

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

6.	<p>Committee Minutes (Pages 3 - 92)</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> (a) Hawick Common Good Fund 2 September 2020 (b) Community Planning Strategic Board 10 September 2020 (c) Jedburgh Common Good Fund 14 September 2020 (d) Executive 15 September 2020 (e) Major Contracts Governance 15 September 2020 (f) Kelso Common Good Fund 15 September 2020 (g) Civic Government Licensing 18 September 2020 (h) Local Review Body 21 September 2020 (i) Pension Fund 24 September 2020 (j) Pension Fund Board 24 September 2020 (k) Audit & Scrutiny 28 September 2020 (l) Lauder Common Good Fund 29 September 2020 (m) Planning & Building Standards 5 October 2020 (n) Executive 6 October 2020 <p>(Copies attached.)</p>	5 mins
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(a)	Hawick Common Good Fund	2 September 2020
(b)	Community Planning Strategic Board	10 September 2020
(c)	Jedburgh Common Good Fund	14 September 2020
(d)	Executive	15 September 2020
(e)	Major Contracts Governance	15 September 2020
(f)	Kelso Common Good Fund	15 September 2020
(g)	Civic Government Licensing	18 September 2020
(h)	Local Review Body	21 September 2020
(i)	Pension Fund	24 September 2020
(j)	Pension Fund Board	24 September 2020
(k)	Audit & Scrutiny	28 September 2020
(l)	Lauder Common Good Fund	29 September 2020
(m)	Planning & Building Standards	5 October 2020
(n)	Executive	6 October 2020

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SCOTTISH BORDERS COUNCIL HAWICK COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the HAWICK
COMMON GOOD FUND SUB-
COMMITTEE conducted by Microsoft
Teams on Wednesday, 2 September
2020 at 10.00 am

Present:- Councillor W McAteer (Chairman), S Marshall, D Paterson,
C Ramage, N Richards.
Apologies Councillor G Turnbull
In Attendance:- Estates Strategy Surveyor (N Curtis), Pensions and Investment Manager (K
Robb), Principal Solicitor (H MacLeod) Property Officer (F Scott), Democratic
Services Officer (J Turnbull).

1. WELCOME AND INTRODUCTIONS

The Chairman opened the meeting and welcomed Members of the Sub-Committee and members of the public to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the Covid-19 pandemic.

- 1.2 The Chairman advised that Mr William Fletcher was now Burnfoot Community Council's representative on the Sub-Committee, replacing Mrs Anne Knight who has sadly passed. The Chairman paid tribute to the service Mrs Knight had given the Sub-Committee over many years.
- 1.3 On behalf of the Sub-Committee the Chairman wished Councillor George Turnbull a speedy recovery.

DECISION

NOTED that Mr Fletcher was Burnfoot Community Council's representative on the Sub-Committee.

2. MINUTES

There had been circulated copies of the Minutes of the meetings held on 24 June 2020 and 17 July 2020.

DECISION

APPROVED the Minutes of the meetings held on 24 June 2020 and 17 July 2020 for signature by the Chairman.

3. MATTERS ARISING FROM THE MINUTE

With regard to paragraph 2 of the Minute of 24 June 2020, it was noted that Hawick Reivers' Association had submitted their costs and accounts for analysis. Mrs Robb would liaise with the Association regarding the amount of reimbursement required and provide an update at the next meeting.

DECISION

NOTED that the amount reimbursed from Hawick Reivers' Association would be advised at the next meeting.

4. FINANCIAL ASSISTANCE

4.1 **Hawick Community Council**

There had been circulated copies of an application for financial assistance from Hawick Community Council requesting £7,744.76 (revised estimate) for provision of 10 gazebos. The Chairman thanked the Vice-Chair of Hawick Community Council for joining the meeting remotely. The Sub-Committee were advised that the gazebos would benefit other organisations in the town and would avoid having to source gazebos from other towns. It was clarified that the Community Council had already secured funding from the Localities Emergency funding for two gazebos which, if funding was granted, would give a total of 12 gazebos for the town. The Sub-Committee noted the revised estimate and supported the application for funding.

DECISION

AGREED to award £7,744.76 to Hawick Community Council for the purchase of 10 gazebos, with supporting equipment, to be used for various events in the town.

4.2 **Hawick Recreation Association**

There had been circulated copies of an application from Hawick Recreational Association requesting £14,748.00 for a new heating system at the Auld Baths, Hawick. The Chairman thanked the Chairperson from Hawick Recreation Association for joining the meeting remotely. The Sub-Committee were advised that the amount requested was £7,374.00, as an application for funding was also being made to the Community Fund. He also advised that 10% of the costs was being met by the Association. The Chairman explained that the building was owned by Scottish Borders Council, leased with a peppercorn rent to Hawick Recreation Association. The Sub-Committee discussed the application and were supportive, in principle. However, the terms of the Lease required that any request for alterations to the premises be submitted, with costings, to the Council for consent, clarification should also be sought on responsibility for maintenance costs. The Association were also advised to apply for funding to alternative sources, such as Hawick Community Council and the National Lottery Community Fund. Once the outcome of alternative funding sources was known and the views of the Council had been established, the Association would bring back an application to the next meeting for further consideration.

DECISION

NOTED to request that Hawick Recreation Association bring back an application to the next meeting of the Sub-Committee, when the Council's views on the proposed works had been established and details of funding achieved from alternative sources was known.

5. **DRAFT REVISED APPLICATION FOR FUNDING**

There had been circulated copies of a revised Common Good Fund Application form for funding from all the Council's Common Good Funds, which was being presented to all Common Good Fund Sub Committees for comment. The revised application form had been updated to be more relevant with further clarity required on funding requests. If approved, the application would be used for all future applications for financial assistance to Hawick Common Good Fund Sub-Committee.

DECISION

APPROVED the use by Hawick Common Good Fund Sub-Committee of the revised application form for funding from the Council's Common Good Funds.

6. **WILLIESTRUTHER LOCH BOARDWALK**

There had been circulated a for noting report from Hawick Community Council advising of Hawick Community Council's proposals for extending and additional works proposed to the boardwalk at Williestruther Loch. The works would be undertaken by the Criminal

Justice Team with funding received by Hawick Community Council from Langhope Rig Community Fund. It was noted that the two local farmers were fully supportive of the proposed works and that there were no cost implications for Hawick Common Good. The Sub-Committee supported the proposal and the report was noted.

DECISION

NOTED the report from Hawick Community Council regarding extending and additional works proposed to the boardwalk at Williestruther Loch.

7. MONITORING REPORT FOR NINE MONTHS TO 30 JUNE 2020

With reference to paragraph 4 of the Minute of 24 June 2020, there had been circulated copies of a report by the Executive Director Finance & Regulatory providing details of income and expenditure for the Hawick Common Food Fund for the three months to 30 June 2020, a full year projected out-turn for 2020/21 and projected balance sheet values at 31 March 2021. The Pensions and Investment Manager, Mrs Robb highlighted the main points of the report. Appendix 1 to the report provided the projected income and expenditure position for 2020/21. This showed a projected surplus of £5,921 for the year. Appendix 2 provided a projected balance sheet value as at 31 March 2021 and showed a projected decrease in reserves of £58,420. Appendix 3 provided a breakdown of the property portfolio showing projected income for 2020/21 and actual property expenditure to 30 June 2020. Appendix 4 showed the value of the Aegon Asset Management (formerly Kames Capital) Investment Fund to 30 June 2020. A list of recipients who were in receipt of grants and donations was including within the report, Mrs Robb advised that £27k grant funding was still available to be allocated. Regarding the investment in Aegon Asset Management Fund, Mrs Robb advised that although the investment had been affected by the impact of Covid-19 on the economy, the investment was starting to recover but was still anticipated to be less than previous years. It was noted that Members would have the opportunity to raise questions with Aegon Asset Management at the online meeting scheduled for 17 September.

DECISION

- (a) AGREED the projected income and expenditure for 2020/21 in Appendix 1 as the revised budget for 2020.21.**
- (b) NOTED within the appendices to the report the:-**
 - (i) projected balance sheet value as at 31 March 2020 in Appendix 2;**
 - (ii) summary of the property portfolio in Appendix 3; and**
 - (iii) current position of the Aegon Asset Management Investment Fund in Appendix 4.**

8. HORNSHOLE

There had been circulated copies of a report and draft plan from Hawick Volunteers Group, The report advised that Hawick Volunteers Group were willing to take on responsibility for progressing improvement and maintenance works and ongoing upkeep of Hornshole. The Group requested, in principle approval, from the Sub-Committee on their proposals to maintain Hornshole going forward. The Group also requested that Hawick Common Good Fund approve an annual budget, or regular budget, for ongoing costs associated with the upkeep of the area, subject to finalised costs being provided. This was to allow progress of finalisation of their proposals and costings. The Chairman clarified that Scottish Borders Council was the legal owner of the land which had been allocated to Hawick Common Good. Mrs Robb suggested that the Sub-Committee received detailed costs for the proposed improvement works and an estimate of annual costs before considering the request and this was agreed.

DECISION

AGREED to request that Hawick Volunteers Group provide costs for the proposed improvement works and estimate of annual costs for further consideration at the next meeting of the Sub-Committee.

9. PROPERTY UPDATE

9.1 Flood Protection Scheme.

Mr Curtis advised that he was liaising with the Flood Protection Team regarding compensation to the Common Good for loss of income and also future loss of income for the Common Good grassed area, which was to be incorporated into the flood scheme.

9.2 Memorial bench at Acreknowe

Mr Scott advised that he had met with the family and agreed a suitable location for a memorial bench at Acreknowe.

9.3 New Building at St Leonards Farm

With reference to paragraph 5.2 of the Minute of 24 June 2020, Mr Scott displayed photographs of the site at St Leonards, explaining that work had resumed on site and progress was being made.

DECISION

NOTED the property updates.

10. 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 Paragraphs 6 and 8 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

MEMBER

Councillor Marshall left the meeting following consideration of the above item.

11. PRIVATE MINUTE

Members approved the Private Minute of Hawick Common Good Fund Sub Committee held on 24 June 2020.

12. MATTERS ARISING FROM THE MINUTE

Officers provided updates on matters arising from the Minute of 24 June 2020.

13. PROPERTY UPDATE

The Sub-Committee received an update on matters pertaining to Hawick Common Good properties.

14. MOVEABLE ASSETS INVENTORY

The Sub-Committee considered a Briefing Paper by the Cultural Services Manager.

The meeting concluded at 11.15 am

SCOTTISH BORDERS COMMUNITY PLANNING STRATEGIC BOARD

MEETING

- Date:** 10 September 2020 from 2.00 to 4:10 p.m.
- Location:** Via MS Teams
- Attendees:** Councillor Mark Rowley (SBC) [Chair], Councillor Sandy Aitchison (SBC), Councillor Stuart Bell (SBC), Ms Angela Cox (Borders College), Mr Stephen Gourlay (Scottish Fire & Rescue Service), Prof. Russel Griggs (South of Scotland Enterprise), Councillor Carol Hamilton (SBC), Inspector Jacqi McGuigan (Police Scotland), Councillor Simon Mountford (RSLs representative), Mr Ralph Roberts (NHS Borders).

- Also in attendance:** Jenni Craig, Rob Dickson, Shona Smith, Jenny Wilkinson (all SBC); Keith Allan (NHS Borders); Andrea Hall (SDS); Nile Istephan (Eildon Housing), Rob McCulloch-Graham (H&SC); Julia Mulloy (SBHA).

MINUTE AND ACTION POINTS

1. **APOLOGIES FOR ABSENCE.**
Apologies had been received from Ms E Acaster (Borders College); Ms K Hamilton (NHS Borders); Mrs M Hume (Third Sector); and Superintendent A MacInnes (Police Scotland).
2. **MINUTE**
 - 2.1 **Minute**
The Minute of the Meeting of 12 September 2019 had been circulated.
DECISION
AGREED the Minute.
 - 2.2 **Action Tracker**
The outstanding actions for the Community Planning Strategic Board had been circulated. All of these were on the agenda.
Noted.
3. **SOUTH OF SCOTLAND ENTERPRISE AND REGIONAL ECONOMIC PARTNERSHIP**
 - 3.1 An update report by the SBC Executive Director, Corporate Improvement & Economy, on the Establishment of the South of Scotland Regional Economic Partnership (REP) had been circulated. Both Russel Griggs and Rob Dickson spoke in support of the recommendations. The report provided the background and context to the phased establishment of the REP, and included an overview of the work of the Covid19 Team South of Scotland Leadership Group, the forerunner of the REP. The REP had replaced the Scottish Borders Economy and Low Carbon Team, and it was proposed that the REP

would deliver the economic development strand of the work of the Scottish Borders Community Planning Partnership. This proposal was agreed by Scottish Borders Council at its meeting on 31 October 2019 and needed to also be agreed by the Community Planning Partnership. The REP would support the establishment of South of Scotland Enterprise by developing and driving forward a South of Scotland Regional Economic Strategy. The remit and composition of the REP was set out in Appendix 1 to the report.

- 3.2 With the Covid19 outbreak, to ensure an aligned and rapid response to addressing economic impacts, Dumfries & Galloway and Scottish Borders Councils, along with South of Scotland Enterprise, acted quickly to establish the Covid19 Team South of Scotland Leadership Group. This Group provided strategic direction and oversight to the initial economic response to Covid19 in the South of Scotland. Key activities for the Group included understanding the impact of Covid19; supporting business; supporting communities; advocating for the South of Scotland; communication; tackling labour market challenges; aligning response, restart and recovery activity; and setting the groundwork for the REP.
- 3.3 A key task for the fully formed REP, the first meeting of which was due to take place on 18 September 2020, would be to set the strategic direction for the regional economy in the South of Scotland by developing the South of Scotland Regional Economic Strategy and Action Plan. That Strategy would be long term and build on previous analysis of the opportunities and challenges that had taken place before Covid19. The Action Plan would likely have a shorter (potentially 5-year) timespan and be reviewed annually. However, it was likely that the REP would wish to reflect on the impact of Covid19 on the regional economy, which was being experienced differently across different areas of the economy. Details were provided in the report on the relationship between the various key elements of activity and core elements of the regional activity.
- 3.4 The South of Scotland Regional Skills Investment Plan was launched on 20 June 2019, and since then, Skills Development Scotland had been working closely with partners to support the implementation of the Plan. To oversee this work, it was intended that a South of Scotland Regional Skills Group be established which would report in to the REP. The inter-agency Borders Learning and Skills Partnership (BLSP) would also link in to this Regional Skills Group. The role of the BLSP was very important as it served to link the work on employability and training in the Scottish Borders into the strategic planning work being carried out at South of Scotland level, together with the employment, skills and training work being carried out as part of the Edinburgh and South East Scotland City Region Deal. The BLSP's activities included improving the understanding of the issue and the needs for training and other support; looking at how the Scottish Borders could maximise the support and make the best use of monies from the employability and training initiatives being announced by the Scottish and UK governments; and ensuring agencies were working together to support the PACE redundancy support initiative, digital training, and the promotion of apprenticeship training, etc. It was anticipated that a Programme Board would be established for Employability.

AGREED:

- (a) that the South of Scotland Regional Economic Partnership would deliver the economic development strand of the work of the Scottish Borders Community Planning Partnership;**
- (b) to recognise the work carried out by the Covid19 Team South of Scotland Leadership Group;**
- (c) to welcome the progress being made in establishing the South of Scotland Economic Partnership and its work programme; and**

- (d) to note the work of the Borders Learning and Skills Partnership set out in section 6 of the report and its links to the strategic employment, training and skills work at a South of Scotland level.

4. **COMMUNITY PLAN - PERFORMANCE UPDATE**

- 4.1 Copies of a report by SBC Service Director, Customer & Communities, on the Scottish Borders Community Plan Performance Report 2018/19 had been circulated. Alasdair Collison, SBC Senior Business Services Officer, joined the meeting and presented highlights from the report. It was explained that the Scottish Borders Community Plan had been created in November 2017 and refreshed in May 2018. The Community Planning Partnership was required to produce an annual report detailing the performance against the Plan and that Annual Report was attached as Appendix 1 to the report. The Annual Report included data where provided for the remainder of 2017/28 and 2018/19. Performance was set against a suite of indicators intended to evidence achievement against an extensive range of ambitious outcomes, across 4 Community Planning themes: Our Economy, Skills & Learning; Our Health, Care & Wellbeing; Our Quality of Life; and Our Place. Due to the timespan over which the Report had been prepared, some of the actions described and summary content may be more recent. In addition, the range of topics and diverse sources of information had led to time frequencies and periods varying from measure to measure. A further report for 2019/20 would be brought to a future Strategic Board meeting at the earliest opportunity.
- 4.2 Rob Dickson, SBC Executive Director (Corporate Improvement & Economy), presented updates on the planned outcomes for the theme of Our Economy, Skills and Learning, covering:
- More people working more productively for higher wages
 - More highly skilled workers
 - More people benefitting from better connectivity
 - More business people benefitting from greater investment and better support for their new and existing businesses, particularly in key growth sectors
 - More people shopping, visiting and spending in local town centres
 - More children, particularly those living in poverty, achieving higher levels of attainment
 - More Looked After and Accommodated children and young people (LAC) in positive and sustained destinations
- 4.3 Rob McCulloch-Graham, IJB Chief Officer, presented updates for the planned outcomes for the theme of Our Health, Care and Wellbeing, covering:
- More people in good health and leading an active lifestyle at every age and stage of life
 - More people in good mental health at very age and stage of life; and
 - Improved support and care for older people.
- 4.4 Inspector Jacqui McGuigan, Police Scotland, gave an update on the current situation regarding the outcomes for the theme of Our Quality of Life, which covered:
- Fewer people experiencing violence (including domestic abuse);
 - Fewer people experiencing anti-social behaviour; and
 - Fewer people killed or seriously injured on our roads.
- In response to a question around police attendance/information at Community Council meetings, Inspector McGuigan advised that the reports provided by the local area commander to SBC Elected Members could be shared with Community Councils. Police could not use Zoom as a platform for remote meetings due to security issues, but could use MS Teams. The main links for Community Councils were the community police officers and also the 2 Sergeants in the Community Police Action teams, the latter funded by SBC.

- 4.5 Nile Istephan, Chief Executive of Eildon Housing, and Julia Mulloy, Chief Executive of SBHA, gave an update on the planned outcomes on the theme, Our Place, covering:
- More people able to afford to heat their homes; and
 - More people living independently in affordable and sustainable homes.
- Reference was also made to work with the South of Scotland Enterprise Agency and working in collaboration, such as for the proposed Aberlour project at Tweedbank.

Noted.

5. **LOCALITY PLANS**

With reference to paragraph 8 of the Minute of 13 June 2019, copies of the Locality Plan and Action Plan for each of Berwickshire, Cheviot, Eildon, Teviot & Liddesdale and Tweeddale had been circulated. Jenni Craig, SBC Service Director Customer & Communities, advised that these were the final versions of the Locality Plans which had been developed through Area Partnerships which required to be approved prior to submission to Scottish Government. Although these were potentially out of date, and would need refreshed, they had to be submitted to comply with legislation.

AGREED to approve the 5 Locality Plans for Berwickshire, Cheviot, Eildon, Teviot & Liddesdale, and Tweeddale for submission to Scottish Government.

6. **LOCAL CHILD POVERTY ACTION PLAN - 2019/20 ANNUAL PROGRESS REPORT**

With reference to paragraph 6 of the Minute of 12 September 2019, copies of the Local Child Poverty Annual Progress Report 2019/20 and appendices had been circulated. The covering report explained that the Child Poverty (Scotland) Act 2017 required local authorities and Health Boards to jointly prepare a Local Child Poverty Action Plan Report and an Annual Progress Report. The Report for 2019/20 was the second Annual Report for the Scottish Borders and provided the Community Planning Partnership and Scottish Government with an update on progress made within the Action Plan as well as an outline of proposed actions for 2020/21. Jenni Craig, SBC Service Director Customer & Communities, gave a brief presentation outlining the background to the Plan; national context; summary of targets; the local context facts and figures; and progress report highlights. A small snapshot was given of the report contents. There was a need to catch up on the Action Plan for this year due to Covid and the aim was to bring that Action Plan to the meeting of the Strategic Board in November. That would allow a focus on the impact of Covid and measures needed to be taken moving forward to alleviate that. Members welcomed the progress report.

AGREED to endorse the Scottish Borders Local Child Poverty Annual Progress Report for 2019/20.

7. **BEST VALUE AUDIT REPORT**

Copies of a report on the Best Value Assurance Report 2019 by the SBC Service Director, Customer & Communities, had been circulated. The report presented the findings of the 2019 Best Value Assurance of Scottish Borders Council, and the findings that related to the Scottish Borders Community Planning Partnership. The Local Government in Scotland Act 2003 introduced the statutory duty of Best Value. The Best Value Assurance audit of Scottish Borders Council and the Community Planning Partnership in 2019 had been undertaken by Audit Scotland, with the Controller of Audit presenting the Report to the Accounts Commission as part of the requirement to do so at least once during the five-year audit appointment. The Assurance Report (Appendix 1 to the report) provided a range of findings for the Community Planning Partnership following an intensive process of scrutiny of the governance, Community Plan 2018, Draft Locality Plans, participation and asset transfer requests, engagement, and participatory budgeting. The Community Planning Partnership welcomed the scrutiny of the 2019 Best Value Assurance audit, providing an opportunity to further strengthen its ambitious Community

Plans and Draft Locality Plans with valuable external perspectives. In response to the audit findings, Senior Officers had developed an Action Plan and this was detailed in Appendix 2 to the report. Jenni Craig, SBC Service Director Customer & Communities, explained that the timescales had slipped due to Covid, with the original BV audit report in October 2019 and the Action Plan then agreed at Council. However, there was a need for the Community Planning Partnership to be aware of the contents. There had been some criticism of how slowly the Partnership had progressed and implemented the Community Empowerment Act and also the Community Plan and Locality Plans. There were improvements to be made and a review was now in place for Area Partnerships and how there could be closer working with the Third Sector and communities. There were a number of actions within the plan which should take the Partnership forward and strengthen community empowerment and engagement. There was one recommendation for the Community Planning Partnership and 10 actions identified for the Partnership to improve. In order to address this, the review of Area Partnerships would look at how they could be utilised or changed to progress community empowerment and how the Community Planning Partnership could best support this. What had been flagged up was the level of resource required and the Partnership needed to have a focussed discussion on this challenge. It was pointed out that the Community Planning Partnership was currently disengaged with communities and the process of developing Locality Plans seemed to sit separately from what communities were trying to do and there needed to be a way to bring the two parts together. Rob Dickson advised that the Covid response had demonstrated a much closer connection and the aim was to build on that experience to tighten the connection between the Strategic Board and communities. This lack of connection was not just apparent in the Borders but was being experienced elsewhere. Angela Cox added that it had been a struggle to pull everything together to have a coherent voice as a Partnership but work on that would continue. A change was potentially needed to the Community Planning structure to make this happen.

AGREED:

- (a) to note the findings contained within the Scottish Borders Council Best Value Assurance Report dated October 2019 (Appendix 1 to the report, page 40, paragraphs 129 0 145) which related to the Scottish Borders Community Planning Partnership;**
- (b) to accept the recommendation detailed at Appendix 1 to the report, page 51, within the Best Value Assurance Report for the Scottish Borders Community Planning Partnership;**
- (c) to note the Best Value Audit Action Plan (Appendix 2 to the report), which contained 10 proposed actions for the Scottish Borders Community Planning Partnership;**
- (d) that whilst there had been an impact on the timescales within the Best Value Action Plan due to Covid19, these 10 actions were now being progressed by the CPP Joint Programme Board, and that progress on these actions would be reported to the CPP Strategic Board for scrutiny on a 6 month basis; and**
- (e) to also ensure that progress and performance reports to the Community Planning Partnership and the public would be more comprehensive and accessible.**

8. COVID19 RESPONSE

- 8.1 Rob Dickson, SBC Executive Director (Corporate Improvement & Economy), gave a presentation to the Strategic Board on the Community Planning Partnership's Covid19 response, preparedness and emerging priorities. The last 6 months had seen a very different experience in how effective and well the Partnership had operated, with all

partners working together for a single, unifying purpose to provide support to communities. There were daily meetings with partners to understand the environment, gather intelligence and take action, and 5 Community Assistance Hubs were set up in mid-March to respond to the emerging pandemic. The remit of these Hubs was driven by local need and demand – with solution and a person centred approach. Details were given of the collective aspects of organisational response; and the strengths of the Community Planning Partnership. The suggested emerging priorities were:

- Locality model/Hubs that had a solution based/person centred approach
- Poverty (with a focus on child poverty and food security)
- Digital access and skills
- Education, skills and opportunities for young people
- Health & wellbeing for all within our community
- Economic investment and support
- Continued collaboration and partnership working to develop new models and service delivery in response to Covid19

- 8.2 The next steps were to confirm whether these were the right priorities; continuing to work in partnership and collaboration to deliver them; and whether a 1 year action plan should be developed to address these priorities. Further slides gave details of how the partners had responded to the Covid19 emergency. Members of the Board discussed the priorities and next steps, and that the preference was not to have a separate action plan for the priorities but to include actions within the Community Plan/Locality Plans action plans and re-prioritise as necessary. The priorities were really strong and reflected the experience over the previous 6 months, with education, skills and training being for all, not just young people.

AGREED the priorities for the Community Planning Partnership in response to Covid19 and that an update would be brought to the next meeting of the Strategic Board.

9. **ALCOHOL AND DRUGS PARTNERSHIP STRATEGY**

Copies of the draft Alcohol and Drugs Partnership (ADP) Strategic Plan refresh by the Director of Public Health had been circulated. The ADP was required to provide an updated strategic plan from April 2020 and that draft plan was detailed in Appendix 1 to the report for information and approval by the Community Planning Partnership. Fiona Doig, Head of Health Improvement/Strategic Lead for ADP, joined the meeting and explained that the Strategic Plan set out the long-term measurable outcomes and priority actions for the local area, focussing on preventing and reducing the use of and harm from alcohol and drugs and the associated health inequalities. It was expected that those with experience of alcohol/drug use and those affected were involved in the planning, development and delivery of services. The Strategy had been reviewed in light of Covid and what was known at the time of the impact of Covid. Some of the actions in the associated delivery plan had had to be slipped however. Changing patterns of consumption of drugs and alcohol were beginning to emerge. Work was ongoing to address this through reviews, supervision and maintaining contact.

Noted.

10. **WHOLE SYSTEMS PILOT - EYEMOUTH**

Jenni Craig, SBC Service Director Customer & Communities, presented the briefing paper which gave details of a grant application to the East Region Diabetes Prevention Partnership to progress phases 1 & 2 of an Eyemouth Whole Systems community-led approach to improve diet and healthy weight within a post Covid19 community context. Phase 1 would include two stakeholder engagement and workshop sessions to map the local barriers and co-create an action and implementation plan. Phase 2 would then deliver on diet and healthy weight priorities across Eyemouth which would assist in the prevention of diabetes. This work would be led, at locality level, by the Joint Health

Improvement Team Health Improvement Specialist, Nicola Sewell, who would report into the SBC Whole Systems Partnership governance group. This would build on current excellent community work in Eyemouth at grass roots level.

Noted.

11. **REVIEW OF AREA PARTNERSHIPS**

Copies of a report by the Service Director Customer & Communities to Scottish Borders Council on Fit for 2024 – Review of Area Partnerships – Next Steps had been circulated. This report outlined the next steps in evolving the Area Partnerships and community capacity building arrangements, taking into account the recommendations of the report which had been commissioned from the Scottish Community Development Centre. The aim was to involve and hold conversations at Area Partnerships on how best to engage and work with communities in each of the 5 localities. Area Partnership meetings would start up remotely via MS Teams from the beginning of November and these meetings would be used to help shape the review of the Area Partnerships.

Noted.

12. **DATES OF FUTURE MEETINGS (ALL AT 2PM)**

The Strategic Board noted the dates of the next meetings:

- 19 November 2020
- 4 March 2021
- 10 June 2021

13. **ANY OTHER BUSINESS**

No items of business were raised.

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

MINUTES of Meeting of the JEDBURGH
COMMON GOOD SUB-COMMITTEE held
via Microsoft Teams on Monday, 15
September 2020 at 4.30 pm

Present:- Councillors J. Brown, S. Hamilton, S. Scott.
Apologies:- Community Councillor R. Stewart
In Attendance:- Pension and Investments Manager, Solicitor
(Steven Robertson), Democratic Services Officer (F. Henderson).
Members of the Public:- 1

1. FINANCIAL MONITORING FOR 12 MONTHS TO 31 MARCH 2020 AND PROPOSED BUDGET FOR FINANCIAL YEAR 2020/2021

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of the income and expenditure for the Jedburgh Common Good Fund for the year 2019/20 including balance sheet values at 31 March 2020 and proposed budget for 2020/21. Appendix 1 to the report provided the actual Income and Expenditure position for 2019/20 which showed a surplus of £5,443 for the year, which was less than the surplus figure reported at the 16 September 2019 meeting, due to an increase in the value of Grants & Other Donations made during the second half of the year. Appendix 2 to the report provided an actual balance sheet as at 31 March 202 and showed a decrease in the reserves of £39,690, due to the revaluation of properties offset slightly by unrealised loss on the Aegon Asset Management (formerly Kames Capital) Investment Fund. Appendix 3 to the report provided a breakdown of the property portfolio showing the effect of the revaluation and Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 31 March 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions.

DECISION

(a) NOTED the:-

- (i) actual income and expenditure for 2019/20 in Appendix 1;**
- (ii) final balance sheet value as at 31 March 2020 in Appendix 2;**
- (iii) summary of the property portfolio in Appendix 3; and**
- (iv) current position of the investment in the Aegon Asset Management Investment Fund in Appendix 4.**

(b) AGREED the proposed budget for 2020/21 as shown in Appendix 1 to the report;

2.0 MONITORING REPORT FOR 3 MONTHS 30 JUNE 2020

- 2.1 There had been circulated copies of a report by the Executive Director, Finance and Regulatory which provided the income and expenditure for the Jedburgh Common Good Fund for three months to 30 June 2020, a full year projected out-turn 2020/21 and projected balance sheet values as at 31 March 2021. Appendix 1 provided the projected income and expenditure for 2020/21 which showed a projected surplus of £9,228 for the year. Appendix 2 provided projected Balance Sheet value at 31 March 2021 and showed a projected decrease in the reserves of £2,505. Appendix 3 provided a breakdown of the property portfolio showing projected rental income for 2020/21 and actual property expenditure to 30 June 2020. Appendix 4 detailed the value of the Aegon Asset Management Investment Fund to 30 June 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions.

DECISION

NOTED the:-

- (i) **projected income and expenditure for 2020/21 in Appendix 1 to the report;**

- (ii) **projected balance sheet value as at 31 March 2021 in Appendix 2 to the report;**

- (iii) **summary of the property portfolio in Appendix 3 to the report;**

- (iv) **the current position of the investment in the Aegon Asset Management Investment Fund contained in Appendix 4 to the report.**

3.0 APPLICATION FOR FINANCIAL ASSISTANCE

3.1 Jedburgh Community Council

There had been circulated copies of an application from the Jedburgh Community Council requesting financial support in the sum of £1,000 towards the cost of the 2020 Festival lighting. The application, which was submitted on an annual basis, advised that the cost for the Festive Lighting totalled £1,831.20. Funds already raised totalled £800 and a donation of £250 from Scott and Foggan Ltd left a shortfall of £1,000. Georgiana Craster, Treasurer was present to answer Members questions and explained that the Traders in the town paid the electricity for the lighting and an amount of money was retained as a working capital. The switching on of the lights was greatly anticipated by the Community in the run up to Christmas.

DECISION

AGREED to award a grant of £1,000 to the Jedburgh Community Council towards the cost of providing Festive Lighting within Jedburgh Town.

4.0 DRAFT REVISED APPLICATION FORM FOR FUNDING

There had been circulated copies of a draft revised application form, for funding from all the Council's Common Good Funds, which had been re-designed to a format similar to the form used for applications to the Community Fund. The draft form was being presented to all Common Good Fund Sub Committees for comment. Members were content with the revised application form and did not request any changes.

DECISION

APPROVED the use by Jedburgh CG of the revised application form.

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held remotely by Microsoft
Teams on Tuesday, 15 September 2020 at
10.00 am

- Present:- Councillors S. Haslam (Chairman), S. Aitchison (Vice-Chairman), G. Edgar, C. Hamilton, S. Hamilton, E. Jardine, S. Mountford, M. Rowley, R. Tatler and T. Weatherston.
- Apologies:- Councillor G. Turnbull
- In Attendance:- Executive Director Corporate Improvement & Economy, Executive Director Finance & Regulatory, Service Director Assets & Infrastructure, Service Director Customer & Communities, Democratic Services Team Leader, Democratic Services Officer (F. Walling).

ECONOMIC DEVELOPMENT BUSINESS

Present:- Mr G. Clark (Federation of Small Businesses)

1. COVID-19 FINANCIAL SUPPORT TO BUSINESS

- 1.1 There had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, providing information on the financial support distributed to businesses by Scottish Borders Council as part of Scottish Government's Coronavirus Support Schemes. The support funds that were administered by Scottish Borders Council on behalf of Scottish Government were the:

- Small Business Grant Fund (three phases);
- Retail, Hospitality and Leisure Grant Fund;
- Newly Self Employed Hardship Fund; and
- Bed & Breakfast Hardship Fund (B&BHF).

The administration, management and delivery of the business support grant process was primarily undertaken by the Council's Business Gateway, Economic Development and Customer Services Sections, with a large number of staff from a range of other Council Departments involved in assisting in the process of awarding the grants. At the height of the grant delivery process there was a team of approximately 60 officers involved in the administration and payment of the grant funding. The report provided details of the number of applications within each category with the number of grants awarded, grants declined and total value of funding. In total approximately 3900 applications had been received and approximately 3300 grant awards were made. The total value of funding distributed through the four funding streams was approximately £33,800,000. All four support funds were now closed and an appeals panel which was set up to reconsider a number of declined applications met for the last time on Tuesday 1 September.

- 1.2 The Scottish Government also introduced two new Business Rates Reliefs from 1 April 2020. All non-domestic properties had been awarded a 1.6% rates relief for the billing year 2020/21. In addition to this, those businesses in the retail, hospitality and leisure industry would receive 100% rates relief for the billing year 2020/21. To date 2440 properties had been awarded this relief. In addition to the grant support funds administered by Scottish Borders Council, discretionary funding providing additional support for businesses in the South of Scotland was administered by South of Scotland

Enterprise (SOSE) through two grant funding streams. These two funding schemes were the Creative, Tourism and Hospitality Enterprise Hardship Fund and the Pivotal Enterprise Resilience Fund. The funds proved useful in filling gaps and supporting the additional funding requirements of businesses throughout the South of Scotland. SOSE worked with Scottish Borders Council to help determine which businesses had already received funding from the other support schemes offered by Scottish Government. SOSE issued grant offers from these Funds to 137 companies in the Scottish Borders totalling just over £6m.

- 1.3 Members recognised the massive amount of work carried out by the Council in distributing the grant support funding to businesses and thanked all the officers involved in this huge effort. They welcomed the relatively high proportion of grants awarded in comparison with other areas. Mr Garry Clark also expressed his gratitude to the Council on behalf of small businesses in the Borders and referred in particular to assistance from the Business Gateway teams. In response to a question about underspend of the Council's allocation of grant funding, the Executive Director Finance & Regulatory advised that discussions were ongoing between COSLA and Scottish Government about a range of support measures and he was not aware of any plan to access the underspend.

DECISION

AGREED to recognise the Council's efforts in distributing the Scottish Government's COVID-19 Grant Support Funding to businesses throughout the Scottish Borders.

2. THE ESTABLISHMENT OF THE SOUTH OF SCOTLAND REGIONAL ECONOMIC PARTNERSHIP

- 2.1 With reference to paragraph 9 of the Scottish Borders Council Minute of 31 October 2019, there had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy providing the background and context to the phased establishment of the South of Scotland Regional Economic Partnership (REP). The report gave an overview of the work of the COVID-19 Team South of Scotland Leadership Group, the forerunner of the REP, then went on to discuss the work of the REP which had now held two meetings. At its meeting on 31 October 2019, Scottish Borders Council agreed to support the establishment of South of Scotland Regional Economic Partnership (REP). Following this meeting, work commenced to transition from the South of Scotland Alliance (SOSA) to the REP, the remit and composition of which was set out in Appendix 1 to the report. The Executive Director gave the background of the REP, which aimed to support the establishment of South of Scotland Enterprise by developing and driving forward a South of Scotland Regional Economic Strategy. It comprised members of Scottish Borders Council, Dumfries and Galloway Council, South of Scotland Enterprise, together with appointed members from business, communities, social enterprise, registered social landlords, and representatives from colleges, universities and public bodies including the Scottish Funding Council, Skills Development Scotland, Scottish Enterprise, and VisitScotland. Nationally, the REP linked into the South of Scotland Convention, which was chaired by the Deputy First Minister. In early March 2020, it was agreed to pause efforts to establish the REP as the scale of the COVID-19 pandemic became clear. The Councils, together with SOSE, acted quickly to establish the COVID-19 Team South of Scotland Leadership Group with the focus to provide strategic direction and oversight to the initial economic response to COVID-19 in the South of Scotland. Key activities for the group included: understanding the impact of COVID-19; supporting business; supporting communities; advocating for the South of Scotland; communication (agreeing a joint approach); tackling labour market challenges; aligning response, restart and recovery activity; and setting the groundwork for the REP. The report went on to provide more details on the membership and organisational arrangements of the REP. A key task would be to set the development of the South of Scotland Regional Economic Strategy and Action Plan. Diagrams within the report set out the timeline the REP was working on and the relationship between the elements of the regional landscape.

- 2.2 Members recognised the significant work carried out by the Team South of Scotland during the response to the pandemic, noting that the officers working with the team would be the same as those supporting the REP. In further discussion, the priority of getting the Regional Economic Strategy in place was emphasised. In response to a question from Councillor Tatler, Chair of the Scottish Borders Living Wage Group, the Executive Director gave assurance that core principles of a living wage would be addressed and be central to the strategy. In response to further questions about the position of the REP in relation to the various other groups and bodies meeting within the South of Scotland region, the Executive Director gave a further explanation of the table shown within the report which set out the relationship between the various key elements of activity. He agreed to put this summary in a briefing note for Members.

DECISION

AGREED to:-

- (a) **recognise the work carried out by the COVID-19 Team South of Scotland Leadership Group; and**
- (b) **welcome the progress being made in establishing the South of Scotland Regional Economic Partnership and its work programme.**

OTHER BUSINESS

3. MINUTE

There had been circulated copies of the Minute of the meeting of 11 February 2020.

DECISION

APPROVED for signature by the Chairman.

4. MONITORING OF THE GENERAL FUND REVENUE BUDGET 2020/21

- 4.1 There had been circulated copies of a report by the Executive Director Finance & Regulatory providing the budgetary control statements for the Council's General Fund based on actual expenditure and income to 30 June 2020 along with explanations of the major variances identified between projected outturn expenditure and income and the current approved budget. As reported to the Council meeting on 27 August 2020, after the first quarter of 2020/21 a detailed budget review exercise had been undertaken to realign budgets in light of the financial implications of the COVID-19 response. This analysis of the revenue budget had highlighted estimated revenue budget pressures of £20.449m and available resources of £19.056m from a combination of in-year savings and additional grant support leaving a residual budget pressure, based on current forecasts, of £1.393m. As previously reported, there was likely to be a significant impact on the delivery of planned Financial Plan savings during 2020/21 as a result of the emergency situation. Financial plan savings of £12.091m required to be delivered in 2020/21. An analysis of deliverability had been updated as shown in Appendix 4 to the report. Following the June month end £5.279m (44%) savings had been delivered permanently, £3.205m (26%) were profiled to be delivered by 31 March 2021 and £3.607m (30%) had been delivered on a temporary basis through alternative savings. Full details of pressures, risks and challenges and the significant majority of areas of the Council's operation where budget plans remained on track were detailed in Appendix 1 to the report. The Executive Director explained that the level of support provided by the Scottish Government in relation to the COVID-19 pandemic had not been sufficient to fund the full financial impact of COVID-19 including the significant impact on the level of income which funded local services. Additional Scottish Government funding in the form of grant had addressed 33% of the total pressure identified with the welcome easing of restrictions in the use of specific grants taking this up to 50%. The remainder of funding was required to be found from existing Council budgets and reserve balances. The current shortfall of £1.393m plus any further impacts, beyond the estimated shortfall, would require further funding to be identified in order for the Council to successfully

manage the financial impacts of COVID-19 by 31 March 2021. The report went on to detail key assumptions made in arriving at the figures; management actions for the remainder of the financial year with the aim of closing the current £1.393m gap; and a summary of the impact of COVID-19 related pressures on individual services. The Executive Director confirmed that any budget shortfall at 31 March 2021 would require to be funded from reserves.

- 4.2 Members discussed the report and received answers to their questions from the Executive Director. They recognised the turbulent time that the Council was going through and the challenge presented in terms of savings required. They congratulated officers for their work to achieve the level of savings which had already been delivered on a permanent basis. In response to a question about the assumption that Live Borders would not require additional financial support from the Council, the Executive Director confirmed that COSLA were currently discussing an income scheme with Scottish Government which it was understood would include ALEOs like Live Borders. Members expressed regret that the Council would probably have to dip into reserves at the end of the financial year and the Executive Director confirmed that the Reserve Policy would need to be reflected in the budget planning process for 2021/22 with a view to replacing the sum used.

DECISION

AGREED to:-

- (a) **note the projected corporate monitoring position reported at 30 June 2020, the pressures identified, the underlying cost drivers of this position and the identified areas of financial risk as reflected in Appendix 1 to the report;**
- (b) **approve the virements attached as Appendix 2, following the revisions to the revenue budgets for 2020/21 approved by Council on 27 August 2020;**
- (c) **approve the virements in Appendix 3 to earmark budget into 2021/22;**
- (d) **note the progress made in achieving Financial Plan savings in Appendix 4; and**
- (e) **request the Corporate Management Team to continue to take all possible management action to balance the budget in the current year.**

5. MONITORING OF THE CAPITAL FINANCIAL PLAN 2020/21

There had been circulated copies of a report by the Executive Director Finance & Regulatory providing an update on the progress of the 2020/21 Capital Financial Plan and seeking approval for virements and the reallocation of funds. The monitoring tables in Appendix 1 to the report detailed actual expenditure to 30 June 2020. Key issues identified in the tables were summarised within the main report. The review of the capital budget, in light of financial implications of COVID-19 as presented to Council on 27 August 2020, focussed on assessing the impact of the national “lockdown” of the construction industry and the associated inevitable delays in current and planned programmes of work. The overall impact on the capital plan was that net £26.855m of budget within the Capital Plan had moved as a timing movement to future years with a movement from base budget of £96.953m to a revised plan of £70.098m. This revised plan was based on a review of deliverability of the Plan with revised budgets now representing what project managers were forecasting would be spent and delivered during the remainder of 2020/21. Appendix 2 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 2020/21 Capital Plan. A list of estimated whole project capital costs for single projects which would not be completed in the current financial year was contained in Appendix 3 to the report. The Executive Director answered Members’ questions about the specific issues detailed within the report. Members recognised in

particular the benefits being realised through the investment in the Inspire Learning project.

DECISION

- (a) AGREED the projected outturns in Appendix 1 to the report as the revised capital budget, following the approval of these revisions to the Capital Plan by Council on the 27 August 2020, and approved the virements required;**
- (b) NOTED:-**
 - (i) the budget virements previously approved by the Executive Director Finance & Regulatory and the Service Director Assets and Infrastructure detailed in Appendix 2 under delegated authority;**
 - (ii) the list of block allocations detailed in Appendix 2; and**
 - (iii) the list of whole project costs detailed in Appendix 3.**

6. PROJECTED BALANCES AT 31 MARCH 2021

There had been circulated copies of a report by the Executive Director Finance & Regulatory providing an analysis of the Council's balances as at 31 March 2020 and details of the projected balances at 31 March 2021. The report explained that the unaudited Council's General Fund useable reserve (non-earmarked) balance was £6.315m at 31 March 2020. The projected General Fund useable reserve was projected, at this early stage in the financial year, to remain at £6.315m at 31 March 2021 in line with the Council's Financial Strategy. Any year end overspend as a result of the COVID-19 pandemic would, however, require to be funded from reserves. The total of all useable balances, excluding developer contributions, at 31 March 2021 was projected to be £23.490m, compared to £29.866m at 31 March 2020. The projected balance on the Capital Fund of £7.965m 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. A question was asked as to whether the 52% of risks identified, covered by the projected useable General Fund balance, was a high enough level of cover going forward, due to the different types of risks now presented by COVID-19. The Executive Director confirmed that the recommended reserve would be reviewed as part of the revenue budget process for 2020/21.

DECISION

NOTED:-

- (a) the unaudited 2019/20 revenue balances at 31 March 2020;**
- (b) the projected revenue balances as at 31 March 2021 as contained in Appendices 1 & 2 to the report; and**
- (c) the projected balance in the Capital Fund as contained in Appendix 3 to the report.**

7. CORPORATE DEBTS - WRITE OFFS IN 2019/20

There had been circulated copies of a report by the Executive Director, Finance & Regulatory, detailing the aggregate amounts of debt written off during 2019/20 under delegated authority. The report covered the areas of Council Tax, Non-Domestic Rates, Sundry Debtors, Housing Benefit Overpayments and aged debt from the balance sheet. The total value of write-offs increased from £0.702m in 2018/19 to £1.872m in 2019/20. The Executive Director referred Members to the table within the report which showed the amounts written off by category and a comparison with previous years. The highest value of write-offs for continued to be within the category where the liable party had become

insolvent. This was in part a reflection of the economic situation. There were ongoing risks associated with the management of the Council's debts and these may lead to an increase in the level of debts that may require to be written off as irrecoverable in future years. These risks were identified within the report. The Council maintained an appropriate bad debt provision to help manage these risks. In terms of the Council's approach to outstanding debt and in response to a Member's question, the Executive Director confirmed that the Council would be fair and would facilitate repayment arrangements with debtors. It was suggested that a communications message from the Council to proactively encourage anyone who was anticipating problems with payments to contact the Council at an early stage may be helpful. The Executive Director agreed that this could be looked into and also agreed to the Leader's request to provide 6 monthly updates on debtor balances to the Executive Committee.

DECISION

- (a) NOTED the debtor balances written off during 2019/20 under delegated authority.**
- (b) AGREED to provide 6 monthly updates on debtor balances to the Executive Committee.**

8. OUR PLAN AND YOUR PART IN IT: SBC'S CORPORATE PERFORMANCE AND IMPROVEMENT REPORT 2019/20

8.1 With reference to paragraph 7 of the Minute of 11 February 2020, there had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, presenting a high level summary of Scottish Borders Council's 2019/20 performance information with more detail contained within Appendices 1a, 1b, 2a and 3 attached to the report. The Executive Director explained that this report would ordinarily have been produced for the June 2020 Executive Committee but had been delayed until September 2020 due to COVID-19 impacts. He handed over to the Senior Business Services Officer, Alasdair Collison, to highlight the main points of the report which included reporting on the progress of change and improvement projects across Scottish Borders Council (SBC) under the Fit for 2024 programme. During 2019/20, SBC had continued to press ahead with a range of important initiatives and innovation, including:

- (a) The progression of a number of key capital projects including the completion of Jedburgh Grammar Campus. Works progressed on other key projects including the Great Tapestry of Scotland and preparation work for the Hawick Flood Protection scheme;
- (b) Progressing the implementation of the Inspire Learning programme, with every secondary school teacher and student receiving an iPad, enabling SBC to have a dedicated platform to allow for consistent managed remote learning opportunities for all secondary teachers and students;
- (c) Continued engagement around the Borderlands Inclusive Growth Deal and to take forward the Borders Innovation Park project as part of the Edinburgh and South East Scotland City Region Deal. SBC had taken a lead role in the establishment of the Covid-19 Team South of Scotland Leadership Group. The aim of the Group was to secure and stabilise the economy of the South of Scotland in the context of the Covid-19 pandemic and its consequences, in order to provide a foundation for the future work of the South of Scotland Regional Economic Partnership;

8.2 The information contained within the report and the appendices were also available on the SBC website and could be accessed at www.scotborders.gov.uk/performance. The appendices reflected a quarterly reporting format structured around the four corporate themes. Mr Collison referred to the summary of successes and challenges which were

listed in the report. In terms of successes, he drew attention in particular to the Waste and Recycling figures for 2019 which showed an improved performance following the introduction of the residual waste approach which commenced in July 2019. Household recycling improved in 2019 to 47.61% from 38.80% in 2018. Recycling at Community Recycling Centres increased to 63.56% in 2019 from 57.95% in 2018. Household waste landfilled reduced to 28.67% in 2019 from 60.84% in 2018. In terms of challenges, Mr Collison referred to the percentage of Freedom of Information requests completed on time, which had improved in 2019/20 to 88% from 85.8% the previous year but this remained below the target. The report went on to give a summary of activity and impact of the Community Action Team (CAT) which was provided in Appendix 3 to the report.

- 8.3 Members welcomed the comprehensive report and the ease of interpretation of performance against indicators within the infographics. They commented on the overall improving picture across the services and noted that the information would be available for public viewing on the Council's website. In particular they were pleased to note the improved recycling rates and asked for the signs at recycling centres to be updated as soon as possible to convey to the public the improving level. In response to a question about landfill tax, officers agreed to check and report back to Members about how much tax was saved by household waste not going to landfill.

**DECISION
NOTED:-**

- (a) **the progress update relating to Change and Improvement Projects, referenced in Section 5 and detailed further in Appendix 1 to the report;**
- (b) **the changes to performance indicators outlined in Section 6 of the report; and**
- (c) **the performance summarised in Sections 7 and 8 of the report and detailed within Appendices 1, 2a and 3 and the action that was being taken within services to improve or maintain performance.**

9. **LIVE BORDERS PERFORMANCE REPORT QUARTER 4 - 2019/20 (BI-ANNUAL SUMMARY AND DATA FOR QUARTERS 3 & 4 2019/20)**

With reference to paragraph 6 of the Minute of 11 February 2020, there had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy presenting a high level summary of Live Borders' performance during Quarters 3 and 4 2019/20, with details contained in Appendices 1 and 2 to the report. In an introduction to the report which referred to the last two quarters of 2019/20 the Executive Director commented that 2020/21 would clearly be a very difficult and challenging year for Live Borders. This would be focussed on in the months ahead. He then handed over to Linda Ross, Live Borders Director of Business Services, to present the report. During 2018, Live Borders developed and agreed a new Strategic Plan for the period 2018-2023. The strategy contained a new vision and 6 strategic goals. A table in the report showed how these goals would assist Live Borders in working towards the 6 outcomes in the contract with Scottish Borders Council. In terms of the two quarters subject to the report, Ms Ross drew attention to key successes and key challenges, as detailed in the appendices. A notable success included library membership numbers growing in the last quarter with a positive increase in online membership in March. Key challenges included staff absences which failed to meet the ambitious target of 2.5% and participation levels in other sports. The effect on income due to the coronavirus pandemic was estimated at £200k mainly on uncollected membership income for the period. However, there was still an increase in income excluding Management fee, of £135k compared to the previous year. This had been an exceptional year, with the fire at Peebles High School significantly affecting services in that area over December and January. Costs, although within budget, were £372k higher than 2019/20 mainly as a result of additional staffing costs in sports facilities. This needed to be the focus going forward. Members thanked officers for the report.

DECISION

NOTED Live Borders' performance and the action being taken to maintain or improve performance.

MEMBER

Councillor Haslam 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. The chair was taken by Councillor Mountford while she was absent from the meeting.

10. DRAFT FOOD GROWING STRATEGY

- 10.1 There had been circulated a report by the Executive Director Finance & Regulatory introducing Scottish Borders Council's first ever Food Growing Strategy – 'Cultivating Communities' and seeking approval for consultation on the Draft Strategy. The report also set out the process and next steps in delivering the Strategy Action Plan, as well as associated changes to Allotment management, including new Allotment Regulations, as required by the legislation. The Food Growing Strategy supported the Locality Plans for the region and was itself supported with the proposed creation of new policy EP17 in the Local Development Plan. Chief Officer Roads, Jason Hedley, presented the report and provided further information by way of a slide presentation. He explained that Part 9 of the Community Empowerment (Scotland) Act 2015 updated and simplified allotments legislation, bringing it together in a single instrument, introducing new duties on local authorities to increase transparency on the actions taken to provide allotments in their area and limit waiting times. Allotments were defined in Part 9 as land that was owned or leased by a local authority and used wholly or mainly for the cultivation of vegetables, fruit, herbs or flowers and not for profit. A key requirement of the Legislation was for every local authority to develop a Food Growing Strategy under section 119 of the Act. Each authority must set out in its food-growing strategy how it would provide land to meet demand for food growing as allotments or other forms of cultivation of vegetables, fruit, herbs or flowers for community or individual growing. Stakeholders such as Community Planning Partners, local 3rd sector organisations, Allotment Associations/Societies and Community growing project managers had been consulted with through a series of meetings, gaining insight into current growing activities and needs for future capacity building. A 12 week public consultation ran from 24 July to 16 October 2019 and was promoted to all Community Councils, In Bloom groups, 3rd sector organisations, publicly via a press release (30 July) and via website and social media. It had a good response, with 300 respondents. A summary of the consultation was included as an appendix to the Strategy. The Allotment Regulations were subject to a statutory 1 month consultation, upon approval by the Executive.
- 10.2 The report referred to COVID-19 which had transformed the way we lived our lives. It was felt that the Food Growing Strategy could contribute positively to the lives of our communities during the COVID-19 era. The Strategy had been amended to include advice around working safely in communities to prevent any spread of infection. Following the consultation, the Strategy had been developed based on the information gathered. The aim of this Strategy was to support and facilitate anyone who wanted to get growing, through existing growing opportunities and new approaches. As well as supporting and facilitating self-deployment of individuals and community groups to get growing, the Strategy set out the Council's commitments through the Action Plan, which was detailed in the report. The Draft Food Growing Strategy, Proposed Allotment Regulations and the consultation feedback summary were included as appendices to the report and proposals for resourcing the project were set out in the body of the report. Members expressed their enthusiastic support for the food growing strategy and congratulated officers for the extensive work carried out in its preparation. They noted the significant number of responses to the first consultation and recognised that there was a considerable demand in the Scottish Borders for shared accessible spaces and support for residents to grow their own vegetables, fruit, herbs and flowers.

DECISION

AGREED to approve:-

- (a) the Draft Food Growing Strategy for consultation;**
- (b) the proposals for resourcing as set out in section 9.1 of the report; and**
- (c) the proposed statutory consultation on the new Allotment Regulations.**

11. JEDBURGH - ASSET TRANSFER PROPOSAL

11.1 There had been circulated copies of a report by the Service Director, Customer & Communities to make Elected Members aware of the outline proposal to Scottish Borders Council by the Jedburgh Legacy Group for an asset transfer, which would allow the group to take over and operate Jedburgh Town Hall, Library building, public toilets and other services. The outline proposal was set out in Appendix 1 to the report. The outline proposal from the Jedburgh Legacy Group was an ambitious one that involved taking over the running of an enlarged Town Hall, Library building and public toilets. It also included the maintenance of play parks, grassed areas, flower beds and hedges. The outline proposal saw the running, and potentially ownership, of these facilities passing over to a new body, Jedburgh Town Services. The bodies to be involved in operating Jedburgh Town Services were Jedburgh Community Council, Jedburgh Community Trust, Jedburgh Leisure Facilities Trust, Jedburgh Alliance, Jedburgh and District News Group (incorporating the Jedburgh Marketing and Tourism Group) and Jedburgh Horticultural Society. It was considered that the outline proposal should initially be progressed using Scottish Borders Council's established process for dealing with applications by Community Groups under Community Empowerment Act (Scotland) 2015 legislation – i.e. an "expression of interest" prior to a formal Asset Transfer Request. A brief overview and analysis of the outline proposal was given within the report. The proposal was aligned with Scottish Borders Council's draft 5-year Strategic Property Framework, with the preferred solution for the Town Hall and Library building being an asset transfer to the community. This strategic fit was welcomed and supported where it complemented other local services and assets. The report proposed that a Multi-disciplinary Officer Group should be established to support the Jedburgh Legacy Group on developing the outline proposal into a formal Asset Transfer Request. The principles, processes, timescales and financial implications for carrying out this work were set out within the report.

11.2 Members welcomed the outline proposal from Jedburgh Legacy Group, commenting that, although at a very early stage, this represented an exciting and ambitious project. It was an example of potential key partnerships which the Council could develop with a range of organisations and could be a pilot for other areas. The proposal was a huge undertaking and the central question was whether there would be long-term sustainability. A strong business case for the proposal would be essential.

DECISION

AGREED that:-

- (a) the outline proposal from the Jedburgh Legacy Group should be progressed using Scottish Borders Council's established process under the Community Empowerment Act (Scotland) 2015 legislation; and**
- (b) an Inter-agency Officer Group be established to assess, and offer to work with the Jedburgh Legacy Group on the outline proposal.**

12. PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix 4 to this Minute on the grounds that it involved the likely disclosure of

exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

13. **MINUTE**

The private section of Minute of meeting held on 11 February 2020 was approved.

The meeting concluded at 12.20 pm

SCOTTISH BORDERS COUNCIL MAJOR CONTRACTS GOVERNANCE GROUP

MINUTES of Meeting of the MAJOR
CONTRACTS GOVERNANCE GROUP held
Via Microsoft Teams on Tuesday, 15
September 2020 at 2.30 pm

Present:- Councillors N Rowley (Chairman), G Edgar, D Moffat, E Thornton-Nicol, T Weatherston.

Apologies: Councillor J Fullarton.

In attendance: Director Finance and Regulatory, Services Director Assets and Infrastructure, Neighbourhood Area Manager, Contracts Manager, Commercial Manager/Estimator, Democratic Services Officer (J Turnbull).

1. **MINUTE**

There had been circulated copies of the Minute of the meeting of the Major Contracts Governance Group of 3 March 2020.

DECISION

NOTED the Minute of the Major Contracts Governance Group of 3 March 2020.

2. **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 contained in the following items on the ground that they involved the likely Part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

3. **MINUTE**

Members approved the Private Section of the Minutes of the Major Contracts Governance Group of 3 March 2020.

4. **SBC CONTRACTS TRADING OPERATION UPDATE**

Members considered a report on the trading and financial position of SBc Contracts for the period to 31 July 2020.

MEMBER

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

5. **CGI UPDATE**

Members considered a report outlining CGI performance.

The meeting concluded at 4.00 pm

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SCOTTISH BORDERS COUNCIL
KELSO COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the KELSO COMMON
GOOD FUND SUB-COMMITTEE held via Microsoft
Teams on Tuesday, 15 September 2020 at 5.15
p.m.

Present:- Councillors S. Mountford, T. Weatherston.

Apologies:- Councillor E. Robson, Community Councillor D. Weatherston.

In Attendance:- Pensions and Investments Manager, Solicitor (Steven Robertson), Democratic
Services Officer (F. Henderson).

Members of the Public:- 0

1.0 FINANCIAL MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2020 AND PROPOSED BUDGET FOR FINANCIAL YEAR 2020/2021

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of the income and expenditure for the Kelso Common Good Fund for the year 2019/20 including balance sheet values at 31 March 2020 and proposed budget for 2020/21. Appendix 1 to the report provided the actual Income and Expenditure position for 2019/20 which showed a surplus of £9,593 which reflected the surplus figure reported in November 2019. Appendix 2 to the report provided an actual balance sheet as at 31 March 2020 and showed an increase in the reserves of £191,749 due to the revaluation of properties offset slightly by unrealised loss on the Aegon Asset Management (formerly Kames Capital) Investment Fund. Appendix 3 to the report provided a breakdown of the property portfolio showing the effect of the revaluation and Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 31 March 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions.

DECISION

(a) NOTED the:-

(i) actual income and expenditure for 2019/20 in Appendix 1;

(ii) final balance sheet value as at 31 March 2020 in Appendix 2;

(iii) summary of the property portfolio in Appendix 3; and

(iv) current position of the investment in the Aegon Asset Management Investment Fund in Appendix 4.

(b) AGREED the proposed budget for 20/21 as shown in Appendix 1 to the report

2.0 MONITORING REPORT FOR 3 MONTHS 30 JUNE 2020

There had been circulated copies of a report by the Executive Director, Finance and Regulatory which provided the income and expenditure for the Kelso Common Good Fund for three months to 30 June 2020, a full year projected out-turn 2020/21 and projected balance sheet values as at 31 March 2021. Appendix 1 provided the projected income and expenditure for 2020/21 which showed a projected surplus of £2,377 for the year. Appendix 2 provided projected Balance Sheet

value at 31 March 2021 and showed a projected decrease in the reserves of £56,752. Appendix 3 provided a breakdown of the property portfolio showing projected rental income for 2020/21 and actual property expenditure to 30 June 2020. Appendix 4 detailed the value of the Aegon Asset Management Investment Fund to 30 June 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions.

DECISION

NOTED the:-

- (a) projected income and expenditure for 2020/21 in Appendix 1 to the report;**
- (b) projected balance sheet value as at 31 March 2021 in Appendix 2 to the report;**
- (c) summary of the property portfolio in Appendix 3 to the report;**
- (d) the current position of the investment in the Aegon Asset Management Investment Fund contained in Appendix 4 to the report.**

3.0 FINANCIAL ASSISTANCE

There had been circulated copies of an application for Financial Assistance from River Tweed Salmon Fishing Museum in the sum of £9,249. The estimated total cost of the project was £54,949 and funding had been awarded from Fallago Environment Fund (35,7000 and SBC Community Fund (£10,000). The application explained that the aim of the Museum was to establish a permanent exhibition of salmon and the sport of angling in the centre of its birthplace, Kelso with displays of the history, heritage and its influence in the social and economic development of the towns of the Scottish Borders and Scotland. The Museum would be situated in the former Tourist Information Centre and would house displays on the salmon life cycle and migration, aerial film of the river tweed etc. It was anticipated that the museum would attract some 10,000 – 15,000 visitors per year, would be staffed by volunteers and free of charge. The grant would be used towards the cost of Photography (£5,060) and Printed displays (£4,770) all for the production of displays in the Museum, as part of wider project. The Investment and Pensions Manager explained that the museum had opened and the amount being requested was substantial and would impact on the reserves. The Sub-Committee were in favour, in principle of the project but were against spending reserves. Following discussion, it was agreed that 50% of the amount requested (£4,624) be awarded as a one-off payment.

DECISION

AGREED:-

- (a) to support the application for financial assistance for The River Tweed Salmon Fishing Museum in the sum of £4,624, and**
- (b) that this would be a one-off payment.**

4.0 DRAFT REVISED APPLICATION FORM FOR FUNDING

There had been circulated copies of a draft revised application form, for funding from all the Council's Common Good Funds, which had been re-designed to a format similar to the form used for applications to the Community Fund. The draft form was being presented to all Common Good Fund Sub Committees for comment. Members were content with the revised application form and did not request any changes.

DECISION

APPROVED the use by Kelso Common Good of the revised application form.

The meeting closed at 5.30 p.m.

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SCOTTISH BORDERS COUNCIL CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held via Microsoft Teams on Friday, 18
September 2020 at 1.30 p.m.

- Present:- Councillors J. Greenwell (Chairman), J. Brown, D. Paterson, N. Richards,
S. Scott, E. Thornton-Nicol, T. Weatherston.
- Apologies:- Councillors R. Tatler, G. Turnbull.
- 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 McGuigan and PC S. Lackenby -
Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 21 August 2020 had been circulated.

DECISION

APPROVED and signed by the Chairman.

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

There had been circulated copies of the Civic Government and Miscellaneous Licences issued under delegated powers between 6 February 2020 and 31 August 2020.

DECISION

NOTED.

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 14 of part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

1.0 **Hearing to consider request for revocation or suspension of Taxi Driver Licence**

This item was withdrawn from the Agenda

2.0 **Minute**

The Private section of the Minute of 21 August 2020 was approved.

The meeting concluded at 1.45 p.m.

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Public Document Pack

SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW
BODY conducted remotely by Microsoft
Teams Live Event on Monday, 21 September
2020 at 10.00 am

Present:- Councillors S. Mountford (Chairman), A. Anderson, J. A. Fullarton,
S. Hamilton, H. Laing, C. Ramage and N. Richards

Apologies:- Councillors E. Small

In Attendance:- Principal Planning Officer – Major Applications/Local Review, Solicitor (S.
Thompson), Democratic Services Team Leader, Democratic Services Officer
(F. Walling).

1. **REVIEW OF 19/01256/FUL**

There had been circulated copies of the request from Ms Jess Windsor, per Urban Animation, 22 Westhall Gardens, Edinburgh to review the decision to refuse the planning application for erection of 15 No huts with associated access and car parking on land East of Wester Deans, West Linton. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; Consultations; general comment; and a list of policies. In their initial discussion Members noted that the proposal was not for a commercial business and therefore did not require the submission of a business case in support of the application. Members initially discussed the site of the proposed development in terms of visual impact and compatibility within the rural surroundings. With regard to the suitability of the proposal, Members discussed the means of access to the site and the practicality of the use of sustainable transport. Whilst recognising that the huts would be individually owned, they expressed concerns about a lack of detail about servicing the site and the absence of an overall management scheme. After a lengthy debate, opinion remained divided as to whether these concerns could be addressed by suspensive conditions.

VOTE

Councillor Fullarton, seconded by Councillor Anderson moved that the decision to refuse the application be upheld.

Councillor Laing, seconded by Councillor Ramage, moved as an amendment that the decision to refuse the application be reversed and the application approved.

Members voted as follows:-

Motion - 2 votes

Amendment - 4 votes

The amendment was accordingly carried and the application approved,

DECISION

DECIDED that:-

- (a) **the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**

- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be consistent with the Development Plan; and**
- (d) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix I to this Minute**

2. REVIEW OF 20/00343/FUL

There had been circulated copies of the request from Mrs Carly Anderson, per Ferguson Planning, 54 Island Street, Galashiels, to review the decision to refuse the planning application for siting of 3 No glamping pods and associated works on land south west of Stouslie Farmhouse, Hawick. The supporting papers included the Notice of Review (including the Officer's Report and Decision Notice); consultations; and a list of policies. Members noted that the proposal was for the provision of tourist accommodation and that a comprehensive business case had been submitted in support. They went on to consider the visual impact of the proposed development in the context of the surrounding landscape paying particular attention to its elevated position. After careful consideration they concluded that the landscape impacts of the proposed development, which were mainly from the south, were mitigated by existing trees to the rear of the site and so were acceptable.

DECISION

AGREED that:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be consistent with the Development Plan; and**
- (d) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix II to this Minute**

The meeting concluded at 11.30 am



APPENDIX I

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

Local Review Reference: 20/00019/RREF

Planning Application Reference: 19/01256/FUL

Development Proposal: Erection of 15 No huts with associated access and car parking

Location: Land East of Wester Deans, West Linton

Applicant: Ms Jess Windsor

DECISION

The Local Review Body reverses the decision of the appointed officer and grants planning permission for the reasons set out in this decision notice subject to conditions and informatives as set out below.

DEVELOPMENT PROPOSAL

The application relates to the erection of 15 No huts with associated access and car parking. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan 1:2500	1 of 7
Location Plan 1:10000	2 of 7
Proposed Site Plan 1:1250	3 of 7
Proposed Site Plan 1:500 north	4 of 7
Proposed Site Plan 1:500 south	5 of 7
Elevations	6 of 7
Planting Plan	7 of 7

PRELIMINARY MATTERS

The Local Review Body initially considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 21 September 2020.

After examining the review documentation at that meeting, which included a) Notice of Review; b) Decision Notice; c) Officer's Report; d) Papers referred to in Officer's Report; e) Consultations; f) General comment and g) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a site visit but did not consider it necessary in this instance and proceeded to determine the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, ED7, HD3, EP1, EP2, EP3, EP13, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Biodiversity 2005
- SBC Supplementary Planning Guidance on Waste Management 2015
- Scottish Planning Policy 2014

The Review Body noted that the proposal was for the erection of 15 No huts with associated access and car parking.

Members firstly considered the principle of the development under Policy ED7. They noted that the Policy only required the submission of a business case where this was to support business and tourist proposals in the countryside. They noted that the applicant had clarified the proposal was not a commercial business and was not aimed at tourism, but that the huts would be leisure development for individual owners, their family and friends. The Review Body agreed with the Appointed Officer that a business case was not required for such a leisure development under Policy ED7 and that the principle of leisure development in the form of hutting was supportable under the Policy, being appropriate to a rural location and providing the occupancy was controlled by condition to ensure limited and occasional use only.

The Review Body then considered the criteria set down in Policy ED7 and PMD2 and, in particular, the issues of compatibility with rural surroundings and landscape impact. They noted the Appointed Officer's concerns over landscape, visual impact and the successful establishment of planting at the site to mitigate impacts. However, the Review Body did not consider the impacts to be sufficiently significant to justify refusal and acknowledged that the land was former forestry with new planting and was in a general rural setting characterised by a variety of different uses and buildings, including a number of large poultry units. They also noted the immediately adjoining Cloich Forest with consented wind farm scheme.

Members ultimately felt that the landscape was not of a quality that would be significantly impacted by the development, which was both modest in scale and size of huts. They noted that a landscape scheme had been advanced to a certain extent with the Landscape Architect and that, provided this was secured by condition including future management and maintenance of the planting, there was no reason to suggest the mitigation would not be successful in establishing on site, nor screen the development adequately over time.

Members then considered policy PMD1 and the issue of over-reliance on private cars and sustainable means of transport to the site. There were a number of concerns expressed in relation to owners bringing supplies to the site, water supply, foul drainage and waste removal provision and how such proposals would actually encourage access to the site without use of a private car. Members were concerned at the lack of information on these matters and particularly how they would be managed, given the fact that the huts would all be individually owned. However, the Review Body did recognise that being in a rural location, use of sustainable transport to the site would be more limited in any case and that, provided such concerns could be addressed by suspensive conditions seeking full details to be agreed, a certain degree of access to the site by private car would be expected and acceptable. The details to be agreed for each hut by suspensive conditions would include means of water supply, drainage, waste storage/removal and a management and maintenance scheme for the whole development.

The Review Body then considered other material issues relating to the proposal including residential amenity, site access and ecology but were of the opinion that such issues did not outweigh their decision to support the proposal and that appropriate conditions could address them satisfactorily. There was discussion over vehicular access to each hut for emergency vehicles but Members concluded that this matter could be considered in a condition covering overall access details.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that consent for the development was consistent with Policies PMD1, PMD2 and ED7 of the Local Development Plan. The development was considered to be a leisure development appropriate in scale and design to the rural location and accessible to sustainable methods of transport. Subject to conditions, including new planting and management of the development, impacts on the surrounding countryside and infrastructure were considered to be acceptable. Consequently, the application was approved subject to the conditions and informative listed.

DIRECTIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. The occupation of the huts shall be restricted to any person staying for a maximum of 3 months in total within any calendar year.
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
2. No development to be commenced until samples of all external materials for the huts are submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved materials.
Reason: To safeguard the visual amenity of the area.

3. 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, hedgerows and trees to be retained, protected and, in the case of damage, restored
 - iii. location and design, including materials, of walls, fences and gates
 - iv. soft and hard landscaping works including new tree planting
 - v. existing and proposed services such as cables, pipelines, sub-stations
 - vi. A programme for completion and subsequent maintenance.

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

4. No development to be commenced until a tree survey identifying the existing trees within the site is submitted to, and approved by, the Planning Authority. The identified trees then agreed for retention to be protected at all times during construction and building operations, by the erection of substantial timber fence around the trees or tree areas, together with such other measures as are necessary to protect the trees and their roots from damage. Details of the methods it is proposed to use shall be submitted by the applicant to the Local 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.

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

5. No development to be commenced until further details of the access junction, site roadway, parking area and paths to the huts are submitted to, and approved in writing by, the Planning Authority. The details shall also include information on access by emergency vehicles. Once approved, the details then to be completed before occupation of the first hut.

Reason: In the interests of road and pedestrian safety.

6. No development to be commenced until a scheme of management and maintenance of the development, including any factoring arrangements, is submitted to, and approved in writing by, the Planning Authority. The scheme shall include all huts, roads, paths, water, drainage, waste storage, fencing and all existing and proposed trees, The development then to be operated in accordance with the approved scheme.

Reason: To safeguard the visual amenity of the area and secure appropriate controls over the operation of the site.

7. No development to be commenced until a scheme of waste storage for each hut is submitted to, and approved in writing by the Planning Authority. Once approved, the development then to be operated in accordance with the approved scheme.

Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

8. No development to be commenced until further details of the provision of a water supply and of disposal of foul and surface water for each hut are submitted to, and approved in writing by the Planning Authority.

Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

9. No development to be commenced until a Construction Environmental Management Plan, incorporating the latest good practice guidelines and statutory advice, is submitted to, and approved in writing in writing by, the Planning Authority. Any works shall thereafter be carried out strictly in accordance with the approved Plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

10. No development shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

INFORMATIVES

1. With regard to Condition 3, the Landscape Officer of the Council advises the following:

Tree planting should be cell grown trees, all protected by tree tubes supported with robust tree stakes. Planting should be throughout the site at approx. 3m spacing (i.e. 1 plant/ 9 sq. metres) although this should not be regular and should take into account existing regeneration and hut positions, concentrating on areas immediately around the huts to improve their assimilation.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 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 at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

Notice Under Regulation 22 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2013.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed... Councillor S Mountford
Chairman of the Local Review Body

Date.....29 September 2020



APPENDIX II

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND)
ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW
PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 20/00021/RREF

Planning Application Reference: 20/00343/FUL

Development Proposal: Siting of 3 No glamping pods and associated works

Location: Land South West of Stouslie Farmhouse

Applicant: Mrs Carly Anderson

DECISION

The Local Review Body reverses the decision of the appointed officer and grants planning permission for the reasons set out in this decision notice subject to conditions as set out below.

DEVELOPMENT PROPOSAL

The application relates to the siting of 3 No glamping pods and associated works. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	200104-2-01
Proposed Site Plan	200104-1-01
Proposed Drainage Plan	200104-2-01
Proposed Access and Parking Plan	200104-3-01
Proposed Visibility Splay Plan	200104-4-01
Proposed Elevations	200104-9-01
Landscaping Plan	200104-11-01
3D Visual Perspective	1 of 3
3D Visual Perspective	2 of 3
3D Visual Perspective	3 of 3

PRELIMINARY MATTERS

The Local Review Body initially considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 21 September 2020.

After examining the review documentation at that meeting, which included a) Notice of Review (including Decision Notice, Officer's Report and Papers referred to in Officer's Report); b) Consultations; and c) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a site visit but did not consider it necessary in this instance and proceeded to determine the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, ED7, HD3, EP3, EP13, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Biodiversity 2005
- SBC Supplementary Planning Guidance on Waste Management 2015
- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- Scottish Borders Tourism Strategy 2013-2020
- Scottish Planning Policy 2014

The Review Body noted that the proposal was for the siting of 3 No glamping pods and associated works.

Members firstly considered the principle of the development under Policy ED7. They noted that the Policy required the submission of a business case to support tourist accommodation proposals in the countryside. They agreed with the Appointed Officer that the business case presented was of a high standard with detailed information, including financial projections and sequential assessment of other sites. Members also noted the support of Economic Development and concluded that the business case had been demonstrated. The development represented quality farm diversification and proposed tourist accommodation which should be encouraged under Policy ED7.

The Review Body then considered the criteria set down in Policy ED7 and PMD2 and, in particular, the issues of compatibility with rural surroundings and landscape impact. They noted the Appointed Officer's concerns over prominence and elevated positioning, appreciating that one of the main attractions of the site for tourist development was the open view to the south. They understood that the visibility of the pods from the south was the main issue and debated what mitigation was present, or could be proposed, to address the issue.

Members concluded that the development was modest in scale and form, representing a sporadic small grouping of buildings that had context with other groupings in the wider rural surroundings. There was tree screening to the rear of the site and an existing dry stone dyke which was being retained. Members also noted the proposed new planting which they considered would successfully integrate the development into the surroundings. They did not consider it necessary to specify planting along the southern boundary and were content for this matter to be considered as part of the overall landscaping submission required by condition and for agreement between the applicant and Appointed Officer.

The Review Body then considered other material issues relating to the proposal including sustainable access, road safety, water, drainage and waste disposal but were of the opinion that such issues did not outweigh their decision to support the proposal and that appropriate conditions could address them satisfactorily.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that consent for the development was consistent with Policies PMD2 and ED7 of the Local Development Plan. The development was considered to be an appropriate and justified tourism use in an attractive location, representing farm diversification and of modest scale with limited impacts on the surrounding countryside. Consequently, the application was approved subject to the conditions listed.

DIRECTIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. The occupation of the glamping pods shall be restricted to genuine holidaymakers, any person staying for a maximum of 3 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
2. No development to be commenced until samples of all external materials for the pods are submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved materials.
Reason: To safeguard the visual amenity of the area.
3. 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, walls, hedgerows and trees to be retained, protected and, in the case of damage, restored
 - iii. location and design, including materials, of walls, fences and gates
 - iv. soft and hard landscaping works including new tree and hedge planting
 - v. existing and proposed services such as cables, pipelines, sub-stations
 - vi. A programme for completion and subsequent maintenance.Reason: To ensure the satisfactory form, layout and assimilation of the development.

4. No development to be commenced until a scheme of passing places on the public road leading to the site has been submitted to, and approved in writing by the Planning Authority. Once approved, the passing places to be formed before the first pod is occupied.
Reason: In the interests of road safety.
5. No development to be commenced until further details of the access junction, site roadway, parking area, paths, hardstandings and deckings to the pods are submitted to, and approved in writing by, the Planning Authority. Once approved, the details then to be completed before occupation of the first pod.
Reason: In the interests of road and pedestrian safety.
6. No development to be commenced until a scheme of waste storage for each pod is submitted to, and approved in writing by the Planning Authority. Once approved, the development then to be operated in accordance with the approved scheme.
Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.
7. No development to be commenced until further details of the provision of a water supply and of disposal of foul and surface water for each pod are submitted to, and approved in writing by the Planning Authority.
Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:
Monday-Friday 0700-1900
Saturday 0800-1300
Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 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 at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other

than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

Notice Under Regulation 22 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2013.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed... Councillor S Mountford
Chairman of the Local Review Body

Date.....29 September 2020

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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
Via Microsoft Teams on Thursday, 24
September 2020 at 10.00 am

Present:- Councillors S Mountford (Chairman), S Aitchison, J Brown, G Edgar, C Hamilton, D Moffat, S Scott, Mr D Bell, Mr M Drysdale, Mr M Everett Ms K Hughes and Ms L Ross

Apologies:- Councillor D Parker, Ms H Robertson, Ms C Stewart,

In Attendance: Executive Director Finance & Regulatory, Pensions and Investment Manager, HR Shared Services Manager, Chief Officer Audit & Risk. Principal Consultant (KPMG), Democratic Services Officer (J Turnbull).

Also in Attendance: Ms G Woolman, Ms A Fitzpatrick, Mr A Haseeb, Mr G Samson (Audit Scotland).

1. **WELCOME**

The Chair opened the meeting and welcomed Members of the Pension Fund Committee, Pension Board and members of the public to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the Covid-19 pandemic. The Chair welcomed Mr David Bell, new Pension Board member to his first meeting.

2. **MINUTE**

There had been circulated copies of the Minute of the Meeting of 22 June 2020

DECISION

NOTED for signature by the Chairman.

3. **EXTERNAL AUDITORS ANNUAL AUDIT REPORT**

There had been circulated copies of report by Audit Scotland, the Council's external auditors. The report explained that Audit Scotland had now completed the audit of the Council's Annual Accounts for 2019/20 and had given an unqualified audit opinion in all cases. In addition Audit Scotland had reached positive conclusions in respect of financial sustainability, financial management, governance, transparency and value for money. Ms Woolman, Audit Scotland was in attendance and summarised the report; in addition she advised that there were no material adjustments or unadjusted errors arising from the audit. Ms Woolman highlighted the property portfolio valuations as an emphasis of matter, explaining that this did not detract from the clean audit opinion. Members noted that the Annual Accounts would be presented to the Council meeting on 5 November for approval. In response to a question regarding materiality, Ms Woolman explained that this related to investments and therefore no adjustment to the accounts was required. Regarding capacity challenges and increasing demands on staff, Mr Robertson advised that he would provide the Pension Fund Committee and Pension Board with regular updates in relation to the HR and Finance Teams resource requirements.

DECISION

NOTED the report.

4. **ANNUAL REPORT AND ACCOUNTS 2019/20**

There had been circulated copies of a report by Executive Director Finance and Regulatory presenting for scrutiny and approval the final Annual Report and Accounts for the Pension Fund for 2019/20 prior to submission to Scottish Borders Council for

signature. The Local Government Pension Scheme Amendment (Scotland) Regulations 2010 specified the elements which must be contained in the Annual Report and Accounts, the list of these were contained in paragraph 4.1 of the report. The draft Report and Accounts, contained in Appendix 1 to the report, fully met these requirements. Audit Scotland had completed their audit and had provided an unqualified independent audit opinion. They had identified two new recommendations and three recommendations from the 2018/19 audit requiring action and these had been accepted by management and would be enacted within the agreed timescales.

DECISION

AGREED the Pension Fund Annual Report and Accounts 2019/20, for Officer signature and Council approval.

5. RISK REGISTER UPDATE

With reference to paragraph 9 of the Minute of 22 June 2020, there had been circulated copies of a report by Executive Director Finance and Regulatory which formed part of the risk review requirements and provided the Pension Fund Committee and Pension Board with an update on the progress of the actions taken by management to mitigate these risks, a review of any new risks and highlighted changes to any of the 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. A full risk review was undertaken on 15 May 2020 and the revised Risk Register approved by the joint Pension Fund Committee and Pension Board on 22 June 2020. Appendix 1 to the report detailed the risks within the approved Risk Register which had identified management actions and the progress of these actions to date. In response to a question, Mrs Robb explained that new regulations were monitored on an ongoing basis by the Finance and HR Team.

DECISION

- a) **NOTED:**
 - (i) **the management actions progress as contained in Appendix 1, to the report; and**
 - (ii) **no new quantifiable risks had been identified since the last review.**
- b) **AGREED to an update on progress of management actions to be presented in December 2020**

6. PENSION ADMINISTRATION STRATEGY

There had been circulated copies of a report by Service Director HR and Communications proposing the revised Pension Administration Strategy for the Scottish Borders Council Pension Fund. The report explained that the Pension Fund was required by the Local Government Pension Scheme (Scotland) Regulations 2018 to have an up-to-date Pension Administration Strategy. Appendix 1 to the report, contained the revised Pension Administration Strategy which had a number of amendments made to the previously approved version. These were mainly in Section 1 where the statutory regulations have been listed along with other relevant legislation and bodies where codes of practice was adhered to. Other changes were in post titles for officers and updates to the list of Employers within the Fund. In response to a question, Mr Angus confirmed that SB Cares employees had transferred to Scottish Borders Council on 1 December 2019.

DECISION

AGREED the Pension Administration Strategy as set out in Appendix 1 to the report.

7. COMMUNICATION POLICY REVIEW

There had been circulated copies of report by Service Director HR and Communications providing a review of the Communication Policy and an update on the review of forms and communication, including Annual Benefit Statements. The report explained that in line with the Pension Fund Business Plan the Policy should be reviewed on an annual basis. This report discharged that requirement. Appendix 1 to the report, contained the revised Communication Policy which had a number of amendments made to the previously approved version, these were mainly in Section 1 where other regulations and codes of practice had been updated. Other changes were in regard to the availability of online payslip access and the use of Microsoft Teams to host virtual meetings. Mr Angus highlighted that during lockdown, the Pension Fund website had proven to be a useful resource and has been visited on a regular basis. The website continued to be updated to reflect current regulations and any relevant documents or news stories. The Pensions Administration team had carried out a review of supporting information provided along with the Annual Benefit Statements for this year. Work was ongoing to review processes and associated forms. In response to a question, Mr Angus advised that communication information was issued with the Annual Benefit Statements. Consideration would be given to also including such information along with pension increase notifications for those in receipt of a pension.

DECISION

(a) AGREED the Communication Strategy set out in Appendix 1.

(b) NOTED:

(i) the website performance over the last 14 months; and

(ii) that work had commenced on the review of Forms and the Annual Benefit Statement documentation had been reviewed prior to issue.

8. BUDGET MONITORING TO 30 JUNE 2020

There had been circulated copies of a report by Executive Director Finance and Regulatory providing the Pension Fund Committee and Pension Board with an update position on the Pension Fund budget to 30 June 2020, including projections to 31 March 2021. The Local Government Pension Scheme (Scotland) Regulation 2014 required Administering Authorities to ensure strong governance arrangements and set out the standards they were to be measured against. To ensure the Fund met the standards, a budget was approved on 10 March 2020 following the recommendations within the CIPFA accounting guideline headings. This report was the first quarterly monitoring report of the approved budgets. The report detailed the total expenditure to 30 June 2020 was £0.014m, with a projected total expenditure of £6.901m against a budget of £6.894m. This projected a budget variance of £7k which represented additional work required to complete the GMP reconciliation. In response to a question, Mrs Robb clarified that any costs were incurred by the Pension Fund and not Scottish Borders Council.

DECISION

(a) NOTED the actual expenditure to 30 June 2020.

(b) AGREED the projected out-turn as the revised budget.

9. RESPONSIBLE INVESTMENT MANAGEMENT

With reference to paragraph 11 of the Minute of 12 September 2019, there had been circulated copies of a report by Executive Director Finance and Regulatory providing the Committee and Board with a report detailing the extent to which the Fund's Investment Managers have complied with the requirements of the agreed Statement of Responsible Investment Policy. The report explained that the Pension Fund, as part of its fiduciary duties, was required to ensure appropriate consideration was given to Environmental, Social and Governance (ESG) issues as part of its investment decisions, whilst acting in the best interest of the scheme beneficiaries. The Pension Fund approved a Responsible Investment Policy on 30 November 2018. Annual monitoring was required under the terms of this policy. 99.5% of the assets held by the Fund were managed by fund

managers who were signatories to the United Nations Principles of Responsible Investment Code (UNPRI). Information had been provided by Fund Managers and scored against questions listed in paragraph 4.6 of the report, with scores for each manager shown in paragraph 4.7. Officers worked with Fund Managers, who scored 15 or less, to improve their performance and fully meet the objectives of the ESG policy. As agreed, the Fund was a supporter of Climate Action 100+ and had been active and successful in achieving a number of key commitments in a number of sectors to reduce carbon emissions. Officers were now actively working with Scottish Responsible Investors roundtable group to share good practice and investigate possible areas of improvement in the Funds responsible investment. Mrs Robb highlighted that Brookfield and Gaia GP Ltd were managers who had not signed to UNPRI. However, both had clear ESG policies and adhered to other ESG frameworks. Amendments to their scoring would reflect this. Ms Woolman added that because of schools' interest in climate change, consideration be given to communicating the Pension Funds' commitment to reducing carbon emissions and encouraging responsible investment.

DECISION

NOTED:

- (a) **the annual performance report regarding compliance with the Pension Fund's policy on responsible investment and the scores for each of the managers; and**
- (b) **the engagement and participation work completed by the Fund.**

10. INFORMATION UPDATE

- 10.1 There had been circulated copies of a briefing paper by Executive Director Finance and Regulatory providing an update on a number of areas which were being monitored and where work was progressing. Full reports on individual actions would be tabled as decisions and actions were required. In summary:-
- 10.2 **GMP Reconciliation**
HMRC had provided ITM limited with the final data for the GMP reconciliation. Due to the requirement to carry out a further review this had increased the cost of the project by £7k. The target date for completion was 31 October 2020.
- 10.3 **Annual Benefit Statements**
All Annual Benefit Statements were issued in advance of the 31 August deadline. The Chair congratulated the team on their work providing Statements during the pandemic.
- 10.4 **Visit Scotland Transfer**
16 members would be moving to Lothian Pension Fund, any costs in connection would be reimbursed. In response to a question, Mrs Robb advised that the implication for the Fund was minor as there was only one active member. An update would be provided at the next meeting.
- 10.5 **SPPA Valuation Guidance**
Appendix 1 to the report gave information on Age Discrimination and Employer Cost Cap.
- 10.6 **McCloud Consultation**
Appendix 2 to the report summarised the proposed changes. The impact on resources required and the most appropriate course of action would be reported to the next joint meeting.
- 10.7 **Scheme Advisory Board**
The Chair advised that at the last meeting of the Scheme Advisory Board (SAB) it was requested that all managers produced transparency fees by the end of the financial year. Regarding the structure review, the SAB had rejected the tender process and requested the SAB Joint Secretaries arrange for input into the procurement process from Scotland

Excel. The next meeting was scheduled for 28 October when the SAB would assess the process towards tender.

10.8 **Training Opportunities**

Training sessions via Microsoft Teams had been organised on: 1 October – Governance and Investment; and, 8 October – Pension Administration. Mrs Robb confirmed that the sessions would be recorded and could be accessed following the live event to assist with training requirements.

DECISION

NOTED the briefing paper.

11. **PRIVATE BUSINESS**

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

ADJOURNMENT

The meeting was adjourned at 11.20 am and reconvened at 11.30 am.

12. **MINUTE**

The Committee and Board noted the Private Minute of the meeting of 22 June 2020.

13. **QUARTER PERFORMANCE TO 30 JUNE 2020**

The Committee and Board considered a private report by Isio.

14. **INFRASTRUCTURE UPDATE**

The Committee and Board noted a private report by Executive Director Finance and Regulatory updating on infrastructure investments made by the Fund under delegated authority.

The meeting concluded at 12.10 pm.

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SCOTTISH BORDERS COUNCIL PENSION BOARD

MINUTE of Meeting of the PENSION
BOARD held Via Microsoft Teams on
Thursday, 24 September 2020 at 12.10 pm

Present:- Councillor S Aitchison (Chair), Mr D Bell, Mr M Drysdale, Mr M Everett, Ms L Ross.
Apologies:- Ms H Robertson, Ms C Stewart.
In Attendance:- Executive Director Finance & Regulatory, Democratic Services Officer (J Turnbull).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting of 22 June 2020.

DECISION

NOTED for signature by the Chairman.

2. **MATTERS ARISING FROM THE MINUTE**

With reference to paragraph 2 of the Minute of 22 June it was noted that following advice and agreement by the Chairman, the proposed letter to the Scheme Advisory Board was not issued.

DECISION

NOTED.

3. **JOINT MEETING OF PENSION COMMITTEE AND PENSION BOARD**

The Board discussed the uncertainty over Covid-19 and welcomed the Fund's positive performance as reported by Isio. Mr Robertson explained that the Pension Fund was a well-managed and diversified Fund, designed to protect investments against a range of adverse circumstances. The ongoing pandemic was reflected in the Risk Register and managers were continually striving to protect the Fund from uncertainty. The second quarter had seen a bounce back in terms of investment funds and a strong performance across a range of managers. One area of concern remained the impact of Covid-19 on the property portfolio and this had been reflected in the independent auditors' report. Mr Robertson reassured the Board that officers and advisors would continue to monitor the situation closely and that capacity issues would continue to be addressed.

DECISION

NOTED:

- (a) Audit Scotland's report which reflected positively on the management of the Fund; and
- (b) capacity issues would continue to be addressed.

4. **DATE OF NEXT MEETING**

The next meeting was scheduled to be held on 11 November 2020, following the Pension Fund Committee and Pension Board joint meeting.

DECISION

NOTED.

The meeting concluded at 12.20 pm

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SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTES of Meeting of the AUDIT AND
SCRUTINY COMMITTEE held via Microsoft
Teams on Monday, 28 September 2020 at
10.15 am

Present:- Councillors S. Bell (Chairman), H. Anderson, J. A. Fullarton, J. Greenwell,
N. Richards, H. Scott, S. Scott, E. Thornton-Nicol; Ms H. Barnett and
Mr M. Middlemiss.

Apology:- Councillor E. Robson.

In Attendance:- Chief Financial Officer, Chief Officer Audit and Risk, Clerk to the Council,
Democratic Services Officer (F. Henderson); Mr A. Haseeb and Mr G.
Samson – Audit Scotland

CHAIRMAN

The Chairman opened the meeting and welcomed Members of the Audit and Scrutiny Committee and members of the public to the Scottish Borders Council's open on-line meeting. The meeting was being held remotely in order to adhere to guidance on public meetings and social distancing currently in place, due to the COVID-19 pandemic.

1. WELCOME AND INTRODUCTIONS

The Chairman welcomed Councillor Greenwell to his first meeting since being appointed to the Committee.

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.

3. MINUTE.

There had been circulated copies of the Minute of 23 June 2020.

DECISION

APPROVED for signature by the Chairman.

4. ACTION TRACKER

There had been circulated copies of the Action Tracker for the Audit and Scrutiny Committee. The Chief Officer, Audit & Risk, advised that there were a number of completed Actions which were due to be removed from the tracker. There would be a presentation later in the Agenda on the Best Value Action Plan with further updates on progress made at the November meeting. Ms Stacey further advised that following today's meeting the action tracker would be updated.

DECISION

NOTED the Action Tracker.

AUDIT BUSINESS

5. RISK MANAGEMENT IN SERVICES

- 5.1 The Service Director, Customer and Communities, Mrs Jenni Craig, joined the meeting and gave a presentation to the Committee on the strategic risks facing the various services within Customer and Communities and also the corporate risks she managed on

behalf of the Council's Corporate Management Team. These corporate risks included short-term savings, the Community Planning Partnership, and Stakeholder Engagement, and Mrs Craig explained the internal controls and governance in place to manage and mitigate those risks. Details were then given of the Risk registers for each service within Customer & Communities, which were developed and were owned by Service Managers, within each service, with a note of their last review (backlog due to Covid-19 impact). Risks were regularly reviewed by the Services Management Team and when necessary, were escalated to Corporate Management Team (CMT).

- 5.2 Members then asked a number of questions with regard to risks and their mitigations. Business continuity plans were in place for all key services and some of these would be about disaster recovery around IT systems, with either alternative systems in place or manual, paper systems. These plans were regularly refreshed and were due for a further refresh around Covid. Reference was made to the Audit Scotland report on the Overview of Local Government in Scotland 2020, which was due to be considered later at the meeting, and the increasing role of planners who should be taking a more pro-active role in community planning for place-centred design. Mrs Craig undertook to bring that aspect for consideration as part of the FF24 review of the Community Engagement Team, Community Learning & Development, and community capacity development. With regard to resources, Mrs Craig explained that there had been concerns around the capacity of one of the teams but this was being addressed through development of staff and recruitment. When a risk was identified in one area, resource could be moved from another area, which was all part of corporate working. It was necessary to keep an eye on corporate skills or knowledge skills to ensure there was sufficient resource. In terms of succession planning, a great deal of work had gone into people planning over the last few years and that continued. The people plan aligned with the financial plan and the business plan, and managers worked on these alongside the HR and Finance Business Partners to identify trends e.g. aging workforce, change of skills, level of customer expectation, etc. and try to adapt and pre-empt where possible.
- 5.3 In response to a question about Citizen Space, Mrs Craig explained that Citizen Space was a digital tool used for consultation and feedback. It had been used following the fire in Peebles and also to get feedback from customers, parents, users of services, and users of Covid services. It was user friendly and could be used in a wide context. While there was capacity for wider use, care had to be taken around scheduling, as analysis of responses took some time. In terms of service management at the moment during Covid, Mrs Craig advised that the Council had stood up a Response & Recovery Board which met twice per week. Assessments had been made of every Council service including a RAG status update for emerging risks and these were considered regularly by the Board. In response to questions about how the Council was engaging with the 25-35% of people not connecting digitally, Mrs Craig explained that this was one area that needed further consideration as services changed and the digital offering also changed. There was a need to look at the future model and how to deliver to those people who could not or chose not to engage digitally. National work was also underway on that and the Council was supporting some people who did not have access to digital services. Mrs Stacey confirmed that an officer was currently reviewing corporate risks and these would be prioritised. Information was being captured throughout the Covid-19 emergency for future use and the Corporate Risk Officer post was also out for recruitment so it was hoped to have enhanced resources soon.

DECISION

NOTED the presentation on Customer & Communities risk management and that further information on Citizen Space would be issued to Elected Members.

6. BEST VALUE AUDIT ACTION PLAN

- 6.1 With reference to paragraph 2.2(b) of the Minute of 9 March 2020, Jason McDonald (Senior Manager - Business Strategy and Resources), joined the meeting to give a presentation to the Committee on progress with the Best Value (BV) Audit Action Plan.

Mr McDonald explained the approach and steps that had been taken since the BV Implementation Plan had been agreed by Council on 19 December 2019. Mr McDonald went on to advise that there were 40 actions, with 9 actions already complete (23%); while many of the action had been delayed due to Covid19, 7 of them had been unable to progress as a direct impact of SBC's response to Covid-19. Details were then given of all 40 actions in terms of timescales, lead officer, % completion and update notes.

- 6.2 The Chairman commented that the detail of progress had been reassuring but it would be helpful to have such information in advance of the meeting to give Members the opportunity to understand and consider what questions they may wish to ask. It had been useful to see the total of actions but for the quarterly reviews going forward, the focus would be on exceptions rather than all actions. In response to a number of questions, the Executive Director, Finance & Regulatory, explained that the plan for Corporate Management Team (CMT) to move round the Borders meeting various staff groups had been agreed prior to Covid19 and that was being revised. It would not be practicable for the Chief Executive to meet every Councillor individually on a regular basis but meetings could always be put in the diary as necessary and meetings with political groups would continue. While there had been a previous suggestion to explore further closer working between IJB, SBC and NHS Borders that had not met with universal approval. However, management teams did meet on a regular basis to consider areas where organisations could work together. CMT continued to look at challenges and opportunities for participatory budgeting and empowering communities. Self-evaluation was a useful tool to allow the organisation to understand its strengths and weaknesses and the Council was involved in a range of benchmarking opportunities, including making extensive use of the information in the Local Government Benchmarking Framework.

DECISION

NOTED the update on progress with actions on the Best Value Audit Plan.

7.0 ANNUAL TREASURY MANAGEMENT REPORT 2019/20

- 7.1 With reference to paragraph 3 of the Minute of 23 September 2019, there had been circulated copies of a report by the Executive Director, Finance & Regulatory, presenting the Annual Report of treasury management activities undertaken during the 2019/2020 financial year. The report was presented to Audit and Scrutiny Committee for review as part of their scrutiny role in relation to treasury management activities in the Council. The CIPFA Code of Practice on Treasury Management in the Public Services (the Code) required an annual report on treasury management to be submitted to Council following the end of each financial year. The report highlighted the Council's treasury activity in the year ended 31 March 2020 and the performance of the Treasury function. Appendix 1 to the report comprised the Annual Report of treasury management activities for 2019/2020 and contained an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. All of the performance comparisons reported upon were based on the revised indicators agreed as part of the mid-year report approved on 25 November 2019.

- 7.2 The Appendix to the report also showed the Council's borrowing requirement to fund the capital investment undertaken during 2019/20; how much the Council actually borrowed against the sums budgeted; and the level of external debt carried on the Council's balance sheet within approved limits. The Council had, whenever possible, deferred borrowing and used surplus cash rather than undertaking new borrowing. However, the Council had undertaken long-term borrowing of £7.5m during the year, due to the cashflow of the capital programme. Treasury management activity had been undertaken in compliance with approved policy and the Code and the Council remained under-borrowed against its Capital Financing Requirement (CFR) as at 31 March 2020. The report was fully discussed and in response to questions, the Pensions and Investments Manager, Mrs Robb, confirmed that the Debt Management Office, which was part of HM Treasury, had recently introduced negative interest rates for short-term deposits and the Council was continuing to monitor the situation. A report would be brought to the next

Audit & Scrutiny Committee with an interim update on treasury management activities in the first 6 months of the current financial year.

DECISION

NOTED that treasury management activity in the year to 31 March 2020 had been carried out in compliance with the approved Treasury Management Strategy and Policy as detailed in the report and in Appendix 1 to the report.

8. **EXTERNAL AUDIT ANNUAL REPORT 2019/20 FOR SCOTTISH BORDERS COUNCIL PENSION FUND**

The report in respect of this item was deferred until the next meeting.

DECISION

NOTED.

9. **EXTERNAL AUDIT ANNUAL REPORT 2019/20 AND THE AUDITED REPORT AND ACCOUNTS 2019/20 FOR SCOTTISH BORDERS COUNCIL PENSION FUND**

The report in respect of this item was deferred until the next meeting.

DECISION

NOTED.

10. **INTERNAL AUDIT WORK TO AUGUST 2020**

With reference to paragraph 2 of the Minute of 23 June 2020, 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 and the recommended audit actions agreed by Management to improve internal controls and governance arrangements. The work Internal Audit had carried out during the period 1 April to 31 August 2020 associated with the delivery of the approved Internal Audit Annual Plan 2020/21 was detailed in the report. Two final Internal Audit reports had been issued, with 0 recommendations made associated with either of these reports. An Executive Summary of the final Internal Audit reports issued, including audit objective, findings, good practice, recommendations (where appropriate) 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 Appendix 1 to the report. Ms Stacey summarised the findings in the report relating to the two final reports. The Internal Audit Assurance work in progress to complete the delivery of the Internal Audit Annual Plan 2020/21 was highlighted and included additional work in respect of Business Support Grants and planned work on Benefits Assessment – Scottish Welfare Fund. Mrs Stacey referred to Appendix 2 to the report, that outlined the work of the Chief Auditors' national forum SLACIAG and, in response, the Committee agreed to a further recommendation to acknowledge the benefits.

DECISION:

(a) NOTED:-

- (i) the final assurance reports issued in the period from 1 April to 31 August 2020 associated with the delivery of the approved Internal Audit Annual Plan 2020/21; and**
- (ii) the Internal Audit Assurance Work in Progress and Internal Audit Consultancy and Other Work carried out in accordance with the approved Internal Audit Charter.**

(b) ACKNOWLEDGED:-

- (i) **the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work; and**
- (ii) **the benefits to the Scottish Borders Council Internal Audit function arising from its participation in the Chief Auditors' national forum (SLACIAG).**

11. **LOCAL GOVERNMENT IN SCOTLAND OVERVIEW 2020**

There had been circulated copies of the Local Government in Scotland Overview 2020 prepared by Audit Scotland. The Chief Officer Audit & Risk presented the report which had been prepared prior to Covid19. There was a supplement to the report on Audit Scotland's website that contained a checklist for Councillors to use. The report detailed the challenging and complex landscape in which local government and its partners were operating and the need to plan for and implement changes to allow them to meet the needs and improve the outcomes of communities in an increasingly challenging context. The Chairman commented on the Council's relationships with its Community Planning Partners and whether the structure in the Borders compared to those in other local authority areas was the best one to have, including the nature of participation. Mrs Craig confirmed that a number of reviews were underway around the support resources in Community Planning and the Communities & Participation Manager met with other local authority Community Planning lead officers and would be looking to see what worked elsewhere and if that could be replicated in the Borders. Mr Robertson confirmed that the report would be brought to the attention of CMT to consider key messages and actions.

**DECISION
NOTED.**

12. **AUDIT SCOTLAND COUNTER FRAUD REPORTS**

There had been circulated copies of a report by the Chief Officer Audit and Risk which was presented to make the Committee aware of recently published Counter Fraud reports by Audit Scotland and Management Actions required in response for improvement and assurance purposes. The report explained that having robust fraud prevention and investigation arrangements in place contributed to safeguarding the Council's financial resources, for delivery of services, as part of protecting the public purse. A focus on prevention and detection and promotion of anti-fraud culture across the Council, taking account of reducing resources, was associated with the Counter Fraud Strategy endorsed by the Committee and approved by the Council in 2018. The Corporate Fraud Steering Group (Integrity Group) was a forum which had representatives from across the Council's Services to support Management to fulfil their responsibilities in tackling fraud. Its purpose was to improve the Council's resilience to fraud, corruption, theft and crime. One way it could achieve that was by assessing the Council's arrangements against best practice and agreeing any appropriate actions to continuously improve the arrangements in place. Part of the Audit and Scrutiny Committee's role was to oversee the framework of internal financial control including the assessment of fraud risks and to monitor counter fraud strategy, actions and resources. In response to a question about the influx of counterfeit goods, Ms Stacey explained that Trading Standards was represented on the Organised Crime Group. In response to a question about timescales, Ms Stacey advised that the Integrity Group was due to meet on 20 October 2020 when actions would be assigned to individual members of the Group, and a provisional report could come back either in November or by February 2021 at the latest.

**DECISION
AGREED to:-**

- (a) **acknowledge the Audit Scotland counter fraud reports published in recent months;**

- (b) request that the Corporate Fraud Steering Group (Integrity Group) of officers consider all three reports as part of their counter fraud role and responsibilities; and
- (c) request that the Corporate Fraud Steering Group (Integrity Group) carry out an assessment of counter fraud controls associated with the covid-19-emerging-fraud-risks and report back to the Committee on findings and necessary actions at the earliest opportunity.

SCRUTINY BUSINESS

13. SCRUTINY WORK PROGRAMME

With reference to paragraph 10 of the Minute of 23 June 2020, there had been circulated copies of the items on the Scrutiny Work Programme. The Committee considered the list of reviews and confirmed that a Scrutiny hearing on the Welfare Fund would be held at their October 2020 meeting. The Chairman proposed that Child Poverty; Balance between 20mph speed limits and street architecture; and Grass Cutting Regime & the Effectiveness of Biodiversity plans be taken forward at early meetings. The Committee was content with the Chairman's suggestion and Councillor H. Scott requested that the Common Ridings and Festivals In-kind support information briefing be scheduled into the programme prior to April 2021. Councillor Anderson requested that the Child Poverty hearing be scheduled in November 2020. The Clerk to the Council agreed to check Officer availability and report back to the next meeting.

DECISION

AGREED that the Clerk to the Council would report back to the next meeting with dates for Scrutiny hearings.

14. COUNCIL FUNDED POLICE COMMUNITY ACTION TEAM

- 14.1 There had been circulated copies of a report by the Chief Social Work and Public Protection Officer which provided an overview and summary of activity undertaken by the Police Scotland Community Action Team (CAT) since its formation in 2018/19. Chief Inspector Stuart Reid of Police Scotland joined the meeting. The report explained that in the financial year 2018/19 a sergeant and six constables came together to form the initial CAT. These officers funded by SBC were in addition to the Scottish Borders authorised policing establishment. For the purposes of oversight and scrutiny, a Member/Officer Oversight Group was established; this was cross party and representative of localities. Meetings were held monthly, CAT activity in the previous month was scrutinised and tasks for the upcoming month were agreed. In 2019/20 a second CAT was established taking the complement to two sergeants and twelve constables. This increase in police officers was incremental over several months. The initial commitment with Police Scotland for both teams was for three years up to the end of 2020/21.
- 14.2 Mr Jones, Safer Communities & Community Justice Manager, explained that the CAT was now part way through the third year of the 3yr funded programme. Each month the Oversight Group considered information which had been put forward by the partnership analyst, Elected Members, and Police Scotland that constituted identified or emerging problems/risks in the Scottish Borders and specifically those that could benefit from focused Police attention to address the issues raised. Following detailed consideration of each proposal, if deemed appropriate, it became a specific tasking activity for the CAT with any proposals not accepted directed towards an alternative policing or Council response. To ensure the CAT activity was effectively monitored there were a number of mechanisms in place to ensure the work of the CAT was visible not only to Elected Members and Council officers but also to the wider community within Scottish Borders. All tasking proposed for the CAT, regardless of the source of the report, was logged and any action agreed to address the proposed problem was documented. Not all tasks were

appropriate for the CAT so where tasking was directed away from the CAT a record was maintained. The logging of all proposed tasking and clarity where the responsibility lay for addressing issues allowed for effective tracking of the CAT and other disposal options when dealing with community issues. The report detailed the background to the formation of the CAT, the key successes in terms of drug searches and seizures, youth issue resolution, parking tickets and initiatives.

- 14.3 Councillor Harry Scott thanked Mr Jones for his presentation and suggested it would be helpful for the CAT quarterly reports to coincide with meetings of the Police, Fire & Rescue and Safer Communities Board. Councillor Scott then raised concerns that Police Officers no longer attended Community Council meetings and requested that CAT Officers attend in order to strengthen their links within communities. In response, Chief Inspector Reid advised that he was happy for CAT officers to attend but Police Scotland was unable to use Zoom for remote meetings due to security issues, although officers could use Microsoft Teams. Mr Robertson added that the Council was looking at how to allow access to Zoom for Elected Members to attend remote Community Council meetings. Councillor Anderson referred to very good results on youth resolution and also whether the figures on drug seizures related purely to work by the CATs or included wider Police Scotland activity. Chief Inspector Reid confirmed that the figures in the report related to the work of the CATs. Since the inception of the CAT, drug recovery was touching on almost £2m.
- 14.4 Councillor Harry Scott went onto to request that the Member/Officer CAT Oversight Group be included in the Scheme of Administration as a formal committee of Council, as in his opinion there was no adequate means of scrutinising the work undertaken and openness and accountability was required and that terms of reference be drawn up for the CAT. Ms Wilkinson, the Clerk to the Council, explained the implications of adding the Oversight Group to the Scheme of Administration in terms of public reporting and confidentiality and discussions with Police Scotland were required. Members of the Committee discussed the merits and issues of bringing the Oversight Group into the Scheme of Administration and requested further details from the Clerk to the Council for the next meeting before reaching a decision.

DECISION

AGREED to receive a report from the Clerk to the Council at the next meeting on the options and implications of including the Member/Officer Strategic Oversight Group into the Scheme of Administration to allow for discussions with Police Scotland.

15. DIGITAL TRANSFORMATION SAVINGS

With reference to paragraph 5 of the Minute of 18 April 2019, there had been circulated copies of a report by the Executive Director, Finance & Regulatory, which updated the Committee on the delivery of planned digital transformation savings included within the Council's Financial Plan from 2016/17. The key message on 18 April 2019 was that savings of £1.514m had been delivered between 2016/17 and 2018/19 against a target of £3.304m. Projected digital transformation savings in 2019/20 were highlighted as a further contribution towards the target with the commitment that savings would be delivered in full but over a longer time-frame. Following finalisation of the 2019/20 outturn position and the first quarter's monitoring position for 2020/21, it was reported that savings of £3.313m were forecast to be delivered against the targeted savings of £3.304m by the end of 2020/21.

DECISION

NOTED:-

- (a) the digital transformation savings delivered from 2016/17 to date; and**

- (b) the Corporate Management Team's (CMT) intention to deliver further financial plan savings through the Fit for 2024 programme, enabled by digital transformation.**

The meeting concluded at 1.45 p.m.

SCOTTISH BORDERS COUNCIL LAUDER COMMON GOOD FUND SUB-COMMITTEE

MINUTE of Meeting of the LAUDER
COMMON GOOD FUND SUB-COMMITTEE
held remotely via Microsoft Teams on
Tuesday, 29 September 2020 at 10.00 a.m.

Present:- Councillors D. Parker (Chairman), T. Miers, Community Councillor A. Smith
In Attendance:- Pension & Investment Manager, Principal Solicitor (H. MacLeod), Estates Surveyor (J. Stewart), Democratic Services Team Leader.

1. **MINUTE**

There had been circulated copies of the Minutes of the meeting held on 19 February 2020.

DECISION

NOTED the Minutes for signature by the Chairman.

2. **FINANCIAL MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2020**

There had been circulated copies of a report by the Executive Director Finance & Regulatory detailing income and expenditure for the Lauder Common Good Fund for the twelve months to 31 March 2020, including balance sheet values as at 31 March 2020 and proposed budget for 2020/21. The Pensions & Investment Manager highlighted the main points of the report and appendices. Appendix 1 to the report provided actual income and expenditure position for 2019/20. This showed a deficit for the year of £7,339. Appendix 2 to the report provided balance sheet values as at 31 March 2020. This showed an increase in reserves of £265,568 due to the revaluation of properties offset slightly by unrealised loss on the Aegon Asset Management (formerly Kames Capital) Investment Fund. Appendix 3 provided a breakdown of the property portfolio which showed the effect of the revaluation. Appendix 4 detailed the value of the funds invested with Aegon Asset Management Investment Fund to 31 March 2020.

DECISION

AGREED:-

- (a) to note the actual income and expenditure for 2019/20 in Appendix 1 to the report;
- (b) the proposed budget for 2020/21 as shown in Appendix 1 to the report;
- (c) to note the final balance sheet value as at 31 March 2020 in Appendix 2 to the report;
- (d) to note the summary of the property portfolio in Appendix 3 to the report; and
- (e) to note the current position of the investment in the Aegon Asset Management Investment Fund in Appendix 4 to the report.

3. **FINANCIAL MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2020**

There had been circulated copies of a report by the Executive Director Finance & Regulatory, providing the details of the income and expenditure for the Lauder Common Good Fund for the three months to 30 June 2020, a full year projected out-turn for

2020/21, and projected balance sheet values as at 31 March 2021. Appendix 1 provided the projected income and expenditure position for 2020/21. This showed a projected deficit of £4,034 for the year. Appendix 2 provided a projected balance sheet as at 31 March 2021 which showed a projected decrease in reserves of £30,367. Appendix 3 provided a breakdown of the property portfolio showing projected rental income for 2020/21 and actual property expenditure to 30 June 2020. Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 30 June 2020. The Pensions and Investments Manager advised that a slight increase in the income from Aegon was expected. In response to a question from the Chairman, Mrs Robb advised that the grants budget was set using a 3 year average but there was sufficient funds in the reserve to meet a higher level of grants if required.

DECISION

NOTED the:-

- (a) projected income and expenditure for 2020/21 in Appendix 1 to the report;**
- (b) projected balance sheet value as at 31 March 2021 in Appendix 2 to the report;**
- (c) summary of the property portfolio in Appendix 3 to the report; and**
- (d) current position of the Aegon Asset Management Investment Fund in Appendix 4 to the report.**

4. APPLICATION FOR FINANCIAL ASSISTANCE

There had been circulated copies of an application for financial assistance from Lauder Christmas Light Festival seeking a contribution of £15,000 towards the purchase new Christmas lights to be suspended from lighting columns and the Town Hall. Mr. Smith declared an interest in the application as a member of the Christmas Lights Festival Committee and took no part in the decision making. However, at the request of the Chairman he did provide background information regarding how funds were normally raised and the impact of Covid-19 on fund raising activities. Members discussed the application and noted that no funding request had been received from the group for over 15 years. The Chairman commented on other possible funding requests which might come forward during the remainder of the financial year. Members agreed that in light of the problems faced by the group during current Covid-19 situation and that this was a long term investment that the full amount of the grant requested be awarded.

DECISION

AGREED that a sum of £15,000 be granted to Lauder Christmas Lights Festival.

5. PROPERTY

The Estates Surveyor, Ms Stewart raised a number of property items as follows:-

- (a)** A number of fences on the land leased by the Lauderhill Sheep Company required replacement due to damage. The total cost to the Common Good was £1,365 plus VAT. The Common Good were responsible for 50% of the costs of repair shared with the Lauderhill Sheep Company or 25% of the costs where there was a neighbouring boundary.
- (b)** The Lauderhill Sheep Company has requested a discussions regarding sheep handling facilities and Ms Stewart would arrange a meeting with them to discuss and report back to a future meeting of the Sub-Committee.
- (c)** The Estates Manager was considering a proposal for a cycling track on land leased by the Lauderhill Sheep Company and was about to enter into discussions with them. If this was agreed it would result in a small rent reduction and the outcome would be reported back to the Sub-Committee.

- (d) It was understood that the Annual Sheep Dog Trails would still be held in November on Common Good land with the permission of the Lauderhill Sheep Company and the Council. However, the Council would check that these were Covid compliant before they would be allowed to proceed.
- (e) The British Ornithological Society had requested permission to tag grouse on Lauder Common and this had been cleared with the Lauderhill Sheep Company.
- (f) With reference to paragraph 5.1 of the Minute of 19 February 2020, Ms Stewart advised that as part of the Lauder Burn woodland planting scheme the required fencing of the burn would proceed shortly with planting in December/January. As previously agreed it is necessary to provide solar water pumps once the burn is fenced off. The Penmanshiel Grant would fund one solar pump and the Sub-Committee were asked to agree to fund the second at a cost of £1,500 plus VAT. The type of fence running along the burn had been agreed with the tenant of Calfward Park. It had also been agreed that the Calfward Park grazing would be split into two parts to allow grazing over the whole year. The cost of this fencing would be approximately £750 plus VAT which would be funded by the Lauder Common Good. With regard to the lease of the grazings known as Refuse Tips 1 and 2, Ms Stewart was to meet with the potential tenant next week to discuss the lease and improvements to the land. A report on the outcome would be provided to a future meeting of the Sub-Committee.
- (g) With reference to paragraph 5.2 of the Minute of 19 February 2020, Ms Stewart advised that the report on the condition of the poplar trees had recommended that up to 14 are to be removed. However, before this work could be done a bat survey was required at an approximate cost of £750 plus VAT. Once this had been completed a felling / tree works pruning plan would be drawn up and quotations and recommendations would be brought back to the Sub-Committee.
- (h) Ms Stewart advised that Scottish Power had notified that they intended to carry out works off the Muircleuch Road. The first works would be carried out in November with further upgrading works in February next year. Although they had powers to carry out these works it was necessary to protect the position of the Common Good Fund to ensure proper reinstatement works so a wayleave would be entered into.

Members discussed the funding of the works detailed at (a), (f) and (g) above and in response to a question on budget, Mrs Robb advised that the Common Good Fund did have a responsibility to maintain its assets and budgeted for property costs although grant funding was always sought where possible.

DECISION

- (a) **AGREED** that to approve the expenditure detailed at (a), (f) and (g) above.
- (b) **NOTED** the other items and that further reports would be provided where appropriate.

6. PRIVATE BUSINESS

DECISION

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

SUMMARY OF PRIVATE BUSINESS

7. **LAUDER COMMON WOODLAND PLANTING SCHEME**

Members approved a report by the Service Director Assets and Infrastructure to carry out a formal public consultation on a proposed woodland planting scheme on Lauder Common.

The meeting concluded at 11.00 a.m.

SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of Meeting of the PLANNING AND
BUILDING STANDARDS COMMITTEE held
by Microsoft Teams on Monday, 5 October
2020 at 10.00 am

Present:- Councillors S Mountford (Chairman), A. Anderson, J. Fullarton, S. Hamilton, H. Laing, D. Moffat, C. Ramage, N. Richards.

Apologies:- Councillor E. Small.

In Attendance:- Planning & Development Standards Manager, Lead Planning Officer (B.Fotheringham), Lead Planning Officer (C. Miller), Lead Roads Planning Officer, Solicitor (Fraser Rankine), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1.0 MINUTE

There had been circulated copies of the Minute of the Meeting held on 7 September 2020.

DECISION

APPROVED for signature by the Chairman.

2.0 APPLICATIONS

There had been circulated copies of reports by the Chief Planning and Housing Officer on applications for planning permission requiring consideration by the Committee.

DECISION

DEALT with the applications as detailed in Appendix I to this Minute.

3.0 APPEALS AND REVIEWS

There had been circulated copies of a briefing note by the Chief Planning Officer on Appeals to the Scottish Ministers and Local Reviews.

DECISION

NOTED that:-

- (a) the Reporter had upheld the enforcement notice, but had varied the terms of the notice and allow a period of 6 months for the requisite work to be carried out due to the current Covid-19 pandemic in respect of the Erection of structure on Land West of 1 Linthaugh Farm Cottage, Jedburgh.
- (b) there remained 2 appeals outstanding in respect of :-
 - Land North of Carcant Lodge, Wull Muir Wind Farm, Heriot;
 - Land North West of Willowdean House, Foulden
- (c) a Review request had been received in respect of the erection of two dwellinghouses on Paddock North of Station House, Cowdenburn – 20/00714/PPP

- (d) the decision of the Appointed Officer had been overturned in respect of:-
- (i) **Erection of 15 No huts with associated access and car parking on Land East of Wester Deans, West Linton – 19/01256/FUL;**
 - (ii) **siting of 3 No glamping pods and associated works on Land South West of Stouslie Farmhouse, Hawick – 20/00343/FUL**
- (e) there remained three reviews previously reported on which decisions were still awaited when the report was prepared on 24 September 2020.

Garden Ground of 7 Heriot House, Heriot	Garden Ground of Clifton Cottage, High Street, Kirk Yetholm
Land North West of Strathmyre, Old Belses, Jedburgh	

- (f) There remained 3 S36 PLI's previously reported on which decisions were still awaited when the report was prepared on 24th September 2020 and related to sites at:

• Fallago Rig 1, Longformacus	• Fallago Rig 2, Longformacus
• Crystal Rigg Wind Farm, Cranshaws, Duns	•

The meeting concluded at 1.30 p.m.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00331/FUL	Demolition of existing building and erection of 14 No residential apartments and associated parking	Main Building West Grove Waverley Road Melrose

Decision: Approved subject to a legal agreement addressing contributions towards Borders railway and affordable housing and ensuring that an over 55s occupancy clause is written into the deeds and education and play contributions are only secured should the apartments be occupied by any persons under 55 years old, 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 Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. No development shall take place until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
3. A sample of all materials/colour finishes to be used on all exterior surfaces of the development hereby approved (walls, roofs, windows, doors) shall be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved samples.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting and to the character of the Conservation Area.
4. A sample of the stone for the boundary walls to be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved sample.
Reason: To safeguard visual amenities.
5. Detailed drawings showing the elevations of the coursed rubble boundary walls, bin store (including gates) and railings (including colour finish) be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved details and the bin store to be fully operational before the first apartment is occupied.
Reason: To safeguard visual amenities.

6. Details of the surfacing materials for the pedestrian access zones to be submitted to and approved in writing by the Planning Authority before the development commences. Thereafter, pedestrian access zones to be constructed as per the approved details before the first apartment is occupied.
Reason: To ensure safe access by pedestrians and to safeguard the visual amenities of the area.
7. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):
 - a) indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
 - b) location of new trees, shrubs, hedges and grassed areas
 - c) schedule of plants to comprise species, plant sizes and proposed numbers/density
 - d) programme for completion and subsequent maintenance.Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
8. The finished floor levels of the building hereby approved shall be consistent with those indicated on a scheme of details which shall first have been submitted to and approved in writing by the Planning Authority before the development commences. Such details shall indicate the existing and proposed levels throughout the application site and shall be measurable from a fixed off-site datum point in a location clearly indicated in the scheme of details so approved.
Reason: To ensure that the proposed development does not have an adverse effect upon the amenity currently enjoyed by adjoining occupiers.
9. No drainage system other than the public mains sewer shall be used to service the development hereby approved without the written consent of the Planning Authority. Prior to occupation of the first apartment hereby approved, written evidence shall be submitted to and approved in writing by the Planning Authority that the apartments have been connected to the public water drainage network.
Reason: To ensure that the development does not have a detrimental effect on public health.
10. No development shall commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the first apartment, written confirmation shall be submitted to and approved in writing by the Planning Authority that the development has been connected to the public mains water supply. No water supply other than the public mains shall be used to supply the development without the written agreement of the Planning Authority.
Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.
11. The construction details (including surfacing material and drainage) for the parking area and details of how the parking spaces are to be demarcated on-site for residents and visitors shall be submitted to and approved in writing by the Planning Authority before the development commences. Thereafter the car parking area shall be constructed and the spaces demarcated as per the approved details before the first apartment is occupied and retained as such thereafter.
Reason: To ensure the parking is fit for the purpose of the development hereby approved.
12. The cycle storage areas shown on the drawings hereby approved shall be installed and fully operational before the first apartment is occupied. The cycle storage areas shall be retained in perpetuity thereafter.
Reason: To ensure cycle parking is incorporated within the development, as per "Cycling by Design by Transport Scotland" standards.

13. The 1800mm high beech hedge shown on the site plan (9357.3.04 Rev F) hereby approved shall be reduced in length by 3m from the vehicular exit of the site onto Tweedmount Road.
Reason: To ensure the exit from the development hereby approved on to the existing public road is safe and fit for purpose.
14. Details of the heating system(s) to be installed in the building hereby approved shall first be submitted to and approved in writing by the Planning Authority before the development commences. The heating system shall be installed in accordance with the approved details.
Reason: Further information is required in order to safeguard the residential amenity of existing and proposed properties.
15. Any noise emitted by equipment, plant and machinery used within the building not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any equipment, 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 protect the residential amenity of nearby properties.

Informatives

1. The Council's Archaeology Officer encourages a basic recording exercise of the existing buildings, with internal and external photos, to be carried out before demolition. Given the conversion to offices took place many years ago, it is unlikely that any original internal features remain but elements may be revealed during the demolition works. He would be pleased to add any records to our HER.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00109/FUL	Erection of 2 No distilleries with associated Visitor Centres, bottling hall, maturation Warehousing, office, gatehouse with associated Roads and infrastructure, and change of use of Hotel to form office and staff accommodation Previously approved under consent number 16/00744/FUL	Land North of Former Jedforest Hotel and Jedforest Forest Hotel (now known as Mossburn House)

Decision: Approved subject to the following conditions:

1. No development shall commence until the following details have been submitted to and approved in writing by the Planning Authority;
 - a) A detailed construction programme and projected timetable for implementation of the development, to include proposals for the phasing of the development, including phasing of the landscaping plan, provision of all building and associated infrastructure including access roads, parking and drainage;
 - b) The location, design and layout of any temporary construction compound(s), to include (but not limited to) areas for staff welfare accommodation, areas for storage of construction materials including plant and machinery, etc., the positioning of any static plant as far as practicable from site boundaries, the location orientation, size and height of all site compound buildings to be stationed on the site, (and positioned to act as a sound barrier) and the location and design including height of any barriers to be erected around the site to reduce the level of noise, etc.
 - c) Detailed specifications and/ or samples of all external finishing materials for all buildings to be erected on the site. This shall include the use of dark coloured external materials for the warehouse buildings.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure an acceptable form of development and to mitigate the landscape and visual impact of the development (as recommended in the applicant's submitted ES) in the interests of the landscape and visual appearance and amenity of the development upon the surrounding Special Landscape Area.

2. All landscaping works including tree and shrub planting, hedgerows; grass and hard landscaping features to be undertaken in accordance with the drawings hereby approved. Notwithstanding the following changes;

- a) Changing specification of River birch *Betula nigra* in 'Riverside Trees' since this is not native.
- b) Using cell grown or pot grown stock as opposed to bare root stock.
- c) Further details of hard landscaping features
- d) Further details of Landscape Art Feature

No part of the development shall commence until details have first been submitted to and approved in writing by the Planning Authority including the timescale for undertaking all planting and seeding works which form part of the approved landscaping works together with a programme for the long-term management and maintenance of all landscape areas within the site. This timetable shall be informed by the construction and phasing programme as required by Condition 1 above and include provision for early establishment of all planting following earth works around the site boundary, including the vehicular access. Thereafter, all landscaping shall be provided and implemented in accordance with the approved details.

Reason: Details of the timetable for implementing the proposed/required landscaping arrangements are lacking from the submission and in order to ensure that the approved landscaping works are carried out timeously, including boundary treatments, to ensure the development is screened and absorbed into the landscape and to reduce the landscape and visual amenity impact of the development upon the Special Landscape Area.

3. Any trees, shrubs and seeding/turfing (within a period of 5 years from planting) which are removed or become damaged shall be replaced by the end of the first planting season thereafter with others of similar size, number species and or seeding mix, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure that all approved landscaping works are timeously carried out and properly maintained in a manner which will not adversely affect the character, appearance and amenity of the development and the surrounding areas.

4. Construction works associated with the development, audible at any point on the boundary of any noise sensitive dwelling, shall be permitted between 0700-1900 hours, Monday to Friday and 0700-1600 hours on Saturday only, and at no other times out with these permitted hours. No other construction works shall take place out with these times unless otherwise first agreed in writing with the Planning Authority.

Reason: To minimise the potential disturbance and impact from construction operations occurring within the site upon the amenity of the surrounding area including the nearest noise sensitive properties.

5. No development shall commence until a lighting plan for limited unidirectional lighting has first been submitted to and approved in writing by the Planning Authority. This lighting plan should be designed by a qualified lighting designer in accordance with The Institution of Lighting Engineers; "Guidance Notes for the Reduction of Obtrusive Light". Thereafter development to only be undertaken and lit in accordance with this plan.

Reason: To protect neighbouring residential amenity and protect the rural character and appearance of the surrounding landscape.

6. No development shall take place until the applicant has secured and implemented an approved programme of archaeological work and reporting in accordance with a Written Scheme of Investigation (WSI) outlining an Archaeological Field Evaluation. Development and archaeological investigation shall only proceed in accordance with the WSI.

The requirements of this are:

- a) The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- b) If significant finds, features or deposits are identified by the attending archaeologist(s), all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for verification. The discovery of significant archaeology may result in further developer funded archaeological mitigation as determined by the Council.
- c) Limited intervention of features, or expansion of trenches will only take place if approved by the Council's Archaeology Officer
- d) Initial results shall be submitted to the Planning Authority for approval in the form of a Data Structure Report (DSR) within one month following completion of all on-site archaeological works. These shall also be reported to the National Monuments Record of Scotland (NMRS) and Discovery and Excavation in Scotland (DES) within three months of on-site completion.
- e) Further development work shall not take place until the Planning Authority has determined the potential for further archaeological impacts and, if required, a further requirement for mitigation.
- f) Development should seek to mitigate the loss of significant archaeology through avoidance by design in the first instance according to an approved plan.
- g) If avoidance is not possible, further developer funded mitigation for significant archaeology will be implemented through either an approved and amended WSI, a new WSI to cover substantial excavation, and a Post-Excavation Research Design (PERD).

The results of additional excavations and an appropriately resourced post-excavation research design shall be submitted to the Council for approval within 1 year of the final archaeological works, and published in an appropriate publication within 3 years.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

7. No development shall take place until the applicant has secured and implemented an approved programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Historic Building Survey. This will be formulated by a developer contracted archaeologist(s) and approved in writing by the Planning Authority. Development and archaeological investigation shall only proceed in accordance with the WSI.

The requirements of this are:

- a) The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- b) Historic Building Survey will be in accordance with the ALGAO: Scotland guidance as requested by the Planning Authority.
- c) In accordance with the WSI, access shall be afforded to the nominated archaeologist(s) to allow archaeological investigation, at all reasonable times.
- d) Initial results shall be submitted to the Planning Authority for approval in the form of a Historic Building Survey Report (HBSR) within one month following completion of all on-site archaeological works.
- e) Once approved the site archive and HBSR shall also be reported to the National Monuments Record of Scotland (NMRS) via the OASIS system within three months of on-site completion.
- f) Results will be summarised in Discovery and Excavation in Scotland (DES) within one year of on-site completion.
- g) The results of the DSR will be used by the Council's Archaeologist to make recommendations to the Planning Authority for further archaeological investigations, reporting and dissemination of results as required.

The developer will be expected to fund and implement all further archaeological work.

Reason: To preserve by record a building of historical interest.

8. No development shall commence until a new access to the site has been constructed and the existing access closed off. The new access to the development shall substantially match the new junction which accesses the site as detailed in the drawing (Dwg No EC21062:95:001) submitted by Blyth + Blyth dated 9 May 2016, in support of the application, but excluding the right turn lane. The access shall be constructed in accordance with details that shall first be submitted and approved in writing by the Planning Authority, in consultation with Transport Scotland.
Reason: To ensure that the use of the existing access is discontinued and the safety of traffic on the trunk road is improved; to maintain safety for both the trunk road traffic and the traffic moving to and from the development; to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road; and to ensure that water run-off from the site does not enter the trunk road.
9. No development shall commence until a Traffic Management Plan for construction traffic has first been submitted to and approved in writing by the Planning Authority, in consultation with Transport Scotland.
Reason: To maintain safety for both the trunk road traffic and the traffic moving to and from the development
10. The full junction on the A68(T) as detailed in the drawing dated 9 May 2016 (Dwg No EC21062:95:001), submitted by Blyth + Blyth in support of the application, shall be constructed prior to the occupation of the development hereby approved.
Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished. To maintain safety for both the trunk road traffic and the traffic moving to and from the development. To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road and ensure that water run-off from the site does not enter the trunk road.
11. The gradient of the access road shall not exceed 1 in 40 for a distance of 15 metres from the nearside edge of the trunk road carriageway; the first 15 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.
Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished. To maintain safety for both the trunk road traffic and the traffic moving to and from the development. To ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road and ensure that water run-off from the site does not enter the trunk road.
12. Wheel washing facilities shall be provided within the site.
Reason: To ensure that material from the site is not deposited on the trunk road to the detriment of road safety
13. No development shall commence until a detailed plan identifying the precise location of traffic bollards (Glasdon Admiral bollard or similar) to be erected within the trunk road verge, either side of the proposed access at agreed locations has first been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. Thereafter the development shall be carried out in complete accordance with the approved details before the development is operational.
Reason: To ensure that road safety is improved by highlighting the location of the access.
14. No development shall commence until a Parking Study has first been submitted to and agreed in writing by the Planning Authority in consultation with Transport Scotland. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that sufficient parking spaces are provided within the development.

15. No development shall commence until detailed plans are first submitted to and approved writing by the Planning Authority in consultation with Transport Scotland. The plans shall illustrate the following information;

- a) Pedestrian connections to and from the nearest bus stop on the A68.
- b) Plans to demonstrate replacement of the nearest bus stop on the A68
- c) Plans to demonstrate how the existing access road will be physically stopped up.

Thereafter the development shall be carried out in complete accordance with the approved details before the development hereby approved is operational.

Reason: To ensure sufficient access to the development by sustainable transport methods and in the interests of road safety.

16. Any noise emitted by plant and machinery used on the premises will 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 protect the residential amenity of nearby properties.

17. All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.

Reason: To protect the residential amenity of nearby properties.

18. No development shall commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition.

Reason: To ensure that the development does not have a detrimental effect on public health.

19. Waste arising from the development shall not be disposed of other than in complete accordance with Chapter 2 Section 5.5 of the Environmental Statement, unless he otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the development does not have a detrimental effect on public health.

20. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition;

and thereafter

- a) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- b) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).

- c) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- d) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.
Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.
Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

21. No development shall commence until an Ecological Clerk of Works (ECoW) has been appointed to carry out pre-construction ecological surveys, to inform a Construction Environmental Management Plan and to oversee compliance with the Construction Environment Management Plan (CEMP) and Species Protection Plan, ("the ECoW works"). The terms of the appointment shall be submitted for the approval in writing by the Council, as Planning Authority, in consultation with SEPA and SNH. The terms shall include the requirement to
- a) Impose a duty to monitor compliance with the ecological and hydrological commitments provided in the Environmental Statement and other information lodged in support of the application, the Construction Environmental Management Plan and other plans; and
 - b) Require the ECoW to report to the Company's nominated construction project manager, the Planning Authority, SNH and SEPA any incidences of non-compliance with the ECoW works.
- Reason: To ensure the protection of the Tweed SAC and European protected species.

22. No development shall commence until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The CEMP shall include:
- a) Risk assessment of potentially damaging construction activities
 - b) Identification of biodiversity protection zones
 - c) Method Statements to avoid or reduce impacts during construction, to include the location and timing of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be present on site to oversee works include the use of protective fences, exclusion barriers and warning signs
 - d) A Drainage Management Plan
 - e) A Site Waste Management Plan
 - f) An Accident Management Plan
 - g) Responsible persons and lines of communication
 - h) The role and responsibilities on site of an ecological clerk of works ECoW
 - i) Actual location of outfall and abstraction as identified in the CAR Licence.
- The approved CEMP shall be implemented throughout the construction period and operational phase as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure the protection of the River Tweed SAC and European protected species.

23. No development shall commence until a Species and Habitat Protection Plan including supplementary surveys and measures for Ground Water Dependent Terrestrial Ecosystems (GWDTEs), bats, otter, badger, breeding birds and amphibia as appropriate has been submitted to and approved in writing by the Planning Authority. Any works shall thereafter be carried out in accordance with the approved scheme.
Reason: To ensure the protection of the River Tweed SAC, European protected species and GWDTEs.

24. No development shall commence until a Landscape and Habitat Management Plan, including measures to compensate for habitat loss and enhance existing habitats including through woodland creation and management, conservation management of grassland and wetlands, provision of a scheme of bat and bird boxes, an artificial otter holt and provision of appropriate access and interpretation, has first been submitted to and approved in writing by the Planning Authority. Thereafter no development shall take place except in strict accordance with the approved scheme.
Reason: To ensure the protection of the River Tweed SAC, European Protected species and enhancement of the ecological interest.
25. No development shall commence until a surface water management plan is submitted to and agreed in writing by the Planning Authority in accordance with the recommendations of the flood risk assessment. Thereafter the development shall be carried out in accordance with the approved details.
Reasons: To ensure appropriate management of surface water

Informatives

- 1) Transport Scotland:
The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal. Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation. The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement
- 2) Environmental Health:
Private drainage systems often cause public health problems when no clear responsibility or access rights exists for maintaining the system in a working condition. Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law. To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified. The Applicants should liaise with the Councils Licensing Section to establish whether or not the proposed staff accommodation requires to be licenced as a House in Multiple Occupation.
liquorandlicensing@scotborders.gcsx.gov.uk
- 3) SEPA
The applicants should contact SEPA's local team to discuss their draft Pollution Prevention Plan (PPP) in due course. No construction can commence until a PPP is agreed in accordance with the construction site licence CAR/L/1178951.
- 4) With regards to Condition 14, the Applicant should be advised that the Parking Study is required due to discrepancies within the Visitor Appraisal Study. Parking is based on visitor numbers and car occupancy which is stated as being assumed to be 2.7 people per car but Paragraph 2.7 in the same report states that Department of Transport figures indicate 1.51 people per car. This discrepancy must be resolved and the Parking Study should also include

figures from similar development types to validate the assumed figures in the Transport Statement, based on the Visitor Appraisal Study.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00347/FUL	Erection of poultry building, upgrade of access Junction, formation of access road, and associated works (Shed 5)	Hutton Hall Barns Hutton

DECISION: Refused, contrary to Officer recommendation, for the following reasons:

The proposed development would be contrary to Policy ED7 - Business, Tourism and Leisure Development in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would not respect the amenity and character of the surrounding area. The erection of an additional poultry unit in this location would have an unacceptable adverse cumulative impact on the landscape when viewed in combination with existing poultry units.

The development would be contrary to Policy ED10 - Protection of Prime Quality Agricultural Land and Carbon Rich Soils of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would result in the permanent loss of prime quality agricultural land. The erection of an additional poultry unit in this location would have an unacceptable adverse cumulative impact on this finite resource.

The development would be contrary to Policy EP1 – International Nature Conservation Sites and Protected Species of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would result in an unacceptable adverse cumulative impact on the integrity of local biodiversity. It has not been adequately demonstrated that the erection of an additional poultry unit in this location would not adversely affect the integrity of the site.

Note:

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

VOTE

Councillor Ramage, seconded by Councillor Anderson moved that the application be continued to allow for a site visit.

Councillor Moffat, seconded by Councillor Richards moved as an amendment that the application be determined at the meeting.

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion – 4 votes

Amendment – 4 votes

There being an equality of Votes the Chairman exercised his casting vote in favour of the amendment to determine the application at the meeting..

The Amendment was accordingly carried and Members continued their consideration of the application..

VOTE

Councillor Moffat, seconded by Councillor Richards moved that the application be approved.

Councillor Laing, seconded by Councillor Fullarton moved as an amendments that the application be refused on the grounds that the development was contrary to Policies ED1, EP6, ED10 of the Scottish Borders Local Development Plan 2015 and that the precise wording be delegated to Officers in consultation with the Chairman, Councillors Laing and Fullarton .

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion – 3 votes

Amendment – 5 votes

The amendment was accordingly carried.

Reference

Nature of Development

20/00470/FUL

Erection of poultry building and
Associated works (Shed 6)

Hutton Hall Barns
Hutton

DECISION: Refused, contrary to Officer recommendation, for the following reasons:

The proposed development would be contrary to Policy ED7 - Business, Tourism and Leisure Development in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would not respect the amenity and character of the surrounding area. The erection of an additional poultry unit in this location would have an unacceptable adverse cumulative impact on the landscape when viewed in combination with existing poultry units.

The development would be contrary to Policy ED10 - Protection of Prime Quality Agricultural Land and Carbon Rich Soils of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would result in the permanent loss of prime quality agricultural land. The erection of an additional poultry unit in this location would have an unacceptable adverse cumulative impact on this finite resource.

The development would be contrary to Policy EP1 – International Nature Conservation Sites and Protected Species of the adopted Scottish Borders Local Development Plan 2016 in that the proposed poultry unit would result in an unacceptable adverse cumulative impact on the integrity of local biodiversity. It has not been adequately demonstrated that the erection of an additional poultry unit in this location would not adversely affect the integrity of the site.

VOTE

Councillor Moffat, seconded by Councillor Richards moved that the application be approved.

Councillor Laing, seconded by Councillor Fullarton moved as an amendments that the application be refused on the grounds that the development was contrary to Policies ED1, EP6, ED10 of the Scottish Borders Local Development Plan 2015 and that the precise wording be delegated to Officers in consultation with the Chairman, Councillors Laing and Fullarton .

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion – 3 votes

Amendment – 5 votes

The amendment was accordingly carried.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00390/FUL	Erection of 4 No. poultry buildings together with Associated infrastructure including link corridor, store rooms, egg packing facilities staff facilities, loading bay, installation of 4 No feed bins, underground dirty water containment tank, drainage attenuation pond and formation of new access	Falsidehill Farm Kelso

DECISION Approved subject to the following conditions and informative:

1. No development shall commence until an Operational Management Plan is submitted to, and approved in writing by, the Planning Authority. The Plan to include the methods of operation and management of the use, including ventilation, noise, odour and lighting control and transport. Once approved, the development then to be operated in accordance with the Plan.
Reason: To ensure that the operation of the use has no unacceptable impacts upon the amenity of the surrounding area or neighbouring residential properties, by ensuring that all potential sources of nuisance are appropriately managed and controlled.
2. No development shall commence until a Waste Management Plan is submitted to, and approved in writing by, the Planning Authority. The Plan to include details of the nature and frequency of manure removal from the site, and methods to ensure odour control including the use of sheeted/covered trailers. Once approved, the development then to be operated in accordance with the Plan.
Reason: To ensure that the operation of the use has no unacceptable impacts upon the amenity of neighbouring residential properties that may be on the route of manure removal movements.
3. No development shall commence until a Heavy Goods Vehicle (HGV) Management Plan is submitted to, and approved in writing by the Planning Authority. The Plan to include details of the route, frequency and hours of intended HGV movements and to avoid use of the public road through Hume village. Once approved, the development then to be operated in accordance with the Plan.
Reason: To ensure that heavy vehicle traffic movements associated with the use have no unacceptable impacts upon the amenity of neighbouring residential properties.
4. No development shall commence until:
 - a) details of materials to be used on all exterior surfaces of the development hereby permitted have first been submitted to and approved in writing by the Planning Authority;
 - b) details of the design and siting of external food storage bins/ silos and ventilation chimneys have first been submitted to and approved in writing by the Planning Authority; and
 - c) design proposals for the placement of any photovoltaic panels and security lighting have first been submitted to and approved in writing by the Planning Authority.
 Thereafter, the development shall be undertaken wholly in accordance with the approved details.
Reason: To ensure that the landscape and visual impacts of the development hereby permitted are adequately mitigated.
5. Notwithstanding the details supplied in support of the planning application, including the Planting Plan, no development shall commence until a detailed Landscape and Management Plan has first been submitted to and approved in writing by the Planning Authority. The Plan shall include:
 - a) An updated landscape plan for the development, including revised planting details and species as recommended by the Council Landscape Officer in her email dated 18 August 2020

- b) Retention of the existing stone dyking and hedgerows on the site boundaries with details of the matching stone dyke treatment on the access radii and any boundary fencing and gates
- c) Final details of the width, height and profile of all earth bunding, including an increase in height at the feed silos
- d) A full management and maintenance schedule for the new planting, including the procedure for replacement of any trees or planting that fail to establish.

The approved Landscape and Management Plan shall be implemented in accordance with the approved details before the end of the first planting season following commencement of operation of the development hereby permitted

Reason: To ensure that the landscape and visual impacts of the development hereby permitted are adequately mitigated and that planting is properly implemented and maintained.

6. No development shall commence until precise details of four passing places on the "C" class road between the site and the A6089 are submitted to, and agreed in writing by, the Planning Authority. Once agreed, the passing places to be completed in accordance with the agreed details prior to the use becoming operational, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure adequate access to the site and to protect the public road edge.

7. The vehicular accesses to the site shall be constructed and surfaced to the specification of the Council prior to the development becoming operational, including visibility splays of 2.4m by 215m in both directions and measures to prevent the flow of water onto the public road.

Reason: To ensure adequate access to the site and to protect the public road edge

8. No development shall commence until a scheme of foul and surface water drainage is submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. The scheme to include the following:

- a) Greenfield run-off rates being demonstrated to be limited to their existing rate;
- b) The attenuation pond being installed as proposed and to mitigate against a 1 in 100 plus climate change flood event;
- c) details of the flow control at the attenuation pond; and
- d) Details of any culverts, watercourse crossings or alterations to crossings.

Reason: To safeguard the water environment and ensure the development is adequately serviced

9. No development shall commence until a Species Protection Plan and Biodiversity Enhancement Plan are submitted to, and approved in writing by, the Planning Authority. The Plans to be based upon the species mitigation outlined in the Preliminary Ecological Appraisal. The development then to proceed in accordance with the approved Plans.

Reason: To preserve and protect ecological interests at the site.

Informatives

1. SEPA have provided the following regulatory advice for the development:

- This proposal is below the PPC 2012 Schedule 1 threshold therefore SEPA have no remit in relation to odour or noise. The Enforcing authority is the Local Authority Environmental Health Department. Please also note the points below in relation to regulatory requirements for the applicant.
- Surface water proposals must adhere to General Binding Rule (GBRs) 10, 11 & 21.
- Vehicle Wash areas must adhere to Pollution Prevention Guidelines 13.
- All slurry stores built or substantially altered after 1 September 1991 must adhere to the Silage, Slurry and Agricultural Fuel Oil (Scotland) Regulations 2003 – known as

SSAFO: All slurry and manure storage and spreading must adhere to General Binding Rule (GBR) 18.

- Any abstractions over 10m³ per day must be authorised by SEPA. Please contact your local office for further information.
 - Foul effluent from the offices should be served by an appropriately sized septic tank/treatment plant and soak away (where suitable). An application for registration will be required if under 15pe, otherwise a licence. The system must be designed in accordance with the Building Standard Technical Handbook Section 3 – Environment.
 - All relevant oil storage (domestic storage of more than 2500 litres and all other oil storage of more than 200 litres) must adhere to the Water Environment (Oil Storage) (Scotland) Regulations 2006 (link to SEPA Website Oil Storage Advice).
2. With regards to Condition 6 the passing places should be formed as per SBC approved specification DC-1/DC-1a.
 3. With regards to Condition 7, the specification for the vehicular access to the site shall be a 40mm layer of 14mm size close graded bituminous surface course to BS 4987 laid on a 100mm layer of 28mm size dense base (road base) to the same BS laid on a 310mm layer of 100mm broken stone bottoming blinded with sub-base, type 1.
 4. It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.
 5. With regard to Condition 8, the scheme of drainage should comply with the provisions of the CREW Rural SUDS manual and the advice in Sections 1 and 2 of the SEPA consultation response to the application, dated 11 May 2020.

NOTE

Mr Ian Pick, Agent spoke in support of the Application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
20/00789/S36	Variation to operating life from 25-30 years, increasing tip height from 133.5m to 136.5m and clarification on drawing listed as Annex E on consent	Whitelaw Brae Wind Farm, Fruid Tweedsmuir

That the Council indicate to the Scottish Government that it does not object to the application to increase the height of all turbines by 3m, extend their operating life to 30 years and refer to the original FEI Site Layout as Annex E of the S36 consent, subject to the imposition of the relevant conditions and informative notes of the original consent which remain necessary to adequately control this development, including an adjustment to Condition 15 to include Schedule 1A species.

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held remotely by Microsoft
Teams on Tuesday, 6 October 2020 at 10.00
am

- Present:- Councillors S. Haslam (Chairman), S. Aitchison, G. Edgar, S. Hamilton, E. Jardine, S. Mountford, M. Rowley, G. Turnbull and T. Weatherston
- Apologies:- Councillors C. Hamilton and R. Tatler
- In Attendance:- Executive Director, Corporate Improvement & Economy, Service Director Young People, Engagement & Inclusion, Service Director Assets & Infrastructure, Democratic Services Team Leader, Democratic Services Officer (F. Walling)

EDUCATION BUSINESS

- Present:- Mr I. Topping, Mr G Wilkinson, (Parent Representative), Harry Scott (Pupil Representative)
- Apologies:- Mr T. Davidson, Lindsay Craig, Katie Brookes.

CHAIRMAN

In the absence of Councillor Carol Hamilton (Executive Member for Children and Young People) the meeting was chaired by Councillor Haslam.

1. **APPROVAL OF FINAL DRAFT OF PARTNERSHIP WITH PARENTS FRAMEWORK**
- 1.1 There had been circulated copies of a report by the Service Director, Young People Engagement & Inclusion seeking approval of the final draft of the Partnership with Parents Framework attached as Appendix 1 to the report. It was proposed that the Partnership with Parents Framework would reflect and align with the national guidance and legislation outlined in Learning Together: national action plan on parental involvement, engagement, family learning and learning at home, to provide a clear strategic direction on collaborative practice with parents for all schools and in Scottish Borders Council. The Partnership with Parents Framework sat within the “Achieving Excellence in Learning play #yourpart”, alongside the Inclusion Strategy and the Inclusion Policy presented to Executive Committee in January 2020. Scottish Borders Council had a clear vision and commitment to raise attainment and achievement for all our children and young people. The full participation of parents in learning and school improvement was an essential element in achieving this. With the aid of a slide presentation, the Quality Improvement Officer, Kevin McCall gave members a summary of the Framework which had been developed based on the information gathered during consultation and on national expectations. The Framework supported the work needing to be undertaken by schools by providing an outline of national policies, research evidence and supportive tools to enable delivery and evaluation of impact. This approach would ensure that all parents living in Scottish Borders could experience a clear and consistent approach to involvement in their school and their child’s learning.
- 1.2 Members welcomed the development of the Framework and in the ensuing discussion received answers to their questions. In terms of the results of the 2019 Parental Involvement and Engagement Census, detailed in tables within the report, Mr McCall confirmed that the level of parental engagement did drop off between Primary and

Secondary and there was also a difference between Primary and Secondary in respect of the gender of parental involvement. This would be one of the focus areas for attention. With regard to the red and amber indicators in the Census relating to Learning at Home and Family Learning, Mr McCall confirmed this was a key area of focus within the Framework. However he stressed that the Census had been carried out in 2019, before roll-out of the Inspire Learning programme and before experience gained during the management of education through the Covid-19 pandemic. Within a national context the Local Authority was now well-placed due to the Inspire Learning regime which provided pupils with their individual iPad to facilitate learning whether at home or in school. Mr McCall explained that most barriers for improvement in terms of parental involvement and engagement were demonstrated to be around practical issues, such as childcare, timing, work commitment etc. He provided an example of how such an issue was approached when, at the request of parents and due to the current requirement to hold meetings remotely, the timing of regular Parent Council Chair Forum meetings had been moved from evening to lunchtime. This had resulted in significantly improved attendance. With regard to the challenges for parents to be able to realistically provide assistance with their children's education in the light of significant changes in basic methods of learning, Mr McCall explained that following a dialogue with parents started over 18 months ago, regarding training needs, a series of outreach training sessions had been delivered and these were now continuing on-line. This was a recognised challenge at school level which needed to happen as part of an evaluation to facilitate a collaborative approach with parents. In this respect and to facilitate an equitable approach, there had been a focus on Community Learning and Development in 18 schools which had been identified as having the greatest level of need and where work was required in terms of relationship building with parents, starting with engagement through the early years teams.

DECISION

AGREED to approve the final draft of the Partnership with Parents Framework, attached as Appendix 1 to the report, and to confirm that this could be circulated to all learning establishments in the Scottish Borders.

2. LEARNING ESTATE STRATEGY - SECONDARY SCHOOLS UPDATE

- 2.1 There had been circulated copies of a joint report by the Service Director, Young People Engagement & Inclusion and Service Director, Assets & Infrastructure to provide an update on plans for the replacement of the Secondary School Estate and on the planned submission to Scottish Government seeking funding from Phase 2 of the Learning Estate Investment Programme (LEIP). The report outlined the further adjustment that required to be made to the Capital Investment Strategy to progress with the replacement of Galashiels Academy, while accelerating the replacement of Peebles High School following the significant fire in November 2019. The Service Director, Young People Engagement & Inclusion, Lesley Munro, presented the report which advised that the plan for secondary school replacement sat within a wider strategy, which would make recommendations regarding future work-streams and policies that would be required to deliver the overall Learning Estate Strategic Plan. This strategy would be presented to Scottish Borders Council following further engagements at locality level and feedback from Scottish Government, which was expected to be by the end of the year. In February 2020, adjustments to the Capital Investment Strategy were approved by Scottish Borders Council to progress with the replacement of Galashiels Academy, while accelerating the replacement of Peebles High School, maximising the opportunity to enhance facilities there. In response to Scottish Government's request for a status update, it was proposed that Galashiels Academy and Peebles High School were presented as priority projects. The proposals also aligned with the Fit for 2024 programme which looked to extend the use of schools as community assets. The replacement of outdated inefficient secondary schools in Galashiels and Peebles would also make a substantive contribution to the sustainability and energy efficiency of the wider school estate. Mrs Munro outlined the proposals for both schools which were detailed within the report which also set out the delivery programme and estimated budget details for each. The report went on to look at proposals for Hawick High School in the Capital Plan.

- 2.2 In a discussion of the report Members expressed their enthusiasm and support for the exciting and ambitious programmes at both Galashiels and Peebles. In terms of the proposals in Galashiels for the replacement of the swimming pool and provision of enhanced sports facilities for the town they noted the importance of engagement with sports groups and other stakeholders to ensure there were no missed opportunities in the development project. With regard to timescale for delivery of the programme and whether this could be shortened, the Service Director Assets & Infrastructure, John Curry, emphasised the importance of spending sufficient time in the initial phase of consultation and engagement with the community and stakeholders to ensure that the Council arrived at the best possible brief for this ambitious project. Mr Curry added that the proposals would result in particular solutions which were fit for purpose for each school site. In response to a question from Mr Topping, Mrs Munro confirmed that the Primary School replacement programme would continue and run in parallel with the Secondary School programme. She also responded to a question from pupil representative Harry Scott about the position of Hawick and Selkirk High Schools within the strategy. She explained that some improvement work was being carried out at Selkirk High School, which was fourth in terms of the programme, in particular to create social areas and improved toilet facilities. The delivery of Hawick High School was third in the programme and slightly behind that of Galashiels Academy and Peebles High School. Some refurbishment work had already been carried out at Hawick High School and Mrs Munro said she was happy to consult with a pupil group there about any further particular refurbishment work that may be required in the meantime ahead of the investment in a new build.

DECISION

AGREED:

- (a) **to endorse the submission of an update proposal to Scottish Government seeking approval for funding support towards the replacement of Galashiels Academy and the substantive replacement of Peebles High School;**
- (b) **to note that the requirement for additional upfront capital funding to replace Galashiels and Peebles Secondary Schools would require to be prioritised within the Capital Investment Programme 2020/21; and**
- (c) **that locality engagement would be undertaken on the overall Learning Estate Strategy in preparation for presentation of the full strategy to Scottish Borders Council following cluster engagement and Scottish Government feedback.**

3. STANDARDS AND QUALITY REPORT AND IMPROVEMENT PLAN

- 3.1 There had been circulated copies of a report by the Service Director Young People, Engagement & Inclusion providing information on the progress made by the Education Service and schools during 2019-20 and noting the improvement priorities for session 2020-21. Chief Education Officer, Michelle Strong, explained that The Standards & Quality Report, attached as Appendix A to the report, was an evaluation of academic session 2019-20 and drew on a range of data/information to support its conclusion. This report acknowledged the challenges faced by schools as a result of Covid-19 and the subsequent lockdown but also highlighted a number of successes and achievements across all sectors. The Improvement Plan, Appendix B to the report, was a statement of our objectives for academic session 2020-21. This was a slimmed down plan which took cognisance of the challenges our teachers, families and young people have faced returning to school buildings. It was also important to note the inclusion of Inspire Learning as a key driver for improvement in schools. Ms Strong drew attention to notable achievements recorded in the Standards and Quality Report 2019/20, including: continuation and return to education of young people at Peebles High School following the devastating fire; the provision of 16 childcare hubs from 23rd March to 10th August for children of key workers and some children identified as vulnerable to support the Covid-19

response; the launch of the Inspire Learning Programme, which allowed all learners in our secondary schools to stay connected with learning throughout the period of lockdown; and the opening of the new community campus in Jedburgh. The report and Appendix A set out attainment levels for Broad General Education which were all on track and SQA data. Due to Covid-19 the data for Broad General Education reflected the position in February 2020 rather than June 2020 so comparisons with previous years could not be made. Also, due to a delay in benchmarking toolkit, the normal SQA data could not be presented. A more detailed report would be brought to a future meeting. In terms of Leavers Destinations, 27% went in to employment, which was the highest percentage over a 5 year trend and is above the national figure. The report went on to list Service priorities for the session 2020/21 Improvement Plan which remained consistent to ensure continuous improvement across all sectors.

- 3.2 Members welcomed the report and received answers to their questions. Ms Strong gave further information about the Quarriers Resilience for Wellbeing Service which had continued to develop and support young people in all secondary schools across the Scottish Borders and had offered over 4 thousand sessions within the 2019/20 period. There was a Quarriers Resilience Practitioner in each of the 9 High Schools. During the lockdown Quarriers were flexible in their approach. Support, which was usually provided face to face, was continued by text, phone and Teams meetings. It transpired that some young people preferred to engage in this way. Ms Strong went on to explain how the Health and Wellbeing intervention model had been rolled out to improve confidence and build resilience. Young people who were receiving the service reported increasing levels of wellbeing. In further discussion Members commented on the clear benefits of the Inspire Learning programme in terms of the development of independent learning in addition to the facilitation of equity of access for every child. Reference was also made to the excellent example demonstrated in a local context by the textile department of Hawick High School which had developed a sector leading curriculum partnership with the Centre of Excellence in Textiles and local textile manufacturers.

**DECISION
NOTED:**

- (a) **the Standards and Quality Report 2019/20 attached as Appendix A to the report; and**
- (b) **the Education Improvement Plan 2020/21 attached as Appendix B to the report.**

CHAIRMAN

Councillor Haslam thanked the additional representatives for their attendance for the Education business of the Executive Committee. As she had to leave the meeting Councillor Mountford took over the chair for the remainder of the business.

OTHER BUSINESS

4. **MINUTE**

There had been circulated copies of the Minute of the Meeting of 15 September 2020.

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

5. **WINTER SERVICE PLAN FOR YEAR 2020/21**

- 5.1 With reference to paragraph 2 of the Minute of 20 August 2019, there had been circulated copies of a report by the Service Director Assets & Infrastructure providing a brief review of the performance of Scottish Borders Council's Winter Service during 2019/20 and presenting in Appendix A to the report the Council's Winter Service Plan for 2020/21. The

Network & Infrastructure Manager, Brian Young, explained that the winter of 2019/20 was not particularly significant, continuing a pattern towards slightly warmer and wetter winters. Snowfall was limited to a few occasions while salt usage and the number of precautionary treatments undertaken was very much along average lines. The Winter Service Plan for 2020/21 was similar to the previous 2019/20 Plan in terms of policy, priorities, routes, call out arrangements and resource planning. It further set out the potential impacts of Covid19 and associated contingency planning. Mr Young went on to outline some amendments to the Winter Service Plan for 2020/21. Following the recent change of Trunk Road operating contractor, the Council had been notified that they would not be called upon to provide support in delivering a winter service on the Trunk Road network. At the Executive meeting of August 2019 Members had agreed to several amendments to the Winter Service Plan. However they had requested further information in relation to the arrangements for primary footpaths. A total of 174 km had been identified as the primary footway network that received winter treatment, as included in Appendix B to the report. The footway network was treated currently on a reactive/post treatment basis as conditions, prevailing temperatures and resources dictated. Unlike the roads network, there was no pre-treatment applied to any of the footway network. The arrangements for 2020/21 did not alter this policy but there would be a change in timing in that reactive treatment would be carried out on weekdays only, other than in extreme severe and prolonged circumstances. In terms of contingency planning relating to Covid-19, the potential for staff to be affected and the impact on delivering the service was recognised. A Resilience Plan to incorporate contractors within the Council's resources to enable service continuity was almost in place, with staff and Unions being engaged in discussions around how this may work for this winter. With reference to the financial implications set out in the report, Mr Young drew attention to the target to deliver savings of £150k in 2020/21 from changes to winter operations.

- 5.2 In answers to Members' questions about the Winter Service Plan 2020/21, Mr Young referred to the pressure to achieve savings and explained that by carrying out treatment of footways on weekdays only this avoided stand-up of workforce over the weekend which had often been proved to be unnecessary. In a discussion about particular issues relating to Covid-19 and pressure points within Town Centres in terms of pedestrians and treatment of footways in bad weather, it was noted that the Council was responsible for facilitating the safe passage of pedestrians in town centres but that shop owners would be responsible for safety implications brought about by queuing or gathering outside their premises. Mr Curry advised that the Council should have a pragmatic approach towards this issue and there would be engagement with local communities and businesses.

DECISION

AGREED to:-

- (a) **note the performance of the SBC Winter Service during 2019/20; and**
- (b) **endorse the Winter Service Plan for 2020/21.**

6. UPDATE ON THE SCOTTISH BORDERS EVENTS PLAN

- 6.1 There had been circulated copies of a report by the Executive Director, Corporate Improvement and Economy providing an update on the Council's events strategy and recommending a review of the proposed strategy due to the severe impact of the Covid-19 pandemic on the events sector, along with the reconfiguring of grant support for the events that the Council had previously supported. The Executive Director advised that there were two elements to the report. He firstly referred to the Strategic Events Plan for 2020- 2030 which had been developed by officers following discussions with key stakeholders. The subsequent changed landscape due to the Covid-19 pandemic, had resulted in almost every event in the Scottish Borders being cancelled or at least severely curtailed during the course of 2020. Furthermore the ongoing nature of the pandemic and its implications for many events had far reaching consequences for the sector. It was clear this had been one of the sectors hardest hit. It was therefore recommended that Council

Officers reviewed the current Strategic Events Plan, had further discussions and engagement with event organisers and sought to produce a fully re-drafted strategy taking into account the impact of recent months along with the potential restrictions initiated by Covid-19.

- 6.2 One of the key events supported by Scottish Borders Council was the Borders Book Festival. Following discussions with the Book Festival organisers, it was clear that they had been very successful in minimising the financial impact of cancelling this year's event and had now been able to develop and provide a virtual offering to customers, which would be beneficial to the festival in the longer term, allowing the organisers to help grow the product. The organisers had incurred significant costs associated with converting this year's event to be on-line. Costs had included the development of podcasts, virtual interviews with a wide selection of authors and the marketing and promotion of the festival. These had in effect been start-up costs for a new Book Festival. It was therefore recommended that Scottish Borders Council supported the festival during the current financial year with a grant of £20,000. This proposed financial allocation was in line with previous grants provided to the event organisers. In a discussion of the report Members expressed sympathy with event organisers and the situation the sector was in. In relation to the Borders Book Festival they praised the initiative shown in the provision of a virtual offering and commented on the quality of the programme offered. The Executive Director confirmed that the grant would be from the Economic Development budget and that it met the required terms.

DECISION

AGREED:-

- (a) that the proposed Events Strategy be fully re-drafted following the severe impact inflicted on the events sector by the Covid-19 pandemic;**
- (b) that officers continued to engage with and assess the most appropriate support for event organisers during the current pandemic; and**
- (c) funding of £20,000 for the Borders Book Festival.**

The meeting concluded at 11.50 am