowerment Act, Mr Robertson advised Members that a national working group was in the process of developing guidance for public bodies affected by this legislation. The Chairman thanked Mr Renwick for his presentation.

#### **DECISION**

**NOTED the presentation.**

#### **5. BENEFITS PERFORMANCE AUDIT UPDATE 2015/16**

There had been circulated copies of a report published in June 2016 by the Accounts Commission which provided a summary of the performance audit work carried out by Audit Scotland on Scottish Councils' housing benefit services during 2015/16. The Service Director Neighbourhood Services explained that Scottish Borders Council had not featured specifically in the report as no Audit had been carried out in 2015/16. Ms Craig summarised the report and explained how Housing Benefit subsidy claims were calculated and the reasons for the rise in monetary value of Housing Benefit overpayments. Ms Craig also advised a number of SBC practices were included in the Accounts Commission Good Practice Guide.

#### **DECISION**

**NOTED.**

#### **6. HOUSING BENEFITS OVERPAYMENT AND DEBT RECOVERY**

- 6.1 The Service Director Neighbourhood Services was present to provide Members with an update in terms of Housing Benefit overpayment and debt recovery within the Scottish Borders. Ms Craig explained that Housing Benefit was administered by SBC on behalf of the Department for Work and Pensions (DWP). SBC paid in the region of £29m per year specifically for Housing Benefit across approximately 8,000 cases. Overpayments could result from claimant error, mainly where the claimant had not informed the Council of a change in circumstances; Local Authority error, where the Council had not acted correctly; or fraud, where there was a deliberate intention to make a false claim. Ms Craig explained that penalised levels of subsidy could be claimed from the DWP but that it was a complicated system which could result in no repayment being made if the level of Local Authority error was out with the parameters set by the DWP. Ms Craig went on to summarise SBC's current performance and noted that recoverable overpayments which

had accumulated over the past 20 years were currently around £2.3m, an increase of £0.8m since April 2015. Members noted that the SBC error performance was within target and a subsidy of 100% had therefore been received from the DWP. Initiatives and key national projects such as Real Time Information (RTI) and the Fraud and Error Reduction Incentive Scheme (FERIS) had been successful in identifying errors which would result in a reduction in overpayments. A range of actions was being taken to deal with the overpayment of Housing Benefit. Work was ongoing to maximise recovery of overpayments from ongoing Housing Benefit; implementation of a new system to allow deductions from other benefits such as Universal Credit; processes for invoicing were being reviewed; a new contract with Sheriff Officers which included Housing Benefit overpayments; and a full data cleanse operation to improve the accuracy of data held in the system. Ms Craig recognised that there were challenges ahead, such as the implementation of Welfare Reforms, and in particular the roll out of the full Universal Credit in March 2018; balancing the work required with the limited resources available; and the collection and use of up-to-date and accurate data.

- 6.2 Discussion followed and Ms Craig clarified a number of points. She confirmed that there were some issues still to be addressed. At the moment the system for calculating Council Tax reduction used the same data as for Housing Benefit however, when Housing Benefit became the remit of the DWP, there was a possibility that this data might not be accessible to SBC. Much work was being carried out nationally to address and manage this and other issues. Members were advised of the controls in respect of debt recovery and write-off and Audit Scotland also acknowledged the challenges which might arise with the implementation of Universal Credit. Following discussion, Members requested that a seminar on the impact of Universal Credit on Scottish Borders Council be arranged for an appropriate date in the future. The Chairman thanked Ms Craig.

#### **DECISION**

#### **NOTED.**

#### **ADJOURNMENT**

The meeting was adjourned at 11.45am and reconvened at 11.55am.

#### **7. INTERNAL AUDIT WORK 2016/17 TO DECEMBER 2016**

- 7.1 With reference to paragraph 9 of the Minute of 26 September 2016, there had been circulated copies of a report by the Chief Officer Audit and Risk which provided details of the recent work carried out by Internal Audit, the recommended audit actions agreed by management to improve internal controls and governance arrangements and internal audit work currently in progress. The work carried out by Internal Audit during the period 1 September to 23 December 2016 was detailed in the report and it was noted that during the current period, a total of ten final internal audit reports had been issued, namely: Procure to Pay; Salaries; Hawick High School; Galashiels Academy; Jedburgh Grammar School; Primary Schools at Kingsland, Reston and Parkside; Primary Schools Support (consultancy); and the EU Funded Programmes 2014 to 2020 LEADER and EMFF. Three recommendations had been made and were accepted by management. An executive summary of the final internal audit reports issued, including audit objectives, findings, good practice, recommendations and the Chief Officer Audit and Risk's independent and objective opinion on the adequacy of the control environment and governance arrangements within each audit area, was included in the Appendix to the report. Areas of work in progress included Capital Investment; Adult Social Care Services; Corporate Transformation; and Workforce Planning. The Chief Officer Audit and Risk summarised other assurance and consultancy work that Internal Audit had been involved in during the reporting period.
- 7.2 Ms Stacey explained that the work carried out at schools focussed on financial controls and cash handling, with some primary schools being included for the first time. It was noted that Business Administrators were generally linked to secondary schools and that in order to provide a support mechanism for primary schools, the Internal Audit report

recommended using the cluster approach already in place across the area to enable primary schools to access this business support.

- 7.3 Internal Audit had carried out a review of EU Funded Programmes 2014-2020 LEADER and EMFF to assess compliance with the requirements of the new Service Level Agreement (SLA) and relevant EC regulations for the LEADER Programme. Mr Hugh Williams, Principal Officer Rural Development was present to explain the processes and complexities of the LEADER Programme. LEADER was delivered nationally through the Scottish Rural Development Programme by the Scottish Government Directorate of Agriculture, Food and Rural Communities acting as the Managing Authority and Paying Agency on behalf of the EU. It was then delivered locally by Local Action Groups acting as decision making bodies. The Scottish Borders SLA between SBC (as the Accountable Body) and the Scottish Government delegated certain functions within the LEADER Programme to SBC. Mr Williams explained that guidance had eventually been issued by the Scottish Government and work was now ongoing as to how this guidance would be implemented. Discussion followed in respect of review of potential risks which could be faced by SBC in terms of changes in responsibility. The Chairman thanked Mr Williams for his attendance.

#### **DECISION**

**(a) NOTED:-**

- (i) the final reports issued in the period from 1 September to 23 December 2016 to deliver the approved Internal Audit Annual Plan 2016/17; and**
- (ii) other Internal Audit assurance and consultancy work undertaken in the period.**

**(b) ACKNOWLEDGED the assurance provided on internal controls and governance arrangements in place for the areas covered by Internal Audit work.**

**8. LOCAL GOVERNMENT IN SCOTLAND - FINANCIAL OVERVIEW 2015/16**

There had been circulated copies of a report by the Accounts Commission which provided a financial overview of local government in Scotland during 2015/16. Ms Woolman explained the new approach being taken to overview reporting and advised that the current document was the first of the new overview outputs. The report included key messages for Local Authorities, noting that generally, the financial health of local government had been good during 2015/16 with a slight increase in reserves and a reduction in overall debt. The report highlighted the financial challenges ahead for Councils facing increased pressures from a long term decline in funding, increased demand for services and increasing costs. It was essential that Councils found different ways of working to be able to deal with these challenges and funding gaps. The report also highlighted the importance of long term financial strategy to ensure that Council spending was aligned with priorities and supported by financial plans and budget forecasts. A number of exhibits were included in the report, providing comparisons across all 32 Scottish Councils. Further detail was available on the Accounts Commission website. A discussion followed and officers answered questions raised by Members regarding the use of reserves and in respect of the Pensions Strategy and how employees could now access pensions. Members were advised that the new Council would be offered training to enable them to gain an understanding and to carry out their varied roles and responsibilities.

#### **DECISION**

**NOTED the report.**

**9. TREASURY MANAGEMENT STRATEGY 2017/18**



- 9.1 There had been circulated copies of a report by the Chief Financial Officer presenting the proposed Treasury Management Strategy 2017/18 for consideration by the Audit and Risk Committee prior to Council approval. The report explained that the Treasury Management Strategy was the framework which ensured that the Council operated within prudent, affordable limits in compliance with the CIPFA (Chartered Institute of Public Finance and Accountancy) Code. The Strategy, which would be submitted to Council on 9 February 2017, was included as an Appendix to the report. It reflected the impact of the Administration's draft Financial Plans for 2017/18 onwards on the prudential and treasury indicators for the Council.
- 9.2 The report contained a summary of the proposed Prudential and Treasury indicators within the Strategy in Annex A to the Appendix and it was noted that Audit Scotland had recognised the good practice demonstrated by Scottish Borders Council. A query was raised in respect of the figures for 2017/18 in the table at paragraph 3.1(a) of the Strategy, and it was agreed that the detail would be examined and any adjustments would be made prior to presentation to Council. The table at paragraph 4.1(a) of the report summarised the Council's treasury portfolio position at 31 March 2016 along with forward projections, and detailed the actual external debt against the underlying capital borrowing need whilst highlighting any over and under borrowing. The Strategy explained that the operational boundary ie the limit which external borrowing was not expected to exceed, would normally be similar to the Capital Financing Requirement ((CFR) but this could vary depending on the levels of actual debt. The Council was currently maintaining an under-borrowed position with the CFR not being fully funded by external loan debt. Cash supporting the Council's reserves, balances and cash flow had also been used as a temporary measure and this was considered prudent whilst investment returns were low and counterparty risk was still regarded as an issue. With reference to investment objectives and policy, it was noted that the security of re-payment of principal and interest of investments was considered to be of primary importance. Discussion followed and with regard to the new Kelso High School, Mr Robertson confirmed that although the project would be fully revenue funded by the Scottish Government, the school would remain an asset of SBC, would continue to appear on the balance sheet and be subject to Performance Indicators set by the Council

#### **DECISION**

**NOTED the report and draft Treasury Management Strategy 2017/18 for presentation to Council.**

#### **10. NEXT MEETING**

The next meeting of the Audit and Risk Committee was scheduled to take place on 28 March 2017. It was noted that this meeting would commence at 9.00am and conclude no later than 12.45pm to allow Members to attend a further meeting.

#### **DECISION**

**NOTED.**

***The meeting concluded at 1.40 pm***

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**SCOTTISH BORDERS COUNCIL**  
**CHEVIOT AREA FORUM**

MINUTE of the MEETING of the  
CHEVIOT AREA FORUM held  
in The Assembly Room,  
Jedburgh Grammar School,  
Jedburgh on Wednesday, 1  
February 2017 at 6.30 p.m.

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Present:- Councillor J. Brown, S. Mountford, A. Nicol, S. Scott, R. Stewart  
(Chairman), D. Herriot, J. Taylor, E. McNulty, D. Ogilvie, Matt Acton  
(Scottish Fire and Rescue Service), Inspector Carol Wood (Police  
Scotland – J Division).

Apologies:- Councillor Weatherston, Community Councillors J. Bassett, C. Cook,  
A. Drummond, D. Stark, S. Stewart, L. Johnston, Inspector Scott  
(Police Scotland – J Division)

In Attendance:- Area Neighbourhood Manager (Mr A. Finnie), Democratic Services  
Officer (Mrs F Henderson), Principal Officer Plans and Research (Mr  
Charles Johnston).

Members of the Public:- 0

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**CHAIRMAN**

1. In the absence of Councillor Weatherston, the meeting was chaired by Councillor Stewart.

**DECISION  
NOTED.**

2. **WELCOME**  
The Chairman welcomed everyone to the meeting.

**DECISION  
NOTED**

3. **MINUTE**  
There had been circulated copies of the Minute of the Meeting of the Cheviot Area Forum of 7 December 2016.

**DECISION  
AGREED to approve the Minute for signature by the Chairman.**

4. **BUSINESS GATEWAY PRESENTATION**  
Sandra Campbell, Business Gateway, Growth Adviser was in attendance to give a presentation on Business Gateway. In her introduction, Mrs Campbell explained that she was one of Four Advisers, all of whom had Business backgrounds and who covered the Scottish Borders area, her area covering Kelso and Jedburgh. They were part of a Team of nine based at Ettrick Riverside Business Centre. The Business Gateway worked with Economic Development Department of SBC and were part of a National Business Gateway network, working closely with Scottish Enterprise and Partners and Stakeholders i.e. Exporter's Assoc., Chamber of Commerce. Ms Campbell explained

that the core business was giving support and advice for businesses starting up, Growth advice and support, Workshops and access to public Sector Finance Sources. Across the team there were specialisms in Textiles, Manufacturing Food & Drink, Renewables, Tourism, Access to Finance, ICT and Social Enterprise and additional support linkages with Scottish Borders Council, Scottish Enterprise, Princes Trust Enterprise (formerly PSYBT), Skills development Scotland, Scottish Development International, Intellectual Assets Centre and Scottish Manufacturing Advisory Service. In terms of Financial assistance available to Businesses - Scottish Borders Business Fund (up to £4k Grant 50% of total project); Scottish Borders Loan Fund (up to £20k, 3 years, interest free, 5% fee to maximum of £500); Start-up Loan Scheme (up to £25k per person); Expert Help (Consultancy costs); By Design & Make it to Market Grants (£2-£5k); Scot Edge (combination of grant and loan up to £100k); Business Loans Scotland (up to £100k *coming soon!*); RSA depending on geography – grant funding for capital expenditure and jobs and Scottish Investment Bank (£10k to £10m).

## **DECISION**

**NOTED the presentation.**

### **5. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY**

- 5.1 The Chairman welcomed to the meeting Mr Charles Johnston, Principal Officer Plans and Research, to give a presentation on the Supplementary Guidance on Renewable Energy. Mr Johnston gave the background to the preparation of the Supplementary Guidance. One of the recommendations of the Local Development Plan, adopted on 12 May 2016, was to prepare, within one year, a Supplementary Guidance on Renewable Energy. Mr Johnston confirmed that a draft had been approved by Scottish Borders Council on 22 December 2016 and that there followed a 12 week public consultation period which would end on 17 April 2017. He explained how responses to the Supplementary Guidance could be made. In line with national support for the promotion of sustainable development and renewable energy the Council would continue to be supportive of renewable energy within appropriate locations. Shown within the presentation were maps of the Scottish Borders indicating all wind development applications of over 5 MW and under 5 MW, colour coded to show the status of each and the height to blade tip. Looking at the policy context of the guidance, Scottish Planning Policy reaffirmed support for renewable energy and the need to attain national energy targets. This was to achieve 100% of electricity from renewable energy by 2020. However a balance must be sought; emphasising the right development in the right place and not to allow development at any cost. The planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. There was general support of renewable energy within the Local Development Plan. However if there were judged to be unacceptable significant adverse impacts, or effects which could not be satisfactorily mitigated, consent would only be granted if it was considered that the wider economic, environmental and other benefits outweighed any potential damage. The Guidance confirmed that the Council was also positive in its support of other renewable energy types; those referenced included micro renewables, field scale solar photovoltaics, biomass, energy from waste, anaerobic digestion, hydropower and ground source heat pumps.
- 5.2 Mr Johnston referred to the Wind Energy Spatial Framework within the draft Guidance and maps of the Scottish Borders were shown indicating: national scenic areas where wind farms would not be acceptable; areas of significant protection where wind farms may be appropriate in some circumstances; and areas with potential for wind farm development. Scottish Planning Policy also made reference to the need to consider Landscape Capacity and Cumulative Impact studies. As a strategic study and starting point, an updated Landscape Capacity and Cumulative Impact Study had been produced by consultants. Extracts from the study were shown in the presentation, including maps showing landscape capacity in areas of the Borders for turbines of

different height ranges. A summary map of opportunities and constraints was also shown. Mr Johnston concluded the presentation by listing the development management considerations within the Supplementary Guidance, including those not previously mentioned such as impacts on communities, built heritage and archaeology, tourism and recreation, natural heritage, opportunities for energy storage and contribution towards renewable energy targets. He advised that, following the consultation period an update of findings and conclusions would be referred back to elected Members in summer 2017. The Supplementary Guidance would ultimately be referred to Scottish Ministers to become part of the Development Plan. The Chairman thanked Mr Johnston and encouraged members of the Area Forum to look at the guidance and to respond as part of the consultation.

## **DECISION**

**NOTED the presentation.**

### **6 PREPARATION OF THE NEW LOCAL PLAN**

6.1 Mr Johnston's second presentation related to the preparation of a new Local Development Plan (LDP). He confirmed that, as part of a 5 year cycle, work on a new Plan was just commencing. He summarised the timeline for the production of the Plan and highlighted that the first stage, the Main Issues Report (MIR), would be prepared by December 2017. The MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR, which would be sent out for public consultation, identified preferred sites for houses as well as alternatives. It also proposed where planning policies could be updated, removed or merged. The MIR sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. Community engagement would be carried out through a series of exhibitions and workshops with community groups throughout the summer of 2017. Mr Johnston was thanked for his attendance.

## **DECISION**

**NOTED.**

### **7 POLICE FORCE OF SCOTLAND – UPDATE FOR 'J' DIVISION**

7.1 Inspector Wood was present at the meeting to update the Cheviot Area Forum on performance, activities and issues across the Ward for the period 1 December 2016 to 31 January 2017. The Ward Plan Priorities for Jedburgh and District were highlighted as Drug Dealing and Misuse, Road Safety, Anti-social Behaviour and Rural Crime. During the reported period, Inspector Wood advised that one person had been charged with possessing a controlled substance in Jedburgh. In terms of Road Safety – an Officer had attempted to stop a vehicle leaving Grieve Avenue, Jedburgh in order to speak to the driver. However the driver had refused to stop and made off. The vehicle was stopped a short time later as it entered Kelso and the driver, a 31 year old male, was arrested and charged with dangerous driving, failing to stop for officers and a number of other document offences. He was detained in custody to appear the following day. A number of road checks had been carried out, which had resulted in two drivers being issued with conditional offers for speeding (both near to Jedburgh on the A68). A number of drivers had been charged with various traffic offences following incidents or accidents over the last three months. Five were charged with careless driving. One of these incidents involved a vehicle striking a motorbike and the motorcyclist sustaining a number of broken bones from which he should make a full recovery. Six people were detected and charged for driving without insurance and other driving related documentation offences. In terms of anti-social behaviour a number of individuals had been charged with causing a breach of the peace, which appeared to be an isolated incident. Just after midnight on 19 December 2016, police received a call from a resident in Hartridge Road, Jedburgh after he spotted males acting suspiciously in the

street before leaving the area in a vehicle. Details of the vehicle were circulated and it was eventually stopped near Earlston, where three males were detained from the van. Enquiries revealed that the males had entered a number of vans in Jedburgh, Ancrum, St Boswells and Newtown and had stolen a number of items, all of which were recovered. These males, who were travelling criminals outwith the Borders, were kept in custody for court appearance.

- 7.2 It was reported that there had been no housebreakings in the reporting period in the Kelso area, however there was one slip in theft from a house in December and it was highlighted that members of the public remained vigilant, keeping doors locked routinely to prevent opportunist thefts. In terms of Road Safety there was one drink driving offence reported in the Kelso area during the reporting period and many road checks carried out during the festive campaign with other offences detected in the area. There were three drugs offences in the Kelso area in reporting period. A number of young people had been identified and spoken to with regards to antisocial behaviour issues in High Croft, Kelso, which had reduced the issues and a preventative approach had been introduced in a bid to stop this recurring. All calls to the police in relation to antisocial behaviour would be thoroughly investigated and where possible police would look to prevent issues from escalating, working in partnership with the ASBU and Registered Social Landlords.
- 7.3 There had been a serious assault near Nenthorn, during an after party following a school dance. This was a concerning incident and one young person was reported to the Procurator Fiscal.
- 7.4 During the festive season, Local officers had run a very successful festive initiative in the Scottish Borders with a great deal of effort made to target driving offences in the area. A number of road checks across the area were implemented and these detected a range of offences including a number of drink or drug driving offences across the Scottish Borders. There appeared to be many drivers who were still willing to take the risk of driving after having consumed alcohol and the campaign allowed us to catch many of those who had offended. Police Scotland had a great deal of information on their website in relation to winter driving and drivers were encouraged to take heed of this information when driving in winter conditions, in particular on rural roads. There was a reminder that the deadline for the new laws on air weapon applications being processed had passed. However if you were an existing firearm or shotgun certificate holder after that date, you would still be able to use and possess air weapons, until your firearm or shotgun certificate expired.

## **DECISION**

**NOTED the report.**

## **8. FIRE AND RESCUE SERVICE UPDATE**

- 8.1 Mr Matt Acton, Station Manager explained that the purpose of the report circulated was to inform the Cheviot Area Forum on Scottish Fire and Rescue Service activity since the last meeting on 7 December 2016. The report detailed that during the period of the report there had been 2 House Fires (1 x chimney, 1 x dwelling), 2 non-domestic Fires (1 x barn , 1x industrial) – Open 2, occurrence of Special Services 5 and 10 unwanted Fire Alarm Signals. In relation to partnership working, The Scottish Fire and Rescue Service (SFRS), Community Action Team (CAT) within the Scottish Borders core work centred on the on-going delivery of the SFRS Home Fire Safety Visit (HFSV) policy. The team continued to expand its partnership working with the Key agencies including Police Scotland, Health, Social Care and Housing in order to focus on members of local communities at High Risk from fire and achieve outcomes in helping to reduce overall numbers of accidental dwelling fires.

- 8.2 Fire prevention and protection activity over recent years had been key to reducing the number of fires, casualties and losses in Scotland thus minimising the economic and social impact of fire on communities. The seasonal community safety calendar provided the catalyst for a number of initiatives and schemes throughout the calendar year.
- 8.3 Activity which was ongoing within the Cheviot Ward area included Scottish Fire and Rescue Service staffs in all local stations providing Home Fire Safety Visits all year round. These free visits provided the householder with a home visit, focussing on identifying and reducing the risks of fire in the home. Smoke detectors with a 10-year battery life were provided as part of this free service; The living safely in the home (LSITH) initiative continued in the Cheviot locality, with a number of referrals made by the SFRS to community partners and an evaluation of the trial was underway. Firesharp was an initiative for Primary 6 pupils, providing face-to-face education within local Primary schools on matters of fire risk and prevention; the SFRS Safeguarding Policy and Procedure for Protection of Children and Adults at Risk of Harm was implemented to link into adult and child protection. The introduction of the policy had created closer ties with Social Services within Scottish Borders and ensured those people and families that fire crews identified as at risk were brought to the attention of Social Services and had resulted in joint visits to homes to reduce risk to those occupiers. A strong partnership was being developed with the local Domestic Abuse Advocacy Service and involvement in MARAC (Multi Agency Risk Assessment Conference). The Local Authority Liaison Officer (LALO) and Scottish Borders Station Manager for Prevention and Protection were fully involved in all local MARAC processes, attending the monthly conferences and all steering group meetings.
- 8.4 Road Safety Community Action Team (CAT) had delivered road safety awareness to secondary schools throughout the Scottish Borders with the support of the local whole time personnel from Galashiels and Hawick. Fire Safety Audits provided a targeted examination of business premises and their relevant documents to ascertain how the premises were being managed regarding fire safety. The enforcement officer also engaged with members of staff to confirm their level of fire safety awareness; Unwanted Fire Signals were being addressed by phased intervention actions which identified premises which were producing 'false alarms'. Guidance was provided on how to reduce a reoccurrence. Crews would move onto the Spring Thematic Action Plan which focussed on the Grass and Wildland Fires and deliberate fires. Work continued with all partners in the Scottish Borders Council Safer Communities Team, as well as local partnerships, to promote preventative work. The LALO was in post within Scottish Borders Council HQ in order to improve partnership working, with a particular focus on the elderly and more vulnerable members of society. The primary aims of the partnership activity were to help ensure the safety and welfare of vulnerable persons throughout the community, and to seek to reduce the overall numbers of accidental dwelling fires, fire casualties and fire fatalities in homes.

#### **DECISION**

**NOTED the report.**

#### **9 ENGAGEMENT WITH NHS BORDERS**

- 9.1 As there was no representative present from NHS Borders, there was no update given.

#### **DECISION**

**NOTED.**

#### **10 NEIGHBOURHOOD SMALL SCHEMES UPDATE**

- 10.1 With reference to paragraph 10 of the Minute of 7 December 2016, there were circulated at the meeting copies of Appendices A and B which detailed the current position in terms

of the Neighbourhood Small Schemes and Quality of Life Schemes previously approved. The Area Neighbourhood Manager advised that the allocated budget (£56,628) for small schemes was available through Neighbourhood Services for the Cheviot Area in 2016/17. There remained £8,860 for future schemes, although any budget remaining at the close of the financial year would be lost as there was no carry forward provision. In addition, a budget of £31,072 was available for Quality of Life Schemes in the Cheviot Area in 2016/17. It had previously been agreed that this budget would be split equally between Kelso and District and Jedburgh and District Wards. There was a remaining budget of £6,768 in Kelso and District Ward and £6,397 in Jedburgh and District Ward for future schemes.

#### **DECISION**

##### **(a) NOTED:-**

**the following new Neighbourhood Small Schemes agreed by e-mail:-**

- (i) Small section of overlay on C58 Lempitlaw – Lurdenlaw £3,143**
- (ii) Relocation of existing bus shelter at Bongate Jedburgh £1,750**
- (iii) Installation of handrails to steps at Castlewood Cemetery £ 435**

##### **(b) NOTED:-**

**the following new Quality of Life Schemes previously approved by e-mail:-**

- (i) Provision of artificial flowers for window boxes at Town Hall, Kelso £ 984**
- (ii) Resurface footpath at Crown Lane, Jedburgh £2,476**
- (iii) Financial contribution to Apple Press Project requested by Lanton Community £ 657**
- (iv) Defibrillator for Jedburgh Swimming Pool £1,400**

#### **11. OPEN QUESTIONS**

There were no issues raised.

#### **DECISION**

**NOTED.**

#### **12 COMMUNITY COUNCIL SPOTLIGHT**

**12.1 Skiprunning Burn, Jedburgh (Flood Protection Scheme)** –the Area Neighbourhood Manager advised that there was nothing to report.

#### **DECISION**

**NOTED.**

#### **13 FUTURE AGENDA ITEMS**

**13.1** The Chairman asked all present for future agendas items.

#### **DECISION**

**NOTED.**



14

**DATE OF NEXT MEETING**

The Chairman confirmed that the next meeting of the Cheviot Area Forum was scheduled for Wednesday, 29 March 2017 in Kelso.

**DECISION**

**NOTED the date of the next meeting of the Cheviot Area Forum and that the venue was to be confirmed.**

*The meeting concluded at 8.15 p.m.*

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**SCOTTISH BORDERS COUNCIL**  
**PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTE of MEETING of the PLANNING AND  
BUILDING STANDARDS COMMITTEE held  
in the Council Headquarters, Newtown St.  
Boswells on 6 February 2017 at 10.00 a.m.  
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Present: - Councillors R. Smith (Chairman), M. Ballantyne, J. Campbell, I. Gillespie, D. Moffat, S. Mountford, B. White.  
Apologies:- Councillors J. Brown, J. Fullarton.  
In Attendance:- Chief Planning Officer, Lead Planning Officer, Principal Roads Planning Officer, Solicitors (Ron Kirk and Graham Nelson), Democratic Services Team Leader, Democratic Services Officer (F Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 9 January 2017.

**DECISION**

**APPROVED for signature by the Chairman.**

2. **APPLICATIONS**

There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee.

**DECISION**

**DEALT with the application as detailed in the Appendix to this Minute.**

3. **APPEALS AND REVIEWS**

There had been circulated copies of a report by the Service Director Regulatory Services on Appeals to the Scottish Ministers and Local Reviews.

**DECISION**

**NOTED that:-**

- (a) **there remained one appeal outstanding in respect of Land North West of Whitmuir Hall, Selkirk.**
- (b) **a review request had been received in respect of the Erection of a dwellinghouse on Land East of Keleden, Ednam - 16/01425/PPP.**
- (c) **the Local Review Body had overturned the Appointed Officers decision to refuse the following:-**
  - (i) **the erection of 2 No dwellings for holiday let, and associated infrastructure works on land North West of 4 Rink Farm Cottages, Galashiels - 16/00844/FUL;**
  - (ii) **variation of Condition 3 of planning permission 06/00243/OUT and Condition 5 of planning permission 13/00897/PPP pertaining to access road Plots 1 & 2, site at the Putting Green, Auchencrow, Eyemouth.**
- (d) **there remained one Section 36 PLI outstanding in respect of Whitelaw Brae Wind Farm), land South East of Glenbreck House, Tweedsmuir.**

4. **PRIVATE BUSINESS  
DECISION**

**AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act.

**SUMMARY OF PRIVATE BUSINESS**

1. **DEFECTIVE ROOF COVERING, RAINWATER GOODS AND DRY ROT AT 2 HIGH  
STREET AND 12 MARKET PLACE, JEDBURGH**

The Committee considered a report by the Chief Planning Officer and agreed that a further report be presented to Committee as soon as possible.

*The meeting concluded at 12.40 p.m.*

## APPENDIX I

### APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/01061/FUL	Erection of four dwellinghouses, access landscaping and associated infrastructure works	Land South and West of Wellnage House, Duns

Decision: Approved subject to a legal agreement addressing contribution towards Education and Affordable Housing and the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority as specified in the drawing list on this consent notice.  
Reason: To ensure that the development is carried out in accordance with the approved details.
2. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials, including colour finish to be used in the construction of the external walls of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.  
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
3. No development shall commence until a Construction Method Statement (CMS) has been submitted to and agreed in writing with the Planning Authority to outline specific details of all on site tree protection measures. The CMS shall include but not be limited to the following points;
  - (a) The location of protective fencing which shall be erected around the Root Protection Areas (RPAs) of all trees which are identified for retention on Drawing No; P348-SR-001 in accordance with BS5837:2012 and remain erected for the duration of the development.
  - (b) Details to agree how access roads will be constructed which fall within RPAs.
  - (c) Details to minimise the impact of construction works and practices upon the RPAs of all retained trees.Reason: To ensure adequate precaution are taken to protect the retained trees during building operations as their loss would have an adverse effect on the visual amenity of the area.
4. No trees within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.  
Reason: The existing trees represent an important visual feature which the Planning Authority considered should be substantially maintained.
5. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. existing and finished ground levels in relation to a fixed datum, preferably ordnance
  - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - iii. location and design, including materials, of walls, fences and gates
  - iv. soft and hard landscaping works
  - v. existing and proposed services such as cables, pipelines, sub-stations
  - vi. other artefacts and structures such as street furniture, play equipment
  - vii. A programme for completion and subsequent maintenance.Reason: To ensure the satisfactory form, layout and assimilation of the development.

6. No development shall commence until Engineering Drawings of the new road junction incorporating pedestrian crossing points on both the new footway and the existing footway opposite have been submitted to and agreed in writing with the Planning Authority and thereafter be completed before occupation of the first dwellinghouse. The submitted drawings shall comply with the access specifications required by the Roads Planning Officer within their consultation response of the 15th Dec 2016 and listed within Informative Note 2. All work carried out within the public road boundary must be completed by an approved Council Contractor.  
Reason: To achieve safe vehicular and pedestrian access to the site.
7. A vehicle turning area and two parking spaces, not including any garage space shall be provided within each plot prior to the occupation of each dwellinghouse hereby approved and shall be retained in perpetuity.  
Reason: To provide and maintain adequate off road parking.
8. No development shall commence until the applicant has provided the Planning Authority with written confirmation from Scottish Water that Scottish Water do not have any objection to the location and siting of the development illustrated on Drawing No; P348-SR-001.  
Reason: To avoid the development causing any adverse impacts upon local infrastructure.
9. No development shall commence until the means of surface water drainage which should make provision to route water away from dwellinghouses and avoid water flowing on to the public road has been submitted to and approved in writing by the Planning Authority and thereafter the development shall be completed in accordance with the approved details.  
Reason: To ensure that the site is adequately serviced and avoid causing surface water problems at any neighbouring properties.
10. No development should commence until the applicant has provided evidence that the site will be serviced by a wholesome supply of drinking water of adequate volume. The supply should not have a detrimental effect on other private water supplies in the area.  
Reason: To ensure that the site is adequately serviced without a detrimental effect on the water supplies of surrounding properties.
11. The area of ground to the north of the application site, immediately in front of Wellnage House and formerly identified as plots 1 & 2, shall be retained as maintained open space and kept free from development. A scheme for the on-going maintenance of the land shall be submitted to and approved by the Planning Authority prior to the commencement of the development and implemented thereafter in accordance with the agreed scheme.  
Reason: In the interests of the visual amenity of the area and to protect the setting of the category B listed building Wellnage house.

#### Informatives

1. With reference to Condition 2, the render colour should be darker than off white which is indicated on the drawings and staining the timber a colour possibly grey will assist with integrating the development into its surroundings.
2. With reference to Condition 6, the following requirements of the RPO should be incorporated within the detailed access design and illustrated on the submitted drawing;
  - The first 6m of the proposed access onto Station Road to be surfaced to my specification i.e. 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.
  - The first 6m of the proposed access onto Station Road to have a gradient no steeper than 1 in 15.

- The visibility splays on the submitted plan to be provided prior to occupation of the first dwelling and retained thereafter in perpetuity.
  - No part of the proposed private access to exceed 1 in 8 in gradient (1 in 15 for parking and turning areas).
3. The Control of Pollution Act 1974 allows the Council to set times during which work may be carried out and the methods used. To limit the impact of the development upon the amenity of neighbouring residential properties it is recommended that any works which generate above average noise are carried out during the following hours;
- Monday – Friday      0700 – 1900  
 Saturday              0700 – 1300  
 Sunday (Public Holidays) – no permitted work (except by prior notification to Scottish Borders Council.

Contractors will be expected to adhere to the noise control measures contained in British Standard 5228:2009 Code of practice for noise and vibration control on construction and open sites.

For more information or to make a request to carry out works outside the above hours please contact an Environmental Health Officer.

**VOTE**

*Councillor Ballantyne, seconded by Councillor Mountford moved that the application be approved.*

*Councillor Moffat, seconded by Councillor Campbell, moved as an amendment that the application be refused as it was contrary to policies EP7, EP13, G4, BE1, BE3 and BE6.*

*On a show of hands Members voted as follows:-*

*Motion                -            5 votes*  
*Amendment        -            2 votes*

*The motion was accordingly carried.*

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
16/01239/FUL	Erection of Dwellinghouse	Garden ground of The Stables, Bonnington Road, Peebles

Decision: Continued to the next available meeting of the Planning and Building Standards Committee to enable a site visit to be held.

**VOTE**

*Councillor Mountford, seconded by Councillor Gillespie moved that a site visit be arranged prior to a decision being taken on the application. This was unanimously agreed by all Members of the Committee present.*

*The motion was accordingly carried.*

**NOTE**

Councillor Bell, Tweeddale East, although not as an objector, raised concerns regarding the process.  
 Mr Marcus Russell and Mr Alan McCrone neighbours to the proposed site spoke against the application  
 Mr Russell Brock, applicant spoke in support of the application.

**Reference**

16/01442/MOD75

**Nature of Development**

Modification of planning obligation  
pursuant to planning permission  
16/01442/MOD75

**Location**

Glentress Lodge,  
Eshiels  
Peebles

Decision: APPROVED modification to the Section 75 Agreement and that the relevant Clause be removed from the Agreement.



**SCOTTISH BORDERS COUNCIL  
LIMITED LIABILITY PARTNERSHIP -  
STRATEGIC GOVERNANCE GROUP**

MINUTES of Meeting of the LIMITED  
LIABILITY PARTNERSHIP - STRATEGIC  
GOVERNANCE GROUP held in the Council  
Chamber, Council Headquarters, Newtown  
St Boswells on Tuesday, 7 February 2017 at  
2.00 pm

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Present:- Councillors F. Renton (Chair), J. Brown, J. Greenwell, J. G. Mitchell and  
B White. Ms K. Hamilton (NHS Borders).

In Attendance:- Ms E. Torrance (Chief Social Work Officer), Ms J. Stacey (Chief Officer Audit  
and Risk), J Wilson (Chairman SB Cares), P Barr (Managing Director SB  
Cares), D Collins (Finance and Commercial Director SB Cares), L Crombie  
(Operations Director SB Cares), Paul Cathrow (Service Development  
Manager SB Cares), Democratic Services Officer (P Bolson).

1. **WELCOME**

The Chairman welcomed everyone to the meeting of the Limited Liability Partnership -  
Strategic Governance Group.

**DECISION  
NOTED.**

2. **MINUTE**

There had been circulated copies of the Minute of the meeting of 8 November 2016.

**DECISION  
APPROVED the Minute for signature by the Chairman.**

3. **SB CARES BUDGET MONITORING TO 31 DECEMBER 2016**

With reference to paragraph 3 of the Minute of 8 November 2016, there had been  
circulated copies of a report by the Finance and Commercial Director of SB Cares,  
informing Members of the financial position based on the actual income and expenditure  
at 31 December 2016. Ms Collins explained that delivering the target contribution of  
£747k for 2016/17 had proved challenging for SB Cares and a shortfall of £100k was now  
being predicted. A number of factors had contributed to this shortfall including  
unexpected redundancy costs and an increase in the external auditors' fees, along with  
the ongoing pressures relating to delayed discharges, increased requirement to deliver  
home care packages and being the provider of last resort. In addition, there was  
continuing pressure in terms of delivering complicated care packages within Care Homes.  
Ms Crombie advised that this situation was being monitored and a programme of  
improvements would be developed as required. The stock valuation of ability equipment  
had been agreed with KPMG along with an approach to capitalise 4 categories of  
equipment. It was estimated that stock would be capitalised at approximately £600k and  
this would be made as a one-off payment to support the identified contribution gap.

**DECISION  
NOTED:-**

- (a) **SB Cares financial forecast for 2016/17 of £650k as at 31 December 2016;**
- (b) **that additional resource would be required to ensure delivery of the  
programme of projects; and**

- (c) **that the information would be shared with Scottish Borders Council to inform the revenue monitoring position.**

#### 4. **PERFORMANCE MONITORING REPORT**

- 4.1 With reference to paragraph 4 of the Minute of 8 November 2016, there had been circulated copies of a report by the Financial and Commercial Director of SB Cares updating Members on the performance of SB Cares through its strategic Key Performance Indicators (KPIs) and the progress on the continuing development of the agreed performance monitoring for the business. Following approval of the strategic KPIs by Members in September 2016, Ms Collins advised of performance in three areas, namely: 84% of services delivered had met Care Inspectorate National Standards of "Good" or above; 99.9% of Home Care delivered within contract parameter and 100% in all other services; 92% of financial targets against budget were forecast to be met by either permanent or temporary measures. Members noted that the development of KPIs had been more challenging than initially anticipated, due mainly to a lack of data collected by services in a usable format and a lack of reporting tools for the ELMS system. Members were advised that development of a quality audit tool was progressing and that a clear development programme with more achievable goals was being set out by SB Cares management team in light of the resources currently available.
- 4.2 There were a number of requests for clarification and officers provided additional information as requested. Ms Crombie advised Members that all complaints were monitored and compliments recorded and that further work would be progressed to update procedures to improve this process. In relation to Home Care visits, the report identified that 540k visits had taken place during the first 9 months of 2016/17 and of those, 176k visits had taken place between October and end December 2016. Further detail was included in Appendix 1 to the report and this identified that 53 missed visits had been recorded during the first nine months of the year. Ms Crombie advised that all missed visits were investigated and appropriate action taken, however she explained that the way in which a visit was categorised as "missed" did not always reflect the final outcome, eg late visits (outwith a one hour time frame) which did take place, visits to clients who were not present to receive the service due to very recent hospital admission etc. Members asked for clarity and further detail on missed home care visits and it was agreed that this be included in future reports. Members were advised that the number of missed visits was decreasing month on month and Ms Crombie went on to explain the process for investigating any missed visits "alerts". Discussion followed in relation to staff absence levels which had peaked at 8.29%, mainly due to long term sickness, but were now decreasing. Members received an update on the progress of private sales of personal alarms and ability equipment, noting that this service was initially launched in November 2016 via SB Connect. A full marketing plan would be introduced in February 2017 and new sales resulting from this approach would support target sales levels for 2017/18. SB Cares Service Development Manager explained the need to establish a clear pricing schedule and advised that this would be presented to Council in due course.

#### **DECISION**

- (a) **NOTED:-**
- (i) **the performance of SBC Cares for the first nine months of 2016/17 against the agreed available strategic KPIs; and**
  - (ii) **the further progress being made to develop the monitoring of SB Cares performance.**
- (b) **AGREED that a report be presented to Members providing information relating to missed Home Care visits.**

#### 5. **CARE INSPECTORATE**

With reference to paragraph 5 of the Minute of 8 November 2016, there had been circulated copies of a report by the Operations Director of SB Cares giving the updated position on the inspection of SB Care services by the Care Inspectorate. Ms Crombie advised that since the last report to LLP SGG, four final inspection reports had been received. The grades for Hawick Community Support Service were confirmed as grade 5 rating for both Quality of Staffing and Quality of Care and Support, and grade 4 for Quality of Management and Leadership. Members noted grade 4 had been awarded for all four Quality Themes inspected at Tweeddale Day Service. The final report for Deanfield Care Home gave grade 4 for both Quality of Care and Support and Quality of Staffing, with grade 3 for Quality of Environment and Quality of Management and Leadership. Lanark Lodge Learning Disability Day Service received grade 5 for all themes. Further information on all final reports was detailed in Appendix 1 to this report. Grove House Care Home had recently been inspected and it was noted that the draft report had not yet been issued. The application to register the South Area Home Care Service was previously reported to the LLP SGG on 8 November 2016. Ms Crombie advised that no confirmation of registration had yet been received although it was anticipated that this would be received in the coming weeks. General discussion followed regarding training for staff. Members were advised that there were approximately 800 employees who required the statutory training and that, in addition to cross-agency collaboration, a range of e-training materials were available to access online. Members enquired as to whether any customer feedback was sought in respect of Care Inspectorate reports. Ms Crombie confirmed that all clients of Care Services were receiving questionnaires asking for their views on the service they received and this information would be presented to the LLP SGG in due course.

#### **DECISION**

**(a) NOTED:-**

- (i) Hawick Community Support Service improved grades for two themes from 4 to 5;**
- (ii) that Lanark Lodge received grade 5 for all four Quality Themes;**
- (ii) the percentage of services achieving grades 4 and above; and**
- (iii) the requirements as contained in the Appendix to the report.**

**(b) AGREED that a customer feedback report would be presented to the Limited Liability Partnership Strategic Governance Group in due course.**

**6. ELECTED MEMBER VISITS TO SB CARES SERVICES**

With reference to paragraph 7 of the Minute of 8 November 2016, the Chairman invited Elected Members to provide feedback on their recent visits to a number of SB Cares services across the Scottish Borders. These included Oakview Day Service, Waverley Care Home, Home Care, Ability Centre, and Bordercare based in Galashiels; Millfield Learning Disability Day Service in Jedburgh; and Katharine Elliot Centre Learning Disability and Older People's Day Service in Hawick and Hawick Community Support Service. Members were made to feel very welcome by the staff and were generally very satisfied with the facilities and activities presented at each of the establishments they visited. In particular, they were impressed with the level of involvement and contentment shown by service users at the Katharine Elliot Centre and the work being carried out involving work experience and student placements. Members acknowledged the importance of these services in tackling loneliness and the benefits of community orientated activities such as live music etc. A further programme of visits would be arranged and members of the LLP SGG were asked to notify Ms Crombie of services they wished to see.

#### **DECISION**

**NOTED.**

7. **DATE OF NEXT MEETING**

The next meeting of the LLP SGG was scheduled to take place on 7 March 2017.

**DECISION**

**NOTED.**

8. **PRIVATE BUSINESS**

**DECISION**

**AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business contained in the following items on the ground that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 8 of the part 1 of Schedule 7A to the Act.

**SUMMARY OF PRIVATE BUSINESS**

9. **MINUTE**

Members approved the Private Section of the Minute of 8 November 2016.

10. **UPDATE ON SBC CARES BUSINESS PLAN DELIVERY**

Members considered an update on the Business Plan delivery for SB Cares.

*The meeting concluded at 4.15 pm*

**SCOTTISH BORDERS COUNCIL**  
**POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD**

MINUTE of MEETING of the POLICE, FIRE &  
RESCUE AND SAFER COMMUNITIES BOARD  
held in Council Headquarters, Newtown St.  
Boswells on Friday 10 February 2017 at 9.35  
a.m.

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Present: Councillors D. Moffat (Chairman), S. Aitchison, B. Herd, A. Nicol, G. Turnbull, Mr G. Higgs, Voluntary Sector.

Apologies: Ms J. Mulloy, SBHA, Ms F. Young, CJA, Dr. D. Steele, NHS Borders.

Absent: Councillor R. Stewart, Mr H. Walth.

In Attendance: Chief Superintendent I. Marshall, Inspector J. Scott, Police Scotland, David Farries, LSO, Scottish Fire & Rescue Service, Group Manager A. Girrity, Scottish Fire & Rescue Service, Group Manager S. Gourlay, Scottish Fire & Rescue Service, Mr D. Scott, Senior Policy Adviser, SBC, Ms S. Smith, Communities & Partnership Manager, SBC, Mr G. Jones, Safer Communities and Community Justice Manager, SBC, K. Mason, Democratic Services Officer, SBC.

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1. **CHAIRMAN'S REMARKS**

The Chairman advised this would be the final meeting of the Board under the current Council and expressed thanks to the Board Members and staff for their assistance. He was honoured to have chaired the Board and he referred to the successes of the young drivers' initiative; and the domestic abuse service.

**DECISION  
NOTED.**

2. **MEMBERSHIP OF THE BOARD**

The Chairman advised that he had received a letter from Fiona Young, Chief Executive of Lothian and Borders Community Justice Authority advising that due to the disestablishment of Lothian and Borders Community Justice Authority at 31 March 2017, she wished to formally notify the Board that she would no longer be in a position to attend the Board meetings. She wished the Board every success for the future.

**DECISION  
NOTED.**

3. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 11 November 2016.

**DECISION  
APPROVED the Minute.**

4. **MATTERS ARISING**

(a) With reference to paragraph 3(b) of the Minute, Councillor Turnbull advised that he together with Councillor Moffat and Douglas Scott had attended a visit to Police Scotland's Contact, Command and Control Division, Bilston Communication Complex on Thursday 19 January 2017. Presentations on the work of the Complex were given by Chief Superintendent Roddy

Newbigging, Mrs Amada McDonald, the National Service Manager and Chief Inspector David Baird. Since the last visit by the Board to the Bilston Communication Centre in May 2015 it was clear that significant changes had been made. These included: (a) a greater emphasis on quality of response and positive outcomes through its person centred approach; (b) a greater focus in ensuring that there was a clear end to end process from someone calling 999/101, the processing of the call through the Centre and the response by local police, and (c) an increased resilience through the connecting of the Centre virtually to the other Communication Centres in Govan and Motherwell with calls being able to be taken through these Centres if Bilston was busy and vice versa. During the visit it was clear that despite a very busy morning calls were being answered quickly and effectively with 999 calls answered almost immediately and 101 calls being answered within 6 seconds although the standard for 101 calls was 40 seconds. It was also evident that many of calls were from vulnerable people with social issues that could not be dealt with solely by Police Scotland. This reinforced the need for an increased partnership working by Police Scotland, Councils and Community Planning partners on prevention activities. Police Scotland indicated that they were open to visits from Councillors and Community representatives to increase awareness of, and confidence in the work of the Bilston Communication Complex.

**DECISION  
NOTED.**

- (b) With reference to paragraph 4.8 of the Minute, Members were advised by Inspector Scott that it would be difficult to widen information on prejudice type – disability to include mental and / or physical disability.

**DECISION  
NOTED.**

- (c) With reference to paragraph 6.3 of the Minute it was noted that road safety action was to take place in relation to the junction leading to the Borders General Hospital.

**DECISION  
NOTED.**

- (d) With reference to paragraph 7.2 of the Minute, it was noted that a presentation on the Community Justice (Scotland) Act 2016 would be heard later in the meeting.

**DECISION  
NOTED.**

**5. ANNUAL REVIEW OF POLICING 2016/17**

There had been circulated copies of a letter dated 17 November 2016 from the Chief Executive Officer of the Scottish Police Authority to the Chairman of Local Authority Scrutiny Committees for Policing seeking to capture the views and experiences of scrutiny committees on activity between April 2016 and early 2017, to inform the review. A copy of the proposed response was also circulated.

**DECISION  
AGREED to approve the response.**

6. **CONSULTATION ON HMICS SCRUTINY PLAN 2017/18**

There had been circulated copies of a letter dated 8 January 2017 from HM Inspectorate of Constabulary in Scotland seeking the Board's views on the proposals or any other areas the Board considered would benefit from scrutiny by HMICS during 2017/18. Feedback received would be collated against the responses from other stakeholders and assessed against their scrutiny risk process to help inform next year's scrutiny plan.

**DECISION**

**AGREED to accept the proposals outlined in the letter dated 8 January 2017 from HM Inspectorate of Constabulary in Scotland relating to the scrutiny plan 2017/18.**

7. **PROGRESS REPORTS/UPDATES ON CONSOLIDATION AND SUSTAINABILITY**

7.1 **Police Scotland**

Chief Superintendent Marshall thanked the Board for all the support the police had received; he referred to excellent partnership working during a difficult period. He then went on to give an overview of the ongoing work on the national 2026 policing project – a 10 year strategy to achieve a sustainable operating model, during which there would be a programme of transformation. In referring to the refreshment of local Police plans, he advised that to enable full integration discussions would take place with the SFRS. Operation Jigsaw had seen certain individuals targeted on a day of action earlier in the week.

7.2 Inspector J. Scott presented the Police Progress report covering the period April 2016 to December 2016 which had been circulated. The report detailed the figures for the six Priority areas to date and compared them to the figures for the same period in 2015/16.

7.3 Priority 1 – Protecting People, the performance was better when compared to last year and also better than target.

7.4 Priority 2 – Reducing Violence, Disorder and Antisocial Behaviour, showed a 3.3% increase in Common Assaults reported in the year to date when compared to 2015/16. This equated to 19 more victims. This was an improving picture from the first quarter of 2016/17. There had been a 3.6% increase (134 more incidents) in the year to date when compared to the same time period in 2015/16. There had been problems with youths in particular in Hawick and Galashiels in December and initiatives were in place to address these issues and a multi-agency approach was being pursued. There had been an 18.2% decrease in the number of recorded victims of Hate Crime in the year to date when compared to the same time period in 2015/16.

7.5 Priority 3 - Tackling substance misuse. Officers in the Scottish Borders had conducted a total of 242 stop and searches of which 91 proved positive (37.6%). There was a 45.6% decrease in the number of visits to licensed premises, which equated to 561 fewer visits.

7.6 Priority 4 - Making our Roads Safer, there had been a 6.3% increase (4 more casualties) in the year to date when compared to 2015/16. The number of people killed this year to date was 10, which equated to 3 more fatalities than at the same time last year. The number of serious injuries had also increased compared to last year in the same time period

- 7.7 Priority 5 - Tackling serious and organised crime. Cash seizures were lower than the value seized in 2015/16. There had been a 17.5% decrease in the number of detections for drug supply in the year to date compared to the same time period in 2015/16.
- 7.8 Priority 6 -Tackling Acquisitive Crime. There had been a decrease (16) in the number of housebreaking to dwellings in the year to date.
- 7.9 During discussions regarding the statistics provided, Chief Superintendent Marshall reassured Members that Police Scotland in the Scottish Borders were highly performing compared with the rest of Scotland. The gathering of young people in the Transport Exchange at Galashiels was not perceived as anti-social behaviour and there was a disproportionate fear of crime because of the press and television. In regard to the behaviour of drivers, Chief Superintendent Marshall advised analysis indicated that most of the time accidents could be attributed to driver inattention and/or not driving according to conditions; accidents were very seldom due to mechanical errors. Therefore it was important to educate and encourage people to driver better. In respect of bullying within Schools, Inspector Scott advised that Police Scotland worked hand in hand with school staff. It was noted that following on from the publication of the Bailey Gwynne school death report that Superintendent Andy Clark had met with Education officers in the Scottish Borders Council. At this meeting he reinforced what matters schools could deal with and those which had to be referred to Police Scotland; the information would be cascaded to all schools.
- 7.10 Members felt strongly that Police Scotland and the Scottish Police Authority must take action to deal with the funding gap in future years that was identified in Audit Scotland's 2015/16 Audit of Scottish Policing Activity published in December 2016 and it was agreed that this comment be included in the response to the Scottish Policy Authority as discussed in paragraph 4.

**DECISION:-**

- (a) **NOTED the report; and**
- (b) **AGREED the response to the Scottish Police Authority as discussed in paragraph 4 above, should include the following comments:- Members felt strongly that Police Scotland and the Scottish Police Authority must take action to deal with the funding gap in future years that was identified in Audit Scotland's 2015/16 Audit of Scottish Policing Activity published in December 2016.**
8. **PROGRESS REPORTS/UPDATES ON CONSOLIDATION AND SUSTAINABILITY**
- 8.1 **Fire and Rescue Service**
- LSO David Farries referred to the attendance of observers from Her Majesty's Fire Service Inspectorate at the meeting of the Board held on 3 June 2016, and advised that their report would be published on 14 February 2017 and would be available on line. He referred to the production of the SFRS local plan and partnership working with Police Scotland and the Local Authority who had been supportive in making our local plan effective in the community. He referred to issues resulting from the implementation of the Community Empowerment Act and of the willingness of the SFRS to overcome certain 'blockers'. He commented on challenges within the SFRS budget, structural changes being made and that the capital budget expenditure had been a positive story for the SFRS. The off station structure review budget was not



only a driver for review but would look to provide the best service to refocus and ensure priorities were balanced. He gave information on the single common duty system which would come into force in April 2017 for the whole of Scotland, communities in the Scottish Borders would see no change, and the new duty system would allow staff to work closely together on a more regular basis. Members noted the importance of accepting invitations to attend events organised by Police Scotland and the SFRS.

- 8.2 There had been circulated copies of the SFRS Performance Report covering the period 1 April to 31 December 2016. In summarising the report, Group Manager A. Girrity advised that with regard to Priority 1: Reduction of Dwelling Fires, the SFRS had attended 69 dwelling fires in comparison to 85 for the same Year to Date (YTD) reporting period last year, this represented a 19% decrease. Four of these fires had been started deliberately. Priority 2: Reduction in Fire Fatalities and Casualties, the report noted that there had been 15 fire related casualties in this YTD reporting period, this was an identical figure for the same period last year. Further analysis showed that three casualties went to hospital for precautionary checks suffering from slight smoke inhalation or burns. Eleven casualties received first aid at the scene and did not require any further treatment. Priority 3: There had been 76 deliberate fires in this YTD reporting period, a decrease of 13 in comparison to the same reporting period last year, there was also a 43% decrease in comparison to the previous quarter. Within these figures, 75% were secondary fires and typically involved refuse, grass, scrub and woodland. A large number of these secondary fires were likely to be related to anti-social behaviour. Priority 4: Reduction in Road Traffic Collisions (RTCs) indicated that the SFRS attended 76 RTCs, three less than the same reporting period last year; however there was a slight increase in the previous quarter comparison. There had been 62 RTC related casualties in this YTD period with six of these being fatalities. During the YTD period, the SFRS used Hydraulic Rescue Equipment on 20 occasions to extricate casualties. Information was also presented relating to special service casualties. Priority 5 related to the Reduction of Unwanted Fire Alarm Signals and it was noted that there had been 637 Unwanted Fire Alarm Signals during this quarter, representing an increase of 20 incidents compared to the same reporting period last year.
- 8.3 There had been circulated copies of the report on Prevention and Protection Activities. Group Manager Gourlay advised that 792 home fire safety visits were delivered during this reporting period compared to 697 in the same period last year. The report provided a breakdown of the delivery by ward area. Group Manager Gourlay answered questions relating to the design and installation of fire alarms. It was noted that there was an hourly rate charge for a fire vehicle if the call out was not an emergency

**DECISION  
NOTED**

**ADJOURNMENT**

The meeting adjourned at 11.40 a.m. and reconvened at 11.50 a.m.

**9. PROGRESS REPORTS/UPDATES ON CONSOLIDATION AND SUSTAINABILITY**  
**9.1 Safer Communities**

There had been circulated copies of the Safer Communities Performance Report covering the period 1 April 2016 to 31 December 2016. Mr Graham Jones, Safer Communities and Community Justice Manager, highlighted the key points in the report. Strategic Policy 1 - There had been an increase of 7 reported incidents of domestic abuse for the year to date in 2016/17, when compared to the same time

period last year, which equated to a 1.1% increase. 5 fewer reported sexual crimes related to domestic abuse in the year to date when compared to the same time period last year, which equated to a 35.7% decrease. There had been 58 fewer referrals in the year to date when compared to the same time period in 2015/16. The aim was to increase referrals but the trend for the last 3 years had been downward. There had been a decrease in the number of cases discussed at Multi-Agency Risk Management Conference (MARAC) in the year to date when compared to the same time period on 2015/16. MARAC referrals were lower than the expected yearly total of 200. This projected figure was based on a national U.K. wide statistical indicator which suggested that a population the size of the Scottish Borders could expect 200 high risk cases per year. The number of high risk offender referrals to the end of quarter 3 of 2016/17 was 40% lower than recorded for 2015/16 for the same time period. There were 79 fewer children present in the home where domestic abuse incidents had taken place; this was a 28.3% reduction on the year to date when compared to the same time period in 2015/16. 52 fewer children witnessed domestic abuse, this was a 48.1% reduction for the year to date when compared to the same time period in 2015/16 and was currently reversing a recent upward trend. There had been an increase in the number of homeless presentations from 60 in the year to date of 2015/16 to 85 in 2016/17. Strategic Policy 2: There had been a small decrease in the percentage of Anti-Social Behaviour incidents which were alcohol related in the second quarter of 2016/17 when compared to the same time period in 2015/16. There had been 78 interventions following anti-social incidents in licensed premises in the third quarter of 2016/17 bringing the total for the year to date to 208. There had been 23 referrals into the Anti-Social Behaviour process as a result of proactive drug enforcement. Strategic Policy 3: There had been a small increase in the number of group 1 – 5 victims recorded in the year to date when compared to the same time period in 2015/16, this equated to 21 additional victims. There had been an increase of 309 reported Anti-Social Behaviour incidents compared to the same time period in 2015/16. There had been an increase in the number of youth related Anti-Social Behaviour incidents in the year 2016/17 when compared to the same time period in 2015/16; if the current trend continued it was likely that youth incidents would show the first year end increase in 5 years. 287 more persons were being monitored for anti-social behaviour in the year to date when compared to the same time period in 2015/16. The number of mediation referrals in the year to date was the same when compared to the same time period in 2015/16. Strategic Policy 4: In relation to reducing the level and impact of poor driver behaviour through effective working, it was noted that had been an increase of 3 road users killed on our roads in the year to date when compared to the same time period in 2015/16; and an increase of 1 road user seriously injured in the year to date when compared to the same time period in 2015/16. 2 children had been seriously injured on our roads in the third quarters, bringing the total to 4, the same as last year at this point. 5 young drivers had been killed or seriously injured in the year to date, which was the same number compared with the same time period in 2015/16. 6 older drivers had been killed or seriously injured in the year to date; this was a decrease on the same time period in 2015/16. Finally 14 motorcyclists had been killed or seriously injured in the year to date; this was an increase on the same time period in 2015/16. Strategic Policy 5: In relation to reducing the level and impact of accidents in the home through effective partnership working, for the time period 1 April to 31 July 2016 there had been an increase of 4 accidents in the under 5's recorded, when compared to the same time period in 2015. For the time period 1 April to 30 September 2016 there had been fewer recorded falls in the over 75s compared to the same time period in 2015. There had been a significant increase in the number of actioned Fire Service adult and child protection referrals received from Safer Communities.

**DECISION  
NOTED.**

**10. PRESENTATION – COMMUNITY JUSTICE (SCOTLAND) ACT 2016**

- 10.1 Mr Graham Jones gave a presentation on the Community Justice (Scotland) Act 2016. In giving background information, Mr Jones referred to (a) National Strategy for the Management of Offenders Scottish Government 2006; (b) Community Justice Authorities established 2007; (c) Reducing Reoffending in Scotland Audit Scotland 2012; and (d) the Community Justice (Scotland) Act 2016.
- 10.2 In giving statistical information in relation to the Scottish Borders, the following was noted (a) 2,916 recorded crimes groups 1 – 5 in 2015/16; (b) 255.7 crimes per 10,000 population (460.5 in Scotland); (c) 41.3% for crimes of dishonesty; (d) 55.7% detection rate (51.6% in Scotland); and (e) 28.4% reoffending rate (28.3% in Scotland) 2013/14.
- 10.3 Community Justice comprised of (a) 8 statutory partners and 7 outcomes; (b) a national strategy; (c) outcomes, performance and improvement framework; (d) guidance for local partners in the new model for Community Justice; (e) Community Justice in Scotland: A guide to self-evaluation; and (f) Scottish Borders Local Outcomes Improvement Plan. Mr Jones referred to complex needs in the private, public and third sectors.
- 10.4 Sentencing Options included (a) formal Police warnings and fixed penalty notices; (b) Procurator Fiscal warning, fine, fixed penalty, compensation, diversion (specialist support or treatment); and (c) Court fine, community payback order, prison.
- 10.4 Background information was given in relation to employability skills, challenges and the three step approach to reducing reoffending.

**DECISION**

**NOTED and thanked Mr Jones for his informative presentation.**

**11. DATES OF FUTURE MEETINGS**

Future meetings of the Board were scheduled to take place at 9.30am in the Council Chamber, Council Headquarters, Newtown St Boswells on:-

Friday 9 June 2017  
Friday 25 August 2017  
Friday 10 November 2017  
Friday 9 February 2018  
Friday 18 May 2018

**DECISION  
NOTED.**

*The meeting concluded at 12.45 p.m.*

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## SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells, TD6 0SA on Tuesday, 14 February at 10.00 am

Present:- Councillors J. Mitchell (Chairman) S. Aitchison, S. Bell, J. Brown, M. J. Cook, V. Davidson (from para 3), G. Edgar, D. Moffat, D. Paterson, F. Renton, R. Smith.

Also Present:- Councillors I. Gillespie, G. Turnbull.

Apologies:- Councillors C. Bhatia, D. Parker.

In Attendance:- Depute Chief Executive (People), Chief Financial Officer, Corporate Transformation and Services Director, Democratic Services Team Leader, Democratic Services Officer (K. Mason).

### 1. CHAIRMAN

In the absence of the Chairman the meeting was chaired by Councillor Mitchell.

### 2. MINUTE

The Minute of meeting of the Executive Committee of 31 January 2017 had been circulated.

### DECISION

**APPROVED for signature by the Chairman.**

### MEMBER

Councillor Davidson joined the meeting during discussion of the following item.

### 3. MINUTE EXTRACT FROM SCRUTINY COMMITTEE

There had been circulated copies of Minute Extract from Scrutiny Committee of 26 January 2017. The Chairman of Scrutiny Committee, Councillor Turnbull, in referring to the recommendations, advised that the Scrutiny Committee had heard a first class presentation from James England, South of Scotland Timber Transport Officer and David Richardson, Asset Manager, SBC on the impact of third party use on the Local Authority's road network. Councillor Turnbull asked the Executive Committee to accept the recommendations as follows:

- (a) the Leader write to the Scottish Government pressing for more funding for the road infrastructure from both Scottish Government and the Forestry Industry to both prepare the public road network for timber extraction and also rectify any resultant damage caused by timber extraction;
- (b) the Leader write to the Scottish Government to request that the current review of 'the Future of Forestry in Scotland' should include the impact and cost of timber extraction on the road network and rural communities; and
- (c) the impact of 3rd party use of the public road network - in the form of larger HGV vehicles - be kept under review on an annual basis by the appropriate Committee in the new Council following the election in May 2017.

There followed a detailed debate relating to the recommendations.

## VOTE

Councillor Smith, seconded by Councillor Paterson, moved that the recommendations be approved with the following additional words in recommendation (b) “and in granting permission for new afforestation, due regard must be given to the capacity of rural roads to accommodate the pressures at a time of extraction in the future”.

Councillor Aitchison, seconded by Councillor Renton, moved as an amendment that the words in recommendation (a) “both prepare the public road network” be amended to read “to allow steps to be taken to reduce the impact on the public road network”.

On a show of hands Members voted as follows

Motion - 6 votes

Amendment - 3 votes

Accordingly the motion was approved.

## DECISION

### DECIDED that:-

- (a) the Leader write to the Scottish Government pressing for more funding for the road infrastructure from both Scottish Government and the Forestry Industry to both prepare the public road network for timber extraction and also rectify any resultant damage caused by timber extraction;
- (b) the Leader write to the Scottish Government to request that the current review of “the future of Forestry in Scotland” should include the impact and cost of timber extraction on the road network and rural communities, and in granting permission for new afforestation, due regard must be given to the capacity of rural roads to accommodate the pressures at a time of extraction in the future; and
- (c) the impact of 3<sup>rd</sup> party use of the public road network – in the form of larger HGV vehicles, be kept under review on an annual basis by the appropriate Committee in the new Council following the election in May 2017.

#### 4. QUARTERLY CORPORATE PERFORMANCE REPORT (QUARTER 3, 2016/17)

There had been circulated copies of a report by the Chief Executive presenting a summary of quarterly performance information for Members, with details contained within Appendix 1 to the report with Appendix 2 to the report providing details of Live Borders performance. SBC approved a Corporate Plan in April 2013, with 8 priorities that it wished to address for the Scottish Borders over a 5 year period. In order to monitor progress against the eight priorities, this review of performance information was undertaken quarterly and presented to Executive Committee. A summary of the main changes made to performance indicators was provided at Section 4 of the report, followed by a high level summary of performance in Section 5. Appendix 1 provided a more detailed presentation and explanation of each Performance Indicator (PI). Where possible, information which was collected on a *quarterly* basis was presented but this was not possible for all areas of Council business, for example, school attainment. The presentation used in Appendix 1 was consistent with what was presented to Council on 26 June 2014 and to the Executive Committee each quarter thereafter. All information contained within this report was also made available on the SBC website using the public facing part of SBC’s Performance Management software (Covalent).

This could be accessed at

[http://www.scotborders.gov.uk/info/691/council\\_performance/1353/our\\_performance\\_as\\_a\\_council](http://www.scotborders.gov.uk/info/691/council_performance/1353/our_performance_as_a_council) and by clicking on "Scottish Borders Performs". Section 6 and Appendix 2 of the report presented a summary of performance during Quarters 1 and 2 of 2016/17 for sport and culture, managed by Live Borders since April 2016. Reporting performance in February and August each year to Executive Committee was agreed within the Performance Management Framework, approved when services were transferred to Live Borders. The Depute Chief Executive – People advised on the choice of support arrangements in place for Self Directed Support. The Senior Manager Business Strategy and Resources answered Members' questions, and in response to a query he undertook to provide a full commentary on the performance indicator relating the employment rate and young people aged 18 – 24 years being out of work and claiming benefits to Councillor Bell.

#### **DECISION**

##### **AGREED to:-**

- (a) **note the changes to performance indicators outlined in Section 4 of the report;**
- (b) **to acknowledge and note the performance presented in Section 5 and within Appendix 1 and the action that was being taken within Services to improve or maintain performance; and**
- (c) **note the performance presented in Section 6 and Appendix 2 of the report in relation to sport and culture, delivered through Live Borders.**

#### **5. CORPORATE TRANSFORMATION PROGRESS REPORT**

There had been circulated copies of a report by the Corporate Transformation and Services Director on progress in developing and delivering the Council's Corporate Transformation Programme since the last update report on 15 November 2016 and setting out planned activity in the reporting period to June 2017. This was the eighth quarterly progress report since the Programme was established in February 2015. On 9 February 2017, the Council also considered a second annual progress report on Corporate Transformation which set out how it would continue to support the delivery of the Council's 8 Priorities, its Financial Strategy and significant service improvements moving forward. The current areas of work within the Programme were set out in the tracker in Appendix 1 to the report under the 8 Corporate Priorities and included a brief description of the purpose of each Programme, a summary of progress made to date (rating them Red, Amber or Green) and setting out key milestones in the next quarter. Section 4 of the report set out the key highlights over the last reporting period. Detailed performance reporting infographics for the following areas of the programme were set out in Appendices 2 to 4 to the report: (a) Children and Young People Programme; (b) Integration of Health and Social Care; and (c) Workforce Transformation. The Corporate Transformation and Services Director referred to the two amber areas which related to workforce transformation and digital transformation. The importance of fully briefing new elected Members on the importance of the Digital Strategy after the Election in May 2017 was highlighted.

#### **DECISION**

**NOTED the continued progress made in developing and delivering the Corporate Transformation programme.**

#### **6. MONITORING OF THE GENERAL FUND REVENUE BUDGET 2016/17**

There had been circulated copies of a report by the Chief Financial Officer providing budgetary control statements for the Council's General Fund based on actual expenditure and income to 31 December 2016 and explanations of the major variances between projected outturn expenditure/income and the current approved budget. The revenue

monitoring position set out in the report was based on actual income and expenditure to 31 December 2016. The Council was projecting a balanced position to 31 March 2017 with identified pressures currently being managed within departmental budgets. This balanced position included delivery of the remaining IT contract pressure of £0.539m (total of £2m delivered in 2016/17), covered all known Corporate Transformation pressures and reflected the earmarking of £1.441m from 2016/17 into 2017/18 to support the Financial Plan on a one-off basis. At 31 December 2016 97% of savings had been delivered, (£8.272m planned efficiency savings delivered as per the Financial Plan with £0.188m achieved by alternative, permanent measures and £3.577m delivered temporarily). The remaining 3% (£0.323m) was profiled to be achieved during the remainder of 2016/17. Further management effort during the remainder of 2016/17 needed to be placed on ensuring all savings delivered temporarily in 2016/17 could be delivered permanently in 2017/18. The £3.577m delivered temporarily in 2016/17 presented a potential financial risk in 2017/18 in light of the significant and challenging savings which required to be delivered as part of the 2017/18 Financial Plan. This risk would be mitigated by proactive management actions. Full details of pressures, risks and challenges were reported alongside the significant majority of areas of the Council's operation where approved budget plans remained on track were detailed in Appendix 1 to the report. A request was made for a private discussion on the problems relating to SWAN. The Chief Financial Officer advised that there were currently several "red line" issues that were presenting risks in respect of the ERP Project. He explained that the pre requisites for "go live" were that the council had been provided with comprehensively tested and fully functioning payroll, financial reporting (including bank reconciliation) and supplier payments modules within the new ERP system Business World. The project was still in the development phase and if outstanding issues were not resolved the project could not go live on 1 April 2017 as planned. The Chief Financial Officer undertook to bring back a briefing note on the processing of housing benefit claims.

#### **CHAIR**

Councillor Brown, Chaired the meeting for a short period during discussion of the above item.

#### **DECISION**

(a) **AGREED** the virements detailed in Appendices 2 and 3 to the report.

(b) **NOTED:-**

- (i) **the projected corporate monitoring position projected at 31 December 2016, the underlying cost drivers and the identified areas of financial risk as reflected in Appendix 1 to the report; and**
- (ii) **the progress made in achieving Financial Plan savings as detailed in Appendix 4 to the report and the ongoing action to ensure delivery of 2016/17 Financial Plan savings on a permanent basis.**

#### **7. PROJECTED BALANCES AT 31 MARCH 2017**

There had been circulated copies of a report by the Chief Financial Officer providing an analysis of the Council's balances as at 31 March 2016 and advising Members of the projected balances at 31 March 2017. The unaudited Council's General Fund useable reserve (non-earmarked) balance was £7.082m at 31 March 2016. The monitoring position reported to the Executive Committee in both August and November 2016 reflected a balance of £5.638m in line with the approved Financial Strategy. The projected balance as at 31 March 2017 remained £5.638m assuming a balanced outturn position was delivered in 2016/17. The Council's allocated reserve balance was £3.360m at 31 March 2016 and was projected to be £6.215m at 31 March 2017 which was £0.714m more than reported to the November Executive Committee as a result of: (a) an allocation of £0.539m towards IT



transformation; (b) an allocation of £0.200m to add to the Winter Maintenance reserve (now named Adverse Weather); and (c) a draw down of £0.025m from the ER/VS reserve fund 2016/17 commitments. The total of all useable balances, excluding developer contributions, at 31 March 2017 was projected to be £23.298m, compared to £31.163m at 31 March 2016. The difference related almost entirely to movements in earmarking between the two years. The projected balance on the Capital Fund of £0.791m would be affected by any further capital receipts, developer contributions, interest credited and any expenditure authorised to be financed from the Fund during the remainder of the financial year.

#### **DECISION**

##### **AGREED to:-**

- (a) note the projected revenue balances as at 31 March 2017 as detailed in Appendices 1 & 2 to the report;**
- (b) note the projected balance in the Capital Fund as detailed in Appendix 3 to the report;**

#### **8. MONITORING OF THE CAPITAL FINANCIAL PLAN 2016/17**

There had been circulated copies of a report by the Chief Financial Officer providing an update on the progress of the 2016/17 Capital Financial Plan and seeking approval for projected outturns and associated virements, and the reallocation of funds. The monitoring tables detailed in Appendix 1 to the report advised on actual expenditure to 31 December 2016. Key issues identified in these tables were summarised within the main report. The tables identified a projected net variance of £3.006m against the approved budget. The net in-year budget increase of £0.544m was primarily due to an increase in the projection for the Plant and Vehicle Replacement of £0.366m, fully funded from the P&V Fund with the remainder being additional external funding secured for a number of projects. The net budget timing movements to future years amounted to £3.535m, the most significant of which were £0.790m for Roads and Bridges, £0.225m for Wilton Lodge Park, £0.500m for Energy Efficiency Works and £0.463m for School Refurbishment and Capacity. Appendix 3 to the report contained a summarised list of timing and budget movements within the 2016/17 Capital Plan. Appendix 2 to the report contained a list of the block allocations approved for this year and the various approved and proposed projects to be allocated from them within the 2016/17 Capital Plan. Appendix 4 to the report contained a list of estimated whole project capital costs for single projects which would not be completed in the current financial year. The Service Director Assets and Infrastructure undertook to liaise with Councillor Bell regarding the funding to be spent in the current financial year on the shared access route from Innerleithen to Walkerburn .

#### **DECISION**

##### **AGREED:-**

- (a) the projected outturns in Appendix 1 to the report as the revised capital budget; and approved the virements as detailed in Appendix 3 to the report;**
- (b) the budget virements previously approved by the Chief Financial Officer and Service Director Assets & Infrastructure detailed in Appendix 2 to the report under delegated authority;**
- (c) the list of block allocations detailed in Appendix 2 to the report; and**
- (d) the list of whole project costs detailed in Appendix 4 to the report.**

9. **CARE HOMES FOR OLDER PEOPLE IN THE SCOTTISH BORDERS – REPORT ON PROGRESS**

There had been circulated copies of a report by the Chief Social Work Officer presenting an update on work undertaken following an initial report, presented to Social Work and Housing Committee on June 5 2014, which provided an overview on the quality of care homes in the Borders. A Member/Officer Working Group was formed and subsequently drafted a set of formal recommendations detailed in the 'Improving the Quality of Older Peoples Care Homes – Action Plan. This was presented to Executive on 21 April 2015 and it was agreed an update report would be provided. Appendix 1 to the report outlined specific progress made to the Action Plan, whilst also highlighting any ongoing issues that continued to affect the overall quality of Care Home provision.

**DECISION**

**AGREED to note the progress and improvements made on the action plan.**

*The meeting concluded at 11.50 a.m.*

# SCOTTISH BORDERS COUNCIL SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the SELKIRK  
COMMON GOOD FUND SUB COMMITTEE  
held in the Council Chamber, Council HQ on  
Wednesday, 15 February 2017 at 3.00 pm

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- Present:- Councillors G. Edgar (Chairman), V. M. Davidson and T Combe
- Apologies:- Councillor M. Ballantyne
- In Attendance:- Solicitor (R. Kirk), Senior Finance Officer (J Yallop), Estates Strategy Surveyor (N. Curtis), Democratic Services Officer (F Walling).

## **CHAIRMAN**

The Chairman advised that Dr Lindsay Neil had requested, prior to the meeting, to give a presentation to the Sub Committee during the meeting. The Chairman declined this request as prior notice had not been given of this matter to enable the item to be put on the published agenda. Dr Neil had left a reference in respect of the matter he wished to raise and agreed to email the Chairman with details. He did not stay to attend the meeting.

## **1. MINUTE**

- 1.1 There had been circulated copies of the Minute of 29 November 2016.

## **DECISION**

**APPROVED the Minute for signature by the Chairman**

- 1.2 With reference to paragraph 1.2 of the Minute, regarding the Common Good Funding Plaque, the Estates Strategy Surveyor, Norrie Curtis, was asked to identify projects that had received financial assistance from the Common Good Fund and, where appropriate, to send plaques for display.

## **DECISION**

**AGREED that the Estates Strategy Surveyor, in liaison with the Democratic Services Officer, identify those projects which had received financial assistance from Selkirk Common Good Fund and to send plaques for display.**

- 1.3 With reference to paragraph 4 of the Minute, regarding the let of winter grazing on Selkirk Hill, it was noted that there were still no sheep on the land. The Chairman stressed the need for the ground to be grazed for management purposes.

## **DECISION**

**AGREED that the Estates Strategy Surveyor pursue further, with the tenant, the issue of grazing on Selkirk Hill.**

## **2. FINANCIAL MONITORING REPORT TO 31 DECEMBER 2016**

There had been circulated copies of a report by the Chief Financial Officer providing the details of income and expenditure for the Selkirk Common Good Fund for the six months to 31 December 2016, full year projected out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. Senior Finance Officer, John Yallop, highlighted the main points of the report and appendices. Appendix I to the report provided a projected income and expenditure position. This showed a projected surplus of £16,505 for the

year. Appendix 2 to the report provided a projected Balance Sheet to 31 March 2017. It showed a projected decrease in the reserves of £59,853 due mainly to the further investment in the Newton Fund. A breakdown of the property portfolio showing projected rental income for 2016/17 and actual property expenditure to 31 December 2016 was detailed in Appendix 3 to the report. In response to a question about actual property expenditure, Mr Curtis, detailed property repair costs still to come from the 2016/17 budget in relation to fencing completed on the boundary of Smedheugh and South Common Farms and drainage work at South Common. The Chairman had been approached by the tenant of Linglie Farm, regarding a stretch of fencing required to complete a length of fencing which had been partially grant-funded and asked Mr Curtis to look into this as soon as possible. With regard to grants and donations, Mr Yallop advised that there was approximately £4k remaining in the budget once all approved grants had been paid. In terms of the performance of the Newton Investment, detailed in Appendix 4 to the report, Mr Yallop advised that over the quarter to 31 December 2016 the Newton Real Return fund was estimated to have delivered a negative return of 4.8% against its benchmark of +1.1%. The report explained how this had been the result of the make-up of the cautiously positioned portfolio. Although this had to an extent negated its annual performance, the Fund was estimated to exceed its target return of 4.5%, by returning 4.8% for the year. KPMG had been commissioned by the Council to assess the Fund's performance against its peers offering similar diversified growth funds. Although information on quarter 4 was not yet fully available the assessment confirmed that the Fund had performed well in the long term against its peers. Mr Yallop advised that Newton's performance against benchmark and against its direct competitors would be monitored. In addition, a visit to their offices in London had been arranged by officers to discuss the Fund's current performance and outlook for the future.

## **DECISION**

- (a) **AGREED the projected income and expenditure for 2016/17 shown in Appendix 1 to the report as the revised budget for 2016/17;**
- (b) **NOTED:-**
  - (i) **the projected Balance Sheet value to 31 March 2017 in Appendix 2 to the report;**
  - (ii) **the summary of the property portfolio in Appendix 3 to the report; and**
  - (iii) **the current position of the investment in the Newton Fund in Appendix 4 to the report.**
- (c) **AGREED that, with regard to expenditure on property repairs, the Estates Strategy Surveyor follow-up as soon as possible the request for a length of fencing to be erected on Linglie Farm.**

### **3. APPLICATION FOR FINANCIAL ASSISTANCE**

There had been circulated copies of an application from Selkirk Junior Football Club for a grant of £600 to purchase socks and shorts as part of new strips. It was explained that the club had been established for a number of years and had maintained regular membership of approximately 100 – 120 children. The aim was to provide football coaching to youngsters from pre-school to 17 years of age, regardless of background, gender, ability, religion or race. Sponsorship for teams' match shirts had been secured from local businesses and the club was expecting to raise £1500 from fund-raising events. Members were keen to support the application. In discussing the club's accounts they expressed concern at the pitch hire which was being paid to the senior Football Club and which had recently been increased. In their opinion this was an unreasonably high amount. In this respect, Mr Curtis was asked to look at the terms of the lease of the ground from Selkirk Common Good to Selkirk Football Club.

**DECISION  
AGREED:-**

- (a) to grant Selkirk Junior Football Club £600 for the purchase of socks and shorts; and**
- (b) that the Estates Strategy Surveyor check the terms of the lease of the ground from Selkirk Common Good to Selkirk Football Club.**

**4. PROPERTY**

In a general discussion on property issues, Councillor Davidson referred to proposed refurbishment work to be carried out on the building at Sir Walter Scott's Courtroom and any potential effect on businesses in the vicinity. With reference to paragraph 8 of the Private Minute of 29 November 2016 it was noted that the trees on Victoria Park had not yet been cut back. It was agreed that the contractors should be pursued to ensure this work could be carried out before the nesting season. With reference to paragraph 4 of the Minute of 30 August 2016, Mr Combe highlighted that the Property Officer had not yet met with him to determine what work was required on the ramp at the Green Hut. In further discussion, the Chairman drew attention to a possible shortfall in funding to refurbish the Council-owned Corbie Mill Arches in North Bridge Street, following the Flood Protection work. It was agreed in principle to contribute towards the cost of refurbishment, if required, up to a total of £5k; the final decision to contribute to be delegated to the Service Director Assets and Infrastructure in consultation with the three elected Members of the Selkirk Common Good Fund Sub Committee.

**DECISION  
AGREED that:-**

- (a) if requested, and subject to further information, a contribution of up to £5k be made towards the cost of refurbishment of the Corbie Mill Arches, North Bridge Street; the final decision to be delegated to the Service Director Assets and Infrastructure in consultation with the three elected Members of the Selkirk Common Good Fund Sub Committee;**
- (b) the Estates Strategy Surveyor pursue the contractors to carry out the required work on the trees on Victoria Park as soon as possible; and**
- (c) the Property Officer arrange to meet Mr Combe on site at the Green Hut to discuss the work required to improve the fit of the door on the new ramp.**

**5. PRIVATE BUSINESS**

**DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.**

**SUMMARY OF PRIVATE BUSINESS**

**6. MINUTE**

Members approved the private section of the Minute of 29 November 2016.

*The meeting concluded at 3.40 pm*

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# Public Document Pack

## SCOTTISH BORDERS COUNCIL SCRUTINY COMMITTEE

MINUTES of Meeting of the SCRUTINY  
COMMITTEE held in COUNCIL CHAMBER,  
COUNCIL HEADQUARTERS, NEWTOWN  
ST BOSWELLS on Thursday, 16 February  
2017 at 10.00 am

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Present:- Councillors G. Turnbull (Chairman), W. Archibald, K. Cockburn, A. Cranston and I. Gillespie.  
Also Present:- Councillors S. Aitchison and D. Moffat.  
Apologies:- Councillors B Herd, W. McAteer, A. J. Nicol and J. Torrance.  
In Attendance:- Democratic Services Team Leader, Democratic Services Officer (P. Bolson).

### 1. **MINUTE**

Minute

There had been circulated copies of the Minute of 26 January 2017.

### **DECISION**

**AGREED the Minute.**

### 2. **ARTIFICIAL SPORTS PITCHES**

2.1 With reference to paragraph 4 of the Minute of 26 January 2017, there had been circulated copies of a briefing note on artificial sports pitches. The Chairman welcomed Ben Lamb, Head of Operations with Live Borders who was present to provide Members with additional detail regarding usage, costs and benefits of artificial pitches and to answer questions on issues relating to any such pitches already installed in the Scottish Borders. The report explained that during 2014, SBC had progressed a programme for the construction of a network of full sized artificial pitches across the Scottish Borders to complement those already in use. Live Borders assumed operational responsibility for these new pitches and received a commensurate management fee for doing so. Mr Lamb advised that Live Borders currently operated four 2G pitches and two 3G pitches. He went on to advise that the former were basically sand dressed or sand filled and were certified by the Federation of International Hockey as being suitable for competitive hockey fixtures whilst 3G pitches comprised a longer pile length with rubber infill and were certified by FIFA and World Rugby as suitable for competitive football and rugby matches to be played. Members noted that there were a number of existing 2G pitches which remained in the school estate and were not managed by Live Borders and were not included in the figures provided in the report.

2.2 Mr Lamb acknowledged that debate had been ongoing for some time as to whether natural grass or artificial surface was better for highest level competitive football and rugby. He advised that the briefing note presented to Members could not answer that question, however, it did highlight some of the key benefits that artificial pitches brought to the area. Table 2 in the report detailed the number of visits per pitch during 2015/16 (not including school usage) and showed that 101,422 visits had been recorded, 83,045 of these were by clubs and 18,377 by communities which included pre-school, over 65 and disability groups. The 3G pitch at Hawick was not included in the statistics as it had only been open since November 2016. In terms of 3G pitches, these provided clubs with affordable, secure and reliable all-weather surfaces; reduced the likelihood of cancelled matches and training sessions; and decreased the amount of cleaning and maintenance required. With regard to concerns about the the safety of artificial pitches and potential environmental risks associated with them, Mr Lamb advised that there was no evidence to

reinforce such concerns. Levels of injury recorded at the 3G pitch in Galashiels were extremely low with less than 1 accident per 210,000 visits being recorded during 2015/16. Further detail was included in the briefing note.

- 2.3 During the discussion which followed, Members asked for clarification about conversion of 2G into 3G pitches and Mr Lamb confirmed that this could be possible but the cost was likely to be prohibitive and there could be problems as 3G pitches were larger than 2G sites. With regard to use, Mr Lamb was not aware of any club having refused to play on a 3G surface. Further discussion included the possible impact of the Community Empowerment Act and the potential management considerations and costs associated with this. Mr Lamb was asked to provide further details in respect of uptake of sport in the Scottish Borders per head of population.

## **DECISION**

(a) **NOTED the briefing paper.**

(b) **AGREED that an update report be presented to the Scrutiny Committee in 18 months providing a review of 2G and 3G artificial pitch provision in the Scottish Borders.**

## **3. POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD**

- 3.1 With reference to paragraph 4 of the Minute of 26 January 2017, Mr Douglas Scott, Senior Policy Adviser was in attendance to give a presentation on the work of the Scottish Borders Police, Fire and Rescue, and Safer Communities Board. Councillor Moffat, Chairman of the Board, was also present. Mr Scott explained that the Scottish Borders was a relatively low crime area and a safe place to live. According to Scottish Borders Household Surveys, community safety was regarded as a very high priority by the public and Mr Scott emphasised that everyone had a responsibility to contribute to the successful delivery of community safety outcomes. Mr Scott provided some background to the establishment of the Board and advised that since the Police and Fire Reform (Scotland) Act 2012, Local Authorities were given the opportunity to influence Police and Fire and Rescue Local Plans. The act was due to take effect in April 2013 and during the lead up to this, Scottish Borders participated in a Pathfinder Board which was recognised nationally for its partnership and consensus-based approach to scrutiny. The presentation provided information about the role of the local Board and listed the membership partners, namely Elected Members from both SBC's Administration and Opposition; the voluntary and business sectors within the community; housing associations; NHS Borders; and Lothian and Borders Community Justice Authority. In addition, attendance at Board meetings included representation by the Scottish Police Authority, Scottish Fire and Rescue Board, Her Majesty's Inspectorate of Constabulary in Scotland (HMICS), and Her Majesty's Fire Service Inspectorate (HMFSI). The presentation explained the approach to governance within the Scottish Borders and noted that key decisions were referred to Council. The Board received a variety of presentations ranging from wildlife crime to tackling domestic abuse. Mr Scott explained how the Board carried out its scrutiny role both in terms of Local Plan priorities and in operational matters. A number of community safety initiatives had been championed within SBC; further details of these initiatives and how they were linked to Community Planning were included in the presentation. The presentation listed the national and local successes of the Board and acknowledged the work and commitment required to ensure positive outcomes for these initiatives.

- 3.2 Discussion followed and Members acknowledged the work of the Board and the impact of the community initiatives within localities. Members were aware that within some communities, there was a perception of diminished police service and asked Mr Scott to suggest examples that could be used to demonstrate that this was not the case. In addition to the successful submission made by the Board during the national enquiry into armed policing, there were regular meetings of Board Chairs facilitated by COSLA on a local and national level; and visits by Members to Bilston Glen in 2015 and 2017 had



increased confidence in how 101 and 999 calls were dealt with. Members could also request to go out on a patrol to experience the challenges faced by police on a first-hand basis. With regard to recent issues affecting recruitment of retained Firefighters, Members were advised that a policy of continuous recruitment was now in place and there was also a cross-border relationship which enabled machines and manpower to be deployed where there was need. The Chairman thanked Mr Scott and Councillor Moffat for the comprehensive presentation.

**DECISION**

**NOTED the presentation.**

4. **SCRUTINY REVIEWS**

With reference to paragraph 4 of the Minute of 26 January 2017, there had been circulated copies of the updated list of subjects which Scrutiny Committee had been asked to review and which included the source of the request, the stage the process had reached and the date, if identified, of the Scrutiny meeting at which the information would be presented. In addition, Members were also asked to consider further subjects for inclusion on this list for presentation at future meetings of the Committee. When deciding whether subjects would be reviewed by the Scrutiny Committee, Members required a clear indication from the initiator of the request as to which aspects of the subject they wished to be reviewed. This would enable the Committee to determine whether the subject was appropriate for consideration. Members noted that there were two items scheduled for the meeting in March 2017 and that this would complete all reviews requested by the current Scrutiny Committee.

**DECISION**

**AGREED the list of subject for review by Scrutiny Committee as amended and appended to this Minute at Appendix 1.**

5. **DATE OF NEXT MEETING**

Date of Next Meeting

The next meeting of the Scrutiny Committee would take place on Thursday, 23 March 2017.

**DECISION**

**NOTED.**

6. **PRIVATE BUSINESS**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.**

**SUMMARY OF PRIVATE BUSINESS**

7. **HOME SCHOOLING**

The Committee considered the presentation on home schooling in the Scottish Borders.

*The meeting concluded at 12.55 pm*

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## Scrutiny Committee – Review Subjects 2016/17

### Timetabled for Scrutiny Meetings

Source	Issue/Description	Stage	Scrutiny Meeting date.
1(a)	Scrutiny Committee Action Tracker	Jenny Wilkinson, Clerk to the Council	23 March 2017
2(a)	Health and Social Care Integrated Joint Board – to include: a general update with emphasis on how the Board had progressed its business programmes to date; and information relating to key issues that the Health and Social Care Integration Joint Board had identified.	Elaine Torrance.	23 March 2017.

## Reviews Completed

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date
1(c)	Police, Fire & Rescue and Safer Communities Board – a general update with emphasis on how the Board had progressed its business programmes to date; and details of key decisions made by the Board.	Douglas Scott	16 February 2017 Completed.
2(c) Councillor Archibald	Artificial sports pitches. Briefing paper to be brought forward on existing artificial pitches in the Scottish Borders, to include information on the use costs, benefits and issues of these facilities.	Presentation from Ben Lamb, Head of Live Borders.	16 February 2017 Completed.
3(c)	Home Schooling. To consider the requirement for a change in the law to ensure health assessments for home schooled children are carried out. Also to investigate parents undertaking an examination to ensure that they were adequate educators for primary secondary school education. me Schooling	Private briefing from Donna Manson, Service Director Children and Young People	16 February 2017 Completed.
4(c) Lib Dem Group	Implications of the Community Empowerment Act on the Council – <i>“there may be multiple implications of the Community Empowerment Act e.g. disposal of assets either SBC or Common Good, the transfer of local services to community groups who wish to take them on, future provision of allotments etc.”</i>	Presentation from Shona Smith, Communities & Partnership Manager.	26 January 2017 Completed.
5(c) Scrutiny	The impact of third party use on the Local Authority’s road network, e.g. timber transportation and wind turbine transportation.	Brian Young, Network Manager, David Richardson, Asset Manager, Derek Inglis, Lead Roads Planning Officer and James England, South of Scotland Timber Transport Officer.	26 January 2017 Completed.

<b>Source</b>	<b>Issue/Description</b>	<b>Stage</b>	<b>Scrutiny Committee Meeting date</b>
6(c)	Drugs and Alcohol Strategy	Elaine Torrance, Chief Social Worker; Tim Patterson, Joint Director of Public Health, Fiona Doig.	24 November 2016 Completed.
7(c)	Policies and Procedures for Protective Marking of Documents and Management of Information.	Information Governance Board to make presentation.	24 November 2016 Completed.
8(c) Councillor Nicol	Review of Bridges Assets. The review should include the condition of bridges on the register and the processes for inspection and maintenance	Presentation by Martin Joyce, Service Director Assets & Infrastructure	27 October 2016. Completed.
9(c) Councillor Torrance	Social Work Duty Hub	Graeme Dobson, Project Manager, Les Grant, Customer Services Manager	27 October 2016. Completed.
10(c) Councillor Nicol	Recycling Centres. Update on remarketing of goods for recycling at Community Recycling Centres, including how other authorities approached this.	Presentation by Jenni Craig, Service Director Neighbourhood Services and Ross Sharp-Dent, Waste Manager.	22 September 2016. Completed.
11(c) Councillor Cockburn	Asymmetric Week	Presentation by Donna Manson, Service Director Children & Young People, Ms M Strong, Chief Officer Education & Lifelong Learning; Mr P Fagan & Ms A M Bready, Headteachers.	22 September 2016. Completed.
12(c) Ettrick and Yarrow Community Council	Great Tapestry of Scotland Working Group – Report	Report by Scrutiny Committee Working Group, presented by Councillor Mountford	18 August 2016. Completed.
13(c) Greenlaw and Hume Community Council	To consider outsourcing success stories from this Council and elsewhere in Scotland in particular where the service has been outsourced to a third sector organisation	Presentation by Kathryn Dickson, Procurement & Payment Services Manager.	18 August 2016. Completed.

<b>Source</b>	<b>Issue/Description</b>	<b>Stage</b>	<b>Scrutiny Committee Meeting Date</b>
14(c) Royal Burgh of Peebles & District Community Council	This issue relates to how (and under what circumstances) community consultation is designed, planned and managed and how the processes by which Council canvasses the views of local communities can be facilitated and improved upon. In particular, use the example of the process that led to the decision by the Council's Executive Committee to agree that Victoria Park, Peebles is the preferred location for a 3G pitch.	Presentation from Rob Dickson, Corporate Transformation and Services Director.	Removed. (Paragraph 2.2 of the minute of 18 August 2016 refers).
15(c) Councillor Torrance	School Transport and Escorts	Presentation by Dona Manson, Service Director Children and Young People.	28 April 2016 Completed.
16(c) Scrutiny Committee	Following the review on road repairs maintenance, presented to the January meeting of Scrutiny Committee. There was a further report to the March meeting on the implications on the capital and revenue budgets of the trunk status of the A72 and A7. Scrutiny Committee requested a further report identifying the revenue and capital costs of works to individual roads in the roads infrastructure.	Report from Asset Manager.	28 April 2016. Completed.
17(c) Councillor Logan	Support for Highly Able Learners in Schools	Presentation by Donna Manson, Service Director Children & Young People.	28 April 2016. Completed.
18(c) Scrutiny Committee	Financing arrangements for the Transport Interchange in Galashiels – to include subsidy arrangements and departure charges.	None	24 March 2016. Completed.
19(c) Councillor Archibald	Equalities Legislation. Consideration on the Council's up to date grant application form and information on how legislation is applied to local festivals, in particular where the Council awards grants.	None.	24 March 2016. Completed.

Issue	Source/Description	Stage	Scrutiny Meeting Date
20(c) Councillor Bhatia	Protection of Private Water Supplies – “in relation to Planning e.g. when a planning application is granted which requires an additional private supply or taking water from an existing private supply, how do existing householders ensure that their supply is protected? This may be purely a civil matter or the Council may have a role. This is further exacerbated with large forestry/windfarm applications.”	Recommendation to be considered by Executive Committee on 22 March 2016.	18 February 2016. Completed.
21(c) Ettrick and Yarrow CC Allocation of budgets for rural maintenance and repairs.	To review extent to which the SBC budget for road repairs and maintenance is sufficient to meet need and the not unreasonable expectation that roads will be maintained in a safe condition. Within this context, to particularly examine how the allocation of budget for rural roads is arrived and whether more should be allocated.	Recommendation considered by Executive Committee on 8 March 2016 – accepted.	28 January 2016. Completed.
22(c) Graeme Donald	Religious Observance } Policy } These were } presented together at	None – briefing session	29 October 2015. Completed.
23(c) Scrutiny Committee	Faith Schools } } the same meeting.	None – briefing session.	29 October 2015. Completed.
24(c) Councillor Turnbull	Fees for taxi licensing – the amount paid to outside bodies in administering taxi licensing and how the fees for a licence in the Borders compare with those of neighbouring authorities.	Information emailed to Cllr Turnbull from Licensing Team Leader on 5/10/15. Cllr Turnbull does to wish to pursue further.	14 October 2015. Completed.
25(c) Scrutiny Committee	Attainment levels in Schools in Deprived Areas.	None – briefing session.	24 September 2015. Completed.
26(c) Scrutiny Committee	Mainstream Schools and Children with Complex Additional Support Needs	None – briefing session.	24 September 2015. Completed.
27(c) Scrutiny Committee	Funding available to Community Councils	Presentation from Clare Malster, Strategic Community Engagement Officer	11 June 2015. Completed.

<b>Issue</b>	<b>Source/Description</b>	<b>Stage</b>	<b>Scrutiny Meeting Date</b>
28(c) Scrutiny Committee	Presentations on Planning Enforcement and Building Inspection Regime.	Presentation from Alan Gueldner, Lead Enforcement and Mr James Whiteford, Lead Building Standards Surveyor.	11 June 2015. Completed.
29 (c) Scrutiny Committee	Procurement Control of contractors policy/repairs & maintenance framework agreement procurement project.	Presentation by Kathryn Dickson, Procurement and Payment Services Manager, Graham Cresswell, Health & Safety Manager; Ray Cherry, Senior Architect; Stuart Mawson, Property Manager.	28 May 2015. Completed.
30(c) Scrutiny Committee	Use of Small Schemes and Quality of Life Funding by Area Fora.	Report by Jenni Craig, Service Director Neighbourhood Services.	26 March 2015. Completed.



Reviews Completed 2014/2015

<b>Source</b>	<b>Issue/Description</b>	<b>Stage</b>	<b>Scrutiny Committee Meeting Date</b>
1(d) Scrutiny Committee	Funding Available to Community Council	Clare Malster, Strategic Community Engagement Officer. Jean Robertson, Funding and Project Officer.	11 June 2015. Completed.
2(d)	Presentation on Planning Enforcement and the Building Inspection Regime	Alan Gueldner, Lead Officer Enforcement and James Whitford, Lead Building Standards Surveyor	11 June 2015 Completed.
3(d)	Use of Small Scheme and Quality of Life Funding by Area Fora	Report from Jenni Craig, Service Director Neighbourhood Services. Craig Blackie Neighbourhood Area Manager(Eildon)	26 March 2015 Completed.
4(d)	Procurement – Control of Contractors Policy/Repairs & Maintenance Framework Agreement Procurement Project	Kathryn Dickson, Procurement and Payment Services Manager, Graham Cresswell, Health and Safety Manager, Ray Cherry, Senior Architect, Stuart Mawson.	28 May 2016 Completed

Reviews Completed 2012/2013

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date.
1(e)	The Scrutinising Function within the new Scheme of Administration	Councillor Parker	Completed.
2(e)	Food Safety	Brian Frater, Head of Planning & Regulatory Services; Gwen Robertson, Principal Officer Food/Health and Safety, and Anne Dalziel, Enforcement Officer, Anne Dalziel.	4 October 2012. Completed.
3(e)	Procurement	David Robertson, Chief Financial Officer, Sandra Blacklock; Category Manager – Construction, Transport and Environment, Ewan Forrest, Category Manager – Corporate Indirects, Ewan Forrest and Charles Revolva, Solicitor.	4 October 2012. Completed.
4(e)	The Scrutinising Function within the new Scheme of Administration	Councillor Parker	4 October 2012 Completed.
5(e)	The Welfare Reform Act and Its Impact	Presentation from Jenni Craig, Head of Customer Services and David Cressey, Head of Housing & Community Justice	13 September 2012 Completed.
6(e)	Tourism Development in the Scottish Borders Area	Paula McDonald, Regional Director – VisitScotland, Vicki Miller, Head of Local marketing, VisitScotland, Ms Catherine Maxwell-Stewart, Chairman Scottish Borders Tourism Partnership, Richard Sweetnam, Economic Development Manager.	22 March 2012 Completed.



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**SCOTTISH BORDERS COUNCIL**  
**CIVIC GOVERNMENT LICENSING COMMITTEE**

MINUTE of Meeting of the CIVIC  
GOVERNMENT LICENSING COMMITTEE  
held in the COUNCIL CHAMBER/  
COMMITTEE ROOM 1, COUNCIL  
HEADQUARTERS, NEWTOWN ST  
BOSWELLS on Friday, 17 February 2017 at  
10.30 a.m.

Present:- Councillors W. Archibald (Chairman), J. Campbell, J. Greenwell, G. Logan,  
D. Paterson, J. Torrance, T. Weatherston, B. White.  
Apologies:- Councillors B. Herd, R. Stewart.  
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader,  
Licensing Standards and Enforcement Officer (Mr M. Wynne), Democratic  
Services Officer (F Henderson), Inspector J. Scott, P.C. C. Lackenby, -  
Police Scotland.

1. **MINUTE**  
The Minute of the Meeting of 20 January 2017.

**DECISION**  
**APPROVED and signed by the Chairman.**

2. **LICENCES ISSUED UNDER DELEGATED POWERS**  
There had been circulated copies of lists detailing the Civic Government and  
Miscellaneous Licences issued under delegated powers between 12 January 2017 and 7  
February 2017. The Committee were advised that the application listed in respect of Mr  
David Jeffrey was in fact pending and should be deleted from the list of licences issued.

**DECISION**  
**NOTED the list with the above amendment.**

3. **PRIVATE BUSINESS**  
**DECISION**  
**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to  
exclude the public from the meeting during consideration of the business detailed  
in the Appendix to this Minute on the grounds that they involved the likely  
disclosure of exempt information as defined in paragraph 12 of part 1 of Schedule  
7A to the Act.**

**SUMMARY OF PRIVATE BUSINESS**

- 1.0 **GRANT OF TAXI DRIVER LICENCE – MARK HOSKING**  
1.2 The Committee considered an application for the grant of a Taxi Driver Licence submitted  
by Mark Hosking and agreed that the application be refused.
- 2.0 **GRANT OF TAXI DRIVER LICENCE – DAVID JEFFREY**  
2.1 The Committee considered an application for the grant of a Taxi Driver Licence submitted  
by David Jeffrey and agreed that the application be continued to the next meeting.
- 3.0 **MINUTE**  
3.1 The Private section of the Minute of 20 January 2017 was approved.  
*The meeting concluded at 11.05 a.m.*

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# SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the LAUDER  
COMMON GOOD FUND SUB-COMMITTEE  
held in Council Chamber, Council  
Headquarters, Newtown St Boswells on  
Tuesday, 21 February 2017 at 2.00 pm

-----

Present:- Councillors D. Parker (Chairman) and I. Gillespie.  
Apologies:- Councillor J. Torrance. Community Councillor A. Smith.  
In Attendance:- Capital and Investment Manager (K Robb), Trainee Solicitor (E Moir),  
Democratic Services Officer (P Bolson).

1. **MINUTE.**

There had been circulated copies of the Minute of 14 December 2016.

**DECISION**

**NOTED for signature by the Chairman.**

2. **FINANCIAL MONITORING REPORT FOR PERIOD TO 31 DECEMBER 2016**

There had been circulated copies of the Monitoring Report for the period to 31 December 2016 along with the full year projected out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. Appendix 1 to the report provided a projected Income and Expenditure and showed a projected surplus of £22 for the year. The projected balance sheet at Appendix 2 showed a projected decrease in the level of reserves of £11,471. The property portfolio was detailed in Appendix 3, presenting a projected rental income of £10,965 for 2016/7 and actual property expenditure of £4,608 for the period of the report. The increase from the total cash invested in the Newton Fund up to 31 December 2016 stood at £5,845 and details were included in Appendix 4 to the report. Ms Robb advised Members that the quarter to 31 December 2016 had produced a poorer performance by the Newton Fund than in previous months and the report provided further detail on the reasons for this. Members noted that the Newton Real Return Fund was on target for dividend and was estimated to exceed its target return of 4.5% by 0.3% whilst avoiding higher risk investments in favour of those of a safer, robust nature. During the discussion that followed, Ms Robb advised that the performance of the Fund was being monitored and confirmed that officers would be visiting the Newton Fund offices on 23 March 2017. She further advised that there was no recommendation to move investments at the current time.

(a) **NOTED:-**

- (i) **the projected balance sheet value as at 31 March 2017 as detailed in Appendix 2 to the report;**
- (ii) **the summary of the property portfolio as detailed in Appendix 3 to the report; and**
- (iii) **the current position of the investment in the Newton Fund as detailed in Appendix 4 to the report.**

(b) **AGREED the projected Income and Expenditure for 2016/17 as detailed in Appendix 1 to the report.**

3. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

4. **APPLICATION FOR FINANCIAL ASSISTANCE**

The Chairman agreed that an Application for Financial Assistance on behalf of Lauderdale Community Council be considered under Urgent Business. The application was for a total of £953 which was made up of £500 to assist with the cost of provision of a potting shed for use by the school gardening club; and £453 to support the purchase of head torches, gazebo and banner for the Lauderdale Limpers running and athletics club. The application explained that the Community Council had been supporting a number of community groups over recent years and had currently used its own funds to supply two new defibrillators for Lauder and further Quality of Life funding to support Lauderdale Cycling Club. The Community Council was not in a position to fund the projects at Lauder Primary School or the Lauderdale Limpers at this time. It was agreed, therefore, that financial assistance would be granted to Lauderdale Community Council in the sum of £500 towards the provision of a potting shed for Lauder Primary School gardening club and a further £453 to support the purchase of head torches, gazebo and banner for the Lauderdale Limpers running and athletics club

**DECISION**

**AGREED that financial assistance be granted to Lauderdale Community Council in the sum of:-**

- (a) **£500 towards the provision of a potting shed for Lauder Primary School gardening club; and**
- (b) **£453 to support the purchase of head torches, gazebo and banner for the Lauderdale Limpers running and athletics club.**

5. **NEXT MEETING**

Members noted that the next meeting of Lauder Common Good Fund Sub-Committee would take place on Tuesday 13 June 2017.

***The meeting concluded at 3.00pm.***



# SCOTTISH BORDERS COUNCIL HAWICK COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the HAWICK  
COMMON GOOD FUND SUB-COMMITTEE  
held in Lesser Hall, Town Hall, Hawick on  
Tuesday, 21 February 2016 at 4.00 pm

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Present:- Councillors G Turnbull (Chairman), A Cranston, W McAteer, S Marshall, D Paterson, R Smith, Mrs A Knight, Mr J Little.  
In Attendance:- Chief Financial Officer (Items 1-6), Chief Legal Officer (Items 1-6), Cultural Services Advisor (Items 1-4) Managing Solicitor (R Kirk), Estates Surveyor (N Curtis) Senior Finance Officer (J Yallop), Property Officer (F Scott),  
Members of the Public Democratic Services Officer (J Turnbull).

## 1. ORDER OF BUSINESS

The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

## 2. RECORDING OF MEETINGS

In response to a query regarding the recording of meetings by the press, the Chief Legal Officer advised that there was no legal prohibition and it was at the Chairman's discretion whether he permitted recording of meetings.

### DECISION NOTED.

## 3. MINUTE

There had been circulated copies of the Minute of the Meeting held on 15 November 2016.

### DECISION APPROVED the Minute for signature by the Chairman.

## 4. URGENT ITEM

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the paragraph below should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

## 5. MOVEABLE ASSET INVENTORY

With reference to paragraph 6 of the Minute of 21 February, Mr Ian Brown, Cultural Services Advisor was in attendance. Mr Brown advised that prior to the Sub-Committee meeting he, Ms Hannah MacLeod, Principal Solicitor and Ms Shona Sinclair, Area Curator, Live Borders, had met with Hawick Councillors and representatives from Hawick community groups to review and agree the inventory for Hawick Common Good Moveable Assets Register. At that meeting, the Register produced by the Museum Service, had been agreed. However, following discussion, it has also been agreed to include two additional paintings. The Area Curator would also investigate the inclusion of another two paintings that had been suggested and a number of Common Riding flags. The final Register would be presented to the next meeting of Hawick Common Good Fund Sub-Committee. Mr Brown reminded Members that once the Sub-Committee took on the ownership of the moveable assets, it also assumed the financial responsibility for these assets including insurance, conservation and treatment. Mr Brown further advised that at the earlier meeting there had been other suggestions of items located within the Town Hall, that could be considered for inclusion on the Register. Members had agreed to

commission a researcher to undertake the investigation of these further items; Mr Brown would prepare a job description to assist with the appointment. Mr Brown went on to explain that Live Borders Museum Service had effectively completed its search. However, if, in the future, there was evidence of any other items that should be included on the Register, details would be forwarded to the Sub-Committee. The Sub-Committee thanked Mr Brown and staff for their work in producing the updated Hawick Common Good Moveable Assets Register which would be of benefit to the town.

## **DECISION**

### **AGREED:**

- (i) **To request that an updated Hawick Common Good Moveable Assets Register be presented to the next meeting of the Sub-Committee for approval: and**
- (ii) **To request that the Cultural Services Advisor prepares a job description to assist with the appointment of a researcher to undertake the investigation of possible further items within the Town Hall that could be included on Hawick Common Good Moveable Assets Register.**

## **6. FINANCIAL ASSISTANCE**

The Sub-Committee considered applications for financial assistance from the following:-

### **6.1 (a) Heads Together**

It was noted that this application had been withdrawn.

## **DECISION**

### **NOTED.**

### **6.2 (b) Hawick Congregational Community Church**

There had been circulated copies of an application for financial assistance from Hawick Congregational Community Church Reaching Out Community Project. The Project requested £2,624.38 for 50 chairs and two stacking trolleys. The chairs would be used to support their ongoing community project, especially to accommodate increasing numbers of customers attending their volunteer led activity, Soupalunch. The chairs would also be used by local voluntary and community groups who used their facilities.

## **DECISION**

**AGREED to award a grant of £2,624.38 to Hawick Congregational Church – Reaching Out Community Project to purchase 50 chairs and two stacking trolleys.**

## **DECLARATION OF INTEREST**

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

### **6.3 (c) Nature Unlimited**

There had been circulated copies of an application for financial assistance from Nature Unlimited requesting £9,375.00 to cover the cost of sessional workers, basic equipment and volunteer expenses. Ms Barr from Nature Unlimited was in attendance at the meeting, and advised that the project held activities for children across the Scottish Borders which nurtured well-being, resilience and community through teamwork and nature connection activities in woodlands. They ran sessions which ranged from long term employability programmes, family and community projects, mental health and wellbeing sessions as well as one-off events such as team building days and taster sessions.

- 6.4 Following discussion Councillor Turnbull, seconded by Councillor Paterson moved that a grant of £4,688.00 be awarded to Nature Unlimited.

Councillor Smith, seconded by Councillor Marshall moved as an amendment that a grant of £2,000 be awarded.

### VOTE

*On a show of hands Members votes as follows*

*Motion - 2 votes*

*Amendment 4 votes*

*The amendment was accordingly carried.*

### **DECISION**

**AGREED to award a grant of £2,000.00 to Nature Unlimited to cover the costs of sessional workers, basic equipment and volunteer expenses.**

#### **6.5 (d) Hawick Community Pump Track**

There had been circulated copies of an application from Hawick Community Pump Track requesting £4,200.00 to be used for full planning design and drawings for the Pump Track project. Three representatives from the project, including Mr Wilson secretary, were present at the meeting. In answer to questions by Members, they explained that the pump track would be an asset to the town and bring in revenue. The track would accommodate skateboards, scooters, inline skates and bikes; the track would also be wheelchair accessible. The facility would be open daily, during daylight hours. There was no similar large scale facility in the area, the nearest being Inverness. Once they acquired the design drawings and the feasibility study was in place, they would apply to potential funders. They had been granted a 20 year lease from Scottish Borders Council (SBC) for the site located on the disused tennis courts in Wilton Lodge Park. Velosolutions UK would design the track; works would be carried out using local tradesmen. Ongoing maintenance of the track would be funded by coaching sessions and events. Members supported the project and advised that major sponsors, such as the Big Lottery Fund should be considered for funding the project. It was also suggested that they contact the SBC's Grants Co-ordinator for advice on possible funders.

### **DECISION**

**AGREED to grant £4,200.00 to Hawick Community Pump Track to be used for full planning design and diagrams for the project.**

#### **6.6 (e) Hawick Scout Pipe Band**

There had been circulated copies of an application from Hawick Scout Pipe Band for £2,500.00 to provide a free afternoon's entertainment on Hawick High Street on 23 September and to celebrate the Band's centenary. Mr McLaren was present at the meeting and explained that £1,250.00 was required for transport, catering and entertainment for other pipe bands also performing at the event. The remaining £1,250.00 would be used for advertising costs. Members unanimously supported the project and congratulated the Band on reaching their centenary.

### **DECISION**

**AGREED to award a grant of £2,500.00 towards the cost of provision of a free afternoon's entertainment on Hawick High Street on 23 September and for advertising costs for the event.**

## **7. GOVERNANCE AND FINANCIAL ARRANGEMENTS**

Mr David Robertson, Chief Financial Officer and Ms Nuala McKinley, Chief Legal Officer, were present at the meeting at the request of Councillor McAteer, to advise the Sub-Committee on financial and governance arrangements. Councillor McAteer advised that he was satisfied with the information provided to the Sub-Committee from officers. However, good governance should detail the Sub-Committee's expected spend over a

five year period. This would ensure that potential maintenance for Common Good properties was programmed and the Sub-Committee could project spend over a five year period. He suggested that all Common Good assets should be surveyed to assess their condition and this would enable a meaningful five and ten year projection to be prepared. The Chairman referred to the Action Sheet, from the meeting of 16 August 2016 and advised that a condition survey for Hawick Common Good assets would commence August/September 2017 with a view to completion by March 2018. Planned maintenance for a five year programme could then be prepared for consideration by the Sub-Committee.

#### **DECISION**

**AGREED that a report be presented to the Sub-Committee once the condition survey had been completed and include details of the suggested planned maintenance for Hawick Common Good Fund's assets over a five year period.**

#### **8. MONITORING REPORT FOR NINE MONTHS TO 31 DECEMBER 2016**

With reference to paragraph 5 of the Minute of 15 November 2016 there had been circulated a report by the Chief Financial Officer providing details of the income and expenditure for the Hawick Common Good Fund for the nine months to 31 December 2016 and full year projected out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. Appendix 1 to the report provided the actual income and expenditure. This showed a projected surplus of £13,326.00 for the year. Appendix 2 provided a balance sheet value to 31 March 2017. It showed a projected decrease in the reserves of £26,267.00 Appendix 3 provided a breakdown of the property portfolio showing projected rental for 2016/17 and actual property expenditure to 31 December 2016. Appendix 4 showed the value of the Newton Fund to 31 December 2016. Mr Yallop, Senior Finance Officer, was in attendance and advised that the outturn report to be presented to the June meeting would include the grant payments agreed above. He highlighted that the rental income, shown in Appendices 1 and 3 of the report, was greater than the budgeted projection due to the receipt of income relating to the 2017/18 financial year. Mr Yallop went on to discuss the Newton Fund which was estimated to deliver a negative return of 4.8% against its benchmark of +1.1%. He explained that the fund was a diversified growth fund investing in safe sectors such health care and corporate bonds which had performed poorly due to uncertainty over Brexit and the USA Presidential Election. As a result of the poor performance, KPMG had been commissioned by SBC to assess the Fund's performance against its peers. KPMG's report showed that the fund's performance was poor in comparison with their peers over the previous quarter. However, the Fund had performed well over the longer term against its peers. Given the nature of the fund, it was over the longer term that it should be measured. In answer to a question, Mr Yallop advised that he was not aware of investor migration, but if poor performance continued over the next year, this would be the trigger to consider the future of the Fund. For example a particular trigger would be if the market value of the investments fell below the amount invested, given the capital preservation ethos of the Fund.

#### **DECISION**

**(a) AGREED:-**

**(i) The projected income and expenditure for 2016/17 as shown in Appendix 1 to the report;**

**(b) NOTED:-**

**(i) The actual projected balance sheet value as at 31 March 2017 in Appendix 2 to the report;**

**(ii) The summary of the property portfolio in Appendix 3 to the report; and**

**(iii) The current position of the investment in the Newton Fund in Appendix 4**

**9. HAWICK WOODLOT**

With reference to paragraph 6 of the Minute of 16 August 2016, the Estates Surveyor, Mr Curtis, advised that feedback from the Woodlot Association was that they considered the Burgh Woodlands to be too large and mature for their woodland operation. It was also too small to be viable for commercial operators. However, Mr Curtis had received an enquiry from an operator interested in the woodlot, which he would pursue. He would also contact a tree surgeon to discuss options for the woodlot and report back to the next meeting of the Sub-Committee. Members also requested that maintenance of Willestruther Wood be explored and Mr Curtis confirmed he would investigate.

**DECISION**

**AGREED to request a report on the Burgh Woodlot for the next meeting of the Sub-Committee.**

**10. DATE OF NEXT MEETING**

The next meeting of Hawick Common Good Fund Sub-Committee was scheduled to take place on Tuesday, 20 June 2017.

**11. PRIVATE BUSINESS**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to the Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.**

**SUMMARY OF PRIVATE BUSINESS**

**12. PRIVATE MINUTE**

Members approved the private section of the Minute of 15 November 2016.

**13. ACTION SHEETS**

The Sub-Committee considered actions from Minutes and Private Minutes and referred any outstanding items to the 2017/18 Hawick Common Good Fund Sub-Committee.

**14. HAWICK HORSE RACING ASSOCIATION**

The Sub-Committee considered a letter from Hawick Horse Racing Association and made recommendations.

**15. HAWICK MARKET**

The Sub-Committee considered an update from the Estates Surveyor and agreed a course of action.

**16. HORNSHOLE**

The Sub-Committee noted an update from the Managing Solicitor.

**17. PROPERTY UPDATE**

The Sub-Committee considered, noted and agreed updates from the Property Officer and Estates Surveyor.

*The meeting concluded at 5.50 pm.*

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# SCOTTISH BORDERS COUNCIL TEVIOT AND LIDDESDALE AREA FORUM

MINUTES of Meeting of the TEVIOT AND LIDDESDALE AREA FORUM held in Lesser Hall, Town Hall, Hawick on Tuesday, 21 February 2017 at 6.30 pm

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Present:- Councillors: G. Turnbull (Chairman), S. Marshall (Vice-Chairman), A. Cranston, W. McAteer, D. Paterson, R. Smith.  
Community Councillors: Mr M Grieve (Burnfoot), Mr C Griffiths (Items 1 to 6) (Hobkirk), Mr P Kerr (Southdean), Mr W Roberts (Denholm), Mr I Robson (Upper Teviotdale & Borthwick Water), Mrs M Short (Hawick).

In Attendance:- Neighbourhood Area Manager (Mr F Dunlop), Inspector Carol Wood (Police Scotland), Mr Russell Bell (Items 1 to 4) (Scottish Fire & Rescue Service) Democratic Services Officer (J Turnbull).

Members of the Public 17

## 1. MINUTE

There had been circulated copies of the Minute of the meeting held on 17 January 2017.

## DECISION

**AGREED to approve the Minute.**

## 2. MATTERS ARISING FROM THE MINUTE

With reference to paragraph 6.3 of the Minute regarding an enquiry from a member of the public. It was advised that Sunderland Hall Bridge works had cost £2.8m and had been entirely funded by Transport Scotland.

- 2.2 With reference to paragraph 7.5 of the Minute, it was reported that at the A7 Action Group, Mr Head, Area Manager, Amey had advised that BT would carry out temporary diversion works at The Dunk which would allow Amey to access the embankment for the necessary repairs to be carried out. Mr Head had also advised that road closures were programmed for the end of February/March to carry out patching works at Skipper's Bridge, Langholm and embankment repairs at Linhope. Regarding works at Havelock Street, BT had repaired the manholes and it was anticipated that patching works would be completed by late February/early March.

- 2.3 In answer to a question from Community Councillor Mrs Short, it was noted that Amey was responsible for maintenance of the footpath at the riverside and maintenance works would be completed by the end of March.

## DECISION

**NOTED.**

## 3. HOME ENERGY SCOTLAND

The Chairman welcomed Mr Asjad Rafiq, Community Liaison Officer, Home Energy Scotland who was present at the meeting to advise on the Scottish Government's initiative - Home Energy Scotland. Mr Rafiq began by advising that Home Energy Scotland offered free, impartial advice on energy saving and renewable energy. They also offered schemes for boiler replacement, cavity wall insulation, biomass boilers and were not

connected to any energy utility companies. The Forum then took part in an interactive exercise to determine the top five energy saving tips which were identified as: turning down the thermostat by one degree; replacing bulbs with energy saving bulbs; turning off appliances completely; spending one minute less in the shower; and not overfilling kettles. Mr Rafiq concluded by advising that further advice on energy saving was available from [www.homeenergyscotland.org](http://www.homeenergyscotland.org) or their helpline Tel No. 0808 808 2282. The Forum thanked Mr Rafiq for the enjoyable presentation.

## **DECISION**

**NOTED the presentation.**

### **4. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY**

- 4.1 The Chairman welcomed Mr C Johnston Principal Officer – Plans and Research, who was present at the meeting to give a presentation on Draft Supplementary Guidance - Renewable Energy 2016. Mr Johnston explained that Scottish Borders Council's Local Development Plan (LDP) was adopted on 12 May 2016 and one of the recommendations was the requirement to produce Supplementary Guidance (SG) on renewable energy. A draft SG had been produced which provided planning guidance on a wide range of renewable technologies. Scottish Borders Council (SBC) had approved the SG on 22 December 2016; a 12 week public consultation then began which would end 17 on April 2017.
- 4.2 Mr Johnston advised that the role of SBC was to support the principals of sustainable development and renewable energy, within appropriate locations. Mr Johnston then referred to a map which detailed windfarm applications within the Scottish Borders and showed the status e.g. Approved, Pending Decision, Refused or Withdrawn. He explained that SG policy promoted sustainable development, whilst protecting natural and cultural assets. The Scottish Planning Policy (SPP) reaffirmed support for renewable energy and the requirement to attain national energy targets; the target of which was that by 2020, 100% of electricity should be produced by renewable energy. However, a balance had to be sought, as it was not about development at any cost. SBC's planning system was tasked with facilitating positive change while maintaining and enhancing the distinctive landscape character.
- 4.3 Mr Johnston further advised that the main policy within the Local Development Plan for windfarm developments was that if the development was judged to have an unacceptable, significant adverse impact, consent would only be granted if it was considered wider economic and environmental benefits outweighed any potential damage. Mr Johnston discussed the Spatial Framework which grouped areas into three. Group 1 identified areas where windfarms would not be acceptable e.g. National Parks and National Scenic Areas. Group 2 showed Areas of Significant Protection e.g. areas where windfarms might be appropriate in some circumstances if any significant effects could be overcome by siting, design or other mitigation. Group 3 highlighted areas with potential for windfarm development which would likely be acceptable subject to detailed consideration against policy criteria. Mr Johnston went on to explain that any developer interested in building windfarms would consider the LDP, Spatial Framework and Landscape Capacity prior to submitting a request. However, some developers still submitted applications significantly at odds with the Landscape Capacity study. Mr Johnston concluded by stating that turbines were becoming higher for example, 150m turbines, which meant that there was a requirement for appropriate lighting. In response to a question he explained that applications for expansion of existing windfarm sites or replacement with higher turbines would be considered as new proposals and were dealt with accordingly.
- 4.4 There followed a discussion when a number of issues were raised. It was highlighted that there appeared to be a conflict between text and maps with regard to the interpretation of what were considered to be a 'turbine landscape' as opposed to, for example 'a landscape with turbines'. Mr Johnstone was also asked about the changes to categorisation of turbine typologies which had been changed from 3no to 5no which



allowed more accurate and definitive text to be applied. Specific reasoning as to why the Landscape Study indicated the preferred typology types stated were largely outwith Mr Johnston's remit as these were proposed by the Landscape Consultant and Development Management officers. Mr Johnston was also asked to comment on the public impression that SBC were imposing far less restrictions on developments than before. Mr Johnston explained that SBC were dictated to by Scottish Government and were trying to maintain a balance between the government's promotion of windfarm developments and local landscape issues. SBC had refused a number of applications but the government had overturned their decisions. With reference to a question about decommissioning of sites, Mr Johnston advised that the lifespan of the majority of wind turbines was 25 years and then they would be removed unless applications were submitted for repowering on the sites. However, he was unsure if when decommissioning, the concrete bases on which they were positioned, would also be removed as no applications had yet been submitted to test this issue. Mr Johnston concluded that all responses to the public consultation would be considered and there would be an update on the findings referred to Members in summer 2017. Councillor Smith, Chairman of the Planning and Building Standards Committee, added that if anyone wished to discuss their concerns further he was available out with the meeting.

**DECISION  
NOTED.**

**5. PREPARATION OF NEW LOCAL DEVELOPMENT PLAN**

Mr Johnston was also present at the meeting to advice on the preparation of the New Local Development Plan (LDP). He highlighted the timeline: The Main Issues Report (MIR) would hopefully be produced by December 2017, with the conclusion of the process being the adoption of the LDP in the spring 2021. He clarified that the MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR would be circulated for public consultation and would include identification of preferred sites for houses as well as alternatives. The MIR would also propose where planning policies could be updated, removed or merged and sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. The main component parts of the MIR included a Monitoring Report which Identified emerging issues to be addressed including consideration of options for new housing sites, removal of housing sites, employment sites and town centre policy. To facilitate community engagement with the LDP a series of workshops and exhibitions had been planned during the summer of 2017 and further information would be made available once the venues and dates were confirmed. The Chairman thanked Mr Johnston for both the informative presentations.

**DECISION  
NOTED.**

**6. NHS BORDERS**

With reference to paragraph 7 of the Minute of 15 September 2015, the Chairman welcomed Ms Amanda Cotton, Consultant Psychiatrist, NHS Borders who was present at the meeting to update the Forum on matters of interest and concern within the Teviot and Liddesdale Area. Ms Cotton advised that in May 2015, representatives from NHS Borders had attended the Forum and gave a presentation on NHS Borders' proposal to relocate the Galavale Mental Health Unit in Galashiels, to Crumhaugh House in Hawick. At that meeting, it was reported that a planned £2m investment would refurbish Crumhaugh House into a 13-bed inpatient ward for the treatment of patients from 18 to 69 years with severe and enduring mental health problems. Ms Cotton further advised that since then, there had been a number of changes to the provision of care for those patients. This had led to a reconsideration of their decision and the relocation would not now be taking place; this had been approved by the Scottish Borders Health Board. Ms Cotton explained the reasons for the decision: NHS Borders had revised their assessment of health and

safety; there had also been a change to the nursing staffing model with staff sharing services with Huntlyburn, this would not have been possible if the rehabilitation centre was to relocate from its central location. Ms Cotton referred to the changes in the landscape of psychotic substances with increased physical risks; therefore moving patients away from urgent medical care would not be appropriate. In response to a question regarding NHS Borders' proposals for Crumhaugh House, she advised that she would refer back to the Board and ask for an update. The Forum expressed their disappointment that the largest town in the Borders was not able to accommodate the facility. Ms Cotton responded that the Rehabilitation centre served the entire Scottish Borders from Eyemouth to West Linton, therefore a central location, as close to patients' homes was a priority. The Chairman thanked Ms Cotton for the update but stated that NHS Borders centralisation policy was affecting other areas, not just Hawick. Members were also concerned that they had not been briefed on the changes to the proposal, prior to the release to the press; it was important that NHS Borders and the Council worked in partnership. It was noted that there would be a presentation from the Chief Officer for Health and Social Care Integration at the next meeting. Updates were also requested on Hawick Community Hospital and NHS Borders' performance monitoring and comparison with national targets.

#### **DECISION**

- (a) NOTED**
  - (i) The report; and**
  - (ii) That there would be a presentation from the Chief Officer for Health and Social Care Integration at the March Forum.**
- (b) AGREED to request an update on Hawick Community Hospital and NHS Borders' performance monitoring and comparison with national targets.**

#### **7. NEIGHBOURHOOD SMALL SCHEMES AND QUALITY OF LIFE**

7.1 With reference to paragraph 3 of the Minute of 17 January 2017, there had been circulated a report by Service Director Neighbourhood Services seeking approval for proposed new Neighbourhood Small Schemes and Quality of Life Schemes from the Area Forum. Mr Dunlop advised that the following Neighbourhood Small Schemes had been requested for consideration by Teviot and Liddesdale Members: Re-route overhead cables at Bonchester Bridge; provide turf for Wilton Lodge Park; paint ornamental lampposts in Hawick; clean James Thomson Bridge, Hawick; install soakaway at Teviothead Cemetery; carry out improvements to drop kerbs in Hawick Town Centre; install seat in Buccleuch Road bus shelter.

7.2 With reference to paragraph 5 of the Minute of 20 September 2016, Mr Dunlop further advised that the public disposition for the Hawick Traffic Regulation Order Amendments ended on 17 February 2017. No objections or comments had been received during the period. The Traffic Regulation Order could now be made and the road markings to give effect to this Order would be implemented. The road markings would be laid week commencing 27 February and the signage as soon as practicable thereafter.

#### **DECISION**

- (a) AGREED the following new Neighbourhood Small Schemes for implementation:-**

<b>(i) Re-route overhead cables at Bonchester Bridge</b>	<b>£4,047</b>
<b>(ii) Provide turf for Wilton Lodge Park, Hawick</b>	<b>£ 175</b>
<b>(iii) Paint ornamental lampposts in Hawick</b>	<b>£1,332</b>
<b>(iv) Clean Thomson Bridge, Hawick</b>	<b>£ 352</b>

- (v) Install soakaway in Teviothead Cemetery £1,214
- (vi) Carry out improvements to drop kerbs in Hawick town Centre £1,781
- (vii) Install seat in Buccleuch Road bus shelter, Hawick £ 658

(b) **NOTED:-**

- (i) the updates on previously approved Neighbourhood Small Schemes as detailed in Appendix A to the report;
- (ii) the updates on previously approved Quality of Life Schemes as detailed in Appendix B to the report; and
- (iii) the update on Hawick Traffic Regulation Amendments.

**8. SCOTTISH FIRE & RESCUE SERVICE**

- 8.1 There had been circulated a report from Station Manager Russell Bell, Hawick Fire Station, presenting service delivery activity in the Teviot and Liddesdale Area for the month of January 2017. In summary, the report detailed that during the period of the report there had been three house fires (one chimney, two dwelling); two non-domestic fires (cars – accidental); three open fires (one refuse, two woodland); three special service occurrences and 15 unwanted fire alarms signals.
- 8.2 The report highlighted that in April 2017, the Scottish Fire and Rescue Service would introduce a common duty system throughout all Whole-time stations in Scotland. The 5 Watch Duty System was currently in use within the majority of the West Service Delivery Area and would now be rolled out nationally. Staff figures at Hawick Station would reduce from a total of 28 to 25 with 5 Watches of 5, replacing 4 Watches of 7. The new system would provide a more flexible and effective use of staff and would not affect the number of staff who day to day attended operational incidents on the fire engine as part of a water rescue team.
- 8.3 The Winter season thematic period continued and the Fire and Rescue service would be reporting their level of success against a range of indicators.

**DECISION  
NOTED.**

**9. POLICE SCOTLAND**

- 9.1 There had been circulated a report from Inspector Carol Wood, Police Scotland, updating the Teviot and Liddesdale Area Forum on performance activities and issues in the area. The Ward Plan priorities for Teviot and Liddesdale were highlighted as Drug Dealing and Misuse, Road Safety, Violent Crime and Antisocial Behaviour. In summary, with regard to the Drug Dealing and Misuse priority, Inspector Wood advised that whilst in custody on another matter a 36 year old male had been found in possession of a class B drug. A male had been found in possession of a class A drug and charged accordingly. Officers on patrol had stopped a 32 year old male, he was searched and found in be in possession of a Class C drug and was charged with this. Following a house search in Burnfoot a 24 year old male was found in possession of a class B drug. This male was also charged with driving under the influence of drugs. All offences had been reported to the Procurator Fiscal.
- 9.2 In terms of the Road Safety Priority, Community Officers continued to give attention to areas where they had received complaints of speeding and inconsiderate driving. Officer patrolled in identified locations to carry out periodic checks to positively influence driving

behaviour. In certain circumstances, motor vehicles could be seized by Police where there was evidence that the vehicle was being driven carelessly, or off road. It was essential that complaints about driving behaviour were notified to the police via 101 at the time. Vehicles continued to receive parking tickets and drivers were warned for parking longer than they should or breaching yellow line restrictions throughout the town. Whilst on patrol in Newcastleton a 37 year old man was charged for driving without insurance or a licence. He was reported for these offences and his vehicle was seized. Officers stopped a vehicle travelling on Buccleuch Road, Hawick. The driver was charged with a number of driving offences and his vehicle was seized. Two other drivers were charged for failing to have valid test certificates for their vehicle. Two fixed penalty tickets were issued for speeding.

- 9.3 In respect of the Violent Crime priority, there was one serious assault reported in Hawick during January. During a family argument a 23 year old male assaulted the 45 year old owner of the property. As a result the male sustained laceration to his head and required medical attention. The suspect was detained and subsequently charged with serious assault. He was kept in custody for his appearance at court the following day.
- 9.4 With regard to the Antisocial Behaviour priority, throughout December there were nine recorded police warnings and one fixed penalty ticket given for antisocial behaviour. A male was arrested in Croft Road, Hawick for breaching an antisocial behaviour order. He was detained in custody and appeared in court the following day.
- 9.5 Inspector Wood went on to highlight other issues during the period. With regard to Rural Crime whin bushes had been deliberately set alight near Upper Tofts Farmhouse, enquiries continued into this crime. Monday 13 February 2017 saw the launch of a national campaign highlighting the responsibility of dog walkers when taking their dogs into the countryside. A number of partners had come together on this campaign which was aimed at raising awareness of the devastating effects of livestock worrying. Police Scotland's advice was that dog owners who lived in rural areas or anyone walking and exercising their dogs in the countryside should ensure that their dogs were under control at all times. They should avoid going into any field where livestock was grazing. This did not just relate to the physical harm a sheep could come to but also the financial cost to the farmer where livestock was killed or injured. This was particularly relevant at this time of the year when the fields were full of pregnant ewes. Farmers and land managers could download signs from the Scottish Outdoor Access Code website to make sure it was clear to dog walkers what areas they should avoid at this time of year. Dog walkers could also find a lot of practical tips on staying safe with their dog at [www.JesstheDog.org.uk](http://www.JesstheDog.org.uk). Police Scotland would fully investigate any reports of sheep worrying and charge individuals where there was sufficient evidence to do so. Inspector Wood concluded her report by advising that Police Scotland continued to ask communities to contribute to the Your View Counts consultation. The online consultation was available on <https://www.surveymoney.co.uk/r/8LMB9WX>.
- 9.6 In response to questions regarding the deployment of firearms at an incident and an update on the break-in at the motorbike shop, Inspector Wood advised that she has been on leave during the incidents but would investigate and report back to Members. In answer to a question regarding speeding traffic passing horse riders, she advised that specific incidents should be reported and would be investigated, drivers had been charged in the past and she asked that any incident be referred to Police Scotland giving details.

**DECISION**  
**NOTED the report.**

10. **OPEN QUESTIONS**  
10.1 **Wilton Lodge Park**

A member of the public reported that the goal posts at Wilton Lodge Park were not bolted down. Children were swinging on them and this was dangerous; Mr Dunlop advised that he would investigate.

#### 10.2 **Roads at St Leonards and Williestruther Kennels**

A member of the public advised that the roads at St Leonards and Williestruther Kennels required cleaning, cars were getting stuck in the mud; Mr Dunlop would investigate.

### **DECISION NOTED**

#### 11. **COMMUNITY COUNCIL SPOTLIGHT**

- 11.1 Hawick Community Councillor, Mrs Short advised that there would be interesting speakers at their forthcoming community council meetings. In March there would be an update on the Community Empowerment Bill which all community councils had been invited to attend. In April the Project Officer from Stobs Camp would be reporting on the development. In May, they would be receiving an update on National Parks. In June, Live Borders would be attending to update on the reinstatement of the flume at the Leisure Centre and finally, in July, there would be representatives attending from the Borders Railway campaign.
- 11.2 Denholm Community Councillor, Mr Roberts thanked Mr Johnston for the earlier presentation on renewable energy which had been interesting. Mr Roberts advised that Denholm Community Council had finally reached an agreement with EFS Anemoui for the Langhope Rig Community Fund and were considering potential projects for this fund. They were also pursuing one or two small scheme projects. Mr Roberts further advised that there had been a meeting with SBC's Estates Surveyor regarding the replacement of the community storage facility and this was being pursued. The Community Council had also been consulted on the Pine Burns windfarm development. The Community Council had discussed SBC's introduction of charges for the use of public toilets throughout the Borders and how this would be implemented in Denholm. Mr Roberts continued that speeding at Jedward Terrace continued to be an issue, the positioning of the 30 mph limit sign and three stage warnings was inadequate and should be relocated. There was also concern at the location of the 30 mph at the other side of the village. Councillor Marshall advised that there would be a road safety meeting on site, he would circulate the time and date and also advise Inspector Wood.
- 11.3 Burnfoot Community Councillor Mr Grieve advised that the Burnfoot Carnival would be held on 9 July. He further advised that they continued to develop the Garden of Remembrance project.
- 11.4 Southdean Community Councillor Mr Kerr advised that following an election there were nine members on the Community Council. Broadband provision continued to be a major issue and BT were preparing a feasibility study. The Community Council had also been consulted on Pine Burns windfarm development and had objected as they had concerns about local roads and social economic aspects.
- 11.5 Mr I Robson, Upper Teviotdale and Borthwick Water advised that hopefully the bench, funded from the Quality of Life Scheme would be erected soon. The Community Council were concerned at the amount of mud on the road from nearby farm transport. Timber transport was also damaging the road verges and they requested that could SBC arrange for an inspection of the road between Roberton and Craik

### **DECISION**

- (i) **NOTED the reports; and**
- (ii) **AGREED that the Council be requested to arrange for an inspection of the roads and grass verges on the road between Roberton and Craik.**

12. **DATE OF NEXT TEVIOT AND LIDDESDALE AREA FORUM MEETING**  
The next meeting of the Teviot and Liddesdale Area Forum was scheduled for Tuesday, 21 March 2017 at 6.30 pm in the Lesser Hall.

**DECISION  
NOTED.**

*The meeting concluded at 8.30 pm.*

**SCOTTISH BORDERS COUNCIL**  
**PEEBLES COMMON GOOD FUND SUB-COMMITTEE**

MINUTE of MEETING of the PEEBLES  
COMMON GOOD FUND SUB-COMMITTEE  
held in the Council Chamber, Council Offices,  
Rosetta Road, Peebles on 1 March 2017 at  
5.00 p.m.

Present:- Councillors W. Archibald (Chairman), C. Bhatia, K. Cockburn, G. Garvie,  
G. Logan.  
Community Councillor L Hayworth.

Apology:- Councillor S. Bell.

In Attendance:- Chief Legal Officer, Solicitor (C. Kubala), Capital and Investments  
Manager, Estates Surveyor (A. Graham), Democratic Services Officer  
(K. Mason).

Members of the Public:- 2.

1.1 **MINUTE**

The Minute of Meeting of Peebles Common Good Fund Sub-Committee of 23 November 2016 had been circulated.

**DECISION  
APPROVED.**

- 1.2 With reference to paragraph 4 of the Minute, it was noted that a report on the current position in relation to the existing Traffic Regulation Orders within car parks in Peebles would be considered at the next meeting.

**DECISION  
NOTED.**

2. **MONITORING REPORT FOR 3 MONTHS TO 30 SEPTEMBER 2016**

There had been circulated copies of a report by the Chief Financial Officer providing details of the income and expenditure for the Peebles Common Good Fund for the nine months to 31 December 2016 and full year projected out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. Appendix 1 to the report provided a projected Income and Expenditure position. This showed a projected surplus of £6,778 for the year. Appendix 2 to the report provided a projected Balance Sheet to 31 March 2017. It showed a projected decrease in the reserves of £30,662. Appendix 3 to the report provided a breakdown of the property portfolio showing projected rental income for 2016/17 and actual property expenditure to 31 December 2016. Appendix 4 to the report showed the value of the Newton Fund to 30 June 2016. The Capital and Investments Manager advised that she and the Chief Financial Officer would be meeting on 23 March 2017 with managers of the Newton Fund to discuss their performance and to examine what was happening in the longer term.

**DECISION  
AGREED:-**

- (a) the projected Income and Expenditure for 2016/17 as detailed in Appendix 1 to the report as the revised budget for 2016/17;
- (b) to note the projected Balance Sheet value as at 31 March 2017 as detailed in Appendix 2 to the report;

- (c) to note the summary of the property portfolio as detailed in Appendix 3 to the report; and
- (d) to note the current position of the investment in the Newton Fund as detailed in Appendix 4 to the report.

#### **DECLARATIONS OF INTEREST**

Councillors Logan and Garvie declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and took no part in the discussion.

#### **3. CALLANTS' CLUB TREE PLANTING**

There had been circulated copies of a request submitted by Mr John Falla, Peebles Callants' Club. Mr Falla was present at the meeting and in giving background information advised that the Callants' Club, Kingsland Primary pupils and friends from the community would like to plant trees on the Common Good land which surrounded Kingsland School. The area extended from north of the cemetery to the Rae Burn at the west end boundary. The Woodland Trust would provide the trees which would be native rowan, holly, hawthorn etc. The advantages to bird life and the landscape were apparent, and it was possible that the rainfall absorbed would reduce the amount of water running off onto the main road. There would be no financial assistance required from the Common Good and no maintenance required from the Council. All planting would be well away from the golf course and school boundary and would not restrict any of the beautiful views which existed. It was hoped that funding would soon be in place to allow the planting of bluebells and wild flowers at random suitable areas. The Estates Officer advised that a former lease of the 7 acre west most site for a ten month season provided income in the sum of £400. Members discussed whether there might be better areas and there was a concern for the land when it was planted up. Mr Falla answered Members' questions in respect of maintenance and explained this would not be high and he referred to the large number of volunteers whom could be called upon. Members were minded to accede to the request in principle, subject to an exchange of letters between Mr Falla and the Council's Legal Department and on the proviso that guidance and advice be obtained from the Council's Landscape Architects and / or the Woodland Trust or such other similar body.

#### **DECISION**

**AGREED, in principle, to accede to the request for tree planting on Common Good land near Kingsland Primary School subject to an exchange of letters between Mr Falla and the Council's Legal Department and on the proviso that guidance and advice be obtained from the Council's Landscape Architects and / or the Woodland Trust or such other similar body.**

#### **DECLARATION OF INTEREST**

Community Councillor Hayworth declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and took no part in the discussion.

#### **4.0 PEEBLES COMMUNITY TRUST – OLD CORN EXCHANGE, PEEBLES**

There had been circulated copies of a request from Mr Crick Carleton, Peebles Community Trust (PCT) to use the Old Corn Exchange, Peebles as a pop-up facility whilst a new tenant was being found for it. Mr Carleton was present at the meeting and advised that PCT wished to use the shop to (a) raise awareness of the PCT; (b) to provide the opportunity for local residents and businesses to pop-in to discuss issues of concern; (c) to provide a point of information (information displays, leaflets on the PCT and other projects / organisations); and (d) to address current issues (March Street Mills proposed redevelopment, community / enterprise hub, Town Team initiative, Community Right to Buy). The intention was to mount information displays both within the facility and visible from the street providing information on current issues, projects, and opportunities; to locate temporary displays around the walls of the main room, and furnish the space with a desk and chairs, a bookshelf, a reading area and a debating circle. It was also proposed to use the facility under the control and management of the PCT but, with the prior consent of SBC Estates Management, to extend



the opportunity to display material, information boards, and to hold drop-in events to other community groups as a means of making best use of the facilities in the time that the PCT might have access to them. The opportunity to use these facilities came at a crucial time in the development and expansion of the work programme of the PCT who were seeking to build support for the work of the PCT, to expand membership, and to encourage active support for its various initiatives – for which visible presence on the High Street would be hugely advantageous.

- 4.1 Members were made aware that the closing date for lodging expressions of interest in leasing the Old Corn Exchange, Peebles was the following day. Accordingly, it was agreed to continue discussion of the PCT's request in private at the conclusion of the public business to enable the Estates Surveyor to appraise Members on the current position.

#### **DECISION**

**AGREED to continue consideration of PCT's request in private at the conclusion of the public business.**

### **5. APPLICATIONS FOR FINANCIAL ASSISTANCE**

#### **DECLARATION OF INTEREST**

Councillor Garvie declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and took no part in the discussion.

(a) Tweeddale Astronomical Society

There had been circulated copies of an application for financial assistance from Tweeddale Astronomical Society in the sum of £5,000 to enable the release of other funding and the purchase of the main telescope in a timeframe which would allow sufficient time for familiarisation and training prior to the start of the Society's 2017/18 viewing season. Dr Tom Johnston, Chair, Tweeddale Astronomical Society was present and gave background information relating to the application and answered Members' questions in regard to fund-raising.

#### **DECISION**

**AGREED to grant the sum of £5,000 to Tweeddale Astronomical Society to enable the release of other funding and the purchase of the main telescope.**

(b) Eastgate Theatre (Peebles) Limited

Members were advised that the application from the Eastgate Theatre (Peebles) Limited had been withdrawn.

#### **DECISION**

**NOTED.**

(c) Nature Unlimited

There had been circulated copies of an application for financial assistance from Nature Unlimited in the sum of £9,375 towards the costs of sessional workers, basic equipment and volunteer expenses. Ms Ruth Noble was present and advised that Nature Unlimited was a Community Interest Company nurturing well-being, building resilience and creating community through teamwork (den-building, games) and nature connection activities in woodlands. Participants were supported at every stage of life, to grow and thrive, helping to reduce social and health inequalities. Sessions took place in woodlands across the Scottish Borders, which ranged from long-term employability programmes, family and community projects, mental health and well-being sessions to one –off events such as team building days and taster sessions. Two programmes of 15 sessions would be held in woodlands in Peeblesshire for groups of up to twelve teenage girls who had, or were at risk of development mental health issues. Peebles High School was supportive of the initiative. Members considered the application and agreed that it would be more appropriate for the

applicant to approach other sources of funding provided by Scottish Borders Council Community Grant Scheme and the Langhope Rig Wind Farm Fund.

**DECISION**

**AGREED that the application be refused.**

**DECLARATION OF INTEREST**

Councillor Bhatia declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and took no part in the discussion.

(d) Peebles Agricultural Society

There had been circulated copies of an application for financial assistance from Peeblesshire Agricultural Society in the sum of £4,700 towards updating their online entry system and developing their website/social media capacity to help increase the efficiency of the show. Members considered the application and noted that the Peebles Agricultural Society was in a sound position financially.

**DECISION**

**AGREED that the application be refused.**

(e) Peebles Rugby Club

There had been circulated copies of an application for financial assistance from Peebles Rugby Club in the sum of £5,640 towards the purchase of a reconditioned mower to help maintain the rugby playing and training pitches at The Gytes and Hay Lodge. Members considered the application agreed that it would be more appropriate for the applicant to approach other sources of funding such as Scottish Borders Council Community Grant Scheme and the Neighbourhood Small Schemes Budget.

**DECISION**

**AGREED that the application be refused.**

6. **VALEDICTORY REMARKS**

Councillor Garvie, on behalf of the Members, thanked Councillor Archibald for Chairing the Sub-Committee over the last 5 years.

**PRIVATE BUSINESS**

7. **DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 9 of Part I of Schedule 7A to the Act.**

**Declaration of Interest**

Community Councillor Hayworth declared an interest in the following item of business in terms of section 5 of the Councillors Code of Conduct and left the Chamber.

**Peebles Community Trust – Old Corn Exchange, Peebles**

8. The Estates Surveyor briefed Members on the current position regarding the lease of the Old Corn Exchange, Peebles. Members agreed to continue discussion of the request submitted by Peebles Community Trust to a future meeting.

*The meeting concluded at 6.10 p.m.*

**SCOTTISH BORDERS COUNCIL**  
**TWEEDDALE AREA FORUM**

MINUTE of the MEETING of the  
TWEEDDALE AREA FORUM held in  
the Council Offices, Rosetta Road,  
Peebles on 1 March 2017 at 6.30 p.m.

Present:- Councillors W. Archibald (Chairman), S. Bell, C. Bhatia, K. Cockburn, G. Garvie, G. Logan.  
Community Councillors L. Hayworth, C. Lewin, M. McIntosh, G. Parker, J. Taylor, G. Tulloch.

Apologies:- Community Councillors M. Douglas, R. Howard, R. Tatler.

In Attendance:- Neighbourhood Assistant Area Manager, Inspector T. Hodges, (Police Scotland), S. Mitchell, AIFireE – Station Manager (Scottish Fire and Rescue Service), Democratic Services Officer (K. Mason).

Members of the Public:- 4.

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**ORDER OF BUSINESS**

1. The Chairman varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

**2.1 MINUTE**

There had been circulated copies of the Minute of the Meeting held on 23 November 2016 for approval.

**DECISION  
APPROVED.**

2.2 With reference to paragraph 11(a) of the Minute, the Neighbourhood Assistant Area Manager tabled a plan relating to the proposed works at the top of the Old Town beside the junction leading to Young Street. The Neighbourhood Assistant Area Manager advised that a traffic island would not be provided. She confirmed that dropped kerbs would be put in place at either side of the road at the top of the Old Town, and it might be necessary for traffic lights to be in place. Patching works would be carried out during the school holidays in April. The Neighbourhood Assistant Area Manager further advised that she would liaise with Mandy Taylor, Business Partner, On a Shoe String regarding the proposals.

**DECISION  
NOTED.**

**3. PENSION WISE SERVICE**

Mr Ian Heard, Pension Wise Guidance Specialist, Citizens Advice Bureau, was present at the meeting to give a presentation on the Pension Wise project which began in 2015 to provide guidance to clients who had Defined Contribution Pension Schemes. The aim was to help people become more aware and knowledgeable about their pension options. The project had now been running for two years. The initial funding was for the Scottish Borders area but as the initial take up was lower than expected at the end of the first year he was asked to cover Dumfries and Annan to retain the full time position. Whilst the current position was still to be confirmed it looked like the funding would be reduced from 1 June 2017 meaning his hours would be reduced although the project was planned to continue. Since the beginning of the

project the job had grown considerably to cover not only Pension Wise appointments but also promotion, training of Bureau volunteers, attending PACE events, meeting Councillors, MP's, MSP's and various other roles. Appointment numbers had grown steadily over the two years because of continued national advertising and also the considerable work being done locally to promote the service. There was a 40% increase in total appointments from this time last year. Initially the project was set up to be a one appointment only service. However, owing to the complexities of pensions and also the fact that clients wanted to re-check facts before making a big decision meant that Pension Wise were now able to see people more than once. The major issues covered were six options open to clients, also providing information on the potential impact on tax and state benefits which could help prevent major issues in terms of losing benefit or having a large tax bill. Mr Heard went on to give details relating to promotional and other activities. Statistics provided by Ipsos/Mori had shown 92% of clients surveyed had been satisfied with the service provided. Online guidance was available from [www.pensionwise.gov.uk](http://www.pensionwise.gov.uk); telephone appointments on 0300 330 1001 or at the local Citizens Advice Bureau. For the avoidance of scamming Community Councillor Taylor recommended that Pension Wise set up a link with the Scottish Public Pensions Agency.

## **DECISION**

**NOTED and thanked Mr Heard for his informative presentation.**

### **4. POLICE SCOTLAND**

Inspector Hodges highlighted there had been 3 serious assaults (all detected) as opposed to 7 this time last year. There had been 57 Common Assaults (60% detected to date) as opposed to 58 this time last year. These figures buck the current trends for this policing division and whilst every assault is one to many, he hoped it was reassuring that violent crime was not seeing any rise in the Tweeddale Area. It was difficult to give an evidenced based rationale for this but the good working relationship with the licensed premises in the Tweeddale Area fostered through the local licensing board must take some of the credit. There were 455 incidents of reported Anti-Social Behaviour as opposed to 534 this time last year. This was also a significant decrease in comparison with the rest of the region and the ongoing partnership approach fostered by the SBC Anti-Social Behaviour Unit and the local housing associations was undoubtedly paying dividend. He explained that Dishonesty was the area which was causing him most concern in relation to both Tweeddale East and West. He had highlighted this at the November Forum and Police Scotland had seen a continuation of Acquisition Crime across the area on a very unwelcome basis since the turn of the year. Thefts of motorcars, motorcycles, pedal cycles and housebreakings continued to feature and as previously reported were very much connected with criminality in Edinburgh and the Lothians. Whilst rural policing in the hours of darkness could often be the proverbial needle in a haystack, the combined efforts which Police Scotland afforded was ensuring the current issues in Tweeddale were not lost in the bigger picture. He submitted that when a car thief sentenced to a year in prison at Edinburgh Sheriff Court, the reality was that he or his associates were highly likely to have been responsible for crime in this area. He urged everyone to ensure their respective communities assisted by taking a strong approach to personal security and appreciate that a house or car in Tweeddale was just as an inviting a target as one in Silverknowes or Dalkeith. Community Officers were available should residents or businesses wish any specific Crime Prevention Advice. Inspector Hodges welcomed members of Community Councils accompanying Community Officers on Hand Held Rader Speed Checks. Further, he urged Members to challenge and encourage their constituents to act in a grown up manner when it came to parking. Councillor Garvie expressed concern at this advice as it was neither legal nor within

Councillors' roles to police parking. expressed exception to this comment advising it was not within a Councillors' role to police parking. Community Councillor Lewin advised he had previously complained about the lack of Policy community liaison with Upper Tweed Community Council, he was pleased to advise that there had been much improved liaison in the last few months. Community Councillor Tulloch referred to the Nominated Neighbour Scheme and advised that he had problems downloading leaflets and cards from the website and Inspector Hodges undertook to investigate this. Following a comment from Community Councillor Parker, Inspector Hodges advised he would ascertain why Tweedsmuir Community Council had not been receiving Police Reports. Inspector Hodges concluded his update by thanking the Chairman for his excellent stewardship of the Forum and wished him all the best in his retirement.

**DECISION  
NOTED.**

**5. SCOTTISH FIRE AND RESCUE SERVICE**

Mr S. Mitchell, AIFireE – Station Manager, Scottish Fire and Rescue Service was welcomed to his first meeting of the Forum. Mr Mitchell presented information on the activities of the Scottish Fire and Rescue Service in the Tweeddale area since the last forum meeting on 23 November, 2016. The statistics included 4 house fires and 32 unwanted fire alarm signals. In relation to prevention and protection, some of the activities ongoing in the Tweeddale Area, were (a) provision of home safety visits; (b) pupils from Peebles High School undertaking a development programme focused on Leadership and Wellbeing - the outcome of the programme would be the delivery of a Resilience Day, planned and delivered by S3 pupils, which would involve multiagency participation; (c) all stations would be involved in exercising operational preparedness at specific risks within the area; (d) all stations were participating in the British Heart Foundation initiative – Call Push Rescue; and (e) all Stations would soon be involved in the SFRS Out of Hospital Cardiac Arrest project. It was noted that a national recruitment campaign was on-going for Retained Duty System firefighters and West Linton had three candidates within the recruitment process.

**DECISION  
NOTED.**

**6. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY**

- 6.1 The Chairman welcomed to the meeting Mr Charles Johnston, Principal Officer Plans and Research, to give a presentation on the Supplementary Guidance on Renewable Energy. Mr Johnston gave the background to the preparation of the Supplementary Guidance. One of the recommendations of the Local Development Plan, adopted on 12 May 2016, was to prepare, within one year, a Supplementary Guidance on Renewable Energy. Mr Johnston confirmed that a draft had been approved by Scottish Borders Council on 22 December 2016 and that there followed a 12 week public consultation period which would end on 17 April 2017. He explained how responses to the Supplementary Guidance could be made. In line with national support for the promotion of sustainable development and renewable energy the Council would continue to be supportive of renewable energy within appropriate locations. Shown within the presentation were maps of the Scottish Borders indicating all wind development applications of over 5 MW and under 5 MW colour coded to show the status of each and the height to blade tip. Looking at the policy context of the guidance, Scottish Planning Policy reaffirmed support for renewable energy and the need to attain national energy targets. This was to achieve 100% of electricity from renewable energy by 2020. However a balance must be sought; emphasising the right development in the right place and not to allow development at any cost. The planning system should facilitate positive change while maintaining and enhancing distinctive

landscape character. There was general support of renewable energy within the Local Development Plan. However if there were judged to be unacceptable significant adverse impacts, or effects which could not be satisfactorily mitigated, consent would only be granted if it was considered that the wider economic, environmental and other benefits outweighed any potential damage. The Guidance confirmed that the Council was positive in its support of other renewable energy types; those referenced included micro renewables, field scale solar photovoltaics, biomass, energy from waste, anaerobic digestion, hydropower and ground source heat pumps.

- 6.2 Mr Johnston referred to the Wind Energy Spatial Framework within the draft Guidance and maps of the Scottish Borders were shown indicating: national scenic areas where wind farms would not be acceptable; areas of significant protection where wind farms may be appropriate in some circumstances; and areas with potential for wind farm development. Scottish Planning Policy also made reference to the need to consider Landscape Capacity and Cumulative Impact studies. As a strategic study and starting point, an updated Landscape Capacity and Cumulative Impact Study had been produced by consultants. Extracts from the study were shown in the presentation, including maps showing landscape capacity in areas of the Borders for turbines of different height ranges. A summary map of opportunities and constraints was also shown. Mr Johnston concluded the presentation by listing the development management considerations within the Supplementary Guidance, including those not previously mentioned such as impacts on communities, built heritage and archaeology, tourism and recreation, natural heritage, opportunities for energy storage and contribution towards renewable energy targets. He advised that, following the consultation period an update of findings and conclusions would be referred back to elected Members in summer 2017. The Supplementary Guidance would ultimately be referred to Scottish Ministers to become part of the Development Plan.

**DECISION  
NOTED.**

**7. PREPARATION OF NEW LOCAL DEVELOPMENT PLAN**

Mr Johnston's second presentation related to the preparation of a new Local Development Plan (LDP). He confirmed that, as part of a 5 year cycle, work on a new Plan was just commencing. He summarised the timeline for the production of the Plan and highlighted that the first stage, the Main Issues Report (MIR), would be prepared by December 2017. The MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR, which would be sent out for public consultation, identified preferred sites for houses as well as alternatives. It also proposed where planning policies could be updated, removed or merged. The MIR sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. Community engagement would be carried out through a series of exhibitions and workshops with community groups throughout the summer of 2017. Mr Johnston was thanked for his attendance.

**DECISION  
NOTED.**

**8. OPEN QUESTIONS**

Ms H Anderson, Lamancha referred to recent publicity relating to additional funding being made available to the Area Forums. Powers were to be given to Area Forums to decide how the money would be allocated and any decisions would not be subject to ratification by the Council. This would meet with the objectives of the Community

Empowerment (Scotland) Act to promote and facilitate the participation of members of the public in the decisions and activities of the Council. It was anticipated that the sum available to the Tweeddale Area Forum would be approximately £70,000.

**DECISION  
NOTED.**

**9. COMMUNITY COUNCIL SPOTLIGHT**

No issues were raised.

**VALEDICTORY REMARKS**

10. Councillor Bell, on behalf of the local Members and Community Council Officers, thanked Councillor Archibald for his stewardship of the Tweeddale Area Forum. Captain Sir David Younger KCVO and Community Councillor Mollie McIntosh MBE also expressed their thanks to the six local Councillors for all they had done for Tweeddale East and Tweeddale West.

*The meeting concluded at 8.10 p.m.*

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# SCOTTISH BORDERS COUNCIL BERWICKSHIRE AREA FORUM

MINUTE of Meeting of the BERWICKSHIRE  
AREA FORUM held in the Council Chamber,  
Newtown Street, Duns on Thursday, 2 March  
2017 at 6.30 pm

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- Present:- Councillors M. J. Cook (Chairman), J. A. Fullarton, J. Greenwell, D. Moffat (from para 5), F. Renton.  
Community Councils:- Abbey St Bathans, Bonkyl & Preston – David Morrison; Ayton – John Slater; Cockburnspath and Cove – Pauline Hood; Coldstream and District – Martin Brims; Duns – Ann Afleck; Edrom, Allanton & Whitsome – Trixie Collin; Foulden, Mordington and Lamberton – Howard Doherty; Gavinton, Fogo and Polwarth – Keith Dickinson; Gordon and Westruther – Trevor Jones; Reston and Auchencrow – David Torr; Swinton and Ladykirk – James Brown.
- Apologies:- Councillor J. Campbell  
Coldingham Community Council.
- In Attendance:- Station Manager M. Acton, Scottish Fire and Rescue Service; Charles Johnston, Principal Officer Plans & Research; Elaine Torrance, Interim Chief Officer, Health and Social Care Integration, Trish. Wintrup, Health and Social Care Integration Coordinator; Democratic Services Officer (F. Walling).
- Press:- 1  
Public:- 3

## 1. **WELCOME AND INTRODUCTIONS.**

The Chairman welcomed those present to the meeting.

## 2. **MINUTE.**

There had been circulated copies of the Minute of 1 December 2016. A minor amendment in paragraph 11.1 was brought to the attention of the Chairman. Ms Wintrup advised that the reference to Development Sessions relating to the NHS Borders Locality Plan should include Health and Social Care Integration, rather than specifically to Joint Integration Service for Older People.

## **DECISION**

**APPROVED the Minute for signature by the Chairman subject to the above minor amendment.**

## 3. **BERWICKSHIRE FLAG.**

With reference to paragraph 4 of the Minute of 1 December 2016 the Chairman gave an update on the Berwickshire Flags issue, based on email correspondence with Transport Scotland, copies of which had been circulated prior to the meeting. Included in the Chairman's email to Transport Scotland of 17 February 2017 was an extract from the Minute of a meeting of Northumberland County Council's North Area Committee meeting of 14 November 2016 in which it was resolved that the authority support Scottish Borders Council's request for the flying of the Union Flag, Saltire and a Berwickshire Flag on the north side of the border point. Despite seeking Transport Scotland's 'in principle' response before a detailed flag design was formalised for further consultation, it appeared that Transport Scotland were awaiting details of the proposed flags before taking this matter further. In the light of this response and after further discussion members of the Area

Forum concurred with the Chairman's proposal to write again to Transport Scotland pointing out that an agreement in principle had been requested, before work was carried out on the design.

#### **DECISION**

**AGREED that the Chairman write again to Transport Scotland pointing out that agreement 'in principle' was being requested, to the flying of a Berwickshire Flag alongside the Saltire and Union Flag on the North side of the Scotland/England border.**

#### **4. HEALTH AND SOCIAL CARE INTEGRATION.**

The Chairman welcomed Mrs Elaine Torrance to the meeting to give a presentation on the Scottish Borders Health and Social Care Partnership. Mrs Torrance explained that she had recently taken over the joint post of Chief Officer, Health and Social Care Integration, on an interim basis. She explained the background to the integration of health and social care services, the framework for which was provided by the Public Bodies (Joint Working) (Scotland) Act 2014. She explained the need to seamlessly deliver health and social care services with greater focus on prevention, early intervention, resilient communities and a locality based approach. The strategic plan in the Scottish Borders contained nine local objectives with 18 projects funded via the Integrated Care Fund. Diagrams within the presentation showed a tiered model of partnership projects and new person-centred models of configuration of services. Mrs Torrance drew attention to two principle initiatives. Community led support would be about putting what mattered first to the people of the Borders; making health and social care more visible in communities; building on people's skills and community assets; providing early intervention and prevention; and would better target the time of professionals. The two test sites of Burnfoot Community Hub and Ettrick Valley had been identified for this initiative and staff representatives, service users and members of the public would be part of the planning groups to take this forward. The second initiative, known as Buurtzorg, was based on a nursing model of care which originated in the Netherlands. There would be close collaboration with GPs and health and social care professionals with a focus on prevention. Test sites were still to be agreed for this project. Within the locality approach three Locality Co-ordinators would be responsible for developing five Locality Plans for health and social care services in the Scottish Borders. There were staff, service user and carer and public representation on all the Locality Working Groups which had been operating since September 2016. The Performance Monitoring Health and Social Care Delivery Plan, published in December 2016, focused action around three key areas, namely: reducing inappropriate use of hospital services; shifting resources to primary and community care; and supporting capacity of community care. Mrs Torrance advised that the next steps would be to carry out further communication and engagement and to develop involvement with communities. She encouraged members of the Forum to take part in the consultation on the locality plans which would take place during the summer. As part of the discussion and questions following the presentation, reference was made to the significant challenges around transport in rural communities and its link to social care and health issues. Mrs Torrance confirmed that some of the fund for integration would be used to develop a Transport Hub to facilitate more organised and flexible provision of transport to health and care centres. With regard to the challenge around recruitment and retention of homecare staff, Mrs Torrance explained that rates of pay were being increased and work was being carried out to raise the profile of the occupation with the aim of making this a positive career choice for young people. The Chairman thanked Mrs Torrance for her presentation and it was noted that copies of all the presentations given to the Area Forum would be circulated by email to members following the meeting.

#### **DECISION**

**NOTED the presentation.**

#### **MEMBER**

Councillor Moffat joined the meeting during the presentation below.

**5. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY.**

5.1 The Chairman welcomed to the meeting Mr Charles Johnston, Principal Officer Plans and Research, to give a presentation on the Supplementary Guidance on Renewable Energy. Mr Johnston gave the background to the preparation of the Supplementary Guidance. One of the recommendations of the Local Development Plan, adopted on 12 May 2016, was to prepare, within one year, a Supplementary Guidance on Renewable Energy. Mr Johnston confirmed that a draft had been approved by Scottish Borders Council on 22 December 2016 and that there followed a 12 week public consultation period which would end on 17 April 2017. He explained how responses to the Supplementary Guidance could be made. In line with national support for the promotion of sustainable development and renewable energy the Council would continue to be supportive of renewable energy within appropriate locations. Shown within the presentation were maps of the Scottish Borders indicating all wind development applications of over 5 MW and under 5 MW, colour coded to show the status of each and the height to blade tip. Looking at the policy context of the guidance, Scottish Planning Policy reaffirmed support for renewable energy and the need to attain national energy targets. This was to achieve 100% of electricity from renewable energy by 2020. However a balance must be sought; emphasising the right development in the right place and not to allow development at any cost. The planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. There was general support of renewable energy within the Local Development Plan. However if there were judged to be unacceptable significant adverse impacts, or effects which could not be satisfactorily mitigated, consent would only be granted if it was considered that the wider economic, environmental and other benefits outweighed any potential damage. The Guidance confirmed that the Council was also positive in its support of other renewable energy types; those referenced included micro renewables, field scale solar photovoltaics, biomass, energy from waste, anaerobic digestion, hydropower and ground source heat pumps.

5.2 Mr Johnston referred to the Wind Energy Spatial Framework within the draft Guidance and maps of the Scottish Borders were shown indicating: national scenic areas where wind farms would not be acceptable; areas of significant protection where wind farms may be appropriate in some circumstances; and areas with potential for wind farm development. Scottish Planning Policy also made reference to the need to consider Landscape Capacity and Cumulative Impact studies. As a strategic study and starting point, an updated Landscape Capacity and Cumulative Impact Study had been produced by consultants. Extracts from the study were shown in the presentation, including maps showing landscape capacity in areas of the Borders for turbines of different height ranges. A summary map of opportunities and constraints was also shown. Mr Johnston concluded the presentation by listing the development management considerations within the Supplementary Guidance, including those not previously mentioned such as impacts on communities, built heritage and archaeology, tourism and recreation, natural heritage, opportunities for energy storage and contribution towards renewable energy targets. He advised that, following the consultation period an update of findings and conclusions would be referred back to elected Members in summer 2017. The Supplementary Guidance would ultimately be referred to Scottish Ministers to become part of the Development Plan. In the ensuing discussion the Chairman believed that the planning team deserved huge credit for their approach to the preparation of the Supplementary Guidance on Renewable Energy. He thanked Mr Johnston and encouraged members of the Area Forum to look at the guidance and to respond as part of the consultation.

**DECISION**

**NOTED the presentation.**

**6. PREPARATION OF THE NEW LOCAL PLAN.**

Mr Johnston's second presentation related to the preparation of a new Local Development Plan (LDP). He confirmed that, as part of a 5 year cycle, work on a new

Plan was just commencing. He summarised the timeline for the production of the Plan and highlighted that the first stage, the Main Issues Report (MIR), would be prepared by December 2017. The MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR, which would be sent out for public consultation, identified preferred sites for houses as well as alternatives. It also proposed where planning policies could be updated, removed or merged. The MIR sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. Community engagement would be carried out through a series of exhibitions and workshops with community groups throughout the summer of 2017. Mr Johnston was thanked for his attendance.

## **DECISION NOTED.**

### **7. POLICE SCOTLAND.**

7.1 There had been circulated copies of a report by Community Sergeant Jacqi McGuigan updating the Area Forum on Police Scotland performance, activities and issues across wards for the period up to 28 February 2017 and to look at events linking in with the ward priorities in the coming months. The report drew attention to the recent increase in fixed penalty levels for road traffic offences involving the use of mobile phone and handheld devices. This change in legislation meant that the endorsable offence would increase from £100 and 3 penalty points to £200 and 6 penalty points. With regard to rural crime, following the success of Rural Crime Prevention day in Harbro, Duns, a similar event would be held at Harbro in Earlston on Friday 21 April between 9 am and 4 pm. The report also referred to the launch, on 13 February, of a national campaign highlighting the responsibility dog owners and dog walkers had when taking their dogs into the countryside. A number of partners had come together on this campaign which aimed to raise awareness about the devastating effects of livestock worrying. The report concluded with a reminder for communities to contribute to the Police Scotland Your View Counts consultation. The online consultation was open all year, the link to the survey being <https://www.surveymonkey.co.uk/r/8LMB9WX> .

7.2 The issue of police attendance at the Area Forum and Community Council meetings was discussed, with disappointment being expressed at the infrequency of attendance. The view was expressed that face to face contact enabled useful engagement and two-way share of information. It also transpired that some police reports were not received in time for meetings and there was a question mark as to how to convey localised information to Community Councils in addition to a more generic area report. There was a division of opinion however as to whether attending Community Council meetings was the best use of police time, the pressure on police resources being recognised. In general members of the Area Forum wanted more interaction with the police about local issues and it was suggested that Police Scotland be contacted to discuss how this could be taken forward.

## **DECISION**

(a) **NOTED the report.**

(b) **AGREED that the Chairman raise with Police Scotland the issue of attendance at Area Forum and Community Council meetings and discuss a way forward to enable more interaction with police.**

### **8. SCOTTISH FIRE AND RESCUE SERVICE.**

There had been circulated copies of a report to inform the Area Forum on Scottish Fire and Rescue Service activity in the area since the last Area Forum meeting. Station Manager Matt Acton was in attendance to highlight the main points. He drew attention to the Living Safely in the Home (LSITH) initiative in the Berwickshire area, which was a collaborative approach with community partners and SFRS staff fulfilling a generic role

capable of assessing all aspects of risk within the home including fire, slips, trips and falls and fuel poverty. There had been a number of referrals made by the SFRS to community partners and an evaluation trial was now underway. After this evaluation it was the aim to rollout this work to another locality area with the aspiration to have it eventually mainstreamed throughout the Scottish Borders. In response to a question, Mr Acton confirmed that SFRS also worked with Registered Social Landlords in respect of safety in the home. With regard to Farm Fire Safety, work had taken place in partnership with Police Scotland, NFU, NFU Mutual and the Scottish Association of Young Farmers Clubs to identify a number of positive engagement opportunities. As part of this initiative, Reston Young Farmers would attend Duns Fire Station on 22 March for a tour of the fire station and to take part in presentations from firefighters and colleagues from Police Scotland. An evaluation would take place following this event with a view to rolling this out to other Young Farmers Clubs across the Borders.

**DECISION**

**NOTED the report.**

**9. OPEN QUESTIONS.**

**9.1 Black Bull Street, Duns**

A question was asked as to when Black Bull Street, Duns would be re-opened. The street had been closed since last July, following a fire which left a building alongside the street in an unsafe condition. The closure of the street was causing congestion in the vicinity and traffic problems elsewhere in Duns. Councillor Renton confirmed that the Council were aware of the problem and that she believed the work was currently out to tender. She offered to pursue this to ascertain the current position.

**DECISION**

**NOTED the concern.**

**9.2 Condition of Roads**

A question was raised about the poor condition of roads and the point was made that many were not fit for present day vehicles. It was recognised that this was a country-wide problem despite Britain being one of the world's richest countries. The Chairman agreed that there was a general decline in road condition in Scotland and drew attention to the different causal elements, the main issues being massive pressure on limited resources and increase in size and weight of vehicles. However the issue had gained importance nationally on the political agenda and locally Scottish Borders Council had changed its approach with respect to roads expenditure and had increased revenue spend on roads.

**DECISION**

**NOTED the concerns.**

**9.3 Crumledge Bridge**

A request was made that the temporary lights on Crumledge Bridge be installed permanently in the interest of road safety.

**DECISION**

**AGREED to pass on the request for permanent lights at Crumledge Bridge to the relevant section of the Council.**

**9.4 Road markings at junctions to A1**

Attention was drawn to the danger presented by faded white line markings at the junctions with the A1 of the roads to Auchencrow and Reston, both in the centre of the A1 and on the side road. These were indistinct and needed re-painting to improve safety at the junctions. It was pointed out that Amey was responsible for line marking on the A1 and Scottish Borders Council responsible for the side roads. It was agreed to follow up this issue.

**DECISION**

**AGREED** to follow up with the relevant section of the Council the request for the white line markings to be re-painted at the junctions with the A1 of the roads to Auchencrow and Reston.

10. **COMMUNITY SPOTLIGHT.**  
There were no issues raised.

**DECISION  
NOTED.**

11. **FUTURE AGENDA ITEMS.**  
The following agenda items were suggested for future meetings:-

- (a) Discussion on relationship and link between health/social care and transport difficulties;
- (b) Digital connectivity in Berwickshire; and
- (c) Update on the Council's LED street lighting programme.

**DECISION  
NOTED.**

12. **DATES OF FUTURE MEETINGS.**  
Future meetings of the Berwickshire Area Forum were scheduled for:-

15 June 2017.  
7 September 2017

**DECISION  
NOTED.**

*The meeting concluded at 8.30 pm*

**SCOTTISH BORDERS COUNCIL**  
**PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTE of MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE held in the Council Headquarters, Newtown St. Boswells on 6 March 2017 at 10.00 a.m.  
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Present: - Councillors R. Smith (Chairman), M. Ballantyne, J. Brown, J. Fullarton, I. Gillespie, D. Moffat, S. Mountford, B. White.  
Apologies:- Councillor J. Campbell.  
In Attendance:- Chief Planning Officer, Lead Planning Officer, Principal Roads Planning Officer, Chief Legal Officer, Democratic Services Team Leader, Democratic Services Officer (F Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 6 February 2017.

**DECISION**

**APPROVED for signature by the Chairman.**

2. **APPLICATIONS**

There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee.

**DECISION**

**DEALT with the application as detailed in the Appendix to this Minute.**

**DECLARATION OF INTEREST**

Councillor Smith declared an interest in application 14/00530/S36 and left the Chamber. In the absence of Councillor Smith, Councillor Brown chaired the meeting for this application only.

**MEMBER**

Councillor Mountford left the meeting during consideration of the following item.

3. **PLANNING REVIEW**

There had been circulated copies of a consultation document on the future of the Scottish Planning System. The Chief Planning Officer explained that the proposal identified four key areas of change – making plans for the future; People make the system work; Building more homes and delivering infrastructure and stronger leadership and smarter resourcing. The consultation report also included 20 proposals for improving the planning system set out within these four key areas, together with a series of technical questions for each of these proposals. The Chief Planning Officer reported that many of the Council's suggestions had been included and while there was support for the majority of the options, further clarity and guidance was required. There needed to be full funding of planning services and engagement with working groups and research. Everyone was being encouraged to read the document and advise him directly of any concerns. All Elected Members would be invited to attend a discussion on the proposed response prior to submission to Council on 30 March 2017 and final submission on 4 April 2017.

**DECISION**

**NOTED that the draft response would be available in 1 -2 weeks and a discussion for all Elected Members arranged prior to submission to full Council on 30 March 2017.**

4. **APPEALS AND REVIEWS**

There had been circulated copies of a report by the Service Director Regulatory Services on Appeals to the Scottish Ministers and Local Reviews.

**DECISION**

**NOTED that:-**

- (a) Appeals had been received in respect of:-
  - (i) the discharge of planning obligation pursuant to planning permission 00/00244/OUT at Broadmeadows Farm, Hutton;
  - (ii) Non compliance with condition no 2 of 13/01142/FUL; and
  - (iii) Erection of fence at 1 Borthwick View, Roberton, Hawick – 16/00105/UNDEV
- (b) there remained one appeal outstanding in respect of Land North West of Whitmuir Hall, Selkirk.
- (c) a review request had been received in respect of the Erection of cattle building with welfare accommodation in Field No 0328 Kirkburn, Cardrona.
- (d) there remained one review outstanding in respect of Land East of Keleden, Ednam
- (e) That Section 36 Public Local Inquiries had been received in respect of:-
  - (i) Variation of condition 2 to extend operational life of wind farm by additional 5 years at Fallago Rig 1, Longformacus
  - (ii) Erection of 12 additional turbines at Fallago Rig 2, Lonformacus.
- (f) there remained one S36 Public Local Inquiry outstanding in respect of Whitelaw Brae Wind Farm), South East of Glenbreck House, Tweedsmuir.

5. **PRIVATE BUSINESS**

**DECISION**

**AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 8 of Part 1 of Schedule 7A to the aforementioned Act.

**SUMMARY OF PRIVATE BUSINESS**

1. **MINUTE**

The Committee considered the private section of the Minute of 6 February 2017.

**URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to keep Members informed.

2. **DEFECTIVE ROOF COVERING, RAINWATER GOODS AND DRY ROT AT 2 HIGH STREET AND 12 MARKET PLACE, JEDBURGH**

The Committee received an update of the progress of the work from Alan Geuldner, - Principal Officer – Enforcement.

*The meeting concluded at 1.25 p.m.*



## APPENDIX I

### APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/01239/FUL	Erection of Dwellinghouse	Garden ground of The Stables, Bonnington Road, Peebles

Decision: Approved, subject to the following conditions and to a Legal Agreement, relating to development contributions and access issues:

1. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):
  - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
  - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored – including trees within and immediately adjoining the site boundary, to be identified by tree survey and Root Protection Areas plotted.
  - iii. location and design, including materials, of walls, fences and gates
  - iv. soft and hard landscaping works including replacement planting
  - v. existing and proposed services such as cables, pipelines, sub-stations
  - vi. other artefacts and structures such as street furniture, play equipment
  - vii. A programme for completion and subsequent maintenance.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

2. The trees on and adjoining this site, which are identified as per Condition 1 to be protected, shall be protected at all times during construction and building operations, by the erection of substantial timber fences around the trees, together with such other measures as are necessary to protect them from damage. Details of the methods it is proposed to use shall be submitted by the applicant to the Planning Authority and be approved by them in writing. The approved protective measures shall be undertaken before any works commence on the site and must, thereafter be observed at all times until the development is completed. Once completed, the trees to be retained thereafter in perpetuity.

Reason: To ensure that adequate precautions are taken to protect trees during building operations.

3. A scheme of junction improvement of the access track with Bonnington Road shall be submitted for the approval of the Planning Authority, detailing a resurfacing of the concrete surface within public road verge with 75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1. The scheme also to include enlargement of the access splays. Once approved, the scheme to be completed before occupation of the dwellinghouse.

Reason: In the interests of road safety.

4. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls, roofs, windows and doors of the buildings have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with those details.

Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any subsequent provisions amending or re-enacting that Order), no additional window or other opening shall be made in the eastern elevation of the eastern section of the dwellinghouse unless an application for planning

permission in that behalf is first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent property.

6. No development to be commenced until fully detailed design proposals for foul and surface water drainage have been submitted to and approved by the Planning Authority. Once approved, the drainage then to be completed in accordance with the approved design proposals before any other element of the development is commenced.

Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
14/00530/S36	Erection of 15 Turbines 32 high to tip, access track, compound, permanent anemometer mast and 2 no borrow pits.	Land North, South East and West Birneyknowe Cottage, Hawick

Decision: That the Council indicates to the Scottish Government that it **objects** to the application for a 15 turbine wind farm on the Birneyknowe site. The reasons for the objections are as follows:

#### 16.2 Reason for Objection 1: Impact on Landscape Character:

The proposed development would be contrary to policies PMD2, EP5, and ED9 of the Scottish Borders Local Development Plan 2016 and policy 10 of the Strategic Development Plan 2013 in that, taking into consideration the following factors, it would unacceptably harm the Borders landscape:

- There is no capacity for very large turbine development within these Landscape Character Areas and the applicant has failed to demonstrate how the proposed wind farm can be accommodated within the site without unacceptable adverse impacts on the landscape.
- By virtue of the location, scale and extent of the wind farm, the proposal would be out of scale with the receiving landscape and would contrast significantly with other landscape features, appearing as a dominant feature in the landscape.
- The proposal would intrude on views into and out of the Teviot Valleys Special Landscape Area.
- The proposal would diminish the significance of Rubers Law as an important landscape feature, due to the scale of the turbines and their proximity, competing with this sensitive skyline feature and adversely affecting its setting.
- The proposal would adversely affect the landscape setting of Hawick on approach from the north, dominating views and adversely affecting Hawick's landscape character.
- The proposal would be highly visible from the iconic panoramic viewpoint at the national border at Carter Bar.

#### 16.3 Reason for Objection 2: Adverse Visual, Amenity and Cultural Heritage Impacts

The proposed development would be contrary to policies PMD2, ED9, EP8 and HD3 of the Scottish Borders Local Development Plan 2016 and policy 10 of the Strategic Development Plan 2013 in that, taking into consideration the following factors, it would give rise to unacceptable visual, amenity and cultural heritage impacts:

- Limited containment within the 5km range and consequent significant visual impacts from sensitive receptors, including public roads, rights of way, hill summits, Common Riding routes and dwellinghouses.
- Significant cumulative impacts on sensitive receptors and on landscape character, with an overlapping of schemes and with turbines becoming a dominant feature in the area.
- Significant impacts to the historic landscape and settings of designated and non-designated sites and monuments and it has not been demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset or its setting.

#### 16.4 Advisory Note:

Should the application be considered for approval, conditions would be required covering a number of different issues, including noise limits, roads matters, ecology, archaeology, micro-siting and environmental management

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
16/01430/FUL	Erection of poultry building and associated works	Hutton Hall Barns, Hutton

Decision: Approved subject to the following conditions and informatives:

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, in unless agreed in writing by the Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details

2 No development shall commence until a Badger Survey and Badger Protection Plan, to include measures as set out in Informative 1 of this consent, shall be submitted to, and agreed in writing by, the Planning Authority. Thereafter, the works shall be carried out in accordance with the approved scheme.

Reason: In the interests of preserving biodiversity

3 No clearance/disturbance of habitats, which could be used by breeding birds, such as arable field, field margins and boundary features, shall be carried out during the breeding bird season (March-August) without the express written permission of the Planning Authority. Supplementary checking surveys and appropriate mitigation for breeding birds will be required if any habitat clearance is to commence during the breeding bird season.

Reason: In the interests of preserving biodiversity

4 No development shall commence until the full details of the finalised drainage scheme shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.

Reason: To ensure adequate protection of the water environment from surface water runoff

5 A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.

Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

6 All planting, seeding or turfing comprised in the approved details of Drawing 010 REVF 10/02/2017 shall be carried out in the first planting and seeding seasons following the operation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

Reason: To ensure that the proposed landscaping is carried out as approved.

7 None of the poultry buildings hereby consented shall be occupied (or otherwise become operational) until a plan for the management and control of potential nuisances (including noise, odour, air quality, flies and other pests) that would be liable to arise at the site as a consequence of and/or in relation to, the operation (individually and/or cumulatively) of all the poultry buildings hereby approved, has first been submitted to, and approved in writing by the Planning Authority. Thereafter the approved nuisance control management plan shall be implemented as part of the development

Reason: To ensure protection of environmental and residential amenity

8 Noise levels emitted by any plant and machinery used on the premises should not exceed Noise Rating Curve NR20 between the hours of 2300 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2.

Reason: To safeguard the amenities the surrounding residential properties.

9 No lorry deliveries or upliftings shall take place between the hours of 10.00pm and 7.00am on any day.

Reason: To safeguard the amenities the surrounding residential properties.

### Informatives

1 Mitigation is required to minimise disturbance to badgers. In line with the requirements of Condition No 4, the Badger Survey should extend to 400mm diameter from the centre of the proposed new development. The mitigation plan for badger agreed under 15/01173/FUL shall be updated and submitted for prior approval following the supplementary survey.

2 In line with the requirements of Condition No 4, the design of this SUDS scheme should include measures to protect badger (including appropriate fencing).

3 There is a low potential for encountering buried archaeology during excavations. Should buried features (e.g. walls, pits, post-holes) or artefacts (e.g. pottery, ironwork, bronze objects, beads) of potential antiquity be discovered, please contact the planner or Council's Archaeology Officer for further discussions. Further investigation secured by the development may be required if significant archaeology is discovered per PAN2(2011) paragraph 31. In the event that human remains or artefacts are discovered, these should remain in situ pending investigation by the Archaeology Officer. Human Remains must be reported immediately to the police. Artefacts may require reporting to Treasure Trove Scotland.

4. Taking into account the other poultry shed at the site, the operation on site will exceed the Pollution Prevention and Control (PPC) threshold of 40,000. As such, this operation will require to be controlled by SEPA under the PPC Regulations.

5. Details of SEPA regulatory requirements and good practice advice for the applicant can be found on the Regulations section of the SEPA website. For further advice for a specific regulatory matter, contact a member of the operations team in the local SEPA office at Burnbrae, Mossilee Road, Galashiels TD11 1NF (tel: 01896 754797).

SEPA advises that it is at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application an/or neighbour notification or advertising.

### NOTE

Mrs Angela MacLean, Applicant spoke in favour of the application.

### VOTE

*Councillor Brown, seconded by Councillor Mountford moved that the application be approved as per the officer's recommendation.*

Councillor Fullarton, seconded by Councillor Gillespie moved as an amendment that the application be approved with an additional condition to provide a minimum of 26 weeks covered manure storage.

On a show of hands Members voted as follows:-

Motion - 6 votes  
Amendment - 2 votes

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
03/00344/OUT	1. Discharge of planning obligation pursuant to planning 03/00344/OUT	Stonelea Stables Ashkirk
04/00718/REM	2. Removal of Condition No3 from planning Permission 04/00718/REM (Occupancy restriction)	Selkirk

Decision - 16/01452/MOD75

Approved the modification to the Section 75 Agreement in respect of planning application 16/01452/MOD75, and that the relevant Clause be removed from the Agreement.

Decision - 16/01455/FUL

Approved in respect of planning application 16/01455/FUL

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**SCOTTISH BORDERS COUNCIL**  
**JEDBURGH COMMON GOOD SUB-COMMITTEE**

MINUTE of MEETING of the JEDBURGH  
COMMON GOOD FUND SUB-COMMITTEE  
held in Council Headquarters, Newtown St  
Boswells on 7 March 2017 at 9.00 a.m.

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Present:- Councillors J. Brown (Chairman), S. Scott.  
Apologies:- Councillor R. Stewart.  
Absent:- Community Councillor Mr H. Wight.  
In Attendance:- Senior Finance Officer (John Yallop), Solicitor  
(Karen Scrymgeour), Democratic Services Officer (F. Henderson).  
Members of the Public:- 0

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**MINUTE**

1. There had been circulated copies of the Minute of the Jedburgh Common Good Fund Sub-Committee held on 1 February 2017.

**DECISION  
NOTED.**

**UPDATES**

2. **Cheviot Youth Project**

With reference to paragraph 2 of the Minute of 1 February 2017, there had been received and circulated copies of the Planning consent for change of use, Insurance cover and the signed lease between Mr G Redpath (landlord) and Cheviot Youth (tenant) for a period of five years. The documents had been examined by the Senior Finance Officer and Solicitor and were found to be in order. The Committee noted that it was entirely a matter for the Cheviot Youth Project to ensure that the insurance cover was adequate and further noted that there would be a moveable ramp provided at the entrance to the 5/7 High Street, Jedburgh to ensure DDA compliance.

**DECISION**

**AGREED that the sum of £9,403 be paid to the Cheviot Youth Project towards developing by Community Hub Office in the town centre which would provide meeting and work space from which to support, guide and direct the Community Connections**

- 3.0 **APPLICATION FOR FINANCIAL ASSISTANCE**

- 3.1 **Jedburgh Gentle Exercise Group**

There had been circulated copies of an Application for Financial Assistance from the Jedburgh Gentle Exercise Group towards supporting the Groups transition to independence. The application which was in the sum of £200. The application explained that the Group had been running in Jedburgh for three years and would become an independent constituted group at the end of March 2017. The group had been supported by SBC Community Capacity Building Team, whose aim was to transition groups to independence, in terms of advice, booking trainers, hall hire etc. and funding of £200 to cover a temporary drop in numbers. The group offered an excellent class to older adults in Jedburgh and also those adults with a learning Disability and had around 30 regulars in attendance each week. The Group was keen to keep in place the cost of £2.50 per week which made it accessible to all. The exercise provided was based on Otago principles which were behind the science for physiotherapists and was suitable for seated and standing participants. The Committee were keen to support the project, however there had not been accounts submitted with the application and this concerned the Committee as the group had been running for three years.

**DECISION  
AGREED:-**

- (a) to support the application in principle;**
- (b) that a letter be sent requesting further information in respect of funding the Group had received and a set of Accounts detailing payments made for the class and any expenditure.**

*The meeting closed at 9.30 a.m.*



## SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St Boswells, TD6 0SA on Tuesday, 7 March 2017 at 10.05 a.m.

Present:- Councillors D. Parker (Chairman), S. Aitchison, S. Bell (from para.3), C. Bhatia, J. Brown, M. J. Cook, V. Davidson, G. Edgar (to para.8), J. Mitchell, D. Moffat, D. Paterson, F. Renton, R. Smith.

Also Present:- Councillors G. Garvie, I. Gillespie, S. Marshall, W. McAteer,  
In Attendance:- Chief Executive, Depute Chief Executive (Place), Chief Financial Officer, Corporate Transformation and Services Director, Service Director Regulatory Services, Service Director Neighbourhood Services, Service Director Assets and Infrastructure, Chief Officer Roads, Chief Officer Economic Development, Clerk to the Council, Democratic Services Officer (K. Mason).

### 1. **MINUTE**

The Minute of meeting of the Executive Committee of 14 February 2017 had been circulated.

### **DECISION**

**APPROVED for signature by the Chairman.**

### 2. **PROPOSED AFFORDABLE HOUSING AT FORMER EARLSTON HIGH SCHOOL SITE**

There had been circulated copies of a joint report by the Service Director Regulatory Services and Service Director Assets and Infrastructure seeking approval to dispose of the Council owned allocated Housing Site at the former Earlston High School to Eildon Housing Association in order that it may be re-developed to provide affordable housing. The report also proposed that the Council used available Affordable Housing Investment Budget funding to fund the difference between the market valuation sought by the Council and the affordable housing valuation determined by the District Valuer. The site had been identified as a prioritised affordable housing site in the Council's Strategic Housing Investment Plan 2017-22 which was recently agreed by Council in November 2016 and subsequently submitted to Scottish Government. The Group Manager Housing Strategy and Services advised that in paragraph 4.1 (e) in the report, the figure of £350,000 should read £250,000. Concern was raised in relation to the infrastructure for the development and it was confirmed that development of the Council's site would comply with the Council's Planning Brief which meant that the new roadway to serve the housing development would also link to a bridging point to enable developer-led construction of a new vehicular and pedestrian bridge over the Turfford Burn at some time in the future, thereby safeguarding future access to the adjoining site. In response to a question raised about Scottish Borders Council building its own houses, the Group Manager Housing Strategy and Services advised that there had been a business case exploring the Council building its own houses but this had not proven cost effective. As the site was an expensive one to develop, this proposal had proven to be the best option. It was noted that the Council would benefit through the payment of Council Tax on the proposed new homes. A request was made for a monitoring report on carbon emissions/tax to be brought to a future meeting and the Chief Financial Officer advised that this would be provided through the regular performance monitoring reports brought to the Executive Committee.

### **DECISION**

**AGREED to:-**

- (a) **delegate authority to the Council's Head of Assets and Infrastructure to dispose of the allocated Housing Site at the former Earlston High School to Eildon Housing Association on the basis of affordable housing valuation of £450,000 for the development of affordable housing; and**
- (b) **delegate authority to the Chief Financial Officer to transfer £250,000 from the Council's Affordable Housing Investment Budget to the Council's Capital budget as a contribution towards meeting the market valuation of the site.**

**MEMBER**

Councillor Bell joined the meeting during discussion of the following item.

3. **CAPITAL PROGRAMME – 2017/18 – BLOCK ALLOCATIONS**

There had been circulated copies of a report by the Chief Financial Officer seeking approval for the proposed individual projects and programmes within the various block allocations in the 2017/18 Capital Financial Plan. Appendices A – X in the report contained proposals for various projects to be allocated resources from the block allocations within the 2017/18 Capital Financial Plan. Not all projects had been fully identified at this point and as and when this information was available this would be brought to the Executive Committee for consideration. Officers were in attendance to answer Members' questions as they considered systematically the 2017/18 Block Allocations detailed in Appendices A – X to the report. In relation to Appendix U – Sports Infrastructure, Officers undertook to provide Members with more detailed information relating to Teviotdale Leisure Centre Redevelopment. In relation to Appendix V – Cultural and Heritage, Officers undertook to provide Members with more detailed information relating to the seating in the Volunteer Hall, Galashiels. Discussions took place relating to the issue of a press release to ensure members of the public were made aware of good news stories detailed in the Capital Programme and it was agreed that Communications would action this using a localities approach.

**DECISION**

**AGREED to approve the block allocation breakdowns contained in Appendices A – X to the report.**

**DECLARATION OF INTEREST**

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

4. **COMMUNITY GRANT SCHEME – GENERIC BUDGET 2016/17**

There had been circulated copies of a report by the Service Director Neighbourhood Services recommending an application for funding from the Community Grant Scheme Generic Budget. The purpose of the application from Just Cycle Ltd was to contribute towards the cost of rental of the premises at 5 Tweedbank Craft Centre, Tweedbank. Just Cycle Ltd had been running for just under a year and was successful in securing start-up funding of £9,900 from Awards for All in 2016 to cover running costs to March 2017. The organisation had been successful in generating some income from the sale of refurbished bicycles but was still working towards sustainability and unable to cover all its annual running costs. A grant of £1,000 would assist with rental costs. The Service Director Neighbourhood Services and the Funding Officer explained why the grant was eligible in terms of the scheme for the Generic Budget as it offered a Borders-wide service. A request was made that Just Cycle Ltd be made aware of other similar businesses in the area to ensure that they would not encroach on them.

## DECISION

**AGREED to grant £1,000 to Just Cycle Ltd, conditional on the organisation revising its fundraising plans to bridge this gap in future years.**

### 5. **SBC COMMUNITY GRANT SCHEME – YEAR END POSITION 2016/17**

There had been circulated copies of a report by the Service Director Neighbourhood Services presenting information of the estimated year end balances in the Community Grant Scheme (CGS) for 2016/17 and recommending a carry forward into 2017/18, in line with the agreed CGS process. The current budget position of the CGS 2016/17 and estimated year end balances were as follows:-

<b>Budget Heading</b>	<b>Total Budget 2016/17</b>	<b>Expenditure to Date</b>	<b>Applications Pending</b>	<b>Estimated year end balance as at end Jan 2017</b>
Berwickshire	£22,236	£22,076	£0	£160
Cheviot	£20,984	£20,894	£0	£90
Eildon	£40,867	£35,081	£0	£4,536
Teviot & Liddesdale	£22,271	£20,572	£0	£1,699
Tweeddale	£37,368	£33,056	£4,312	£0
Generic	£12,696	£10,770	£1,000	£926
<b>Totals</b>	<b>£156,422</b>	<b>£142,449</b>	<b>£5,312</b>	<b>£7,411</b>

The CGS had awarded grants totalling £142,449 to end of January 2017. If the recommendations of the report were approved, the estimated year-end balance of £7,411 would be detailed as a virement request for ear-marking in the Financial Services report to Executive Committee in March 2017. It was noted that year end balances were estimated as at end January 2017 and final carry forwards as at end March 2017 were expected to be lower. There was currently one application undergoing assessment at present which, if approved, would use up the existing budget in Eildon area. It was confirmed that any funds carried forward would do so within their localities.

## DECISION

**AGREED to:-**

- (a) note the estimated year end balances for 2016/17; and
- (b) approve the carry forward of any year-end balance into 2017/18.

### 6. **UNION CHAIN BRIDGE**

There had been circulated copies of a report by the Depute Chief Executive – Place providing an update on the progress of the project prior to the submission of the Stage 1 application to Heritage Lottery Fund in April 2017. Union Chain Bridge had substantial historical significance because it was the longest suspension bridge in the world when opened in 1820 and was currently the oldest operational suspension bridge in the world to have been designed to carry wheeled vehicles. It was a Grade 1 structure in England and a Category A listed building in Scotland the highest designations. Northumberland County Council and Scottish Borders Council were working in partnership to pursue Heritage Lottery Funding for a restoration project to repair and continue the usable lifespan of the bridge. Additional work had been undertaken in advance of the Stage 1 Heritage Lottery Fund application, but it had not altered the programme aspiration of completing the works for the 200<sup>th</sup> anniversary in 2020. Members welcomed the report and hoped that the new Members

appointed after the Local Government Election in May 2017 would continue to support the project.

**DECISION  
AGREED:-**

- (a) to note the progress of the project to date; and
- (b) that a report be presented to Council prior to the submission of the Stage 2 Heritage Lottery Fund in May 2018, to approve final budgets (capital and revenue) and the delivery programme.

**7. SCOTTISH BORDERS WALKING FESTIVAL 2018 TO 2020**

There had been circulated copies of a report by the Service Director Regulatory Services seeking to agree the locations of the Scottish Borders Walking Festival in 2018, 2019 and 2020. The Scottish Borders Walking Festival (SBWF) was held during the first week of September and moved around the Border towns on an annual basis. The Department's Countryside Access Team was tasked with ensuring that the event took place each year and had been held in the Scottish Borders since 1995. The Walking Festival was due to take place in Peebles in September 2017. All Community Councils had been invited to tender an interest in hosting the event in 2018, 2019 and 2020 and expressions of interest were received from six communities. Following an assessment, it was proposed that the communities of Hawick, Ettrick and Yarrow (along with Selkirk) and Jedburgh (along with Ancrum) should host the event between 2018 and 2020. Councillor Davidson expressed disappointment that the report advised that accommodation provision was poor in the valleys of Ettrick and Yarrow, submitting that the accommodation provided was of the highest quality.

**DECISION**

**AGREED that the Scottish Borders Walking Festival should be hosted by Hawick in 2018, Ettrick and Yarrow and Selkirk 2019 and Jedburgh and Ancrum in 2020.**

**MEMBER**

Councillor Edgar left the meeting during discussion of the following item.

**8. TOWN CENTRE REGENERATION ACTION PLAN**

With reference to paragraph 3 of the Minute of the Executive Committee of 4 October 2016, there had been circulated copies of a report by the Corporate Transformation and Services Director seeking to agree a rolling three year action plan focusing on priority towns, as part of the Council's new approach to town centre regeneration. Town centres were recognised for the important role they played in the local economy in the Scottish Borders Economic Strategy 2023. Action to support our town centres was identified as a priority in the Council Administration's Manifesto, Ambitious for the Borders. In response to the challenges that some of our towns faced, specific action plans had been developed including, most recently, the Hawick Action Plan. Town centres were also likely to be an important issue for the proposed new South of Scotland Enterprise and Skills vehicle to address. In October 2016, a report was presented to the Council's Executive Committee on a new approach to Town Centre Regeneration. Recognising the importance of town centres, there was agreement that a targeted use of resources would be more effective, particularly for those town centres which had significant challenges. The Council agreed to establish a rolling three-year Town Centre Regeneration Action Plan with a focus on priority towns. The new approach to Town Centre Regeneration included a priority approach utilising a 'Town Centre Index'. The Index was based on a range of statistics to better understand the situation in each town and to provide an objective basis for prioritising public sector interventions and investment in town centres. For the Town Centre Regeneration Action Plan, the Council agreed to focus on the

least resilient towns, which were currently: 1= Hawick; 1= Jedburgh; 3 Eyemouth; 4 Galashiels; and 5 Selkirk. The Town Centre Regeneration Action Plan was set out in Annex 1 to the report. The Action Plan focused on projects and activities which aimed to have a significant economic impact and benefit within the respective town centres. Members discussed the issues relating to various town centres including the impact of supermarkets and the internet on shopping habits and footfall, vacancy levels, housing in town centres, and tourism.

## **DECISION**

### **AGREED:-**

- (a) to approve the Town Centre Regeneration Action Plan 2017/2018 and the key actions identified, as set out in Annex 1 to the report;**
- (b) to note the actions that were already resourced and those for which resources were still to be identified; and**
- (c) that the Action Plan would be monitored by the Economic Development Executive on a regular basis and presented for approval on an annual basis, no later than 31 March each year.**

## **9. SCOTTISH GOVERNMENT ENTERPRISE AND SKILLS REVIEW – PHASE 2 PROGRESS**

With reference to paragraph 14 of the Minute of Scottish Borders Council of 22 December 2016, there had been circulated copies of a report by the Corporate Transformation and Services Director on the progress of Phase 2 of the Scottish Government's Enterprise and Skills Review. The report outlined officer current views on the proposed South of Scotland Enterprise and Skills Vehicle. The report sought Member agreement for this position, and its further development, to ensure that the Council was able to formally respond to the Phase 2 Review. Scottish Government confirmed that a Phase 2 report would be progressed to develop detail on the establishment of a new Enterprise and Skills Vehicle for the South of Scotland and had encouraged Councils, and relevant agencies and stakeholders, to engage in this process. Scottish Government had asked the Council (and other stakeholders) to consider a response to four key issues related to the proposed new 'Vehicle'. These were: Geographic boundary; Role and remit; Governance framework; and Resources. The geographic area for the new 'Vehicle' should be the administrative boundary of Scottish Borders and Dumfries and Galloway. The role and remit of South of Scotland Enterprise and Skills Vehicle needed to recognise the scale of the challenges facing the area. The 'Vehicle' needed to be able to increase the economic capacity of the region and to tackle its structural economic weaknesses in an inclusive and sustainable way. Officers believed that the fundamental imperative for the remit of the new 'Vehicle' would be to have a Relentless Emphasis on Geography and Place. This recognised that inclusive economic growth could only be generated within the towns and rural communities of the South of Scotland through a new approach. The opportunity to establish a specific South of Scotland Enterprise and Skills Vehicle was a once in a generation opportunity to improve the level of investment in economic growth, enterprise, skills and innovation. Building on the Scottish Government's position in the Phase 1 Report, the governance framework to be put in place to underpin the new 'Vehicle' should demonstrate clear accountability at local and national level. It also must facilitate the step change required for the new 'Vehicle' to be established on a bespoke basis that met the ambitions of the South of Scotland stakeholders. The currently preferred governance framework was also described in the report. It was recognised that the ambition to transform the economy of the South of Scotland would not be achieved without a significant uplift in resources and investment. South of Scotland met on Friday 3 March 2017. They considered in detail the Enterprise and Skill review, the work undertaken by officers to date, the outcome of the stakeholder meeting on 17 February 2017 and the proposed way forward following a wide ranging discussion they fully endorsed the proposed

way forward. Councillor Bell proposed to add an additional recommendation as (e) in the following terms “notwithstanding recommendations (c) and (d) emphasise that this Council would be ambitious and flexible in all its discussions and would seek to achieve the maximum potential of the new South of Scotland Vehicle”. Recommendations (e) and (f) would be renumbered (f) and (g) respectively. Councillor Bell’s additional recommendation was unanimously accepted.

## **DECISION**

### **AGREED:-**

- (a) to note the progress made in developing Phase 2 of the Scottish Government Enterprise and Skills Reviews;**
- (b) to note that South of Scotland Alliance considered the content of the report at its meeting on 3 March 2017 and fully endorsed the progress and way forward;**
- (c) the Council’s position as set out in the report, which had been developed in collaboration with Dumfries & Galloway Council;**
- (d) to submit the Council’s position to the Cabinet Secretary for Economy, Jobs and Fair Works as a working proposal from the Council;**
- (e) notwithstanding (c) and (d) above, to emphasise that this Council would be ambitious and flexible in all its discussions and would seek to achieve the maximum potential of the new South of Scotland Vehicle;**
- (f) to note that the Chief Executive would continue to engage with the Scottish Government and stakeholders in order to develop a detailed proposal for a South of Scotland Enterprise and Skills Vehicle in line with recommendation (c); and**
- (g) to receive a future report as proposals developed further.**

*The meeting concluded at 12 noon.*

- 
- Date:** 9 March 2017 from 2.10 to 3.35 p.m.
- Location:** Council Chamber, Scottish Borders Council, Council Headquarters, Newtown St Boswells
- Attendees:** Councillor Jim Brown (SBC) [Chair]  
Det. Superintendent Pat Campbell (Police Scotland)  
Mr Tony Jakimciw (Borders College)  
Mr Alistair McKinnon (Scottish Enterprise)  
Mr Tim Patterson (NHS Borders)  
Councillor Frances Renton (SBC) [from para.6]  
Mrs Rita Stenhouse (RSL representative – Waverley Housing)  
Mr Brian Sweeney (Third Sector).
- Also in attendance:** Philip Barr (SBC), Nile Istephan (Eildon Housing), Bryan McGrath (SBC), Tracey Logan (SBC), Sarah Watters (SBC), Jenny Wilkinson (SBC).

#### **MINUTE AND ACTION POINTS**

1. **APOLOGIES**  
Apologies had been received from Councillor Stuart Bell, LSO David Farries, Mrs Marjorie Hume, Superintendent Bryan Rodgers, Mr John Raine, Dr Doreen Steele.
2. **QUORUM**  
The Clerk advised the Chairman that the meeting was inquorate as Councillor Renton had been delayed at a previous engagement. The Board agreed to continue the meeting informally until Councillor Renton could join them.
3. **MINUTE OF MEETING OF COMMUNITY PLANNING STRATEGIC BOARD – 24 NOVEMBER 201**  
The Minute of the previous meeting of the Community Planning Strategic Board had been circulated.  
**AGREED to RECOMMEND the Minute for formal approval at the next Strategic Board meeting to be held on 22 June 2017.**
4. **ACTION TRACKER**  
The Action Tracker had been circulated.  
**Noted.**
5. **ECONOMIC PERFORMANCE AND PERFORMANCE INDICATORS**  
Bryan McGrath, SBC Chief Officer - Economic Development, and Sarah Watters, SBC Function Manager – Business Management, gave a presentation on Economic Performance Indicators for the Borders. A paper was issued at the meeting giving details of quarterly and annual data on the Single Outcome Agreement 2013: Priority One "Grow Our Economy", indicating the current

position and commentary along with the short and long term trends. Members of the Board commented on some of the measures including GVA, new business start-up rates, and VAT registered business survival. In terms of the Town Centre vacancy rate, Alistair McKinnon commented that it would be useful to add in the vacancy rates for industrial property as well, and officers undertook to include that data.

**Noted the presentation.**

*Note: Councillor Renton joined the meeting during consideration of the following item of business. The meeting was thus quorate from this point onwards.*

6. **ECONOMIC STRATEGY ACTION PLAN**

A report had been circulated prior to the meeting, giving an update on progress with the Scottish Borders Economic Strategy 2023 – Action Plan. Appendix 1 of the report gave the status (red/amber/green) of each action. Bryan McGrath, SBC Chief Officer – Economic Development, advised members that there were currently no red actions; partners had delivered well on actions and good progress was being made e.g. fibre cabinets for superfast broadband. The action plan was in a positive place, although there were challenges with resources for broadband coverage, with the last 5 – 6% of coverage for digital connectivity being the most challenging technically. While there had been a programme of publicity to say the fibre cabinets were live, and there was good information on the website, further awareness-raising was required with the public to increase the take up rate, and this would be fed back to the programme. In response to a question about bus services, Tracey Logan advised that the recent announcement about the transfer of bus services from First Group to West Coast Motors could put services in a positive position. It was necessary to maximise the opportunities brought by the railway and an indication of early success was Rabbie’s Tours now being run commercially after their pilot project the previous summer.

**Noted.**

7. **SOUTH OF SCOTLAND VEHICLE**

7.1 Copies of a report to SBC Executive Committee on the “Scottish Government Enterprise and Skills Review – Phase 2 Progress” had been circulated prior to the meeting. Bryan McGrath, SBC Chief Officer Economic Development, gave a presentation from the South of Scotland Alliance on the South of Scotland Enterprise and Skills Vehicle, which was part of Phase 2 of the Enterprise and Skills Review. The South of Scotland had a number of challenges to consider including the lowest population density outside the Highlands and Islands; low wealth creation; low average work-based weekly wages; out-migration of young people and shrinking workforce; relatively high proportions of its workforce in agriculture, manufacturing and services; and both transport and digital connectivity issues. Further details were given of the strategic economic policy context, along with the need to work closely with neighbouring areas such as cross-border authorities (building on the Borderlands initiative) and the Edinburgh and South East Scotland City Region Deal. The proposed South of Scotland vehicle should cover the boundaries of Scottish Borders and Dumfries & Galloway Council areas, a view that was supported by COSLA Leaders Group and a South of Scotland Stakeholder session. Details were given of the proposed guiding principles, role of the Vehicle, feedback on the role and remit from the Stakeholder session held on 17 February 2017, priorities for the Vehicle, preferred governance model, and resources required. In terms of next steps, both Councils were due to



consider reports on the proposed approach to the Vehicle. The agreed guiding principles and the agreed proposals gave a framework for development of the Vehicle over the next few months with partner engagement. Submissions would then be made to Scottish Government and work would continue to progress the setting up of the new Vehicle as soon as possible, including the establishment of a business stakeholder group and a core stakeholder group.

- 7.2 Members of the Board discussed the Vehicle and asked a number of questions. In terms of the number of jobs with the Vehicle, there could be some new jobs but also some transferring from existing organisations. Much would depend on whether further funding was available, but the sheer fact of bringing together staff/work would produce cohesion. Alistair McKinnon commented that much would depend on the detail of the Vehicle and strategy but it would need to do something different and should not be about each partner continuing to do what they had always done. Scottish Government would have expectations linked to any additional funding. It would be important that the focus would be on towns in the area catching up with Scotland as a whole, not simply one town catching up with another town within the area. Tony Jakimciw offered congratulations to the South of Scotland Alliance and officers for getting to this stage with the project, but expressed some concern about the proposed governance model, which, as a joint committee of both Councils could become very political and cumbersome. An independent body could still have the same membership but be autonomous. It had to be recognised that the South of Scotland was not a region but 2 areas with different interests. Tracey Logan confirmed that a visit had already been made to the Highlands and Islands Development Board to see how it operated and a further visit was planned.

**Noted.**

## 8. CITY DEAL

Bryan McGrath, SBC Chief Officer Economic Development, gave a presentation on the proposed Edinburgh & South East Scotland City Region Deal, which covered the Council areas in the Borders, East Lothian, Midlothian, West Lothian, Edinburgh and Fife. While the region on the whole was successful - responsible for over 30% of the Scottish economy - the wealth was not distributed equally across the region. Potential for economic growth could be unlocked through a new relationship between UK Government, Scottish Government, local authorities, High and Further Education, and private sector partners. Recent progress included refining the position with regard to the details and phasing of projects submitted to both governments in early November 2016; continuing series of workshops from December 2016 onwards; ongoing discussions with both governments on innovation, infrastructure, skills, culture/tourism, and housing/regeneration; ongoing stakeholder engagement; and some challenging feedback received. The City Deal proposition was based on innovation (driving economic growth), infrastructure (physical and digital) and inclusion (growth for all), encompassing skills and housing/regeneration. The next steps included ongoing negotiations with both governments and a possible announcement by the end of April 2017. Tracey Logan confirmed that the Tweedbank Business Park had been put forward for the Borders, and, if agreed, resources could only be directed here. The intention was that City Deal and the proposed South of Scotland Vehicle would work in tandem, with one not superseding or obviating the other.

**Noted.**

9. **REDUCING INEQUALITIES GROUP: HIGHLIGHT REPORT**

Sarah Watters presented the highlight report which covered progress with employment and income; attainment, achievement and inclusion; health and wellbeing; housing and neighbourhoods; and keeping people safe.

**Noted.**

10. **FUTURE SERVICES GROUP: HIGHLIGHT REPORT**

Nile Istephan, Eildon Housing Chief Executive, presented the highlight report which covered progress with the work of the main Group and the Property & Assets and Procurement & Community Benefit Sub-Groups. The Future Services Group had a slightly different way of working to the other Themed Groups to ensure there was no duplication. An example was given of the intention of using CPP branding on generic recruitment material which could be used by all partners to recruit from outside the Borders. In response to a question, it was explained that health and social care integration was still settling in and the provision of shared services was a challenge, with not many examples of this happening elsewhere in the country.

**Noted.**

11. **DEVELOPMENT SESSION FOR COMMUNITY PLANNING STRATEGIC BOARD**

An update from Shona Smith, SBC Communities & Partnership Manager, on the proposed development session for the Strategic Board was circulated at the meeting. It was proposed that the next meeting of the Strategic Board on 22 June 2017 be allocated to a development session for the Board, focussing on an overview of Community Planning, the Community Empowerment Act and the sections of the Act in force and what that meant for the Strategic Board. Alistair McKinnon asked that the potential impact of the proposed South of Scotland Vehicle and Strategy on the Community Planning Partnership be included in the session to ensure there was no duplication of effort; and Tony Jakimciw asked for clarification of the pro-active role of the Strategic Board.

**Action: AGREED –**

**(a) a development session for the Strategic Board would be held on 22 June 2017 from 11am to 2.00 pm, with a working lunch provided, followed by a brief formal Board meeting if required; and** **Shona Smith 22 Jun 17**

**(b) details of the agenda be considered at the next meeting of the Joint Delivery Team and issued to the Strategic Board for input.** **Shona Smith 24 May 17**

12. **AOCB**

No items were raised.

# SCOTTISH BORDERS COUNCIL GALASHIELS COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the GALASHIELS  
COMMON GOOD FUND SUB COMMITTEE  
held in the Transport Interchange,  
Galashiels, on Thursday, 9 March 2017 at  
5.00 pm

Present:- Councillors B White (Chairman), B Herd and J. G. Mitchell; Community  
Councillor R. Kenney.  
Apologies:- Councillor S. Aitchison.  
In Attendance:- Managing Solicitor, People and Court (C. Donald), Capital & Investments  
Manager (K. Robb), Democratic Services Officer (F. Henderson).

Public - 2

## 1. **MINUTE.**

- 1.1 There had been circulated copies of the Minute of 8 December 2016.

### **DECISION**

**NOTED the Minute.**

- 1.2 With regard to paragraphs 3 and 4 of the Minute, the Chairman advised that both Just Cycle Ltd and the Galashiels Camera Club had managed to secure funding from alternative sources.

### **DECISION**

**NOTED.**

## 2. **FINANCIAL MONITORING REPORT FOR 9 MONTHS TO 31 DECEMBER 2016**

There had been circulated copies of a report by the Chief Financial Officer providing details of the income and expenditure for the nine months to 31 December 2016, full year projected out-turn for 2016/17 and projected balance sheet values as at 31 March 2017. Capital and Investments Manager, Kirsty Robb, highlighted the main points of the report and appendices. Appendix 1 to the report provided a projected Income and Expenditure position which showed a projected deficit of £64 for the year. The projected Balance Sheet as at 31 March 2017, in Appendix 2 to the report, showed a projected decrease in the Revaluation reserves of £36,256 due mainly to the projected depreciation charge. Appendix 3 provided a breakdown of the property portfolio. There was no rental income and no property expenses for the properties owned by the Common Good. The current position of the investment in the Newton Fund was shown in Appendix 4. Members expressed concern about the Newton Fund performance over Quarters 3 and 4 in 2016. The Capital and Investments Manager explained that the Newton Fund was being monitored very closely and there would be a visit to the Newton Offices later in the month to ascertain what their plan would be moving forward.

### **DECISION**

(a) **AGREED the projected Income and Expenditure for 2016/17 in Appendix I to the report.**

(b) **NOTED within the appendices to the report:-**

(i) **the projected Balance Sheet value as at 31 March 2017 in Appendix 2;**

- (ii) **the summary of the property portfolio in Appendix 3; and**
- (iii) **the current position of the investment in the Newton Fund in Appendix 4.**

3. **APPLICATION FOR FINANCIAL ASSISTANCE**

There had been circulated copies of an application for financial assistance from Nature Unlimited in the sum of £9,375. The grant was requested to cover the costs of sessional workers, basic equipment and volunteer expenses. The application explained that Nature Unlimited nurtured well-being, resilience and community through teamwork (den-building, games) and nature connection activities in woodlands. Participants are supported at every stage of life, to grow and thrive helping to reduce social and health inequalities. Sessions are run in woodlands across the Scottish Borders, which range from long-term employability programmes, family and community projects, mental health and well-being sessions to one-off events such as team building days, taster sessions and training events. This particular funding was sought in order to provide two programmes of 15 sessions based in beautiful local woodlands for groups of up to twelve teenage girls who have, or are at risk of developing mental health issues. One to be undertaken in spring/summer and the other in the Autumn. The sessions were designed to build resilience and create a community for well-being by allowing participants to learn and develop at their own pace, while pursuing their own interests and connecting with nature and each other. The Committee were of the opinion that whilst the project was worthwhile, it was not for the Common Good to fund and agreed to offer assistance to the organisation to secure funding from other funding sources. The Chairman thanked Jan Barr for attending and wished them well with their project.

**DECISION  
AGREED:-**

- (a) **not to award Nature Unlimited funding; and**
  - (b) **to assist the organisation to obtain funding from Quality of Life Funding.**
4. **TREE PLANTING NEXT TO GALASHIELS GOLF CLUB, LADHOPE**
- With reference to paragraph 5 of the Minute of 8 December 2016, Mr Hugh Chalmers, Tweed Forum was in attendance at the meeting to update the Committee and answer any questions. There were circulated at the meeting, copies of maps, highlighting the proposed Native Woodland Planting together with new deer fencing and gates, although it was explained that the maps were still at the draft stage and would include information on the best areas for views and for keeping butterflies. The final cost will be dependent on the final design. In response to a question about gates for area one, which did not appear on the map, it was explained that there would be special gates with no hinges erected.

**DECISION**

- (a) **NOTED that the next stage was to agree the final design.**
- (b) **AGREED that the final design be brought to the next Common Good Meeting.**

*The meeting concluded at 5.30 pm*

# SCOTTISH BORDERS COUNCIL EILDON AREA FORUM

MINUTE of Meeting of the EILDON AREA FORUM held in the Waverley Chambers, Transport Interchange, Galashiels on Thursday, 9 March 2017 at 6.30 pm

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- Present:- Councillors B White (Chairman), S. Aitchison, M Ballantyne (from para 2), V. M. Davidson, G Edgar, I. Gillespie, B Herd, D. Parker, J. Torrance.  
Community Council representatives:- Rick Kenney (Galashiels), T Cotter (Lilliesleaf, Ashkirk & Midlem), D & R Purvis (Tweedbank), J. Paton-Day (Earlston), J. Mackenzie (Stow), R. French (Newtown & Eildon), J McLaren, Employee Director (NHS Borders), Stephen Mitchell (Scottish Fire & Rescue Service).
- Apologies:- Councillor J. Mitchell, Inspector A. Hodges (Police Scotland).
- In Attendance:- Neighbourhood Area Manager (C Blackie), Democratic Services Officer (F Henderson), Assistant Engineer – Roads (Gary Haldane)
- 1 member of public.

## 1. **MINUTE**

There had been circulated copies of the Minute of 8 December 2016.

## **DECISION**

**APPROVED for signature by the Chairman.**

## 2. **PARTNER UPDATES**

### 2.1 **NHS Borders**

In his update, Employee Director John McLaren firstly explained that he would not be reporting on performance as this was detailed on the website. Mr McLaren went on to explain that NHS Borders would be attending each of the Area Forums to discuss how best to engage with the Forum to allow more meaningful engagement. Mr McLaren spoke about the upcoming Staff Awards, which included 13 awards and the Chairman's Award, 8 of which were being sponsored by Local Businesses. A press release would be given with regard to the financial plan coming to the Board on 6 April 2017 and the meeting was open to all. Mr McLaren spoke of the challenging financial year in terms of pay uplifts, apprenticeship levies and the expectation to work joint Boards. In response to questions in relation to staffing levels, the possible extension to Selkirk Health Centre and Data missing from the Performance Data Website, Mr McLaren agreed to provide information at the next meeting of the Forum. In response to a question about the admissions of elderly people, being higher than the number of beds available, Mr McLaren explained that there were various ongoing projects looking at the matter and the results would be reported to a future Area Forum.

### 2.2 **Scottish Fire and Rescue Service**

There had been circulated copies of a report to inform the Eildon Area Forum of the Scottish Fire and Rescue Service activity since the last forum on 8 December 2016. Following a summary of Response and Resilience activity the report went on to list and detail areas of partnership working and ongoing Prevention and Protection work in the Eildon area. As in all local stations SFRS staff provided home fire safety visits all year round. These focussed on identifying and reducing the risks of fire in the home. Smoke

detectors with a 10 year battery life were provided as part of this free service. Staff were delivering road safety awareness training to students from Borders College. The year on year initiative delivered during the academic year targeted young drivers and prospective drivers from across the entire Scottish Borders. SFRS staff would also be supporting the Under 17s Borders Drivewise Project, which would be delivered over 14 days from April to October at Charterhall airfield near Duns. All 9 secondary schools would be participating. As a direct result of SFRS working in partnership with TD1 and Community Learning Development delivering the pilot diversionary project a formal contract had been established with a TD1 participant to engage in direct mentoring in employability skills and vocational training, attending Galashiels every Tuesday night with the retained crew. For Primary 6 pupils, the initiative Firesharp provided face to face education within local primary schools on matters of fire risk and prevention. Moving into spring the seasonal community safety calendar and thematic action plan would focus on the following areas:- anti-social behaviour; deliberate fire setting; Muirburn Code and Wildfire. Stephen Mitchell, Station Manager, Galashiels was present at the meeting to answer questions.

**DECISION**

**NOTED the updates.**

**3. SMALL SCHEMES AND QUALITY OF LIFE PROJECTS**

Neighbourhood Area Manager, Craig Blackie, gave a verbal update on the progress of schemes and projects under the Small Schemes and Quality of Life budgets. He advised that there was less than £1,700 remaining from the total of £74,000 in the Small Schemes budget for the Eildon area. With regard to the Quality of Life budget there remained £950, and £319 in the Galashiels & District and the Selkirkshire wards, respectively. Councillor Parker welcomed the fact that Councillors and Community Councillors had identified worthwhile projects of community benefit on which to spend this money. It was highlighted that some schemes were weather dependent, but if approved and not completed prior to the end of the financial year, the scheme would be carried forward.

**DECISION**

**NOTED the update.**

**4. THE LOAN, GATTONSIDE – LENGTH RESTRICTION ORDER**

There had been circulated copies of a report by the Chief Officer, Roads which proposed to introduce a restriction on the length of vehicles permitted to use The Loan, Gattonside. The report explained that concerns had been raised regarding the use of The Loan in Gattonside by longer vehicles which the road could not accommodate. In order to prevent this and the associated damage to property, it was proposed to introduce a restriction on the length of vehicles. The report detailed the background to the proposal, the proposal itself and the financial implications. Statutory Consultation was underway and no adverse comments had been received to date.

**DECISION**

**APPROVED the making of the Scottish Borders Council (The Loan, Gattonside) (Length Restriction Order) 2017 and delegated authority to the Chief Officer (Roads) to implement the TRO's assuming that no objections were received during the consultation period.**

**5. VARIOUS STREETS, SELKIRK – TRAFFIC REGULATION**

There had been circulated copies of a report by the Chief Officer, Roads proposing to amend the Traffic Regulation Order for Selkirk. The report explained that the previous amendment had been carried out in 2016. Since that amendment, proposals had been made regarding the town centre improvement scheme and additional amendments to improve road safety and traffic management in the town. These had been collected into the proposed amendment and detailed in the Appendix to the report. Statutory

consultation on the proposals was underway and no adverse comments or objections had been received to date.

#### **DECISION**

**AGREED to approve the amendments to the Scottish Borders Council (The Burgh of Selkirk (Prohibition and Restriction of Waiting and One-way Traffic working) Order 1972) and delegated authority to the Chief Officer (Roads) to implement the TRO's assuming that no objections were received during the consultation period.**

#### 6. **VARIOUS STREETS, GALASHIELS – TRAFFIC REGULATION ORDER**

There had been circulated copies of a report by the Chief Officer, Roads, proposing amendments to the Traffic Regulation Order for Galashiels. The previous amendment to the Galashiels Traffic Regulation Order (TRO) was carried out in 2016. Since that amendment, the existing traffic regulation order had been vetted and the amendments detailed in the report had been produced to tidy up the written orders. The report detailed the proposed amendments and the financial implications. There was considerable discussion with regard to the proposal to add No Waiting 10 p.m. – 4 a.m. Thursday – Saturday except Taxis to the Park Street end of Channel Street as detailed in the appendix to the report and there was a division of opinion.

#### VOTE

*Councillor Aitchison, seconded by Councillor Ballantyne moved that the recommendation be approved, although amended to be implemented for a trial period of 6 months, reviewed and reported back to a future meeting.*

*Councillor Herd, seconded by Councillor Edgar moved as an amendment that the recommendation be refused.*

*On a show of hands Members voted as follows:-*

*Motion - 7 votes*

*Amendment - 2 votes*

*The motion was accordingly approved.*

#### **DECISION**

**AGREED:-**

**(a) to approve the proposed amendments to the Scottish Borders Council (The Borders Regional Council (Various Street, Galashiels) (Regulation of Traffic) Order 1990) and delegated authority to the Chief Officer (Roads) to implement the amendments assuming that no objections were received during the consultation period apart from for the proposal referred to in (b) below.**

**(b) that in respect of the proposed No Waiting restriction to the Park Street end of Channel Street, this be implemented for a period of 6 months after which it be reviewed and reported back to the Area Forum.**

#### 7. **PENSION WISE SERVICE**

Mr Ian Heard, Pension Wise Guidance Specialist, Citizens Advice Bureau, was present at the meeting to give a presentation on the Pension Wise project which began in 2015 to provide guidance to clients who had Defined Contribution Pension Schemes. The aim was to help people become more aware and knowledgeable about their pension options. The initial funding was for the Scottish Borders area but as the initial take up was lower than expected at the end of the first year he was asked to cover Dumfries and Annan to retain the full time position. Whilst the current position was still to be confirmed it looked likely that the funding would be reduced from 1 June 2017 resulting in a reduction of hours, although the project was planned to continue. Since the beginning of the project

the job had grown considerably to cover not only Pension Wise appointments but also promotion, training of Bureau volunteers, attending PACE events, meeting Councillors, MP's, MSP's and various other roles. Appointment numbers had grown steadily over the two years because of continued national advertising and also the considerable work being done locally to promote the service. There was a 40% increase in total appointments from this time last year. Initially the project was set up to be a one appointment only service. However, owing to the complexities of pensions and also the fact that clients wanted to re-check facts before making such an important decision meant that Pension Wise were now able to see people more than once. The major issues covered were six options open to clients, also providing information on the potential impact on tax and state benefits which could help prevent major issues in terms of losing benefit or having a large tax bill. Mr Heard went on to give details relating to promotional and other activities. Statistics provided by Ipsos/Mori had shown 92% of clients surveyed had been satisfied with the service provided. Online guidance was available from [www.pensionwise.gov.uk](http://www.pensionwise.gov.uk); telephone appointments on 0300 330 1001 or at the local Citizens Advice Bureau.

## **DECISION**

**NOTED and thanked Mr Heard for his informative presentation.**

### **8. SUPPLEMENTARY GUIDANCE ON RENEWABLE ENERGY.**

8.1 The Chairman welcomed to the meeting Mr Charles Johnston, Principal Officer Plans and Research, to give a presentation on the Supplementary Guidance on Renewable Energy. Mr Johnston gave the background to the preparation of the Supplementary Guidance. One of the recommendations of the Local Development Plan, adopted on 12 May 2016, was to prepare, within one year, a Supplementary Guidance on Renewable Energy. Mr Johnston confirmed that a draft had been approved by Scottish Borders Council on 22 December 2016 and that there followed a 12 week public consultation period which would end on 17 April 2017. He explained how responses to the Supplementary Guidance could be made. In line with national support for the promotion of sustainable development and renewable energy the Council would continue to be supportive of renewable energy within appropriate locations. Shown within the presentation were maps of the Scottish Borders indicating all wind development applications of over 5 MW and under 5 MW, colour coded to show the status of each and the height to blade tip. Looking at the policy context of the guidance, Scottish Planning Policy reaffirmed support for renewable energy and the need to attain national energy targets. This was to achieve 100% of electricity from renewable energy by 2020. However a balance must be sought; emphasising the right development in the right place and not to allow development at any cost. The planning system should facilitate positive change while maintaining and enhancing distinctive landscape character. There was general support of renewable energy within the Local Development Plan. However if there were judged to be unacceptable significant adverse impacts, or effects which could not be satisfactorily mitigated, consent would only be granted if it was considered that the wider economic, environmental and other benefits outweighed any potential damage. The Guidance confirmed that the Council was also positive in its support of other renewable energy types; those referenced included micro renewables, field scale solar photovoltaics, biomass, energy from waste, anaerobic digestion, hydropower and ground source heat pumps.

8.2 Mr Johnston referred to the Wind Energy Spatial Framework within the draft Guidance and maps of the Scottish Borders were shown indicating: national scenic areas where wind farms would not be acceptable; areas of significant protection where wind farms may be appropriate in some circumstances; and areas with potential for wind farm development. Scottish Planning Policy also made reference to the need to consider Landscape Capacity and Cumulative Impact studies. As a strategic study and starting point, an updated Landscape Capacity and Cumulative Impact Study had been produced by consultants. Extracts from the study were shown in the presentation, including maps showing landscape capacity in areas of the Borders for turbines of different height ranges. A summary map of opportunities and constraints was also shown. Mr Johnston concluded the presentation by listing the development management considerations within



the Supplementary Guidance, including those not previously mentioned such as impacts on communities, built heritage and archaeology, tourism and recreation, natural heritage, opportunities for energy storage and contribution towards renewable energy targets. He advised that, following the consultation period an update of findings and conclusions would be referred back to elected Members in summer 2017. The Supplementary Guidance would ultimately be referred to Scottish Ministers to become part of the Development Plan. In the ensuing discussion the Chairman believed that the planning team deserved huge credit for their approach to the preparation of the Supplementary Guidance on Renewable Energy. He thanked Mr Johnston and encouraged members of the Area Forum to look at the guidance and to respond as part of the consultation.

**DECISION**

**NOTED the presentation.**

**9. PREPARATION OF THE NEW LOCAL PLAN.**

Mr Johnston's second presentation related to the preparation of a new Local Development Plan (LDP). He confirmed that, as part of a 5 year cycle, work on a new Plan was just commencing. He summarised the timeline for the production of the Plan and highlighted that the first stage, the Main Issues Report (MIR), would be prepared by December 2017. The MIR was a front runner to the LDP which in essence sought to identify a range of issues which the LDP should address. The MIR, which would be sent out for public consultation, identified preferred sites for houses as well as alternatives. It also proposed where planning policies could be updated, removed or merged. The MIR sought public opinion on a range of matters such as the main aims of the LDP, proposals for allocation of employment sites, housing policy, retail policy, regeneration issues, green space protection and climate change issues. Community engagement would be carried out through a series of exhibitions and workshops with community groups throughout the summer of 2017. Mr Johnston was thanked for his attendance.

**DECISION**

**NOTED.**

**9. OPEN QUESTIONS**

There were no open questions.

**DECISION**

**NOTED.**

**11. COMMUNITY COUNCIL SPOTLIGHT**

Nothing to report.

**DECISION**

**NOTED.**

**12. REQUESTS FOR FUTURE AGENDA ITEMS**

No items were brought forward.

**DECISION**

**NOTED.**

**13. DATE OF NEXT MEETING**

The next meeting would be held on Thursday 8 June 2017 at 6.30 pm at the Transport Interchange, Galashiels.

*The meeting concluded at 8.10 pm*

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# SCOTTISH BORDERS COUNCIL PENSION FUND COMMITTEE AND PENSION BOARD

MINUTES of Meeting of the PENSION FUND  
COMMITTEE AND PENSION BOARD held  
in Council Chamber, Council Headquarters,  
Newtown St Boswells on Thursday, 16 March  
2017 at 2.00 pm

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Present:- Councillors B White (Chairman), J. Campbell, G. Edgar, G. Logan,  
J. G. Mitchell, S. Mountford, Mr M Drysdale, Mr A Barclay, Ms L Ross,  
Ms C Stewart and Ms K M Hughes.

Apologies:- Councillors M. J. Cook, S. Aitchison, Mr C Hogarth and Mr P Smith.

In Attendance:- Director of Finance (Items 1,2, 1-13). Capital and Investment Manager,  
Democratic Services Officer (J Turnbull).

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting of 8 December 2016.

### **DECISION**

**NOTED for signature by the Chairman.**

## 2. **PENSION FUND INVESTMENT PERFORMANCE SUB-COMMITTEE**

There had been circulated copies of the Minute of the Pension Fund Investment and Performance Sub-Committee dated 27 February 2017.

### **DECISION**

**NOTED the Minute.**

## 3. **ASSET ALLOCATION**

3.1 The Chairman welcomed the Pension Fund's Actuary, Alison Hamilton, Barnett Waddingham LLP to the meeting. Ms Hamilton was in attendance to give a presentation on the 2017 Actuarial Valuation, a presentation was circulated at the meeting. Ms Hamilton began by advising that the Actuarial Valuation took place every three years. The last valuation was in 2014, when the Pension Fund's funding level had been 101%, with a £2.8m surplus and an 18% contribution rate. The regulations had changed since 2014 with the introduction of Section 13 of the Pension Act which required additional scrutiny of Pension Funds by the Actuary. The purpose of the 2017 valuation was to set employer contribution rates for the period 1 April 2018 to 31 March 2021. This was calculated by determining the value of assets less the value of liabilities; the surplus, or deficit then determined the total contributions. Ms Hamilton explained that to determine the Fund's liabilities, she analysed the Fund's commitments to date and projected all possible future benefit payments, attaching probabilities to those payments, for each individual member of the Fund.

3.2 Ms Hamilton explained that she had to make certain assumptions to determine the valuation. The model used assessed a six month period spanning the valuation date. For example, recognising public sector pay restraints, the long term salary increase assumption was a rise of 1% over the Consumer Price Index (CPI). She also had to estimate the mortality of the Fund's membership and how this might change in the future.

Ms Hamilton then went on to advise that in June 2016 she had reviewed and approved the Fund's revised investment strategy. Mr O'Hara reminded members that the rationale behind the proposed change to the strategy was to retain the position of the Fund,

reduce risk and give additional inflation protection. Ms Hamilton concluded her presentation by advising that the Fund was now 104% funded and contribution rates should remain at 18% for the three year period.

- 3.3 In response to a question regarding infrastructure investment, Ms Hamilton advised that a return of 5.4% above CPI would be prudent. Regarding mortality assumptions, she clarified that this was analysed on a regional basis and there was good longevity in the Scottish Borders in comparison with the rest of Scotland. Regarding monitoring the Fund's performance, she stated that there was now an online toolkit available and members could monitor the valuation of the Fund, on a daily basis if required. The Chairman thanked Ms Hamilton for attending the meeting and for the interesting presentation.

## **DECISION NOTED.**

### **MEMBER**

Councillor Campbell joined the meeting during consideration of the above report.

## **4. ENVIRONMENTAL SOCIAL GOVERNANCE**

- 4.1 The Capital and Investment Manager, Kirsty Robb, then gave a presentation on the Environmental Social Governance (ESG) Policy. Mrs Robb explained that the ESG policy covered wide and varied areas including climate change, deforestation, working conditions, child labour, bribery and corruption. Mrs Robb advised that officers often received requests from pension fund members that the Fund be discouraged from investing in certain companies, for example armament companies, or companies that used child labour. However, in response, it was explained that fiduciary considerations meant that the Pension Fund could not specifically exclude the choice of investment purely based on non-financial considerations and there was no policy in place that could restrict choice. The Pension Fund Committee sought to obtain the best return for the Fund while acting prudently.
- 4.2 The Fund's current position, in relation to ESG, was contained in Section 6 of the Statement of Investment Policy (SIP). The SIP recognised the Committee's responsibility to exercise voting rights, which had been delegated to the Fund's Investment Managers. Mrs Robb stated that other pension funds in Scotland were signing up to the United Nations Principles Responsible Investment (UNPRI) Stewardship Code, which was mandatory in England and Wales. If members agreed, then this could be added to the ESG governance arrangements requiring all Fund Managers signed the Code and could be included as a standard requirement for any future appointment of Fund Managers. In response to a question, Mrs Robb advised that by requesting Fund Managers to sign up to the Code there would be no financial or administration burden for officers. In response to a question regarding the Code restricting investment opportunities, Mr O'Hara advised that the Code did not exclude areas of investment. However, Fund Managers would engage with companies and encourage them to address ESG considerations. For example, if a company used child labour the Fund Manager would consider that as a risk which could impact on stock price and therefore encourage the company to address their concerns.
- 4.3 Mrs Robb went on to advise that to improve monitoring of ESG, the Pension Fund could consider the appointment of a Voting Consultant. KPMG presently, in their report, included information on Fund Manager's voting decisions. However, a Voting Consultant would give more detail and background information, explaining the rationale behind voting choices. This would further enhance the Committee and Board's monitoring role. The Pension Fund and Board discussed the appointment of a Voting Consultant and requested that a report be presented to the next meeting detailing the cost involved. It was also requested that a Voting Consultant be asked to attend the meeting to give a briefing on their role and the benefits to the Pension Fund.

## **DECISION**

### **AGREED:**

- (a) **To request that the Capital and Investment Manager arrange for an Voting Consultant to brief the June Meeting of the Pension Fund Committee and Pension Board;**
- (b) **To request a report detailing the cost of appointing a Voting Consultant; and**
- (c) **To update the Statement of Investment Policy to reflect that Fund Managers be requested to sign up to the United Nations Principles Responsible Investment (UNPRI) Stewardship Code and bring back to the June meeting for approval.**

## **5. RISK REVIEW UPDATE**

With reference to paragraph 4 of the Minute of 8 December 2016, there had been circulated a report by Chief Financial Officer which formed part of the risk review requirements. The report provided members with an update on the progress of the management actions to mitigate risks, a review of new risks and highlighted changes to risks contained in the Risk Register. Identifying and managing risk was a corner stone of effective management and was required under the Council's Risk Management Policy and process guide and CIPFA's guidance "Delivering Governance in Local Government Framework 2007". It was further reflected and enhanced in the "Local Government Pension Scheme" published by CIPFA. Appendix 1, to the report, detailed the risks within the approved Risk Register which identified management actions and the progress of these actions to date. Mrs Robb highlighted that the transition to Northern Trust had been completed and a full reconciliation undertaking. With regard to members training, all but one member had met the full training requirement. Mrs Robb further advised that the communication strategy had been delayed until September 2017 due to Enterprise Resource Planning (ERP) implementation.

## **DECISION**

### **(a) NOTED**

- (i) **The management actions progressed as contained in Appendix 1 to the report; and**
- (ii) **No new quantifiable risks had been identified since the last review.**

### **(b) AGREED to a key risk review being undertaken in June 2017.**

## **6. INFORMATION UPDATE**

### **6.1 Tri-Annual Valuation**

The next tri-annual valuation would take place on 31 March 2017. The final outcome would be presented to the December meeting.

### **6.2 Government Actuary Department (GAD) Section 13 Dry Run**

The Government Actuary Department (GAD) would undertake a review following the 2017 valuation. GAD were discussing with Actuaries to ensure consistent use of terms and presentation of findings. They had also requested additional information which would require a change to the Pension Administration system. There was no anticipated changes to the information or the way the valuation was carried out.

### **6.3 Currency Hedge**

With reference to paragraph 2 of the Minute of 15 September 2016, the currency hedge had been reduced during November and fully removed on 14 December 2016.

### **6.4 New Managers**

With reference to paragraph 13 of the Private Minute of 13 December 2016, the appointment of Blackrock for Long Lease Property and Permira and Partners for Private Credit was noted. Blackrock had completed their review of the documents and the account was now active. Funds would be drawn down over a three to six month period with the initial drawdown anticipated in March. Permira and Partners had completed their final sign off for the documents submitted.

#### **6.5 Training**

Training events had all been well attended and all but one member had fully met their training requirements.

#### **6.6 Co-habiting partners**

A recent ruling at the Supreme Court removed the requirement for a member to nominate a co-habiting partner. The ruling could have possible consequences for wider public sector schemes. There would be little impact on Local Government Schemes as regulations changed on 1 April 2015. However, there might be a risk from cases prior to April 2015 being claimed. Mrs Robb advised that there were no known claims for the Scottish Borders Pension Fund. Mr O'Hara added that going forward; the Actuary would need to capture data on co-habiting partners for valuation purposes.

#### **6.7 Enterprise Resource Planning (ERP) Implementation**

ERP would continue to provide pensioners with the ability to sign up to view payslips online and make changes to bank details through a secure self-service portal.

#### **6.8 Community Justice**

The Community Justice Service (CJS) was being amalgamated into a new body Community Justice Scotland which would be established on 1 April 2017. Staff currently employed by CJS would be made redundant. The Scottish Government had agreed to meet all costs proposed with the severance of these staff.

#### **6.9 Governance Review**

KPMG had undertaken a review of Pension Governance. The findings of the review were presented to the Scheme Advisory Board on 23 February and were detailed in the report attached with the Agenda. Mrs Robb highlighted that with regard to the annual training plan, she proposed to arrange drop in training sessions. There was also the possibility of an annual public sector conference for Pension Boards which would mean another opportunity for training. The Scheme Advisory Board had also recommended that the diversity of members be reflected in the composition of the Board and that pensioners should be represented on Pension Boards. Other recommendations included the establishment of formal distribution of minutes between Pension Boards and their respective Scheme Advisory Boards. It was also noted that all Pension Board members be encouraged to attend other Pension and Scheme Advisory Board meetings wherever this was practicable. The Chairman thanked officers for the informative report.

### **DECISION**

**NOTED the information update.**

#### **7. PENSION FUND BUDGET**

There had been circulated a report by Chief Financial Officer providing the Committee and Board with a proposed 2017/18 budget for the Pension Fund which would be reported to the Committee on a quarterly basis. The Local Government Pension Scheme (Scotland) Regulation 2014 required Administering Authorities to ensure strong governance arrangements and set out standards that were to be measured against. Best practice suggested that budget setting and monitoring for the Pension Fund was a good way to demonstrate compliance with the governance requirements within 2014 regulations. CIPFA accounting guidelines recommended three categories for the reporting and monitoring of costs – Investment Management, Administration and Oversight and Governance. The management costs of which were £3.33m, £0.268m and £0.213m

respectively. The 2017/18 approved budgets would be monitored during the year with quarterly budget monitoring reports being presented to the Joint Pension Fund Committee and Pension Board.

#### **DECISION**

- (a) **AGREED** the budget of £3.33m for Investment Management, £0.286m for Administration and £0.213m for Oversight and Governance.
- (b) **NOTED** that budget monitoring reports would be presented to future meetings.

8. **ITEMS LIKELY TO BE TAKEN IN PRIVATE**  
**AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business contained in the following items on the ground that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 8 of the part 1 of Schedule 7A to the Act.

#### **SUMMARY OF PRIVATE BUSINESS**

9. **MINUTE**  
The Committee noted the Private Minute of the meeting of 8 December 2016.
10. **PENSION FUND INVESTMENT PERFORMANCE SUB-COMMITTEE**  
The Committee noted the Private Minute of the Pension Fund Investment Performance Sub-Committee of 27 February 2017.
11. **QUARTER 4 PERFORMANCE UPDATE**  
The Committee noted the Private Minute of the Pension Fund Investment Performance Sub-Committee of 27 February 2017.
12. **INFRASTRUCTURE INVESTMENT**  
The Committee noted and agreed a report by Chief Financial Officer.

#### **PUBLIC BUSINESS**

13. **NEXT MEETING**  
The Chairman, Councillor White, thanked Pension Board and Pension Fund Members for their contribution and to the Committee over the past five years. Mr Barclay, on behalf of the Pension Board, thanked all Members for their support and extended best wishes to Members, whether standing for re-election or retiring.

**DECISION**  
**NOTED.**

*The meeting concluded at 4.30 pm*

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# SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE  
COMMITTEE held in the Council Chamber,  
Council Headquarters, Newtown St Boswells,  
TD6 0SA on Tuesday, 21 March, 2017 at  
10.00 am

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Present:- Councillors S. Aitchison (Chairman – Education Business), S. Bell, C. Bhatia,  
J. Brown (from para 2.2), M. Cook, V. Davidson (from para 1.2), G. Edgar, J.  
G. Mitchell, D. Moffat, D. Parker (Chairman), D. Paterson, F. Renton, R.  
Smith.  
Also present:- Councillor I Gillespie  
Apologies:- Mrs J. Aitchison  
In Attendance:- Chief Executive, Service Director Children and Young People, Service  
Director Neighbourhood Services, Democratic Services Team Leader,  
Financial Services Manager, Democratic Services Officer (F. Walling).

## **EDUCATION BUSINESS**

Present:- Ms A. Ferahi, Mr G. Donald, Mr D. Moore, Miss E. Page.

### **CHAIRMAN.**

Councillor Aitchison chaired the meeting for consideration of the education business. Before the first item on the agenda Councillor Aitchison gave presentations to the pupil representatives who had contributed to the Education-themed Executive Committee and said a little about their future plans for further education. On behalf of the Executive Committee, he referred to the value of hearing the student voice at meetings and thanked them for their valuable contribution, adding that they were a credit to their schools. The pupil representatives who received presentations at the meeting were Lauren Cardwell, Rory Hamilton, Izzie MacLean, Duncan Moore, Eilidh Page and Isabella Timmins. Lucy Anderson had been unable to attend and would receive her presentation in school.

### **MEMBER**

Councillor Davidson joined the meeting during discussion of the presentation below.

1. **ACHIEVING EXCELLENCE & EQUITY - CLOSING THE ATTAINMENT GAP - PUPIL EQUITY FUNDING**
- 1.1 There had been circulated copies of a report by the Service Director Children and Young People outlining the drive to raise attainment for all Borders children and to close the attainment gap between the most and least disadvantaged. A presentation to accompany the report was given by the Service Director, Donna Manson, with further information provided by Senior Lead Officer, Liz Wharton. Setting out the national context it was explained that the Scottish Government's National Improvement Framework (NIF) published in January 2016 and 'Delivering Excellence and Equity in Scottish Education', published in June 2016, placed a duty on all schools from August 2016 to have a strategy for closing the attainment gap. Nationally, £120 million had been provided by Scottish Government to help schools raise attainment with a focus on supporting those children and young people who faced barriers to their learning due to the impact of poverty. This was referred to as Pupil Equity Funding (PEF). Borders schools would receive a total of £1.8 million PEF for 2017/18. The sum that each school would receive varied considerably from £1,200 to £130,000. A breakdown of the allocation to schools was provided as an appendix to the report. Although there was a sharp focus on the poverty-related attainment gap Mrs Manson explained that Scottish Borders Council would take a

sensitive and inclusive approach. The directorate had established a strategic group, comprising volunteer Headteachers, two senior officers and an attainment advisor from Education Scotland. The work of the strategic group would have two main dimensions: universal approaches for raising attainment for all; and targeted interventions to achieve equity for learners and close any attainment gap. Head teachers were accountable for the use of PEF within their schools and reporting processes to parents were to be incorporated into plans. To ensure the greatest impact from PEF, two people would be seconded to work with schools on planning, monitoring, measuring and evaluating the specific strategies to ensure improved outcomes. These posts would be funded through school carry-forwards.

- 1.2 Members discussed the report and received answers to their questions. With regard to parental involvement Mrs Manson referred to the positive engagement of parent councils and a noticeable change of attitude to a more inclusive approach. Home School Link workers would be involved to assist individual families where appropriate. She advised that a new Quality Indicator, relating to Family Engagement, had been introduced in respect of schools' performance monitoring. It was recognised that there was a challenge around engaging with all parents. Ms Ferrari believed that there was a willingness from parents to be involved and suggested that there may be advantages for parent councils to engage through cluster groups. In response to a further question, Mrs Manson confirmed that there was alignment between the Scottish Government framework and the aspirations of Scottish Borders Council with regard to quality improvement. There had been a shift in the approach within Curriculum for Excellence towards nurture with the key being to make a difference to children's lives. There was further discussion about how to evaluate the impact and improvement attributable to PEF over and above existing working practices. It was noted that a report on progress would be brought back to the Executive after a period of 12 months

## **DECISION**

- (a) **NOTED the strong focus on raising attainment for all and reducing the attainment gap, particularly for those children and young people who faced barriers to their learning due to the impact of poverty.**
- (b) **AGREED that a report on progress be brought back to the Executive Committee in March 2018.**

## **MEMBERS**

Councillor Brown joined the meeting before the presentation below and Councillor Edgar left the meeting during discussion of the presentation.

## **2. EARLY LEARNING AND CHILDCARE - EXPANSION TO 1140 HOURS**

- 2.1 There had been circulated copies of a report by the Service Director Children and Young People to update the Committee and seek approval for the proposed strategic approach to the delivery of 1140 hours funded Early Learning and Childcare (ELC) for all three and four year olds and eligible two year olds in communities across the Scottish Borders by 2020. The report also shared information on the trial of extended flexible ELC currently underway at Philiphaugh Community School Nursery, funded by the Scottish Government. A presentation to accompany the report was given by senior lead officer, Grace Frew. The report explained that nationally by 2020 all three and four years, and around 27% of two year olds, would be entitled to 1140 hours of free Early Learning and Childcare provision – almost double current levels of entitlement. The current entitlement of 600 hours ELC was provided by Scottish Borders Council with varying levels of flexibility by 46 school nurseries, commissioning arrangements with 28 partner providers and 2 childminders (who were part of a pilot project until June 2017) for three and four year olds. Two year old provision was delivered through 7 school nurseries, 13 partner providers and 5 childminders. The focus over the forthcoming financial years would be the strategic development of school nursery provision encompassing both capital and revenue

investment. This would include property, the workforce, demographics and the needs of our most vulnerable families. The proposal was to develop a cluster approach to provision, within each High School cluster, having an Early Learning and Childcare Hub which would offer full day care, 50 weeks per year. This would be developed by a five year phased approach. The report gave details of Phase 1 - a trial of ELC which started on 9 January 2017 at Philiphaugh Community School Nursery – and of Phase 2 with 7 schools offering extended hours from August 2017. This phased approach would utilise learning and data to inform planning for future phases of the Service Delivery Plan. The report proposed re-allocation of capital spend for 2017-18 to provide a new ELC provision in St Boswells Primary School, the largest Primary currently without ELC and no sustainable ELC partner provider.

- 2.2 Members welcomed the proposals outlined. In response to questions Mrs Manson confirmed that, within Phase 3, criteria for the location of extended ELC provision would include the capacity for generating employment and that development of the project would be in collaboration with the private sector. Also in Phase 3 the rural schools who did not currently have provision would be submitting plans. In further discussion Members questioned the capital and revenue implications of the extended hours. It was agreed that an additional element be added to the report's recommendations to request that a report on the financial implications be brought to the Executive Committee in June 2017.

#### **DECISION**

##### **AGREED:-**

- (a) **the proposed strategic approach to the delivery of extended ELC;**
- (b) **the continuation of the trial;**
- (c) **the allocation of the Early Years capital budget 2017/18 to the build of a new ELC provision in St Boswells Primary School;**
- (d) **to proceed with a full options appraisal regarding the identification of priorities for early learning and childcare building investment and to bring recommendations to a future meeting; and**
- (e) **that a report on revenue and capital implications of the phasing of these steps be brought to the Executive Committee in June 2017.**

#### **CHAIRMAN**

This being the last meeting of the Education – themed Executive Committee before the Local Government Election, Councillor Aitchison thanked staff, Members and representatives for their work and contribution over the past five years. On behalf of the Committee, Councillor Bhatia thanked Councillor Aitchison for the energy and commitment he had brought to the Borders in his role as Executive Member for Education.

#### **ADJOURNMENT**

The meeting adjourned at 11.35 am and reconvened at 11.45 am

#### **OTHER BUSINESS**

## **CHAIRMAN**

When the meeting reconvened, Councillor Parker took the Chair for the remaining business.

### **3. MINUTE**

The Minute of meeting of the Executive Committee of 7 March 2017 had been circulated.

#### **DECISION**

**APPROVED for signature by the Chairman.**

### **4. FINAL REVENUE VIREMENTS AND EARMARKED BALANCES 2016/17**

There had been circulated copies of a report by the Chief Financial Officer seeking approval for the final 2016/17 budget virements and approval to carry forward identified earmarked budgets to 2017/18. The monitoring of the General Fund Revenue Budget at the end of January had identified the final virements and earmarked balances for 2016/17. These included routine virements, as shown in Appendix 1 to the report and earmarked balances, shown in Appendix 2, where it had been identified that budget was required to be carried forward to support expenditure in 2017/18.

#### **DECISION**

**APPROVED:-**

**(a) the virements in Appendix 1 to the report; and**

**(b) the earmarked balances in Appendix 2 to the report.**

### **5. HOUSING BENEFIT OVERPAYMENT AND DEBT RECOVERY POLICY**

There had been circulated copies of a report by the Service Director Neighbourhood Services, seeking approval of the Housing Benefit Overpayment and Debt Recovery Policy. The report explained that in administering Housing Benefit on behalf of the Department for Work and Pensions (DWP), the Council had a responsibility to recover any Housing Benefit which had been overpaid. It was essential for the Council to demonstrate that it carried out administration and recovery of Housing Benefit efficiently, effectively and fairly and followed the guidance issued by the DWP. The policy, attached as an appendix to the report, had been based on the DWPs recommended model and replaced the policy which was agreed by Committee in June 2000. It provided clarity on how the Council would interact with claimants and their agents in the administration of Housing Benefit overpayments and set out a clear debt recovery strategy. In answer to questions, the Service Director explained that there was a distinct two-stage process before a decision to recover overpayment would be made. A claimant could ask for a reconsideration or appeal against a decision. She advised that historically the number of fraudulent claims was low but could provide the exact numbers if required.

#### **DECISION**

**APPROVED the Housing Benefit Overpayment and Debt Recovery Policy, attached as Appendix 1 to the report, to take effect from 1 April 2017.**

### **6. ADDITIONAL FUNDING FROM SUSTRANS**

There had been circulated copies of a report by the Service Director Regulatory Services providing details on additional funding from Sustainable Transport Charity, Sustrans, for cycling and walking related projects in the Scottish Borders. Sustrans was very supportive of the work the Council was undertaking and had made a significant contribution to a number of projects throughout the Scottish Borders over a number of years. Graeme Johnstone, Lead Officer for Access and Transport, explained that Sustrans had allocated £140k in additional spend for cycling and walking related projects for the Scottish Borders area which would be allocated into the current financial year and the 2017/18 financial year. Detailed in a table within the report were the seven projects that would benefit from this funding and indication of the proposed spending allocation. Path construction at

Duns High School and feasibility work in connection with the Hawick Flood Defence Scheme would be match funded. Fully funded would be detailed design work for routes from Kelso to Sprouston, Kelso to Roxburgh, Earlston to Leaderfoot, Peebles to Eddleston and path construction at Lauder. Members welcomed this report and the Chairman asked for thanks to Mr Johnstone to be recorded for identifying funding to bring many schemes to fruition.

## **DECISION**

- (a) NOTED the additional funding of £140k allocated to Scottish Borders Council from Sustrans for cycling and walking related projects.**
- (b) AGREED:-**
  - (i) the spending allocations as detailed in table 4.1 of the report; and**
  - (ii) to approve the virements in 2016/17 and 2017/18 as detailed in Table 4.1 of the report.**

### **7. ANNUAL REPORT ON THE SOCIAL WORK STATUTORY COMPLAINTS PROCEDURES FROM 1 JANUARY 2016 TO 31 DECEMBER 2016 AND NEW SOCIAL WORK COMPLAINTS HANDLING PROCESS**

There had been circulated copies of a joint report by the Chief Social Work Officer and Service Director Neighbourhood Services, providing information on the number and types of complaints received by Social Work from 1 January 2016 to 31 December 2016, summarising the changes arising from 113 complaints and improvement actions. The report was presented by the Service Director, Jenni Craig, who summarised the main points and answered questions. During 2016 there had been 113 complaints received which was an increase of 22.82% from the previous year. Of those received 36% were not upheld. The report detailed the nature of the complaints and improvements identified for 2017 arising from complaints-based intelligence. The report also outlined the new statutory social work complaints provisions introduced by the Scottish Public Services Ombudsmen (SPSO) and sought approval of the revised Social Work complaints handling procedure (SW CHP). Following a period of consultation the SPSO had published 'The Social Work Model Complaints Handling Procedure' together with associated guidance for implementation. This would provide a standard approach to handling customer complaints about Social Work services across Scotland. Adoption and implementation of the standardised SW Model CHP was required from 1 April 2017 and would coincide with the implementation of a new National Health Service Model CHP bringing both social work and National Health Service (NHS) services into line with the existing local authority standard CHP. A new SBC SW Model CHP was attached at Appendix 1 to the report. It followed in its entirety the SPSO SW Model CHP. The new CHP moved from a 3 or 4 stage process to a 2 stage process and removed the stage in the current complaints procedure for consideration by a Complaint Review Committee. In considering the report's recommendations Ms Craig asked that recommendation (c) be removed.

## **DECISION**

- (a) NOTED the annual report information on Social Work Statutory Complaints procedures from 1 January 2016 to 31 December 2016.**
- (b) AGREED:-**
  - (i) to approve the Social Work Model Complaint Handling Procedure (SW CHP), as detailed in Appendix 1 to the report, for all complaints relating to Social Work services whether they were delivered through**

**Scottish Borders Council, ALEOs or the Health and Social Care Partnership, from 1 April 2017; and**

- \* (ii) **to recommend that Council disband the Social Work Complaint Review Committee once the process for all social work care complaints raised before 1 April 2017 had been completed.**

**8. PRIVATE BUSINESS**

**DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this minute on the grounds that it involved the likely disclosure of exempt information as defined in the relevant paragraphs of part 1 of schedule 7A to the Act.**

**SUMMARY OF PRIVATE BUSINESS**

**9. HOUSING BENEFIT AND COUNCIL TAX REDUCTION VERIFICATION POLICY**

The Committee approved a report by the Service Director Neighbourhood Services.

*The meeting concluded at 12.15 pm*