

Public Document Pack



**SCOTTISH BORDERS COUNCIL
THURSDAY, 17 DECEMBER, 2020**

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

6.	<p>Committee Minutes (Pages 3 - 62)</p> <p>Consider Minutes of the following Committees:-</p> <table><tbody><tr><td>(a) Tweeddale Area Partnership</td><td>3 November 2020</td></tr><tr><td>(b) Kelso Common Good Fund</td><td>10 November 2020</td></tr><tr><td>(c) Local Review Body</td><td>16 November 2020</td></tr><tr><td>(d) Executive</td><td>17 November 2020</td></tr><tr><td>(e) Chambers Institution Trust</td><td>18 November 2020</td></tr><tr><td>(f) Peebles Common Good Fund</td><td>18 November 2020</td></tr><tr><td>(g) Audit & Scrutiny</td><td>23 November 2020</td></tr><tr><td>(h) Jedburgh Common Good Fund</td><td>23 November 2020</td></tr><tr><td>(i) Peebles Common Good Fund</td><td>26 November 2020</td></tr><tr><td>(j) Executive</td><td>1 December 2020</td></tr><tr><td>(k) Galashiels Common Good Fund</td><td>3 December 2020</td></tr></tbody></table> <p>(Copies attached.)</p>	(a) Tweeddale Area Partnership	3 November 2020	(b) Kelso Common Good Fund	10 November 2020	(c) Local Review Body	16 November 2020	(d) Executive	17 November 2020	(e) Chambers Institution Trust	18 November 2020	(f) Peebles Common Good Fund	18 November 2020	(g) Audit & Scrutiny	23 November 2020	(h) Jedburgh Common Good Fund	23 November 2020	(i) Peebles Common Good Fund	26 November 2020	(j) Executive	1 December 2020	(k) Galashiels Common Good Fund	3 December 2020	5 mins
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SCOTTISH BORDERS COUNCIL

TWEEDDALE AREA PARTNERSHIP

MINUTE of Meeting of the TWEEDDALE AREA PARTNERSHIP held via Microsoft Team on Tuesday, 3 November 2020 at 7.00 p.m.

Present:-	Councillors R. Tatler (Chairman), H. Anderson, S. Bell, S. Haslam, together with 19 representatives from Partner Organisations, Community Councils and members of the public.
Apologies:-	Councillor E. Small
In Attendance:-	Service Director Customer & Communities, Communities and Partnerships Manager, Locality Development Co-ordinator (K. Harrow), Democratic Services Team Leader.

1. WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the first meeting of the Tweeddale Area Partnership held via Microsoft Teams and outlined how the meeting would be conducted and how those both in the meeting and watching via the Live Stream could take part.

2. FEEDBACK FROM MEETING ON 14 JANUARY 2020

The Minute of the meeting of the Tweeddale Area Partnership held on 14 January 2020 had been circulated along with a summary of the discussion attached as an appendix to the Minute and this was noted.

3. TWEEDDALE COMMUNITY FUND

3.1 Funding requests requiring consideration by the Partnership had been received from:-

- (a) Peebles Railway Heritage;
- (b) Tweed Theatre; and
- (c) Live, Learn, Earn

Copies of the assessments relating to each application had been circulated.

3.2 Peebles Railway Heritage had applied for funding of £4,500 to allow them to appoint a consultant to assist in taking forward a project around a former railway building situated in the East Station Car Park, Peebles. Kenny Harrow advised that at the time of assessment for Peebles Railway Heritage the application didn't meet the Community Fund Criteria. He outlined the application and advised that the required 3 quotes had now been provided. Mr Les Turnbull, a member of the Group spoke in support of the application and advised that it was proposed, with the use if IT, to provide an educational tool for both residents and visitors and there had been early talks with Tweed Valley BID regarding the sharing of facilities. Both Mr Harrow and Mr Turnbull answered questions regarding funding, the involvement of Tweed Valley BID and the level of community involvement to date. Mr Fernand commented on the success of a Railway weekend held in Newlands. Following discussion of the proposal there was no consensus reached. However, it was agreed that, while there was general support for the proposal, it was premature to agree funding at this stage and the Group were asked to do more work with Tweed Valley BID, look at other sources of funds, provide more information on the management of the project and carry out some further community engagement.

- 3.3 Tweed Theatre had applied for funding of £5,900 to support a series of short performances which would be filmed and then streamed to an audience. Kenny Harrow explained that the funding application would support 12 performers plus a director and producer to support rehearsals, providing costumes and props, access to Zoom to allow for editing and recording functions and some specialized skills in production and editing. Unfortunately a representative of the Group was not present to answer questions regarding the funds currently held by the Group. Councillor Anderson, seconded by Councillor Haslam, moved that a grant of 50% of the amount requested be approved and this was supported.
- 3.4 Live, Learn, Earn had applied for funding of £4,950. This was a new group which had been set up to provide learning and training opportunities for young people from Tweeddale. Training opportunities would include bike building, repair and metalwork. Kenny Harrow advised that Scottish Borders Chamber of Trade would act as banker for the Group. Aegir MacIver spoke in support of the application and answered questions. Those present were fully supportive of the application and the request for funding was approved.

4. OTHER INFORMATION AND NEWS FOR NOTING

The agenda detailed the following updates since the last meeting:-

- Outstanding Community Fund Applications for 2019/20 - these had been dealt with as per the report that went to Council on 27 08 20 which also contained the evaluation of Localities Bid Fund 1&2 and Participatory Budgeting:
- The Tweeddale Community Fund for 2020/21 was now open - guidance and application form were on SBC website:
https://www.scotborders.gov.uk/info/20076/community_grants_and_funding/261/community_fund
- Community Councils - grants were being paid as normal for 2020/21
- Festival Grant Scheme – commitments re public liability and insurance were being met for 2020
- Federation of Village Halls – grants were being paid as normal for 2020/21
- VE Celebration Fund – this fund was now closed and commitments re expenses were being met
- Tweeddale Locality Plan & Action Plans - these plans were now published and outlined the priorities of the Tweeddale area and could be the focus of a future Area Partnership meeting:
https://www.scotborders.gov.uk/downloads/download/1310/locality_plans
- Community Empowerment (Scotland) Act 2015 – Currently, there were no formal Participation Requests and 2 formal Asset Transfer requests being considered within Tweeddale

The updates were noted.

5. FIT FOR 2024: REVIEW OF AREA PARTNERSHIPS & COMMUNITY FUND AND ACTIONS FOR TWEEDDALE AREA PARTNERSHIP

- 5.1 There had been circulated summaries of the Council reports. Jenni Craig, Service Director Customer & Communities gave a presentation on the review and outlined the actions and next steps. A series of questions of the future of the Area Partnership and how the community fund might work were shared to aid the discussion. The Chairman commented on .the small number present at the meeting but asked if they would share their views.
- 5.2 The following points were made:-
- Need to involve a wider audience

- With regards to the community fund and ring fenced grants there was a widespread desire to keep those funds for Festivals, Village Halls etc. but perhaps with a greater degree of oversight of bank accounts
- The importance of making Area Partnership meetings accessible to all was highlighted. Although a BSL interpreter had been provided the lack of amplification and poor acoustics in Halls was an issue. The use of the Hearing Access Protocol provided by "Ideas for Ears" was recommended. With regard to MS Teams meetings it was difficult to lip read and the use of close captions was suggested.
- A preference for virtual meetings was expressed as it was felt that the format worked better than live meetings
- The Partnership needed to look at how good ideas could be spread across the whole of Tweeddale
- A vision for what an Area Partnership could do was needed including how it could feed into the Council and taking account of statutory requirements
- The Partnership needed to agree what it would do next now that the Locality Plan had been prepared.
- The proposal to set up a small working group was welcomed by a number of attendees
- Area Partnerships needed to set the criteria for the community fund to make it community rather than Council centric
- The need to encourage more people to attend was highlighted

The Chairman advised that he intended to set up a number of "drop-in" sessions via Zoom between now and the next meeting in January to obtain community views. It was agreed that officers would do more work to encourage attendance at the next meeting with clearer guidance provided about the difference between attending the meeting and watching the Live Stream

6. DATE OF NEXT TWEEDDALE AREA PARTNERSHIP

The next meeting was scheduled for 19 January 2021 and following a discussion it was agreed that the meeting would go ahead.

7. ANY OTHER FORMAL BUSINESS

The Chairman advised that the Peebles Parking Working Group was currently on hold but it was hoped that it could resume its work early in 2021.

8. OPEN FORUM

No items were raised.

The meeting concluded at 8.25 p.m.

Appendix

Tweeddale Locality Plan – Community Transport: solutions and actions

Locality suggested transport solutions	Would this work in your community?	Who would take this forward – we need key champions/organisations	What support would be needed (financial, time, resources etc), and what would this look like?
Electric solar information panels at key locations	Melrose tourist point, post offices - direct correlation between usage	Where is this working already? Where are points/ locations	Identification of locations
Display all Border transport in one app	<p>Improving access to 'live' information would be really helpful as it would let people know if buses are delayed or aren't running.</p> <p>Would work in Gala but not where bus is the only option</p> <p>Critical is location tracking</p>	<p>Bus providers</p> <p>Look at Highland for case studies</p> <p>Who can pull all the organisations together – is Travel Line already doing this ?</p>	Bus sizing issue for timings.
Expand volunteer driver schemes + social car share schemes	<p>This has potential – can we pilot schemes – but volunteer capacity may be an issue</p> <p>Do away with bus and get a taxi £3 / + Subsidiary. Kinloch Rannock/Perth and Kinross council ?</p>	<p>Bridge & expertise at DTA consortia</p> <p>Learn lessons from Graham Tulloch</p>	Leaflets, finance/ volunteers to deliver the service
E-bikes scheme (Energy Trust)	Stobo- Broughton- John Buchan way Good trial points Innerleithen and Peebles	<p>Distances across the Tweeddale area may prove too large</p> <p>Expansion of Bike Punks</p>	<p>E-bikes already in place- marketing of current offer bringing operators together.</p> <p>Safe routes need to be considered</p>

SBC e-car scheme	<p>Would like to find out more about the scheme and how it could work as a solution for rural communities – would you be allowed to set up a transport scheme using the e-car service and how could fair and consistent charges be established</p> <p>Need to undertake rural mapping</p> <p>Yes</p>	<p>Not sufficient vehicles correctly located</p> <p>Pilot to determine what is a success/fail</p> <p>Needs to be in place in rural areas ?</p>	<p>Only 5 on a bus isn't a failure, just a start</p> <p>Investment required</p>
Maximise the use of Borders College /SBC /NHS/Post Office/Third Sector minibuses	<p>Need to make the process of hiring existing minibuses easier so more people can make use of them</p> <p>Could book a seat on a minibus in advance so that it's a demand led service that is run</p> <p>Would like to pilot this</p> <p>Tweed Wheels expand & incorporate some of the points raised above?</p>	<p>Service providers need to address barriers to hiring minibuses and using a minibus as a regular community transport offer</p>	<p>Tweedwheels - require funding/money and volunteers</p> <p>DI licensing</p>
Extended Rail Connections/Accessibility	Tweeddale Valley – Glentress tourist route could be developed		
Remove need for Travel i.e. Extended delivery of outreach services, localised delivery or enhanced use of modern communications technology.	<p>No – isolation creation</p> <p>Better Broadband</p> <p>Root and branch review of tender packages, consider more and different ways to provide flexible and demand led transport</p>		
Demand responsive transport scheme	Appropriate bus size for market (14/16/18 instead of 40)		

Improve support for the tender process	More small businesses would be encouraged to tender for transport contracts if supported to use the public contacts portal Bulk/ route mapping	SBC procurement Different way of delivering public transport	Zoning route for community tendering route and brand review of the range of providers
Community residents could access school transport	Some school buses transporting rural children and young people aren't full. Local residents could also use the buses to travel in to town	Follow up with SBC transport to see what arrangements could be put in place for different communities	
Further consultation on passenger travel to help with transport planning	Need a detailed picture of the reasons why people are travelling ie work, studying, leisure etc and when they need to travel	Bus Users Scotland public consultation	
Case Studies – where are some of these ideas working already ?	Description	Could this work in your Community?	Who would be able to take this forward?
UBER type scheme ?	Taxi style approach, unlicensed but approved. Access via smart phone technology/apps. Drivers dcreened – criminal checks undertaken Safety features built-in, tracking customer reviews, driver profiles Vehicle safety inspections	Yes/probably. Mobile phone coverage could be an issue and would depend on number of cars involved.	
• Bo'ness and Area Community Bus Association – reintroduction of bus links between Bo'ness and Edinburgh	<ul style="list-style-type: none"> Recruited 2 Full Time drivers and 1 Part time driver and 1 Volunteer driver Recruited an Operations Consultant Recruited an Administration Assistant 	Need to find a route that is profitable and that people will use	

	<ul style="list-style-type: none"> Delivered 10,235 passenger journeys since February 2018 Make 58 journeys a week to and from Edinburgh Covered over 120,000 miles 		
• NEED Ltd (Alnwick)	<ul style="list-style-type: none"> Largely self-financing model Range of services – car scheme / dial-a-ride / family vehicle / group transport Contracts for Council and NHS Entrepreneurial 		
• Chariots (Wrexham)	<ul style="list-style-type: none"> Branded fleet of accessible vehicles Paid co-ordinator but all volunteer drivers In 2015 provided 12,645 trips, of which 6,642 were for wheelchair users 		Paid co-ordinator is key thing. Similar to the men's shed co-ordinator with funding pulled in from other partners and NHS
• Transport Access People (Cornwall)	<ul style="list-style-type: none"> Volunteer car scheme for non-emergency healthcare appointments Journeys to and from the hospitals in Truro and Plymouth Door to door transport for people who find difficulty accessing transport 	Tweedwheels struggle to find volunteers.	Good model but third sector would need support to deliver. Legislation involved

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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, 10 November 2020 at 5.15 p.m.

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

Apologies: - 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 MINUTE

1.1 There had been circulated copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 15 September 2020.

DECISION

AGREED to note the Minutes for signature by the Chairman.

2.0 MONITORING REPORT FOR 6 MONTHS TO 30 SEPTEMBER 2020

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 six months to 30 September 2020, a full year projected out-turn for 2020/21 and projected balance sheet values as at 31 March 2021. Appendix 1 to the report provided the actual Income and Expenditure position for 2019/20 which showed a deficit of £948 for the year, which was due to the proposed increase in the budget for Grants and Other Donations. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2021 and showed a projected decrease in reserves of £60,077. 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 30 September 2020. The Pension & Investment Manager highlighted the main points in the report and answered Members questions.

DECISION

(a) NOTED the:-

- (i) projected balance sheet value as at 31 March 2021 in Appendix 2 to the report;**
- (ii) summary of the property portfolio in Appendix 3 to the report; and**
- (iii) current position of the investment in the Aegon Asset Management Investment Fund in Appendix 4 to the report.**

(b) AGREED the projected income and expenditure for 2020/21 in Appendix 1 to the report.

3.0 FINANCIAL ASSISTANCE

There had been circulated copies of an application for Financial Assistance from Kelso in Bloom which was a Sub-Committee of Kelso Community Council. The application explained that Kelso in Bloom held numerous community litter picks throughout the year and would like to purchase additional litter picks to be able to offer them to individuals who wish to carry out their own

community litter picks on a weekly basis in specific areas of the town. The application which was in the sum of £330 further explained that it was unfortunate that individuals continued to drop litter anywhere and the regular community litter picks would continue and be advertised, the additional litter picks would allow residents to keep their own residential area free of litter. The application went onto explain in detail previous fundraising undertaken by the Group which had been ceased due to the COVID-19 pandemic. The Sub-Committee unanimously agreed to grant the sum of £330.

DECISION

AGREED that a grant in the sum of £330 be paid to Kelso in Bloom towards the purchase of additional litter pickers.

The meeting closed at 5.30 p.m.

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY conducted remotely by Microsoft Teams Live Event on Monday, 16 November 2020 at 10.00 am

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

Apologies:- Councillor E. Small

In Attendance:- Principal Planning Officer – Major Applications/Local Review, Chief Legal Officer (Monitoring Officer) (para 3), Solicitor (S. Thompson), Democratic Services Team Leader, Democratic Services Officer (F. Walling).

1. REVIEW OF 20/00472/FUL.

There had been circulated copies of the request from Mrs E. Houston-Grundy, per Stuart Davidson Architecture, Design Studio, 32 High Street, Selkirk to review the decision to refuse the planning application for the formation of a new boundary fence (retrospective) at 1, Forley's Field, Goslawdales, Selkirk. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; consultation; support comment; objection; and a list of policies. Members noted that the application was retrospective and that the garden boundary fence had been erected. They also noted that the applicant proposed certain adjustments to the existing fence, in the vicinity of the street lighting column and that providing these were carried out the Roads Planning Officer had no objection to the application. Members' discussion focussed on the visual impact and suitability of the fence, in terms of its height, extent and colour, in the context of the surrounding landscape and character of the housing development. They took into account existing frontage landscaping on other properties within the street and the landscaping requirements of the planning consent for the original housing development. A suggestion was made that if the corner section of fence, from its southernmost point of the site to the street lighting column, was removed and replaced by soft landscaping the fence would be less dominant in terms of its visual impact on the entrance to the housing development. However there was no consensus about this amendment and Members' opinion remained divided on the application:

VOTE

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

Councillor Mountford, seconded by Councillor Fullarton, moved as an amendment that the decision to refuse the application be reversed and the application approved, subject to a condition requiring removal of the corner section of fence, from its southernmost point of the site to the street lighting column, and replacement with soft landscaping.

Members voted as follows:-

*Motion - 5 votes
Amendment - 3 votes*

The motion was accordingly carried and the application refused,

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 contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan; and
- (d) the officer's decision to refuse the application be upheld and the application be refused, for the reasons detailed in Appendix I to this Minute.

2. REVIEW OF 20/00486/FUL

With reference to paragraph 1 of the Minute of 19 October 2020, there had been re-circulated copies of the request from Mr Neil Fortune and Ms Valerie Mauchlen, per Ferguson Planning, 54 Island Street, Galashiels, to review the decision to refuse the planning application for erection of dwellinghouse with detached garage on land north west of Strathmyre, Old Belses, Jedburgh. 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. Also circulated were comments from the Planning Officer and Roads Planning Officer to the new drawings included with the Notice of Review documentation and response to those comments by the applicant. Members agreed there was a building group within the vicinity of the site and that there was capacity to add to that group. In discussing the relationship of the site with the group Members paid particular attention to the proposed boundary treatments which they felt would form a strong boundary to the group. They went on to consider issues of road safety and taking into account all the evidence presented, concluded that there were no road safety reasons to oppose the development. Members did express some concerns about the design of the house and garage but felt these could be addressed by an appropriate condition ensuring certain revisions were agreed with the Planning Officer.

DECISION

AGREED that:-

- (a) the review could be considered without the need for any further procedure on the basis of the papers submitted and the additional written submissions;
- (b) the proposal would be consistent with the Development Plan and that there were no other material considerations that would justify departure from the Development Plan; and
- (c) the officer's decision to refuse the application be reversed and planning permission be granted subject to conditions and informatics, for the reasons detailed in Appendix II to this Minute.

MEMBERS

Having not been present when the following review was first considered, Councillors Anderson and Moffat left the meeting.

3. DECISION AS TO PROCESS TO BE FOLLOWED IN RESPECT OF REQUEST FOR REVIEW OF 20/00453/FUL

- 3.1 With reference to paragraph 3 of the Minute of 17 August 2020 the Local Review Body were asked to consider the process to be followed in respect of the request for review of refusal of the application for demolition of a garage and erection of a dwellinghouse in garden ground of Clifton Cottage, High Street, Kirk Yetholm. When this review was first considered by the Review Body on 17 August 2020, Members had requested further procedure in the form of an unaccompanied site visit and further written submissions. In terms of the written submissions, the further information requested from the applicant and responses to that information from interested parties had been provided and had been circulated with the agenda. In terms of holding a site visit, this was delayed due to required risk assessments etc in associated with Covid-19 restrictions and restrictions had since been tightened further. The Council had formalised the process for assessment of its activities under the restrictions with the result that a site meeting could not be held. The Chief Legal Officer therefore asked Members to consider the manner in which the review should be conducted in the current circumstances. She emphasised that, although Members could take into account the written submissions received and circulated these should be considered at this meeting only within the context of the decision about the further process to be followed in order to make a determination. A key element for Members was to consider whether there were any alternative ways of viewing the site.
- 3.2 After discussion and with further advice from the Chief Legal Officer, Members decided to have a virtual site visit, by asking the Planning Advisor to the Local Review Body to attend the site unaccompanied and take video footage of the site and immediate surroundings. They agreed that the video footage should be presented at a Local Review Body oral hearing session to which all parties would be invited and be given the opportunity to contribute. Members asked that before the video footage was taken, all interested parties be given the opportunity to suggest particular viewpoints from which footage should be taken and what the footage should include. They also considered it would be particularly useful for a temporary profile to be erected on the site to indicate the proposed ridge height of the dwellinghouse, and for the Planning Advisor then to take video footage of the site with the profile in place. They asked for the feasibility of this to be explored.
- 3.3 With reference to the further written submissions that had been provided, Members noted the dispute between the applicant's agent and one of the objectors over the accuracy of the measurements in producing the cross section to demonstrate the relationship of the proposed house with the neighbouring house to the north. To advise on these matters, they requested further clarification from the Planning Officer regarding the acceptability of the measurement methodology and accuracy of the measurements taken. Members understood that the Planning Officer may seek the advice of an appropriately qualified colleague to advise on these matters. Members agreed that the findings relating to the disputed measurements should be presented at the hearing session in addition to the video footage.

DECISION

AGREED that the review be considered with further procedure as follows:-

- (a) **a virtual site visit be held by asking the Planning Advisor to attend the site unaccompanied and take video footage of the site and immediate surroundings;**
- (b) **the appointed Planning Officer be requested to provide clarification regarding the accuracy of the measurements in producing the cross section to demonstrate the relationship of the proposed house with the neighbouring house to the north; and**
- (c) **the findings relating to the accuracy of measurements and the video footage be presented at an oral hearing session to be held on a date to be arranged.**

The meeting concluded at 12.25 pm



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: 20/00024/RREF

Planning Application Reference: 20/00472/FUL

Development Proposal: Formation of new boundary fence (retrospective)

Location: 1 Forley's Field, Goslawdales, Selkirk

Applicant: Mrs E Houston Grundy

DECISION

The Local Review Body upholds the decision of the appointed officer and refuses planning permission as explained in this decision notice and on the following grounds:

1. The development would be contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016 in that it would represent a prominent and incongruous form of development that would have an adverse impact on the character and appearance of the surrounding area. This conflict is not overcome by other material considerations.

DEVELOPMENT PROPOSAL

The application relates to the formation of a new boundary fence (retrospective). The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	P620-PL-LOC
Proposed Plans	P620-PL-001

PRELIMINARY MATTERS

The Local Review Body considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 16th November 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) Consultation; f) Support comment; g) Objection; and h) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a hearing and site visit, but did not consider either 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: PMD2, HD3, and IS7

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010

The Review Body noted that the proposal was for planning permission to form a boundary fence and that, as the fence was erected, the application sought retrospective permission. Members also noted that adjustments were proposed in the vicinity of the street lighting column to allow access to the column and also create the necessary service strip width. They accepted that the Roads Officer had no objection to the proposals, provided the adjustments were made.

The Review Body then considered the visual impact and suitability of the fence as part of the boundary treatment and landscaping for the properties in the vicinity. Members agreed with the Appointed Officer that the fence was too high, in an open frontage position adjoining the roadway and providing a dominant and unsympathetic treatment to a garden boundary, to the detriment of the character and amenity of the area. The Review Body considered the fence not to be in keeping with, nor provide a positive contribution to, the existing landscape of the surrounding area, when taking into account new frontage landscaping opposite and elsewhere within the street. Consequently, the fencing was considered contrary to Policy PMD2 of the Local Development Plan and the landscaping requirements of the planning consent for the original housing development.

Members noted the applicant's requirements for privacy and considered the appropriateness of other options which could be imposed by condition, such as reductions in the height or extent of fencing and changes in stain colour. They also noted the presence of fencing and planting opposite and the applicant's suggestion that the fencing combined with that to form a gateway to the development. However. Members considered the fencing opposite to be more recessed with its impacts further reduced by the existing planting. Ultimately, they were not

persuaded that there were acceptable alternative options nor that the context justified supporting the proposal.

They concluded that the fence, at the height and in the location proposed, was not a sympathetic or appropriate boundary treatment for the site and was contrary to Policy PMD2 of the Local Development Plan and the Placemaking and Design SPG.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was contrary to the Development Plan and that there were no other material considerations that would justify departure from the Development Plan. Consequently, the application was refused for the reasons stated above.

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.....2 December 2020

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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: 20/00022/RREF

Planning Application Reference: 20/00486/FUL

Development Proposal: Erection of dwellinghouse with detached garage

Location: Land North West of Strathmyre, Old Belses, Jedburgh

Applicant: Mr and Ms Neil/Valerie Fortune/Mauchlen

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 informatics as set out below.

DEVELOPMENT PROPOSAL

The application relates to the erection of a dwellinghouse with detached garage. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	SP01 v 1
Site Plan	SP01 v 2
Floor Plan, Sections, Elevations	PP01 v 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 19th October 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 considered whether certain matters included in the review documents constituted new evidence under Section 43B of the Act and whether or not this evidence could be referred to in their deliberations. This related to further information in the form of amended Drawings PP01 (Floor Plan, Section, Elevations) and SP01 (Site Plan).

Members agreed that the information was new and considered that it met the Section 43B test, that it was material to the determination of the Review and could be considered. However, as expert opinion on the information was required, there was a requirement for further procedure in the form of written submissions to enable the Planning Officer and Roads Planning Officer to comment on the new information.

The Review was, therefore, continued to the Local Review Body meeting on 16th November 2020 where the Review Body considered all matters, including responses to the amended plans from the Planning Officer and Roads Planning Officer, and the applicant's reply to those responses. The Review Body then 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: PMD2, HD2, HD3, EP1, EP2, EP3, EP13, IS2, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- SBC Supplementary Planning Guidance on Development Contributions 2011
- SBC Supplementary Planning Guidance on New Housing in the Borders Countryside 2008

The Review Body noted that the application was for the erection of a dwellinghouse with detached garage on a site North-West of Strathmyre, Old Belses, Jedburgh.

Members firstly considered whether there was a building group in the vicinity under Policy HD2 and also whether there was capacity for addition to any such group. They noted that there were three existing houses in the immediate vicinity, including a modern house ("Braeside") opposite the site. Members also noted that there were no existing permissions for any further houses at the group. They concluded that there was a building group present and that there was capacity for the addition of one house, in compliance with Policy HD2 and the relevant SPG.

Members then considered the relationship of the site with the group and whether it was within the sense of place and in keeping with its character. In this respect, they had regard to the positions of other houses in the group, especially "Braeside", and they noted that the site did

not extend beyond that property along the public road. Members did accept that the site represented breaking into an undeveloped field but were persuaded by the proposed landscape boundary treatments, which included a planted boundary opposite "Braeside", separating the site for the new house and garage from a paddock owned by the applicants and not intended for development. Subject to the planted boundary being secured by condition, Members considered that this could form a strong edge to the building group and would be defensible should any approach for development in the paddock be made in the future. Members considered the site to be well related to the building group due to its position adjoining the three houses and contained within the planted edge. Indeed, the Review Body considered that expansion of the building group in other directions could be less acceptable and represent ribbon development. Subject to appropriate conditions on planting, they concluded that the site was within the sense of place and an appropriate addition to the building group.

Members then considered the issues of road safety and access from the B6400. Taking into account the comments from the Roads Planning Officer and applicant and noting both the photographic material and amended plans which moved and widened the access, they concluded that there were no road safety reasons to oppose the development. The Review Body considered that road users would be slowing down due to the presence of a building group with the potential of emerging traffic from two access points in proximity to the proposed access. They also noted that the road was straight with good visibility and that the access point had been offset from that opposite serving "Braeside" and widened to achieve a service lay-by and improved sightlines. The Review Body, therefore, accepted that the proposal was in compliance with Policy PMD2 in relation to road access and safety.

The Review Body then considered the design of the house and garage. Whilst they noted that there was mixed architecture and house styles in the building group, including a contemporary design represented by "Braeside" and a modern bungalow represented by "Strathmyre", Members shared the concerns of the Appointed Officer over the suburban nature of the house. However, they felt that their concerns could be addressed by a condition ensuring revisions to the window designs and external materials be agreed with the Planning Officer. Subject to those revisions, they considered that a bungalow would be sympathetic in scale and impact to the rest of the building group and the garage also had precedent with the position of the garage serving "Braeside". Consequently, subject to an appropriate condition, Members considered that the design was in compliance with Policies PMD2 and HD2 and the relevant Supplementary Guidance.

The Review Body finally considered other material issues relating to the proposal including the siting of the house and garage, residential amenity, water, drainage and waste storage but were of the opinion that appropriate conditions could address them satisfactorily. They also noted that development contributions for education were not required at this location.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that the development was consistent with Policy HD2 of the Local Development Plan and relevant Supplementary Planning Guidance. The development was considered to be an appropriate addition to an existing building group with visual impacts that can be mitigated by new planting and amendments to the design of the house. Consequently, the application was approved.

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. 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. trees to be retained within the site
 - iii. existing landscaping features, hedgerows and trees to be retained, protected and, in the case of damage, restored
 - iv. location and design, including materials, of walls, fences and gates
 - v. soft and hard landscaping works including new planting within the site. The landscaping shall include hedging and tree planting to form a strong boundary to the south-west of the site, between the site of the house and the adjoining paddock/amenity ground
 - vi. existing and proposed services such as cables, pipelines, sub-stations
 - vii. A programme for completion and subsequent maintenance.

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

2. No development to be commenced until further details of the site access are submitted to, and approved in writing by, the Planning Authority. Thereafter the development to be completed in accordance with the approved details prior to occupation of the dwellinghouse unless otherwise agreed. The details shall include:

- i. A visibility splay of 2.4m x 120m to be formed in both directions at the site entrance with the public road
- ii. The site entrance to be designed as per DC3 standards for a service lay-by.
- iii. Drainage, levels and construction proposals

Reason: To ensure satisfactory form of access and in the interests of road safety.

3. The dwellinghouse not to be occupied until parking and turning sufficient for two cars is provided within the site, excluding the garage, and maintained thereafter in perpetuity.

Reason: In the interests of road safety.

4. No development to be commenced until details of water and drainage provision are submitted to, and approved in writing by, the Planning Authority. Once approved, the development then to be completed in accordance with those details.

Reason: To ensure that the development is adequately serviced and in the interests of public health.

5. No development to be commenced until revised house elevations are submitted to, and approved in writing by, the Planning Authority. The revisions to be based upon the guidance within the Council's "Placemaking and Design" Supplementary Planning Guidance 2010 and should involve amendment to window design and external materials. Once approved, the development then to be completed in accordance with those details.

Reason: To safeguard the visual amenity of the area..

6. No development to be commenced until existing and proposed ground and house/garage floor levels are submitted to, and approved in writing by, the Planning Authority. Once approved, the development then to be completed in accordance with the approved levels.

Reason: To safeguard the visual amenity of the area.

7. No development to be commenced until a scheme of waste storage 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.

INFORMATIVES

1. All works within the public road to be undertaken by a contractor on the Council's approved list.

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.....2 December 2020

SCOTTISH BORDERS COUNCIL

EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE COMMITTEE held remotely by Microsoft Teams on Tuesday, 17 November 2020 at 10.00 am

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

1. MINUTE

There had been circulated copies of the Minute of the meeting of 6 October 2020.

DECISION

APPROVED for signature by the Chairman.

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

- 2.1 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 September 2020 along with explanations of the major variances identified between projected outturn expenditure and income and the current approved budget. As reported to the Executive Committee of 15 September 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. The reported position after the first quarter was a residual budget pressure, based on forecasts at that point, of £1.393m. Forecasts had now been updated to the second quarter of 2021/21 at 30 September and the position had improved with a revised residual forecast pressure of £0.628m. This position reflected an improvement of £0.765m from the first quarter with the aim remaining to balance the revenue budget by the 31 March 2021 if at all possible. 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 September month end £5.705m (47%) savings had been delivered permanently, £1.454m (12%) were profiled to be delivered by 31 March 2021 and £4.932m (41%) 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 report detailed key assumptions made in arriving at the figures; management actions for the remainder of the financial year with the aim of closing the current £0.628m gap; and a summary of the impact of COVID-19 related pressures on individual services.
- 2.2 Members discussed the report and received answers to their questions from the Executive Director, David Robertson. The Executive Member for Economic Regeneration and Finance thanked Mr Robertson and his team for their work in producing the report. He welcomed the efforts made over the recent quarter to halve the residual forecast pressure but emphasised the huge amount of work being carried out by officers to deliver

the savings required. He also noted the significant additional work being managed by the Council during the COVID-19 emergency to administer and deliver grants to local businesses. In response to a question about Specific Grant flexibility around the use of funds freed up from Early Years expansion Mr Robertson advised that the funding was ring-fenced within Education and available funds would be used to offset COVID-19 costs in that service during 2020/21. He confirmed that the Council had made a commitment in full in terms of Early Years expansion and delivery of 1140 funded hours. Mr Robertson agreed that, in terms of financial risk, it was Health & Social Care which was continuing to experience ongoing pressures as a result of the COVID-19 response. There had been a significant amount of funding to the IJB budget to address these pressures and more was expected. Mr Robertson gave assurance that the Corporate Management Team continued to closely monitor the service to ensure that pressures were minimised.

DECISION

AGREED to:-

- (a) note the projected corporate monitoring position reported at 30 September 2020, the remaining 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;**
- (c) note the progress made in achieving Financial Plan savings in Appendix 3; and**
- (d) request the Corporate Management Team to continue to take all possible management action to balance the budget in the current year.**

3. 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 September 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 approved by 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 assessment of COVID-19 impacts had continued during the second quarter of the year with a net budget variance of £1.878m now being identified. This was made up of net timing movements from 2020/21 of £3.610m. The most significant of which were Hawick Flood Protection Scheme £6.487m, Jedburgh High Street Building £0.500m, Play Areas and Outdoor Community Spaces £0.540m and a timing movement to bring budget forward from future years into 2020/21 for IT Transformation £4.376m. Appendix 2 of the report contained a list of the block allocations approved for this year and the various approved and proposed projects to be allocated from them within the 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. In a discussion of the report, Members recognised the impact of COVID-19 in terms of delays in planned programmes of work but also noted progress being made with current projects, referring in particular to the development of the Tapestry Building in Galashiels.

DECISION

- (a) AGREED the projected outturns in Appendix 1 to the report as the revised capital budget 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.

4. **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, 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 £22.262m, compared to £29.866m at 31 March 2020. The projected balance on the Capital Fund of £6.397m 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. Members noted the continuing pressure of costs relating to the COVID-19 pandemic.

DECISION

NOTED:-

- (a) the audited 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.

5. **STRATEGIC HOUSING INVESTMENT PLAN 2021-2026 SUBMISSION**

There had been circulated copies of a report by the Executive Director Corporate Improvement and Economy seeking formal approval of the Strategic Housing Investment Plan (SHIP) 2021-2026, so that it could be submitted to Scottish Government as required by the mid-December deadline. The Chief Planning & Housing Officer, Ian Aikman, was in attendance and highlighted the main points of the report and the SHIP 2021-2026 which was attached as an Appendix. The SHIP articulated how the Council and its Registered Social Landlord (RSL) partners would seek to deliver the Border's affordable housing investment needs and priorities, identified in the Council's Local Housing Strategy (LHS) 2017-2022, over a rolling 5 year planning horizon. Based on available Resource Planning Allocations from Scottish Government and resource planning assumptions, RSL partner private sector borrowing and commitment from the Council's Affordable Housing Budget, approximately 122 new homes could be delivered during 2020/21 and potentially up to 1125 new affordable homes over the five-year SHIP 2021-2026 period, representing investment of around £166m. Mr Aikman explained that this was the Council's 12th SHIP submission and over that period the Council and partners had delivered a total of 1270 new affordable homes. The four main Borders RSLs now had an estimated stock of 12,093 homes for social and mid-market rent. 2019-2020 saw 141 affordable homes being delivered. Unfortunately due to the adverse impact of the COVID-19 pandemic and resultant construction site closures, which had delayed both site starts and programmed completions, it was anticipated that annual affordable housing completions in 2020-2021 would be reduced to around 122 new homes. This would fall slightly short of the LHS

annual target of 128 homes. Members welcomed the report and the ambitious plans, recognising the significance to the individuals involved in every single warm, affordable and sustainable home that was provided. They noted that the provision of affordable housing had been across the Borders and that the investment priorities had a particular emphasis on extra care housing for older people. In thanking the housing team responsible for the development of the SHIP, Members also made reference to the effective and important work carried out by the Council's Homelessness Service.

DECISION

AGREED to approve the SHIP 2021-2026, attached as Appendix 1 to the report, for submission to the Scottish Government – More Homes Division.

6. DEFERRAL OF THE NEXT LOCAL HOUSING STRATEGY BY ONE YEAR TO 2023

There had been circulated copies of a report by the Executive Director Corporate Improvement and Economy seeking agreement on the proposed deferral of the development of the next Local Housing Strategy (LHS) by one year. The Housing (Scotland) Act 2001 placed a statutory requirement on Local Authorities to develop a LHS, supported by an assessment of housing need and demand for a five year period. The current Scottish Borders LHS covered the period 2017-2022 and was approved by the Executive Committee in June 2017. The next LHS would be expected to cover a period of five years from 2022-2027. For the reasons outlined in the report, principally the timings identified for the development of the next regional Housing Need and Demand Assessment (HNDA) and the setting of Housing Supply Targets, Council Officers recommended deferring the development of the next LHS by one year. It was proposed that the new LHS would cover the five year period from 2023-2028. The Chief Planning & Housing Officer gave Members further information about the regional spatial strategies and the associated HNDA. He emphasised that outputs from the regional assessment were essential to the development of the next LHS. The Scottish Government had indicated support for deferring development of Local Housing Strategies where an up to date HNDA was not yet available. This was the case for four out of the six local Authorities in the South East Scotland Region.

DECISION

- (a) AGREED to the deferral of the next Local Housing Strategy by one year to cover the five year period 2023-2028.**
- (b) NOTED that discussions with the Scottish Government indicated support for this proposal.**

7. WHEELCHAIR ACCESSIBLE HOUSING TARGET

There had been circulated copies of a report by the Executive Director Corporate Improvement & Economy proposing that the Council set an all tenure annual wheelchair accessible housing delivery target of 20 homes. The report explained that revised Scottish Government Guidance required Councils to set all tenure wheelchair accessible housing targets by end of April 2020. However the COVID-19 pandemic had adversely impacted on this being done as intended. Scottish Government indicated that the Strategic Housing Investment Plan 2021-26 should include further update and timescales for implementation. The Council had commissioned Consultants to carry out research regarding the need for wheelchair accessible housing in the Scottish Borders, which was completed in January 2020. The Consultants had been supported by a working group consisting of Council officers, and representatives from other related communities of interest including service users and carers, voluntary sector service providers and the Registered Social Landlord sector. The final report recommended 20 additional wheelchair accessible homes as an annual all tenure wheelchair accessible housing target, and also provided a proposed action plan. It was proposed that the action plan be consolidated into the actions developed to implement the Council's Local Housing Strategy 2017-22. The Chief Planning & Housing Officer advised that it was proposed

that delivery of the 20 homes be proportioned as 15 from RSLs and the balance from private sector providers. The consultants also identified a range of other challenges and actions in order to make best use of available wheelchair accessible and adapted housing stock across all tenures. It was proposed that these actions would be consolidated within the LHS 2017-22 action plan. Members welcomed the report. They emphasised the need to ensure the provision covered the geographical spread of the Borders and encouraged the Council to work closely with private developers at the early planning stage in order to deliver wheelchair accessible housing within the private sector. In response to a Member's question Mr Aikman gave assurance that the Council would work closely with all stakeholders and voluntary sector representatives in the delivery of wheelchair accessible housing and the adaptation of the existing housing stock. In terms of the recommendations it was agreed to amend recommendation (c) of the report to require a review report to Executive Committee on an annual basis.

DECISION

AGREED to:-

- (a) **approve 20 new wheelchair accessible houses as an annual delivery target, with Registered Social Landlords to deliver 15 of these each year;**
- (b) **remit the Executive Director to consolidate the research final report actions into the Local Housing Strategy 2017-22 action plans and monitor and report progress via Local Housing Strategy related processes; and**
- (c) **remit the Executive Director to bring forward on an annual basis a report on the delivery of the wheelchair accessible annual target.**

8. LOCAL BUS SERVICE IMPROVEMENTS

There had been circulated copies of a report by the Service Director Assets & Infrastructure proposing enhancements to the local bus service in the Eildon, Berwickshire and Cheviot localities. The Service Director introduced the report which explained that a review of the Council's In-House Fleet had identified a number of opportunities to enhance local bus services in the Eildon, Berwickshire and Cheviot localities as detailed in Appendix 1 to the report. In order to deliver the proposed service changes the Council would need to make minor changes to bus timetables; operate services on the back of School contracts; register dead mileage (where a vehicle operated out of service between two points) to qualify for Bus Service Operators grant at 14.4p per Km; and utilise Melrose Gait Development Contribution of £26k per annum for three years, thus reducing the need to draw on bus subsidies. It was anticipated that these proposed changes would deliver savings of £44,000 per annum towards existing Fit for 2024 savings targets within both Passenger Transport and Education; increase contract and revenue income generated by the Council's in-house fleet; improve connections and service efficiency; and enhance the service provided in the Eildon, Cheviot and Berwickshire localities providing improved links between communities and the wider local bus network. Members fully supported the proposals and innovative thinking reflected in the report and referred in particular to the proposed changes to the 964 Border Weaver Service by providing additional links to the BGH and Melrose Gait. In response to Members' questions officers confirmed that there would be continued monitoring of patronage numbers on services and that the proposals were the start of a wider review of bus services to be carried out in partnership with bus operators and in consultation with local communities.

DECISION

- (a) **AGREED to implement the proposed bus service changes outlined in the report.**
- (b) **NOTED the utilisation of Melrose Gait Development Contribution of £26k per annum for 3 years.**

- 9. TEMPORARY SUSPENSION OF PAY & DISPLAY PARKING CHARGING**
- 9.1 There had been circulated copies of a report by the Service Director Assets & Infrastructure proposing that Pay & Display Parking be temporarily suspended from 1 December 2020 with the intention of providing a boost to the ability of towns to attract local shoppers in the lead up to Christmas. In the light of continuing COVID-19 restrictions, Members were invited to consider whether pay parking charges should be suspended just over the festive period until 4 January 2021 or until the end of the financial year on 31 March 2021. The main rationale for introducing Pay & Display operations was to provide an efficient turn-over of vehicles in key town centre locations and to assist in providing vibrant town centres. For this reason Members were presented with a third option for consideration of retaining the current pay parking regime in its current operational form. The Infrastructure Manager explained that Pay & Display operations currently took place in five towns across the Scottish Borders and typically provided a surplus in each town that could be utilised on roads and environmental improvements or initiatives in that area. The operation of Pay & Display was suspended during the initial lockdown period but resumed again in early August 2020. There had however been requests from some areas to suspend the operation again in the run-up to Christmas and potentially for the remainder of this financial year. It was anticipated that such a move would encourage people to shop local and be particularly beneficial to Christmas trade.
- 9.2 Members discussed the report and options presented for consideration. There was general support for a temporary suspension of charging to boost local spending and to encourage shoppers into the towns but only for the festive period rather than for the longer period to 31 March 2021. They also strongly supported the proposal to undertake a review of the scope of pay parking. In terms of a temporary suspension and in response to concern about the risk of people parking for longer periods and possibly using free car parking spaces to facilitate trips to Edinburgh Mr Young confirmed that attendants would still be utilised to monitor use of the car parks and possible all day parking. However, it was accepted that attendants would not have a reasonable way of enforcing turnover without operation of the ticket machines. In response to a question, Mr Young said it was technically possible to amend the machines to issue tickets without payment but this was complex and likely to be cost prohibitive if it was just to serve a short period of time. A suggestion was made for signage to be used to dissuade people from occupying a space for long periods. In further discussion Members stressed the importance of effective communication messages to encourage support of local businesses. Mr Young agreed to look at these matters and also to consider a method of measuring whether the initiative had been successful, perhaps by way of a short Citizen Space consultation.

DECISION
AGREED to:-

- (a) **the suspension of Pay & Display operations over the festive period from 1 December 2020 to 4 January 2021; and**
- (b) **authorise the Director of Assets & Infrastructure to undertake a review of the scope of pay parking, the current charging regimes and charging times for Pay & Display parking and that a further report be brought forward within a 6 month period.**

10. 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 1 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

11. NETHERDALE SPECTATOR STAND, GALASHIELS - UPDATE REPORT

Members considered an update from the Service Director Assets & Infrastructure.

The meeting concluded at 11.50 am

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SCOTTISH BORDERS COUNCIL CHAMBERS INSTITUTION TRUST

MINUTE of Meeting of the CHAMBERS INSTITUTION TRUST held in Via Microsoft Teams on Wednesday, 18 November 2020 at 3.00 pm

Present:- Councillors K. Chapman (Chairman), H. Anderson, S. Bell, S. Haslam, E. Small and R. Tatler

In Attendance:- Capital & Investments Manager, Estates Manager, Projects Manager (S. Renwick), Solicitor (G. Sellar), Democratic Services Team Leader

1. MINUTE

There had been circulated copies of the Minute of the meeting held on 6 February 2020

DECISION

AGREED to approve the Minute.

2. MATTERS ARISING FROM THE MINUTE

2.1 Trees

With reference to paragraph 1.2 of the previous Minute, regarding the replacement of trees in the quadrangle, the Chairman advised that the tree officer had recommended one Small Acer (Red bark) and one Acacia (Yellow foliage), to be planted at the Quadrangle at an estimated cost of £80.00 each. These could be sourced and planted within the next 3-4 weeks.

DECISION

NOTED.

2.2 Status of the Chambers Institute Trust and its Trustees

With reference to paragraph 5.3 of the previous Minute, Gillian Sellar, Solicitor undertook to prepare this for the next meeting.

DECISION

NOTED.

2.3 Museum Space

Neil Hastie advised that he had not spoken to Live Borders regarding this matter and that they were not currently occupying either the Library or Museum at present. Councillor Bell, seconded by Councillor Anderson, proposed that officers undertake discussions with Live Borders on the merging of the spaces and bring forward a recommendation to the Trust.

DECISION

AGREED to approve Councillor Bell's proposal as detailed above.

3. FINANCIAL MONITORING FOR 12 MONTHS TO 31 MARCH 2020 AND PROPOSED BUDGET FOR 2020/21

3.1 There had been circulated copies of a report by the Executive Director, Finance & Regulatory, providing the details of the income and expenditure for the Chambers Institution Trust for the year 2019/20 including balance sheet values as at 31 March 2020 and proposed budget for 2020/21. Appendix 1 to the report provided the actual income

and expenditure for 2019/20. This showed a surplus of £37,898 for the year, which was ahead of budget mainly as a result of an increase in rental and service income and a projected surplus of £26,904 for 2020/21. Appendix 2 to the report provided an actual balance sheet as at 31 March 2020. It showed an increase in the reserves of £368,650, 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. Appendix 4 to the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2020. Kirsty Robb, Capital & Investments Manager highlighted the main points in the report and suggested that Members may wish to consider increasing their investment with Aegon Asset Management given the level of cash reserves. In response to a question regarding the amount to be invested she advised that this would depend on the cost of any works that the Trust might approve. She further confirmed that money could be removed from the fund within 3 days if it was required for other purposes.

- 3.2 Members asked Neil Hastie for likely costs and timescales for works to the Burgh Hall. He advised that some estimates for the kitchen works were still awaited but a full refurbishment was likely to be in the region of £10k-£12k. Previous discussions had considered whether a full kitchen replacement was needed. Members views were divided so it was agreed that quotes should be obtained for both options before a final decision was taken. The estimated cost of the replacement ceiling was £65k but updated quotes would be needed as the works were quite extensive. Neil Hastie further advised that the Burgh Hall was currently being used by the NHS for its Flu injection programme and would also be required for the upcoming Covid-19 vaccination programme which could see the hall in use till at least May 2021. This would prevent the ceiling works from being carried out but if access to the kitchen could be achieved without going through the main hall then the works in that area might be able to proceed. With regard to the kitchen it had previously been agreed that there be consultation with the relevant stakeholders to ascertain what their needs would be and this was reiterated. The importance of engaging with Live Borders was also emphasised. The Chairman enquired about the scaffolding currently being erected and was advised that this was for routine maintenance to the roof. It had been intended to carry this out during the summer but contractors were only now available.
- 3.3 Following the discussions on the works to the Burgh Hall, Councillor Bell proposed that £80k be transferred from cash reserves to Aegon Asset Management which would leave the sum of £20k for works to the hall and this was unanimously approved.

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 notes the summary of the property portfolio in Appendix 3 to the report;**
- (e) **to note the current position of the investment in the Aegon Asset Management Investment Fund in Appendix 4;**
- (f) **to obtain quotes for a replacement kitchen, both full and partial replacement and check if works could be carried out while the hall was being used by the NHS;**

- (g) to delay obtaining quotes for the replacement ceiling until the hall was available for the works to be carried out;
- (h) to consult with both Live Borders and the relevant stakeholders regarding the works to the hall;
- (i) that the sum of £80k be transferred from cash reserves to Aegon Investment Management.

4. PROPERTY UPDATE

In addition to the property matters dealt with above, Neil Hastie advised that there had been a request from the Bridge who were looking for alternative office space. He had tried to get an update from them so see what they required and asked if they had contacted any Members. Councillor Haslam advised she was aware of this and would ask that they provide the required information. It was also reported that some minor works had been carried out to the area occupied by the CAB to assist the way that they were working. The Chairman asked if a representative of Live Borders could be invited to the next meeting. Councillor Haslam suggested that this request could be passed via the Executive Member, Councillor Jardine who met with them regularly.

DECISION

AGREED:-

- (a) that further information be sought from the Bridge regarding their possible need for office space;
- (b) to note the CAB works; and
- (c) that a representative from Live Borders be invited to attend the next meeting.

5. URGENT BUSINESS

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

6. REQUEST TO KEEP TOMMIES ON PERMANENT DISPLAY IN THE QUADRANGLE

Councillor Anderson advised that the Community Council had asked if the Tommies could be kept on permanent display in the quadrangle and that the Trust reconsider their previous decision. The Chairman advised that following the demise of the Peebles British Legion ownership of the Tommies had passed back to those who had provided the funding for their purchase and that they had already been removed from the quadrangle and storage was no longer provided by the Council. Members noted that the situation was out of their hands but agreed that they would not have been minded to change their previous decision. The display of the Tommies in future would depend on their new owners not the Trust.

DECISION

NOTED the current position

7. BOER WAR PLAQUE

The Chairman advised that the Community Council had raised concerns regarding the Boer War Plaque which was located on the building now occupied by the Peebles Community Trust. The Trust had previously agreed that it was not appropriate to transfer it to the quadrangle and the Museums Service was the most appropriate home for it. Peebles Community Trust needed to be made aware of the importance of this asset.

DECISION

NOTED.

**8. PRIVATE BUSINESS
DECISION**

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

SUMMARY OF PRIVATE BUSINESS

9. MINUTE

The private section of the Minute of 6 February 2020 was approved.

10. MATTERS ARISING

- 10.1 The Trust agreed that the next meeting be held on Wednesday, 27 January 2021
- 10.2 The Trust agreed to the planting of the trees as detailed at paragraph 2.1 above.

The meeting concluded at 4.00 p.m

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

MINUTE of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held remotely via Microsoft Teams on
Wednesday, 17 November, 2020 at 5.00
p.m.

Present:- Councillors R. Tatler (Chairman), H. Anderson, S. Bell, K. Chapman,
S. Haslam, E. Small and Community Councillor L. Hayworth
In Attendance:- Treasury Business Partner (S. Halliday), Solicitor (G. Sellar), Estates
Surveyor (T. Hill), Strategic Community Engagement Officer, Democratic
Services Team Leader

1. MINUTES

The Minute of the Meeting of Peebles Common Good Fund Sub-Committee held on 7 October 2020 had been circulated.

DECISION

AGREED to approve the Minute for signature by the Chairman.

2. MATTER ARISING

It was reported that Member approval had been sought for the erection by Bonnie Peebles Plus of the original sign for Victoria Park which they had recently recovered and restored. This had been agreed subject to them being responsible for ongoing maintenance.

DECISION

AGREED to ratify this decision.

3. FINANCIAL MONITORING TO 30 SEPTEMBER 2020

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of the income and expenditure for the Peebles Common Good Fund for the six months to 30 September 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 and showed a projected surplus of £20,602 for the year. Appendix 2 provided a projected balance sheet value as at 31 March 2021 and showed a projected decrease in the reserves of £28,752.

Appendix 3 provided a breakdown of the property portfolio showing projected rental income for 2020/21 and actual property expenditure to 30 September 2020. Appendix 4 showed the value of the Aegon Asset Management Investment Fund to 30 September 2020. The Treasury Business Partner highlighted the main points in the report and confirmed that there had been no expenditure incurred in respect of cleaning Haylodge Toilets. Councillor Bell asked for details in respect of the properties which showed no rental income. The Estates Surveyor advised that she was preparing a report but the reasons for some of the non-charging required significant investigation and she agreed to provide an interim report at the next meeting in February 2021. With regard to the possibility of moving cash reserves into the Aegon Asset Management Fund it was agreed that this would be decided once the decision regarding the Eastgate Theatre Loan at paragraph 4 below was reached.

DECISION

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

(b) AGREED that an interim report on the reasons why no rental was charged in respect of several common good properties be submitted to the meeting in February 2021.

DECLARATION OF INTEREST

Councillor Tatler declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion. Councillor Anderson took the Chair in his absence.

4. EASTGATE THEATRE LOAN

With reference to paragraph 4 of the Minute of 1 July 2020, there had been circulated an update from the Chairman outlining the current financial position of the Eastgate Theatre. Mr Ron Inglis, Board Chairman and Mr Ian Jenkins joined the meeting. Mr Inglis provided details of the financial problems facing the Theatre which had been helped by a recent grant of £70k from the Scottish Government Fund for such venues. However, the expected LEADER funding of around £60k, £5k less than originally expected, was not likely to be paid before the end of the year. The Board were therefore requesting that the Common Good Fund accept a payment of £10k now and give an extension of 6 months to repay the remaining £10k. Councillor Bell, seconded by Councillor Haslam proposed that this offer be accepted and this was unanimously agreed. Mr Jenkins thanked Members for their help over these difficult times.

DECISION

AGREED:-

- (a) to approve the request from Eastgate Theatre that they repay £10k now and the remaining £10k by the end of June 2021; and**
- (b) that, with reference to 3 above, following the repayment of this money that a further £40k be invested with Aegon Asset Management.**

5. PROPERTY UPDATE

5.1 Former Corn Exchange

The Estates Surveyor advised that the Shop had been advertised and there had been 5 viewings to date. No offers had been received so far but it was proposed that if a viable offer was received then a closing date be set.

DECISION

AGREED.

5.2 Tweed Green Pavilion

The Estates Surveyor advised that the Tweed Valley Forest Festival organisers had requested permission to display a banner and wood carving in the Tweed Green Pavilion. Members were supportive of the request but wanted a time limit imposed, a check that it did not clash with other uses of the Pavilion and that the display not commence until next year closer to the event.

DECISION

AGREED to approve the request subject to a 4 week timescale, a check that there was no clash with other events and that the display not commence until 1 month before the event.

5.3 Victoria Park

The Estates Surveyor had consulted Members on a request from the developers of the new Baptist Church to remove a section of wall and put down a temporary path to access the site. This had been approved on the basis of full reinstatement once the works were complete.

DECISION

AGREED to ratify this decision.

5.4 Use of Car Parks by Food Vendor

The Estates Surveyor advised that a request had been received from "Underdog", a food vendor to use various car parks in Peebles including those owned by the Common Good Fund. They were to be given a trial in a Council owned car park first. Members asked for further details regarding the vendor before permission was given.

DECISION

AGREED that further information on the vendor be provided.

5.5 Map of Common Good Land

The Estates Surveyor shared a plan that she was preparing which showed the location of all land owned by the Common Good Fund. She advised that further detail as required with the area in the centre of Peebles needing to be enlarged to provide more detail.

DECISION

AGREED that the final version be provided at the next meeting in February 2021

6. URGENT BUSINESS

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

7. The Chairman advised that he had received a request from a Michelle Fraser who had recently set up a Community Interest Company in Peebles called 'Branching Upwards C.I.C. which aimed to support the physical and mental wellbeing of children, young people and adults in the Tweeddale area through Outdoor Learning and Forest School experiences. The sessions enabled participants to connect with the natural world and with each other, introduce strategies to support mental wellbeing and communication and build confidence and resilience. The request was to use of a small plot of woodland in Haylodge Park for the purpose of running Forest School sessions for SBC Inclusion and Wellbeing Team for a small group of pupils (max of 4 pupils) from Kingsland Primary School. Members were happy to support the request and asked for details of how many session there would be.

DECISION

AGREED to approve the request.

Note. The Chairman subsequently ascertained that there would be sessions on Monday 23rd Nov, 7th and 14th of December, starting again each Monday from 11th January and continuing so long as funding was available.

8. PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed

in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

9. **Minute**
Approved the private section of the Minute of the meeting held on 7 October 2020.
10. **Jedderfield Farm**
Members received an update on the current position and agreed that further information was required.
11. **Date of Next Meeting**
Agreed that a Special private meeting of the Sub-Committee would be held on 25 November 2020.

The meeting concluded at 5.55 p.m.

SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTE of Meeting of the AUDIT AND SCRUTINY COMMITTEE held Via Microsoft Teams on Monday, 23 November 2020 at 10.15 am

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

In Attendance:- Executive Director Finance & Regulatory, Executive Director Corporate Improvement & Economy (para 8), Chief Officer Audit & Risk, Clerk to the Council, Democratic Services Officer (F. Walling); Ms G. Woolman – Audit Scotland.

1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 22 October 2020.

DECISION

APPROVED for signature by the Chairman.

2. ACTION TRACKER

There had been circulated copies of the Action Tracker for the Audit and Scrutiny Committee. In reviewing the Action Tracker, the Chief Officer Audit & Risk advised that status updates would be circulated to Members by email for the two outstanding actions relating to the Annual Assurance Statement 2019/20 to the Scottish Housing Regulator. In terms of the action relating to Police Community Action Teams Governance, the Clerk confirmed that a report would be brought to the next Audit & Scrutiny meeting on 10 December 2020.

DECISION

NOTED the Action Tracker

AUDIT BUSINESS

3. MID-TERM TREASURY MANAGEMENT REPORT 2020/21

There had been circulated copies of a report by the Executive Director Finance & Regulatory presenting the mid-year report of treasury management activities for 2020/21 in line with the requirements of the CIPFA Code of Practice, including Prudential and Treasury Management Indicators, and seeking comments from Audit and Scrutiny Committee prior to consideration of the report by Council. This provided a mid-year report on the Council's treasury activity during the six month period to 30 September 2020 and demonstrated that Treasury activity in the first six months of 2020/21 had been undertaken in full compliance with the approved Treasury Strategy and Policy for the year. Appendix 1 to the report contained an analysis of the performance against the targets set in relation to Prudential and Treasury Management Indicators, and proposed revised estimates of these indicators in light of the 2019/20 out-turn and experience in 2020/21 to date for Council approval. The Pension & Investments Manager, Kirsty Robb, highlighted the main points of the Council's Capital Expenditure and Financing summarised in the Appendix to the report. She referred to the element of slippage in the capital programme as a result of COVID-19. Detailed explanations of the movements within the planned expenditure had been reported in the ongoing monitoring reports, the last of which was to the Executive Committee on 17 November 2020. Due to the overall financial position with the effect of COVID-19 on the capital programme and the higher than normal cash level held, Ms Robb explained that there had been no new external borrowing undertaken so

far this year. It was anticipated that borrowing of £10m would be undertaken during the remainder of the financial year.

- 3.2 The Executive Director Finance & Regulatory and Ms Robb answered Members' questions and gave further detailed information where requested. In terms of investments and opportunities to invest surplus balances in the short term, the Executive Director Finance & Regulatory gave assurance that the Council deposited surplus funds only in triple A rated institutions and the priorities when looking at money market funds were security, liquidity and yield in that order. The Chairman asked a question about the Loan Charges estimate contained in the Council's Financial Plan and whether the interest element of the Council's PFI contracts was included in those Loan Charges. The Executive Director Finance & Regulatory explained that accounting for PFI was undertaken separately and under different regulations controlled nationally. Ms Robb offered to provide clarification to the Chairman of how the estimated loan charges figure of £19.111m was calculated. In terms of the PFI contracts the interest rate was fixed for the life of the 25 year contract. There was a facility for re-financing but this was the responsibility of the contractor, with the Council being entitled to a share of any subsequent re-financing gain. The Chairman suggested that it would be helpful to have a paper presented at the next Audit Committee meeting with a summary of the facts relating to the financial elements of the PFI contracts and to explore any opportunities to make national representations through COSLA to change the regulations.

DECISION

AGREED:-

- (a) **to note that treasury management activity in the six months to 30 September 2020 was carried out in compliance with the approved Treasury Management Strategy and Policy; and**
- (b) **that the Treasury Management Mid-Year Report 2020/21, as contained in Appendix I to the report, be presented to Council for approval of the revised indicators; and**
- (c) **to request the Executive Director Finance & Regulatory bring a briefing paper on the financial elements of PFI contracts, including any changes being sought on the national regulations.**

4. INTERNAL AUDIT MID-TERM PERFORMANCE REPORT 2020/21

- 4.1 With reference to paragraph 7 of the Minute of 9 March 2020, there had been circulated copies of a report by the Chief Officer Audit & Risk to inform of the progress Internal Audit had made, in the first 6 months of the year to 30 September 2020, towards completing the Internal Audit Annual Plan 2020/21. It also summarised the statutory obligations for Internal Audit and requirements of the Public Sector Internal Audit Standards (PSIAS). The Internal Audit Annual Plan 2020/21 that was approved by the Audit and Scrutiny Committee on 9 March 2020, set out the audit coverage for the year utilising available Internal Audit staff resources to enable the Chief Officer Audit and Risk (the Council's Chief Audit Executive (CAE)), to provide the statutory annual Internal Audit opinion regarding the adequacy and effectiveness of internal control within the Council. Internal Audit assurance services and annual opinions were also provided to the Scottish Borders Pension Fund Board and Committee, and the Scottish Borders Health and Social Care Integration Joint Board to meet their obligations. Appendix 1 to the report provided details of the half-yearly progress by Internal Audit with the delivery of its programme of work. Internal Audit had made good progress in the first half of the year, despite the COVID-19 pandemic response, though amendments to the Internal Audit Plan 2020/21 required approval by the Committee. At the 23 June 2020 meeting, the Chief Officer Audit & Risk had advised members that, due to the effects of the COVID-19 emergency response, the Internal Audit Annual Plan 2020/21 had been re-assessed in terms of potential changes i.e. add audits to cover new risks, re-schedule medium risk audits to later in the current

year, and defer low risk cyclical audits to a future year. The report listed the proposed Audits to be deferred to 2021/22. The revised Internal Audit Annual Plan 2020/21 (Appendix 1) was now being presented for approval.

- 4.2 The Chief Officer Audit & Risk, Jill Stacey, answered Members' questions and provided more information, in particular about any implications of the audits being deferred. Ms Stacey accepted it was unusual to have a significant change in the audit plan but she was aware that many other Local Authorities were in a similar position. She assured Members that this was a risk-based Internal Audit Plan and in each case, there had been good engagement with Management about the deferral. In some of the services concerned deferral of the audit aligned with strategies relating to the FF24 programme. She agreed that the deferrals may put pressure on capacity to carry out audits in 2021/22 although some of the scheduled audits were cyclical rather than risk based. Although some work may have to be realigned she did not expect there to be a significant impact.

DECISION

AGREED to note the progress Internal Audit had made towards completing the Internal Audit Annual Plan 2020/21, to confirm that it was satisfied with the Performance of the Internal Audit service, and to approve the revisions to the Internal Audit Annual Plan 2020/21.

5. PROGRESS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS

- 5.1 With reference to paragraph 6 of the Minute of 25 November 2019, there had been circulated copies of a report by the Chief Officer Audit & Risk providing an update to members of the Audit and Scrutiny Committee on the status of the implementation by Management of audit recommendations made and agreed in Internal Audit reports during 2019/20 and previous years. A table within the report highlighted the current status of Internal Audit recommendations from current and previous years and further details on those recommendations not yet fully implemented were shown in Appendix 1 to the report. In light of the Management resources deployed to the Covid-19 emergency response, the Chief Officer Audit & Risk in April 2020 agreed to an automatic 3-month extension to the due dates of all open Audit recommendations in the Pentana Risk system. In response to the Audit and Scrutiny Committee decision "Requested that the Corporate Management Team determined an escalation process to address those Internal Audit recommendations not completed within the agreed timescale", two quarterly update reports on Internal Audit recommendations had been presented to the Corporate Management Team on 22 July 2020 and on 21 October 2020, to enhance Management monitoring and oversight of progress. Corporate Management Team had drawn attention to the requirement for Internal Audit recommendations to be more routinely cited in Departmental Management Team meetings as part of the monitoring process.

- 5.2 Members asked questions about particular outstanding Internal Audit Recommendations as listed in Appendix 1 to the report, expressing concern about the length of time some were overdue. With regard to the recommendation relating to the delayed Digital Customer Access Programme, Mr Robertson explained that the project had been subject to revision due to the system having to be redesigned. Testing on that was now being finalised and business intelligence work nearing completion. Members requested that the senior managers involved in that programme be asked to attend the next Audit & Scrutiny Committee (Audit business) meeting to provide further information. After Members had received detailed answers to questions about several other actions, there was a general discussion about the way in which the information was presented within the report and Appendix. Members asked for more clarity within the narrative, confirmation that the older actions were still relevant, and an indication in the report of which outstanding actions represented a significant level of risk.

DECISION

AGREED:-

- (a) to acknowledge the progress made by Management in implementing Internal Audit recommendations to improve internal controls and governance, and mitigate risks;
- (b) that further action was still required by Management to implement those outstanding Internal Audit recommendations;
- (c) to note that Internal Audit would continue to monitor for completion of the outstanding recommendations and would provide update reports to the Audit & Scrutiny Committee.
- (d) to request that the senior managers implementing the Digital Customer Access programme attend the next meeting of the Audit & Scrutiny Committee (Audit business) to provide further information.

6. INTERNAL AUDIT WORK TO OCTOBER 2020

With reference to paragraph 9 of the Minute of 22 October 2020, there had been circulated copies of a report by the Chief Officer Audit & Risk providing 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 in the period from 1 to 31 October 2020 associated with the delivery of the approved Internal Audit Annual Plan 2020/21 was detailed in this report. During this period a total of 3 Final Internal Audit Reports had been issued, on the following subjects: Treasury Management; EU Funded Programmes LEADER and EMFF; and Community Equipment Service. There were no recommendations made, with a category of comprehensive assurance given to the audit of Treasury Management and substantial assurance given to the other two audits. 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 shown in Appendix 1 to the report. Also included in the report was a summary of current Audit Assurance work in progress. In a discussion of the report Members asked for further information about the Community Equipment Service audit, referring in particular to the previous and outstanding recommendation relating to the signature of the Service Level Agreement (SLA) regarding the funding package for this service to ensure its financial sustainability. Mr Robertson confirmed that the service sought to recycle and re-use all equipment within the store and that although the agreement was for a 50:50 funding split between the Council and NHS Borders the SLA was with NHS Borders and was still to be signed. At the request of the Committee, Mr Robertson agreed to write to the Chief Executive of NHS Borders to encourage the SLA to be signed-off at the earliest opportunity.

DECISION

AGREED to:-

- (a) note the final assurance reports issued in the period from 1 to 31 October 2020 associated with the delivery of the approved Internal Audit Annual Plan 2019/20;
- (b) note the Internal Audit Assurance work in progress and Internal Audit Consultancy and other work carried out in accordance with the approved Internal Audit Charter;
- (c) acknowledge the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work; and

- (d) request that the Executive Director Finance & Regulatory write to the Chief Executive NHS Borders to encourage sign-off at the earliest opportunity of the SLA relating to the Community Equipment Service.

7. RISK MANAGEMENT IN SERVICES

- 7.1 The Executive Director Corporate Improvement & Economy, Rob Dickson, was in attendance to give a presentation on the strategic risks facing the service and the internal controls and governance in place to manage/mitigate those risks, to demonstrate how risk management was embedded within services. With the aid of slides, which included a description, detailed assessment, internal controls and scoring for each risk area, Mr Dickson firstly gave a summary of five Corporate Risks which he managed for the Corporate Management Team. The five Corporate Risks were: Contract Monitoring, now incorporating Live Borders, SB Contracts and CGI; External Events; Major Incidents; Political Instability; and Climate Change. In terms of Climate Change, Mr Dickson explained that this was work in progress with the recent formation of the Sustainable Development Committee and associated reports to Council. Work was being undertaken to update the risk with new Risk Factors, Consequences, Internal Controls and Linked Actions. Once this work was completed, a Risk Score and Target Risk could be decided. In time, Climate Change would have its own Risk Register. Mr Dickson moved on to refer to the Service Risk Registers he oversaw: Planning, Development & Building Standards; Emergency Planning; and Economic Development. Mr Dickson referred in particular to Emergency Planning and the pressure the service had been under over the past 12 months, with the Peebles High School fire, major flooding events and the COVID-19 outbreak. The presentation concluded with reference to three additional Risk Registers relating to Live Borders; Tweedbank Programme Board; and SBC Brexit.
- 7.2 In a discussion of the presentation, a question was asked as to whether there was a risk in relation to the capacity of Directors to provide what had often been 24-hour cover in relation to the management of major incidents and recent events. Mr Dickson explained that, whilst it used to be the case that just the Chief Executive and Executive Director Corporate Improvement & Economy shared the responsibility for management of emergency events, a range of senior colleagues were now involved and were being given formal training. Members recognised the importance of good communications and use of media particularly in relation to emergency events. As the press were often keen to have comments from elected Members on these occasions, a question was asked about training Members on media engagement. The Clerk confirmed that specific media training had been provided within this term of office to Members with particular areas of responsibility, but this could be revisited. The Chairman thanked Mr Dickson for his presentation and it was noted that the slides would be circulated to Members for their information.

DECISION

NOTED the presentation

MEMBERS

Ms H. Barnett and Mr M Middlemiss left the meeting.

SCRUTINY BUSINESS

8. SCRUTINY WORK PROGRAMME

With reference to paragraph 10 of the meeting of 10 February 2020, and after discussion with the Chairman, there had been circulated copies of an updated version of the previously agreed Scrutiny Work Programme. The Clerk provided further information in response to questions about certain hearings.

DECISION

NOTED the dates for hearings for the Scrutiny Work Programme.

The meeting concluded at 12.30 pm

**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, 23
November 2020 at 4.30 pm

Present:- Councillors J. Brown, S. Hamilton, S. Scott, Community Councillor J Taylor.

In Attendance:- Treasury Business Partner, Solicitor (Steven Robertson), Democratic Services Officer (F. Henderson).

Members of the Public:- 0

WELCOME

The Chairman welcomed and introduced Mr John Taylor who was attending his first Common Good Meeting as Chairman of the Jedburgh Community Council.

1.0 MINUTE

1.1 There had been circulated copies of Minutes of the Jedburgh Common Good Fund Sub-Committee held on 14 September 2020.

DECISION

NOTED the Minute.

2.0 MONITORING REPORT FOR 6 MONTHS 30 SEPTEMBER 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 September 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 increase in the reserves of £63,016. Appendix 3 provided a breakdown of the property portfolio showing projected rental income for 2020/21 and actual property expenditure to 30 September 2020. Appendix 4 detailed the value of the Aegon Asset Management Investment Fund to 30 September 2020. The Treasury Business Manager highlighted the main points in the report and answered Members questions. Councillor Scott sought clarification with regard to the grant paid to the Jedburgh Leisure Facility in terms of what the refurbishment would include as there had not been a disabled hoist or a steam room installed despite these items being on the original plans. John Taylor advised that due to the COVID 19 restrictions the Bowling Club had been unable to open and requested that their repayment be reduced to £1,000 plus interest for this year only. The Treasury Business Partner agreed that this was possible as the Bowling Club had made additional payments in previous years. Members were asked to consider investing a portion of their cash balance and following discussion agreed to retain £50,000 in cash and invest the remainder round up to the nearest unit.

DECISION

(a) AGREED that:-

- (i) £50,000 be retained within cash reserves and the remainder invested in Capital, rounded up to the nearest unit;**

- (ii) the Jedburgh Bowling Club repay £1,000 plus interest on their outstanding loan for financial year 2020/2021only; and
 - (iii) the Democratic Services Officer ascertain what the grant paid to the Jedburgh Leisure Facilities was towards.
- (b) NOTED the:-
- (i) projected income and expenditure for 2020/21 in Appendix 1to 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) current position of the investment in the Aegon Asset Management Investment Fund contained in Appendix 4 to the report.

The meeting closed at 4.50 p.m.

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

MINUTE of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held remotely via Microsoft Teams on
Wednesday, 25 November, 2020 at 3.00
p.m.

Present:- Councillors R. Tatler (Chairman), H. Anderson, S. Bell, K. Chapman,
S. Haslam, E. Small and Community Councillor L. Hayworth

In Attendance:- Treasury Business Partner (S. Halliday), Solicitor (G. Sellar), Estates
Surveyor (T. Hill), Strategic Community Engagement Officer, Democratic
Services Team Leader

**1. PRIVATE BUSINESS
DECISION**

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

SUMMARY OF PRIVATE BUSINESS

2 Jedderfield Farm

Members received the further information requested on 25 November and agreed to
consider this matter further at their next meeting.

The meeting concluded at 3.30 p.m.

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SCOTTISH BORDERS COUNCIL

EXECUTIVE COMMITTEE

MINUTES of Meeting of the EXECUTIVE COMMITTEE held via Microsoft Teams on Tuesday, 1 December, 2020 at 10.00 am

Present:- Councillors S. Haslam, S. Aitchison, S. Mountford, G. Edgar, C. Hamilton, E. Jardine, M Rowley, G. Turnbull, R. Tatler, T. Weatherston.

In Attendance:- Executive Director, Corporate Improvement and Economy, Executive Director, Finance & Regulatory, Service Director - Assets & Infrastructure, Democratic Services Team Leader, Democratic Services Officer (F. Henderson.

1. MINUTE

The Minute of the Meeting held on 17 November 2020 had been circulated.

DECISION

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

2. CORPORATE DEBT – WRITE OFFS IN 2020/21 MID YEAR UPDATE

With reference to paragraph 7 of the Minute of 15 September 2020, there had been circulated copies of a report by the Executive Director, Finance & Regulatory which detailed the aggregate amounts of debt written off in the first 6 months of 2020/21 under delegated authority. The report covered the areas of Council Tax, Non-Domestic Rates, and Sundry Debtors, Housing benefit Overpayment and Aged debt from the balance sheet. The total value of write off between 1 April 2020 and 30 September 2020 was £371.1k. 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 continued to be within the category where the liable party had become insolvent. This was in part a reflection of the economic situation. It was explained that as much of the resource dealing with these had been highly involved in Business Grants and other Covid-19 related work which remained ongoing, there would not be an expectation that the write off levels would exceed those reached in 2019/20. An annual budget provision for sundry bad debts of £125k and £635k for Council Tax was maintained, which was regularly reviewed and if necessary would be revised in future. It was expected that the level of debts written off in 2020/21 would be lower than 2019/20 due to continued heightened risk factors, particularly Covid 19. Performance in this area continued to be closely monitored and management action, including the approved policy on debt recovery and supporting procedures, were in place to minimise risk. In response to a question on the high level of Housing benefits overpayments write-offs, Mr Robertson confirmed that he would clarify the situation.

DECISION

AGREED to note the debtor balances written off under delegated authority for the period 1 April 2020 to 30 September 2020.

3. EYEMOUTH HARBOUR OPERATIONS AND MAINTENNACE PROJECT- UPDATE ON THE PROPOSED DIVE SHORE ACCESS ROAD FOR RECREATIONAL DIVERS

3.1 There had been circulated copies of a joint report by the Executive Director, Corporate Improvement and Economy and Service Director, Assets & Infrastructure which provided elected members with an update on the Eyemouth Operations and Maintenance Project Neart na Gaoithe offshore windfarm and specifically on the funding and construction of the proposed dive shore access road for recreational divers, which was a key condition of the recently approved planning application. The report explained that earlier in the year

planning permission had been granted to Eyemouth Harbour Trust for a new Operations & Maintenance (O&M) base at Eyemouth Harbour to support the Neart an Gaoithe Offshore Wind Farm. The O&M base would house office, warehousing and staff welfare facilities for the servicing of the wind farm and had potential to provide the town with significant economic benefits, including direct and indirect employment opportunities and allowed for the diversification of the existing harbour operations. The key planning condition was the requirement that vehicular access be maintained to nearby popular diving sites at Greenends Gully and Nestends Gully during the construction and operational phases of the O&M base development. Following discussions between Eyemouth Harbour Trust and Scottish Borders Council, it was agreed that a re-routing of the access road which was also known as the Dive Shore Road would be required to satisfy planning conditions outlined in the initial application. It was also agreed that Scottish Borders Council would design and help fund the new access road to help ensure the work related to the O&M base could be initiated. The proposed new section of Dive Road would provide vehicular access to the popular dive sites and would be approximately 60 metres in length, with its width varying between 5.5m and 3.25m. The new road had been designed to facilitate access for emergency vehicles should they be required and it was proposed that this new section of road would be constructed by the Council's in-house construction team, SBc Contracts.

- 3.2 The cost of the new section of road had been estimated to be in the region of £145k, part funding of £20k was being provided by Eyemouth Harbour Trust. A contribution of £125k was required from the revenue roads budget to allow for the works at the Dive Shore Access Road to proceed. The sum of £125k would be allocated from the Emergency & Unplanned Schemes fund to the Roads Block within capital to allow eligible capital works to take place which were being re-allocated from the revenue budget to allow the scheme to be funded. Members welcomed this development.

DECISION

AGREED

- (a) **that the Dive Shore Access Road be constructed by SB Contracts as part of the Eyemouth Operations and Maintenance Contract;**
- (b) **to Approve funding of £125k from the revenue roads budget to allow works at the Dive Shore Access Road to proceed**
- (c) **that the £125k to be allocated from the Capital Emergency and Unplanned Schemes fund to the Roads Block within 2020/21 to fund eligible capital works which are being re-allocated from the revenue budget to accommodate the project.**

4.0 ANNUAL PROCUREMENT REPORT

There had been circulated copies of a report by the Executive Director, Finance & Regulatory which presented to Members the Annual Procurement Report (APR) 2019/20, a mandatory report required by the Procurement Reform (Scotland) Act 2014. The report explained that Organisations that required to prepare a procurement strategy must also publish an annual procurement report and these documents were now part of the reporting landscape for the public sector to support increased transparency and visibility of public expenditure and to embed sustainability into public sector procurement. The key ambition of the procurement strategy was to support the local market and the economy. During 2019/20, and through delivering on the strategic objectives, the value of local spend with third parties operating in the geographical boundaries of the Scottish Borders had increased from £75.9m to £77.1m (44.3% of the total Council expenditure).

Following approval, the report had to be submitted to the Scottish Government and, as a minimum, published on the internet. Delivering sustainable procurement with social and economic impact was an area of key importance and the Procurement team, working in partnership with the Supplier Development Programme (SDP), had recently been announced as the winner of the Best Procurement Delivery category in the Government Opportunities (GO) Excellence in Public Procurement Awards Scotland 2020. The project

behind this achievement supported local micro, small and medium sized repair and maintenance businesses to access procurement opportunities, with the judges noting the project as a great example of community wealth building across the Borders. A further key ambition of the procurement strategy was support the supply chains cash flow by ensuring the efficient and effective payment of invoices. The average indicator for the year 2019/20 was a strong 90%, and despite the challenges 2020 had brought, the performance continued to improve with a current average (as at Sept 2020) of 96%. During Living Wage week in November 2019, it was confirmed the Council had been successful in receiving Living Wage accreditation. This accreditation recognised the Council's commitment to paying all directly employed and regular third part contracted staff the real Living Wage. As a result, monitoring payment of the real Living Wage was an integral part of the procurement and contract management activities. Members congratulated the Procurement Team on their success, welcomed the progress made and found the case studies and graphics easy to read and enhanced the report. Members requested that comparisons with other Local Authorities be included in the report for future years.

DECISION

AGREED to approve the submission of the Annual Procurement Report 2018/19, as contained in the appendix to the report to the Scottish Government and its publication on the Council's website.

5. PRIVATE BUSINESS

DECISION

AGREED under Section 50A (4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in 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 17 November 2020 was approved.

The meeting concluded at 10:50am

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**SCOTTISH BORDERS COUNCIL
GALASHIELS COMMON GOOD FUND SUB COMMITTEE**

MINUTE of Meeting of the GALASHIELS
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Thursday 3 December 2020 at 10.00 am.

Present:- Councillors S. Aitchison (Chairman), A. Anderson, E. Jardine, H. Scott and Community Councillor R. Kenney

In Attendance:- Treasury Business Partner (S. Halliday), Community Services Managing Solicitor (C. Donald), Estates Surveyor (J. Stewart), Democratic Services Officer (F. Walling).

1. MINUTE.

There had been circulated copies of the Minute of 10 September 2020.

DECISION

APPROVED the Minute for signature by the Chairman.

2. FINANCIAL MONITORING REPORT FOR 6 MONTHS TO 30 SEPTEMBER 2020

There had been circulated copies of a report by the Executive Director, Finance & Regulatory providing details of income and expenditure for the six months to 30 September 2020, a full year projected out-turn for 2020/21 and projected balance sheet values as at 31 March 2021. The Treasury Business Partner, Sara Halliday, highlighted the main points of the report and appendices. Appendix 1 to the report provided the projected income and expenditure position for 2020/21. This showed a projected deficit of £2,923 for the year which was less than previously reported due to the proposed increase in the budget for Property Expenditure. Appendix 2 provided a projected balance sheet as at 31 March 2020. It showed a projected decrease in the reserves of £45,681. A breakdown of the property portfolio showing actual property expenditure to 30 September 2020 was shown in Appendix 3 and the value of the Aegon Asset Management Fund to 31 March 2020 was detailed in Appendix 4. In terms of the Investment Fund Ms Halliday referred to the 7.91% unrealised loss in market value since investment, largely due to continued volatility in investment markets. Overall, taking account of the income received the fund had achieved a return of 4.83% since investment in February 2018. In response to a question about the proposed increase in the budget for property expenditure, Ms Stewart explained that this related to the repair to the fence alongside Heatherlyett Drive, as approved at the last meeting, and an amount to cover a small maintenance issue fed in by the caretaker of Old Gala House.

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:-**
 - (i) **the projected balance sheet value as at 31 March 2021 in Appendix 2**
 - (ii) **the summary of the property portfolio in Appendix 3; and**

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

3. PROPERTY

- 3.1 The Estates Surveyor, Jo Stewart, gave a verbal update on property matters. With reference to paragraph 7.3 of the private minute of 10 September 2020, she confirmed that a quote had been accepted for the repair of the fence along Hetherlyett Drive and that this work was scheduled to be completed within the coming week. Attention had been drawn by the caretaker to a small issue of maintenance required at Old Gala House. This was being attended to.
- 3.2 Ms Stewart also brought to the attention of Members a matter relating to the woodland at Ladhope. In a consultation with an Agrarian specialist she had been advised that the Sitka Spruce next to the Golf Course at Ladhope had reached maturity. However there would be practicalities to consider if harvesting was carried out as access for extraction would be required to be over the Golf Course. As the preferred time for harvesting would be between July and November the Golf Course would need to be closed for around a month within that time period to allow for extraction and replanting. Ms Stewart had been advised that the net position for the Common Good Fund was estimated to be £14k-£20k. Members discussed the proposal but expressed concern about the significant impact on the viability of the Golf Club if the course was closed for any length of time during the summer months. They did however note the long term environmental benefit of replanting the wooded area with native species. As there were several questions raised in the ensuing discussion Members agreed that the proposal should be investigated in more depth. They asked officers to obtain a view on the viable lifetime of the existing trees and clarify the implications of leaving them and to confirm that there was no alternative means of access for their extraction. They also asked the solicitor to provide information about the level of consultation that would be required ahead of any harvesting and extraction. In the meantime Members agreed to moot the proposal with the Golf Club and also to liaise with Energise Galashiels who were hoping to take forward long term plans for expanding leisure use of the Ladhope area.

DECISION

AGREED:-

- (a) to request officers to investigate further the proposal to harvest the mature Sitka Spruce at Ladhope, and to clarify:-
- (i) the viable lifetime of the trees and the implications of not removing them; and
 - (ii) the consultation requirements ahead of harvesting, extraction and replanting.
- (b) that Members informally raise the proposal with the Golf Club and with Energise Galashiels.
- (c) that the proposal be brought back for discussion at the next meeting.

4. ITEMS LIKELY TO BE TAKEN IN PRIVATE

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.

5. **MINUTE**

Members approved the private section of the Minute of 10 September 2020.

The meeting concluded at 10.35 am

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