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

6.	<p>Committee Minutes (Pages 3 - 44)</p> <p>Consider Minutes of the following Committees:-</p> <table><tr><td>(a)</td><td>Local Review Body</td><td>18 October 2021</td></tr><tr><td>(b)</td><td>Eildon Area Partnership</td><td>11 November 2021</td></tr><tr><td>(c)</td><td>Executive</td><td>16 November 2021</td></tr><tr><td>(d)</td><td>Teviot & Liddesdale Area Partnership</td><td>16 November 2021</td></tr><tr><td>(e)</td><td>Chambers Institution Trust</td><td>17 November 2021</td></tr><tr><td>(f)</td><td>Community Planning Strategic Board</td><td>18 November 2021</td></tr><tr><td>(g)</td><td>Audit & Scrutiny</td><td>22 November 2021</td></tr></table> <p>(Copies attached.)</p>	(a)	Local Review Body	18 October 2021	(b)	Eildon Area Partnership	11 November 2021	(c)	Executive	16 November 2021	(d)	Teviot & Liddesdale Area Partnership	16 November 2021	(e)	Chambers Institution Trust	17 November 2021	(f)	Community Planning Strategic Board	18 November 2021	(g)	Audit & Scrutiny	22 November 2021	5 mins
(a)	Local Review Body	18 October 2021																					
(b)	Eildon Area Partnership	11 November 2021																					
(c)	Executive	16 November 2021																					
(d)	Teviot & Liddesdale Area Partnership	16 November 2021																					
(e)	Chambers Institution Trust	17 November 2021																					
(f)	Community Planning Strategic Board	18 November 2021																					
(g)	Audit & Scrutiny	22 November 2021																					

This page is intentionally left blank

(a)	Local Review Body	18 October 2021
(b)	Eildon Area Partnership	11 November 2021
(c)	Executive	16 November 2021
(d)	Teviot & Liddesdale Area Partnership	16 November 2021
(e)	Chambers Institution Trust	17 November 2021
(f)	Community Planning Strategic Board	18 November 2021
(g)	Audit & Scrutiny	22 November 2021

This page is intentionally left blank

SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW
BODY held via Microsoft Teams on Monday,
18 October 2021 at 10.00 am

Present:- Councillors S Mountford (Chair), H. Laing, J. Fullarton, S. Hamilton, D. Moffat
(from para 3), C. Ramage (from para 3), N. Richards and E. Small.

Apologies:- Councillor A. Anderson.

In Attendance:- Principal Planning Officer (C. Miller), Managing Solicitor (R. Kirk), Democratic
Services Team Leader, Democratic Services Officer (F. Henderson).

MEMBERS

Having not been present when the following review was first considered Councillors
Moffat and Ramage did not take part in the determination of applications
21/00013/RCOND and 21/00486/FUL and left the Meeting prior to their consideration.

1. CONTINUATION OF REVIEW 21/00013/RCOND

With reference to paragraph 3 of the Minute of 16 August 2021, there had been re-circulated copies of the request from Mr Bradley Clarke, per Ferguson Planning, Shiel House, 54 Island Street, Galashiels to review Condition 2 attached to the planning permission granted for the erection of ancillary accommodation to dwellinghouse and installation of 12KW ground mounted solar array at Penvalla, Broughton. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; Consultations and a list of policies. Also circulated were copies of further information requested by the Local Review Body, in the form of written submissions about the Local Review Statement - Lawful Use of Annex as Holiday Accommodation from the Council's Roads and Planning Officers and a further response to those submissions from the applicant. Members noted that the Review was submitted in relation to a condition attached to a planning permission but that, as the Review was not resulting from refusal of a Section 42 application, Members were required to re-assess the whole development and decision on a De Novo basis, not only in relation to the condition which was sought to be varied. The Review Body, therefore, firstly considered the principle of an ancillary building within the grounds of Penvalla and had no issues with the design or siting of the building, nor with the installation of ground-mounted solar panels, which they noted were permitted development in any case. Members considered that the main issue related to the proposed usage of the annex and the wording of Condition 2 which was imposed on the planning permission to regulate the occupancy. Whilst there was acceptance that the annex required some form of control over occupation to enable it to remain in character and ancillary to the main dwellinghouse, Members noted that the Planning Officer had imposed Condition 2 to restrict occupancy only to members of the same household at Penvalla. Following consideration of all relevant information, the Local Review Body concluded that the development was consistent with Policies PMD2 and PMD5 of the Local Development Plan. The development was considered to be appropriate infill and ancillary development within the grounds of a dwellinghouse, remaining within character and scale given the limitations of the existing access. Members did agree that the occupancy could be extended to include occupancy from outwith the household of Penvalla. However, Members were not agreed on the wording of Condition 2 as detailed in the vote below.

VOTE

Councillor Laing, seconded by Councillor Fullarton moved that the condition be re-worded to allow Friends and Family use of the Annex, but that commercial letting not be permitted without a further application.

Councillor Small, seconded by Councillor Richards, moved as an amendment that the condition be removed and commercial letting allowed.

Members voted as follows:-

Motion - 4 votes

Amendment - 2 votes

The Motion was accordingly carried and the condition amended.

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 and the comments from the Officers on new information;**
- (c) the proposal would be consistent with the Local 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 approve the development subject to Condition 2 be overturned and varied and grants planning permission for the reasons set out in Appendix I to this Minute.**

2. CONTINUATION OF REVIEW 21/00486/FUL

With reference to paragraph 5 of the Minute of 16 August 2021, there had been re-circulated copies of the request from Mr S Lamb, 3 Rowan Court, Cavalry Park, Peebles to review the decision to refuse the planning application for the Change of Use of part of the ground floor to Class10 – Non-residential institutions and the conversion of the loft to accommodate additional office space, Class 4 – Business. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; Consultations and a list of policies. Also circulated were copies of further information in the form of DDL Care Hub Ltd – Business Plan and Cavalry Park – List of Companies; and responses requested by the Local Review Body to the additional information from the Council's Planning Officers and Chief Social Work Officer with a further response to those submissions from the applicant. . Following consideration of all relevant information, the Local Review Body concluded that the development was consistent with Policies ED1 and PMD3 of the Local Development Plan. The development was considered to be a complimentary use within Cavalry Park, created replacement Class 4 use on the first floor and offered significant community benefits that outweighed the need to retain Class 4 use on the ground floor. Consequently, the application was approved.

DECISION

AGREED that:-

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

- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted and the comments from the Officers on new information;
- (c) the proposal would be consistent with policies ED1 and PMD3 of the Local Development Plan; and
- (c) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions for the reasons detailed in Appendix II to this Minute.

3. **REVIEW OF 21/01620/PPP**

There had been circulated copies of the request from Mr Bruce Weir, per Ferguson Planning, 54 Island Street, Galashiels to review the decision to refuse the planning application for the Erection of 4 no. dwellinghouses with associated infrastructure and access on Land South of Crunzion Cottage, Earlston Road, Stow. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; Consultation replies; Objection comments; further objection comments and Applicant Response; Additional information replies and List of policies. After considering all relevant information, the Local Review Body concluded that the development was contrary to Policy PMD4 of the Local Development Plan 2016 in that it would be located outside the settlement boundary of the village and did not meet the exceptions contained within Policy PMD4, particularly in that strong reasons had not been given to demonstrate that there was a shortfall identified by the Council through the housing land audit with regard to the provision of an effective five year housing land supply. Furthermore, PMD2 of the Local Development Plan 2016. This conflict with the Local Development Plan was not overridden by other material considerations.

DECISION

AGREED that:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;
- (c) the proposal would be 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 III to this Minute.

4. **REVIEW OF 21/00019/RREF**

There had been circulated copies of the request from John Patterson, 16 Riverside View, East Broomlands, Kelso to review the decision to refuse the planning application for the development of a single dwellinghouse and parking on Land Adjacent to Carnlea, Main Street, Heiton. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; Objection comments, further objection comments and Applicants Response, General comments received, other information and a list of policies. The Planning Adviser drew attention to information, in the form of Land Register of Scotland – Land certificate version 12/09/2006; Letters from Scottish Water dated 20 April 2004 and 24 February 2005; Excerpts from The Robert Burns Annual and Chronicle 1948 and Excerpts from the Federation Year Book 1951 which had been submitted with the Notice of review documentation but which had not been before the Appointed Officer at the time of determination. Members agreed that the information was new but considered that it met the Section 43B test, was material to the determination of the Review and could be considered.

However, they also agreed that the new information could not be considered without affording the planning officer and roads officer an opportunity of making representations on the new information so agreed that the application be continued for further procedure.

DECISION

AGREED that:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) new evidence submitted with the Notice of Review in the form of Land Register of Scotland – Land certificate version 12/09/2006; Letters from Scottish Water dated 20 April 2004 and 24 February 2005; Excerpts from The Robert Burns Annual and Chronicle 1948 and Excerpts from the Federation Year Book 1951 met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;**
- (c) the review could not be considered without the need for further procedure in the form of written submissions;**
- (c) the Planning Officer and Roads Officer be given the opportunity to comment on the new evidence submitted with the Notice of Review.**
- (d) consideration of the review be continued to a future meeting on a date to be confirmed.**

The meeting concluded at 12:05 p.m.

MINUTE of Meeting of the EILDON AREA
PARTNERSHIP held remotely by Microsoft
Teams on Thursday, 11 November 2021 at
6.00 pm

Present:- Councillors G. Edgar (Chairman), S. Aitchison, C. Cochrane E. Jardine (from para 9), J. Linehan, H. Scott and E Thornton-Nicol together with 22 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillor D. Parker

Absent:- Councillor T. Miers

In Attendance:- Director Resilient Communities, Communities & Partnership Manager, Locality Development Co-ordinator (K. Harrow), Community Engagement Officer (E. Coltman), Portfolio Manager (J. Lamb), Democratic Services Team Leader, Democratic Services Officer (D. Hall)

1. **WELCOME**

The Chairman welcomed everyone to the meeting of the Eildon Area Partnership held remotely via Microsoft teams, which included elected Members, guests attending within the meeting and those watching via the Live Stream. The Chairman outlined how the meeting would be conducted.

2. **ORDER OF BUSINESS**

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

3. **FUNDING TABLE OVERVIEW**

A copy of the Eildon Area Partnership Funding Table had been circulated. Regarding the Community Fund 2021/22, Mr Harrow referred to the table and explained that £77,750 had been awarded. He advised that if the pending applications were approved there would be a balance of £19,524 to last until the new financial year. Mr Harrow invited applications to the Fund.

4. **COMMUNITY FUND UPDATE / APPLICATIONS**

4.1 A report outlining the recommendations of the Eildon Area Partnership Assessment Panel on five applications to the Eildon Community Fund had been circulated. Jenny Mushlin proceeded to go through each of the applications. She confirmed that all decisions by the Panel had been unanimous.

4.2 **Selkirk Silver Band**

The application from the Selkirk Silver Band was for a grant of £2,198.44 to help digitalise and preserve the original manuscripts of a series of songs. New copies of the music would also be generated, and laminated for the use of the current players in the band. The request for £2,198.44 was granted in full.

4.3 **Newstead Village Community Trust**

Newstead Village Community Trust was applying for a grant of £13,758 to fund the development of a community action and business plan. The panel was of the opinion that

that the application was better suited to apply to the BBBB Fund. Following discussions the application was denied and the funding was not granted.

4.4 Melrose and District Community Council

The application for £1,500 from Melrose and District Community Council to upgrade their existing festive light system had been considered under the fast track provisions. The panel granted the funding in full on the basis that the upgrade was environmentally friendly and demonstrated community need.

4.5 Lilliesleaf Community Development Limited

The application from Lilliesleaf Community Development Limited had been dealt with as a fast track application. The panel had granted £1,500 to cover the ongoing expense of an accountant, insurance and grass cutting to support the group following the purchase of the green area in the village.

4.6 Trustees of Bowden Common

The Trustees of Bowden Common had applied for a grant of £896.48 to fund the replacement of shed doors and football nets. The nets used on the goalposts on the football pitch at the edge of the common were ageing and in need of replacement. The doors on the shed were falling into a state of disrepair and also required replacement. The application had been considered as a fast track application and granted in full by the panel.

4.7 Oxton & Channelkirk Community Council

Oxton & Channelkirk Community Council had applied for a grant of £1,400 to fund the repair of a community tractor. Jenny Mushlin advised the meeting that during the panel's considerations a member of the assessment panel had declared an interest in the application and took no part in the discussion. The panel had considered the application under as a fast track application. Funds had been granted in full on the basis that the tractor plays an important role in helping community resilience.

5. BUILD BACK A BETTER BORDERS RECOVERY FUND UPDATE / APPLICATIONS

5.1 The Chairman asked Mr Harrow to provide an overview of the applications to the Build Back a Better Borders Fund. Mr Harrow explained that The Build Back a Better Borders fund had to date awarded £34,259. He advised that if the pending applications were approved there would be a balance of £44,583.39. Mr Harrow proceeded to give an outline of each application.

5.2 The Abbotsford Trust

The Abbotsford Trust were applying for £15,000 to help develop a pilot project to help people living in the local community whose mental health and well-being had been affected by the pandemic. The project aimed to engage with 20 individuals, delivered over four blocks, with each block lasting six weeks, involving 5 participants at a time. The participants in the project would have the opportunity to undertake a variety of practical duties across the gardens and estate of Abbotsford House. The funding applied for would cover key staff costs. Following considerable discussions the application for £15,000 was unanimously granted.

5.3 Eildon West Youth Hub (TD1 Youth Hub)

The application from TD1 Youth Hub was for £12,384 to allow them to offer a new outreach service over the winter months that would allow young people to access the TD1 youth hub in Galashiels town. It would allow the Hub to offer new outreach opportunities to those living in the Langlee area, within the community and from the Queens Centre. The Hub would also provide regular group activities offering the chance for young people to take part in youth work opportunities with the aim of reducing anti-social behaviour by allowing young people the opportunity to engage twice a week in organised activity. The funding would cover the cost of providing those free activities, vehicle hire, staff costs and resources for activities. The Members in attendance praised the merits of the application,

highlighted the exemplary work being undertaken by the Hub and undertook to send a letter to the developer of Melrose Gait, signed by all Eildon Area Councillors, asking whether they would like to financially contribute to the provision of outreach services to the development given the dearth of opportunities present in the locale. Members unanimously granted the funding of £12,384.

5.4 Selkirk Rotary

The Rotary Club of Selkirk were applying for £4,500 to help deliver a Community and Economic Project on 27 November 2021. The event would include stage entertainment from local theatrical and musical groups, a fashion show, a live radio broadcast and children's entertainment. The funding applied for would cover the costs to allow the event to be free of charge, helping bring the whole of the local community together. Members praised the application and granted the funding of £4,500 in full. It was agreed that the marketing materials for the event would be circulated via the Area Partnership by Mr Harrow.

5.5 Gala Rugby

Gala Rugby had applied for £4,025 to fund the appointment of an assistant development officer for a 6 month period. The new staff member would allow Gala Rugby to engage with young people and schools that they have lacked the capacity to work with previously. They club would provide rugby activities within Langlee and Balmoral primary schools and focus on encouraging girls in early secondary school to participate in rugby. The application for £4,025 was granted in full.

5.6 Melrose Bowling club

The application from Melrose Bowling Club was seeking £9,828 to fund the purchase of a new lawn mower suitable for the needs of a modern-day bowling green. The current mower was increasingly no longer fit for purpose due to its age and the grass on the bowling green requiring regular cutting. Members praised the efforts of the club to be accessible to all and granted the application for £9,828 in full.

5.7 Ettrick Forest Archers

Ettrick Forest Archers were applying for £6,700 to enable them to purchase equipment to hold "Come and Try" sessions and open days. The funding would also allow the group to offer four free two-hour training sessions to the first five new junior members and first five new senior members who wish to join the club. The application for £6,700 was granted in full.

5.8 Melrose Tennis

The application from Melrose Waverly Tennis Club was for £8,163 to allow them to extend and expand their coaching sessions for children, and also reach out to new children. The Club would like to install a practice fence to extend the active time for all of the children taking part in coaching sessions. Additionally, the club would introduce a new 6-week block of free coaching aimed at 5 year olds who have not taken part in the sport previously. Members praised the application and granted the application for £8,163 in full.

5.9 Newstead Village Community trust

The application from Newstead Village Community Trust was for £12,382 to help appoint a professional consultant to work with the community to develop a Community Action Plan and Business Plan. The trust wished to build on the community spirit and togetherness that had arisen as a result of the impact of COVID-19. Members praised the application, granted the application for £12,382 in full and recognised that the work to be undertaken by the Trust could act as a template for other similar communities in the Borders.

6. GROUP EVALUATIONS

6.1 Maroon'd

Ian Dalgleish of Gala Rugby joined the meeting to provide feedback on a rugby 7s event held by Club on 21 August 2021. Despite poor weather attendance figures had been

good, with approximately 3500-4000 people attending. Different new features had been introduced to the event this year, including live music, running events and football. As part of the evaluation the Club had used SurveyMonkey to get feedback from attendees of the event. 90% of those who completed the survey indicated that the event was well run, 93% indicated that they would attend similar future events, 76% rated the quality of food as high, and 40% stated that they had visited local businesses in Galashiels prior to attending. The Members in attendance, some having attended, praised the event for being very successful and fun to attend. Mr Dalgleish agreed to provide photographs of the event to Mr Harrow in order to publicise the impact that BBBB funding was having in the local community.

MEMBER

Councillor Cochrane left during the discussion of the above item.

6.2 Friends and Family of Newtown Primary School

There had been circulated copies of a written evaluation from the Friends and Family of Newtown Primary School on a grant that had allowed the completion of a sporting area. The sports facility allowed games such as football/netball/basketball to be played in Newtown free of charge for all. Councillor Thornton-Nicol provided some additional feedback on the impact of the project on the local community, explaining that the apparatus had made an extremely positive impact.

7 ADDITIONAL INFORMATION DOCUMENT

The Chairman explained that the additional information document included a wide range of useful information and links.

8 FEEDBACK FROM MEETING OF 23 SEPTEMBER 2021

The Minute of the meeting of the Eildon Area Partnership held on 23 September 2021 had been circulated and was noted.

9. PLACE MAKING UPDATE

9.1. Portfolio Manager, James Lamb, gave a presentation providing an update of the Place Making Approach. Mr Lamb explained that the report discussed at the previous meeting was a draft which had now been approved by full Council. Recruitment of the 9 newly created posts had progressed, with 5 Community Engagement Officers successfully recruited, 4 of which had started work. The Green Space Programme Officer was also in place. 2 Place Planning and Regeneration Officers would be in post before the end of this month. The recruitment of the Climate Change Officer remained a challenge, with ways to improve the attractiveness of the post being considered. Further work had gone into creating smaller settlements profiles, which incorporated statistics taken from national level on population change, access to amenities and deprivation levels. This would be published on the Council's website along with the smaller town index,

9.2 Following the previous meeting, Mr Lamb had asked the Area Partnership attendees to provide feedback on the proposed Joint Principles, the Framework, Prioritisation and the terms of reference. 21 responses had been received across the 5 area partnership areas, with 2 from the Eildon Area. Overall, this represented less than 4% participation rate, and Mr Lamb acknowledged that the results were more informative than representative. Mr Lamb acknowledged that a Council report was not an effective way of communicating with Area Partnerships. Those in attendance suggested using bullet points and simpler language as a more effective way of engaging with people. The feedback on the Joint Framework was largely positive, with the focus primarily on the need to simplify the language used and whether the approach was sustainable in the long term.

9.3 Regarding the prioritisation of initial communities, Councillor Aitchison drew attention to Newtown St Boswells as a potential area to prioritise, highlighting the impact that workers being largely absent from Council Headquarters had on the number of people visiting the village on a day-to-day basis. The Chairman suggested that the Portfolio Manager

organise a workshop with all interested parties in line with what other Area Partnerships were doing to examine the approach to identifying initial communities. Mr Harrow indicated that the workshop would likely take place late January or early February. The Chairman indicated a preference that the workshop take place at the end of January and thanked Mr Lamb for his presentation and the work that he had undertaken.

MEMBER

Councillor Scott left during the discussion of the above item. Councillor Jardine joined during the discussion of the above item.

10 SBC ROADS UPDATE ON PLANNED WORKS PROGRAMME

Donald Scott, Team Leader, Road Assets Team gave an update on the Roads asset programme. He explained the strategic approach that his team used to manage and carry out works on the road network across the region. There were 3000km of roads under the responsibility of SBC, 43.5% of which required treatment or work carried out to it. £12million had been identified as the sum required to maintain the network in its current state. £6million was being spent on planned and routine maintenance this financial year. Two new trainees had begun work recently, it was hoped that their recruitment would improve the capacity for works to be carried out in the long term. Mr Scott explained that the Road Assets Team used a blended approach, with third party contractors brought in to carry out work where necessary. Mr Scott went on explain that in wintery conditions the primary road network would be prioritised for treatment, after which secondary roads and then tertiary roads would be salted where conditions and resources allowed. Changes made to the planned works programme were outlined and Mr Scott concluded with an update on projects that had been completed. In response to a question, Mr Scott clarified that when he referred to the deferral of work to alleviate drainage problems on the Lauder road, the work would be carried out in the new calendar year. The Chairman thanked Mr Scott for his excellent and informative presentation and it was agreed that a copy of the slide presentation would be issued.

11 COMMUNITY ASSISTANCE HUB UPDATE

Mr Harrow explained that an information update on the Community Assistance Hub was included as part of the additional information document. Oonagh McGarry thanked the volunteers who continue to support the hub.

12 NEXT AREA PARTNERSHIP

The next meeting was scheduled for Thursday 10 February 2022. Suggestions for agenda items could be sent to the Locality Development Co-ordinator at kenny.harrow@scotborders.gov.uk.

13 MEETING EVALUATION

Mr Coltman gave a demonstration of Menti, a tool designed to allow better participation in online meetings. The tool worked by asking users to scan a QR code with a mobile phone or tablet computer. Those in attendance provided answers to questions that were collated and shared on screen.

CHAIRMAN

The Chairman thanked everyone for their attendance and closed the meeting.

The meeting concluded at 8.20 p.m.

This page is intentionally left blank

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held remotely by Microsoft
Teams on Tuesday, 16 November 2021 at
10.00 am

Present:- Councillors S. Haslam (Chairman), G. Edgar, C. Hamilton, S. Hamilton,
E. Jardine, S. Mountford, M. Rowley, R. Tatler, G. Turnbull & T. Weatherston
Also Present:- Councillors W. McAteer, E. Thornton-Nicol
Apologies:- Councillor S. Aitchison
In Attendance:- Director Finance & Corporate Governance, Director Infrastructure &
Environment, Director People, Performance & Change, Director Resilient
Communities, Director Social Work & Practice, Director Strategic
Commissioning & Partnerships, Democratic Services Team Leader,
Democratic Services Officer (D Hall).

1. MINUTE

There had been circulated copies of the Minute of the meeting held on 5 October 2021.

DECISION

APPROVED for signature by the Chairman.

2. MONITORING OF THE GENERAL FUND REVENUE BUDGET 2021/22

- 2.1 There had been circulated copies of a report by the Director Finance & Corporate Governance providing the Committee with budgetary control statements for the Council's General Fund based on actual expenditure and income on 30 September 2021, along with explanations of the major variances identified between projected outturn expenditure/income and the approved budget. The Council had continued to experience impacts from the COVID-19 pandemic into the new financial year with a number of variations from budget evident. The report explained that due to the very challenging operating environment it remained essential that the Council continued to operate as efficiently as possible to ensure that any financial implications not yet clear could be managed as the financial year progressed.
- 2.2 The approved new corporate structure had been reflected in the report. Forecasts had been completed at the second quarter of 2021/22 at 30 September that projected the Council to be in a balanced position at the financial year end. The position required a further draw down of £0.620m from the COVID-19 reserve compared to the reported position at the end of the first quarter of the current year. The forecast position included the carry forward of resources from 2020/21. Impacts from COVID-19 were expected to continue in to 2022/23, the COVID-19 reserve would be drawn down as required to meet identified financial pressures. The latest forecast included all known pressures including loss of income, confirmed Scottish Government funding, the effects of the continued freeze on discretionary spend and assumptions around delivery of Financial Plan savings.
- 2.3 The report outlined that significant confirmed funding was in place for 2021/22, with a commitment that additional expenditure incurred through the Integration Joint Board (IJB) delivering Health & Social Care services be funded by the Scottish Government.

The report detailed the breakdown of confirmed COVID-19 funding for 2021/22, stating that a total of £31.563M was available. The total COVID-19 funding was split between funding which had been ring-fenced to be used for a specific purpose (£13.411m) such as education recovery, IJB funding, admin funding and funding to support communities, and that which could be used more generally by the Council to address COVID-19 pressures (£18.152m). Full details of funding available was provided in Appendix 2 to the report. There had been an ongoing impact on the delivery of planned Financial Plan savings during 2021/22 as a result of the diversion of management time to the pandemic during 2020/21 and into 2021/22. The level of savings required by the financial plan, totalled £9.301, in 2021/22 and an analysis of delivery of savings had been updated and provided in Appendix 3 to the report. Following the September month end savings of £2.491m had been delivered permanently, £1.964m (21%) was profiled to be delivered by 31 March 2022 and £4.846m (52%) was to be delivered on a temporary basis through alternative savings. The Director, Finance & Corporate Governance answered Members questions regarding the report and explained that reports were made regularly to the Scottish Government on a range of matters, including the impact of COVID-19 on the Council's ability to deliver fiscal savings.

DECISION

AGREED to:-

- (a) note the projected corporate monitoring position reported at 30 September 2021, 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) note the COVID-19 funding detailed in Appendix 2 to the report;**
- (c) note the progress made in achieving Financial Plan savings in Appendix 3; and**
- (d) approve the virements contained in Appendix 4 & 5 to the report.**

3. MONITORING OF THE CAPITAL FINANCIAL PLAN 2021/22

- 3.1** There had been circulated copies of a report by the Director Finance & Corporate Governance providing an update on the progress of the 2021/22 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 2021. Key issues identified in the tables were summarised within the main report. The report explained that the September month end position reflected a projected outturn of £84.229m with a net budget variance of £16.445m. Further timing movements were likely as the year progressed and there was further clarity on timing of major projects. Significant expenditure was anticipated in Hawick Flood Protection scheme at £23.4m and £12m IT investment during 2021/22. There were a number of macro-economic factors affecting the Capital Plan. It was noted that the construction materials supply chain had been subject to unprecedented disruption in recent months. A surge in demand, coupled with constraints on supply had led to price increases, shortages and longer lead times and the impact of this on the Capital Plan was being assessed.
- 3.2** Current legally committed projects had a small risk of impact and block programmes of work could operate within a cash constrained budget and were low risk. The report stated that the most significant risk lay in the small number of contracts to be tendered this year which might result in budget pressure. Any financial implications from these market conditions would be reported through the regular budget monitoring cycle, with any longer term impacts reflected in the financial planning process.

- 3.3 The list of block allocations approved for the year and various approved and proposed projects to be allocation from them within the 2021/22 Capital Plan was outlined in Appendix 2 to the report. The list of estimated whole project capital costs for single projects which would not be completed in the current financial year was outlined in Appendix 3 to the report. Members discussed the report, recognising the ongoing impact of COVID-19 upon the delivery of the Capital Plan.

DECISION

- (a) **AGREED the projected outturn 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 Director, Finance & Corporate Governance and the Director Infrastructure & Environment detailed in Appendix 2 to the report under delegated authority;**
 - (ii) **the list of block allocations detailed in Appendix 2 to the report; and**
 - (iii) **the list of whole project costs detailed in Appendix 3 to the report.**

4. BALANCES AT MARCH 31 2022

There had been circulated copies of a report by the Director Finance & Corporate Governance providing an analysis of the Council's balances as at 31 March 2021 and details of the projected balances at 31 March 2022. The report explained that the unaudited Council's General Fund useable reserve (non-earmarked) balance was £8.3831m at 31 March 2021. 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. The total of all useable balances, excluding developer contributions, at 31 March 2022 was projected to be £34.288m, compared to £48.264m at 31 March 2021. The reduction in balances between the two financial years could be attributed to funding carried from 2020/21 to 2021/22 through the COVID-19 reserve, part of which had been attributed to the revenue budget in 2021/22. The projected balance on the Capital Fund of £8.111m 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. In response to a question regarding developer contributions relating to the railway, the Director explained that in 2017 the Council agreed to pay Transport Scotland developer costs up front, and then recoup the developer contributions over time. Regarding the adverse weather fund, the Director explained that the Fund acted as a reserve to be used once the allocated winter services budget had been exhausted.

DECISION

NOTED:-

- (a) **the audited 2020/21 revenue balances at 31 March 2021;**
- (b) **the projected revenue balances as at 31 March 2022 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. COVID-19 RESPONSE – UPDATE ON PROPOSALS TO FURTHER SUPPORT INDIVIDUALS FACING FINANCIAL HARDSHIP

- 5.1 With reference to paragraph 5 of the Minute of 9 February 2021, there had been circulated copies of a report by the Director - Resilient Communities providing an update in relation to the allocation of the Scottish Government “Addressing future need to support individuals at financial risk 2020/21” Fund. The report also included further proposals to provide wider financial support to individuals who require additional help. A previous paper, approved by the Committee on 9 February 2021, detailed £20m of funding that had been announced by Scottish Government to be made available to Local Authorities to support those in financial hardship, £330k of which was available to Scottish Borders Council for Food and Financial Insecurity. Additional funding announced by the Scottish Government meant that a further £330k was available, to a total of £660k. Funding to both foodbanks/FareShare providers and Eildon Housing had provided much needed assistance in the provision of white goods, transport and top up of food banks for those who were self-isolating. Hardship payments of £75 had been made to approximately 1300 families across the borders, totalling over £99k.
- 5.2 Additional funding was sought for a range of initiatives, including £100k in relation to the extension of the Warm and Well scheme, £26k for a Scottish Child Bridging Payment, £117k to enhance the Clothing Grants Scheme, £121k to create an Inclusion Fund and £45k for a range of existing third sector networks, Community Planning Partners and other groups or organisations. A Financial Insecurity Group made up of relevant Officers and led by the Director - Resilient Communities, had continued to meet on a regular basis to discuss the funding. The proposed allocation of the next phase of funding was presented at Sections 5 and 6 of the report, which was based on the Scottish Government guidance, main objectives and the expected outcomes of the fund. The Director gave a summary of the new proposals detailed within the report and made reference to the case studies included as Appendices to the report. Members discussed the report, praised the excellent work of the officers involved, and recommended that anyone facing hardship as a result of COVID-19 utilise the funding on offer.

**DECISION
AGREED:-**

- (a) to note the funding that has been awarded to date in Appendix A to the report, and the available balances;
- (b) to delegate authority to the Director - Resilient Communities to allocate funding as detailed in the report in respect of the following:
- (i) The extension of the Warm & Well Borders Scheme;
 - (ii) Scottish Child Payments Bridging Payments, enhancing the Clothing Grants Scheme and the creation of an Inclusion Grant Scheme;
 - (iii) Allocation of funding to a range of existing third sector networks, Community Planning Partners (including Registered Social Landlords) and any other partnerships, networks, resilience groups or other organisations who were already working with vulnerable individuals, to assist with essentials in accordance with the guidance, based on the principles of digital, fuel and food poverty and other items deemed as emergency essentials.

- (c) to delegate authority to the Director Finance & Corporate Governance to reflect in the budget any further funding which might be allocated to support households over the winter of 2021-22 in line with the Scottish Government's states policy intent; and
- (d) that all claims, financial monitoring and evaluation will be undertaken in accordance with the guidance and requirements of the Fund by officers delegated by the Director of Resilient Communities.

6. **REVISED COMPLAINTS HANDLING PROCEDURE**

There had been circulated copies of a report by the Director, Resilient Communities that proposed the endorsement of the revised Complaints Handling Procedure. The report also outlined key changes being introduced in the revised Complaints Handling Procedure which had been developed following a review by the Scottish Public Services Ombudsman. In response to a question, Mrs Craig explained that the key factor behind the proposed changes was the desire to simplify the system and allow front line officers more flexibility in how they worked.

DECISION

AGREED to endorse the revised Complaint Handling Procedure for all Council Departments.

7. **CORONAVIRUS (COVID-19) TENANT GRANT FUND – OUTLINE OF FUND AND PROPOSALS FOR ADMINISTRATION OF FUND**

There had been circulated copies of a report by the Director, Resilient Communities, which described the Scottish Government's Tenant Grant Fund and requested delegated authority for the Director to allocate, monitor and evaluate the Scottish Borders allocation from the fund. The Deputy First Minister announced on 23 June 2021 a new £10m Tenant grant Fund as a way of preventing evictions as a result of COVID-19 related rent arrears. The Scottish Government wrote to Local Authorities (LA) on 10 September 2021 outlining the aims of the Fund and stated the level of award to each LA. Scottish Borders Council had been awarded £175k Grant Fund and £9k for the administration of the fund. Officers were liaising with partners, including 4 locally based RSLs, to assess the scale of demand for the fund and to inform the development of mechanisms for delivering the fund appropriately and effectively. The Director summarised the key elements of the report, explained that the fund was specifically for rent arrears built up between 23 March 2020 and 9 August 2021, and clarified that discussions were ongoing to ensure that private sector tenants could also access the fund on a fair basis.

DECISION

AGREED to:

- (a) note the aims of the Fund and the funding that has been awarded as per the Scottish Government letter of 10 September 2021 per Appendix 1 to the report; and
- (b) delegate authority to the Director – Resilient Communities to allocate, monitor and evaluate funding in accordance with the Coronavirus (COVID-19) Tenant Grant Fund Guidance for Local Authorities.

8. **SCOTTISH BORDERS COUNCIL QUEEN'S PLATINUM JUBILEE FUND**

There had been circulated copies of a report by the Director – Resilient Communities proposing that a sum of £70k would be allocated to create a Queen’s Platinum Jubilee Fund. The purpose of the Fund would be to enable non-profit making community/voluntary groups, schools and churches within the Borders whose project or activity was for the benefit of the wider community, to apply for grant funding to take part in celebratory events/community and legacy projects to mark the Queen’s Platinum Jubilee Weekend 2-5 June 2022. It was proposed that the Fund would open on 5 January 2022 to allow communities to plan events and activities, and close on 30 April 2022 to allow grant award payments to be processed before the Jubilee weekend. Awards up to a maximum of £2,500 would be available. In response to a question, the Director clarified that groups that had financial reserves would not be restricted from accessing the fund. Regarding the promotion of the Fund, Mrs Craig explained that a communication plan would be drawn up that aimed to ensure that the message was disseminated as widely as possible.

DECISION

AGREED:-

- (a) to the creation of a Queen’s Platinum Jubilee Fund of £70k; and**
- (b) that the decision making for the Council’s Queen’s Platinum Jubilee Fund is to be agreed at Officer level, with final approval and sign off by the Director, Resilient Communities.**

9. OUR PLAN AND YOUR PART IN IT: SBC’S CORPORATE PERFORMANCE AND IMPROVEMENT REPORT QUARTER 2 2021/22

There had been circulated copies of a report by the Director People, Performance & Change which presented a high level summary of Scottish Borders Council’s Quarter 2 2021/22 performance information with more detail contained within Appendices 1-3 to the report, and a summary of the Community Action Team’s activity provided in Appendix 5. The report also included highlights on the progress of change and improvement projects across Scottish Borders Council (SBC) under the Fit for 2024 programme and monitored progress of the Recovery Plan. During Quarter 2 2021/22, SBC had continued to press ahead with a range of important initiatives and innovations, including the launch of the Digital Skills programme aimed at improving overall digital skills of the workforce; improving outcomes for young people and their families through Family Group Decision Making and the utilisation of technology to automate and streamline processes. In response to a question on absence rates in schools, Mrs Hepburn undertook to investigate the matter further and explained that following the easing of COVID restrictions cases of minor illness appeared to be more common than usual, contributing to a higher than expected absence rate amongst staff and pupils. Regarding the cost per home spent by SBC collecting council tax, the Director, Finance & Corporate Governance clarified that the graph included in Appendix 1 to the report was a comparison of SBC and its local authority “family group” of comparable rural local authority areas.

DECISION

- (a) AGREED to approve the Quarterly Reports set out at Appendices 1-4 to the report.**
- (b) NOTED:-**
 - (i) the progress update relating to Change and Improvement Projects detailed in Appendix 1 of the report;**

- (ii) the changes to performance indicators outlined in report; and
- (iii) the performance summarised in the report and the action that were being undertaken within services to improve or maintain performance.

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

SUMMARY OF PRIVATE BUSINESS

- 11 **MINUTE**
The Committee noted the Private Minute of the Meeting on 5 October 2021

The meeting concluded at 11.30 am.

This page is intentionally left blank

SCOTTISH BORDERS COUNCIL

TEVIOT AND LIDDESDALE AREA PARTNERSHIP

MINUTES of Meeting of the TEVIOT AND LIDDESDALE AREA PARTNERSHIP held via Microsoft Teams on Tuesday, 16 November 2021 at 6.00 pm

Present:- SBC Councillors: N. Richards (Chair), W. McAteer, C. Ramage, G. Turnbull. Other organisations attendees: Ms H. Batsch (The Bridge), Ms R. Dickson, Mr W. Douglas, Mr W. Fletcher (Burnfoot CC), Ms D. Friel (Upper Teviotdale and Borthwick Water CC), Mr W. George, Ms C. Jeffrey, Mr P. Kerr (Southdean CC), Ms C. Knight, Mr C. Knox (Hawick CC), Mr G. Kolbe, Mr D. Tait (Future Hawick), Mr A. Warburton (Upper Liddesdale & Hermitage CC), Ms R. Woods (Southdean CC).

Apologies:- Councillor D. Paterson.

In Attendance:- Communities & Partnerships Manager (S. Smith), Director Resilient Communities (J. Craig), Locality Development Coordinator (G. Jardine), Portfolio Manager (J. Lamb), Community Engagement Officer (S. McKail), Network Manager (B. Young), Flood and Coast Management Team Leader (D. Morrison), Clerk to the Council, Democratic Services Officer (W. Mohieddeen), Mr A. Sheridan (Forestry Scotland).

1. **WELCOME AND MEETING PROTOCOLS**

The Chairman welcomed everyone to the meeting of the Teviot & Liddesdale Area Partnership. The meeting was held via Microsoft Teams and the Chairman outlined how the meeting would be conducted and how those both in the meeting and watching via the live stream could take part. The Chair welcomed Scott McKail who had recently been recruited to the position of Community Engagement Officer.

2. **FEEDBACK FROM MEETING HELD ON 7 SEPTEMBER 2021**

There had been circulated copies of the Minute of the Meeting held on 7 September 2021. With reference to paragraph 9.1 of the Minute, Mr Tait advised that the first sentence was incorrect and should read "Mr Tait advised that it had been reported in the press about the Volunteer Park Stand but the Council had done nothing since 2018." It was hoped an update could be provided at the next meeting. The Chair advised attendees that the software Menti would be used to take feedback at the end of the Meeting.

DECISION

APPROVED the Minute, subject to the above amendment.

3. **PLACE MAKING UPDATE**

- 3.1 With reference to paragraph 3 of the Minute of 7 September 2019, Portfolio Manager, James Lamb, presented an update on progress with Place Making. Mr Lamb advised that the approach to Place Making presented at the previous meeting had been approved by Scottish Borders Council. Feedback following the previous meeting had suggested that a structured feedback form was created which went online in October 2021. With regards to staff recruitment, five community engagement officer posts had been filled along with two planning and regeneration officers, and a green space officer. Recruitment for the

climate change officer remained ongoing.

- 3.2 Mr Lamb presented a summary of feedback received from the five Area Partnerships on joint principles, framework, prioritisation and the role agreement, incorporating oversight of Place Making. Across the five Area Partnerships, 21 responses were received, including three received from the Teviot and Liddesdale Area Partnership. Mr Lamb noted that approximately 570 email addresses received the Place Making consultation questionnaire, and the response rate represented just under 4% return. That rate would not be representative and was not therefore conclusive, but the feedback was informative for the process. It was further noted that the Council report may not have been an effective means to consult and that feedback may be supplemented by other means including a special meeting or workshop. Attendees noted that the timeframe for the consultation was short and didn't lend itself to Community Council meeting schedules to provide more effective feedback.
- 3.3 Mr Lamb then presented an overview of feedback based on the proposals. Feedback on the joint principles was generally in agreement; however it was reported that there were issues with complexity of the language used and scepticism on delivery and sustainability of the principles. There was mixed feedback received on prioritisation; however a majority of respondents agreed with the proposal. There was not clear consensus of where to start on prioritisation and it was suggested this may be due to the complexity of prioritisation. During discussion, attendees considered a tiered structure to prioritisation placing communities on a gold/silver/bronze scale to start assessment. Feedback on the role agreement reported that respondents generally felt that Area Partnerships were supported to provide an oversight role; however there was a need for more inclusivity. It was discussed whether Area Partnerships provided the right level of inclusivity across communities and that attendees may vary depending on applications for funding overseen by the Area Partnership. Attendees noted that communities needed to be empowered and not to face barriers to participate in application processes. Mr Lamb concluded by presenting next steps which included forming a direction on the principles framework and role agreement. Furthermore, workshops would be arranged for February 2022.

DECISION

NOTED the update.

4. BUILD BACK A BETTER BORDERS RECOVERY FUND APPLICATIONS

The Locality Development Coordinator, Ms Jardine, presented the summary of applications to the Build Back a Better Borders Recovery Fund:

(a) Riddell Fiddles

An application had been received for £6,120 to start a new weekly after school group in Burnfoot, based at Burnfoot Hub, teaching fiddle and guitar to the P4/5 age group. The application was assessed as high, noting the intention to increase number of opportunities for children to be involved in a group activity and that Riddell Fiddles have referenced examples of support for the project and the positive impact they were having in the community before the pandemic.

DECISION

AGREED to award Riddell Fiddles the sum of £6,120, subject to the following conditions:

- (i) The applicant must follow Scottish Government Covid-19 guidance,**
- (ii) Instruments purchased must be available for wider community use.**

(b) Upper Liddesdale and Hermitage Community Council (ULHCC)

An application had been received for £1,974 to purchase and install a defibrillator on the B6357 road adjacent to the resilience shed opposite Larriston Farm. The application was assessed as medium noting the installation of defibrillators would provide a rural community with a resource that would improve the chances of

someone surviving a cardiac arrest. ULHCC had still to outline how the cabinet and defibrillator would be maintained to prolong its lifespan. ULHCC planned to insert solar panels on their resilience shed with a battery inside and the defibrillator located in an insulated enclosure. ULHCC had since submitting the application confirmed the Community Council would be responsible for the defibrillator's maintenance and planned to train a local response group.

DECISION

AGREED to award Upper Liddesdale and Hermitage Community Council the sum of £1,974, subject to the following conditions:

- (i) The applicant must follow Scottish Government Covid-19 guidance,**
- (ii) A plan must be put in place for the maintenance of the defibrillator and cabinet.**

(c) Wilton Park and Hawick Tennis Club

An application had been received for £4,240 to deliver several new initiatives to encourage more people to access tennis including free taster sessions for key groups such as disability sessions, tots, children, beginners and ages over 60. The application was assessed as high as the club was looking to extend the opportunity for different community groups to try tennis for the first time following the pandemic and the proposals were inclusive and removed barriers to participation.

DECISION

AGREED to award Wilton Park and Hawick Tennis Club the sum of £4,240, subject to the following conditions:

- (i) The applicant must follow Scottish Government Covid-19 guidance,**
- (ii) Equipment must be available for wider community use.**

DECLARATION OF INTEREST

Councillor Ramage declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Teams meeting during the discussion, returning once the item had been finalised.

(d) Burnfoot Community Futures (BCF)

An application was received for £14,850 to provide the community with training and development opportunities to assist recovery from the pandemic with focus on supporting those in the community directly impacted by Covid-19 including those who were isolated and those affected by poverty and loneliness. The application was noted as medium as the community had always been at the centre of BCF activities and they have had a successful history of delivering activities. It was noted that the BCF accounts were outwith the 15-month period allowed for the Build Back a Better Borders Recovery Fund with an expectation that their latest accounts would go to their Board for approval in December with their annual general meeting likely to take place in December. Attendees were asked to consider whether the account submission would be an obstacle to the application. Attendees noted funding would have a high value for the Burnfoot community, that Burnfoot Community Futures was deserving of support and that the Area Partnership should take steps to help look after those in Burnfoot.

DECISION

AGREED to award Burnfoot Community Futures the sum of £14,850, subject to the following conditions:

- (i) The applicant must follow Scottish Government Covid-19 guidance,**
- (ii) Equipment purchased must be available for wider community use.**

5. COMMUNITY FUND UPDATE

The Locality Development Coordinator, Ms Jardine, presented an update on progress of the Teviot and Liddesdale Community Fund. With reference to paragraph 10 of the Minute of the Meeting held on 7 September 2021, the Area Partnership agreed to divide the Community Fund into two pots, which both held £23,899. Pot A was divided between each Community Council and applications closed on 12 November 2021 with checks on eligibility still having taken place. Two applications had been received for Pot A and seven applications had been received for Pot B. Most of Pot B applications were from Hawick-based groups applying for funding up to £5,000. A request had been received from Newcastleton Community Council to increase the limit of the Pot A fund. Attendees noted that increasing the limit on fund applications may provide flexibility for applicants. Attendees discussed the scheduling of Area Partnership meetings in relation to the deadline for reopening fund applications. It had been suggested that the Teviot and Liddesdale Area Partnership meeting scheduled for 25 January 2022 be moved back to 1 February 2022 to avoid clashes related to Burns Night. It was noted that if this change was to take place, fund applications could open from 7 December to 7 January allowing officers to assess applications for the Area Partnership to decide on funding applications on a meeting on 1 February.

DECISION

AGREED:

- (a) to reopen applications to the Community Fund from 7 December 2021 to 7 January 2022; and**
- (b) that Community Councils review the funding limits for Pot A funds and change if necessary.**

6. FORESTRY - SOUTH OF SCOTLAND

6.1 Andrew Sheridan of Forestry Scotland gave a presentation on Scottish Forestry and their work in South of Scotland. Forestry Scotland was one of two agencies formed in 2019 to take forward work previously undertaken by Forestry Commission Scotland and Forest Enterprise Scotland. Scottish Forestry responsibilities were for forestry policy and the regulation of public and private forestry, including those managed by Forestry and Land Scotland. Mr Sheridan advised the main work of Forestry Scotland was the forestry grant scheme for woodland creation which had approximately £45 million. Funding included strategic timber transport fund, which had been used to build bypasses around communities heavily affected by timber transport. Details were given of consultation processes noting areas of work including felling permissions and forest plan approvals. Upon approval of a forestry application assessment, Forestry Scotland would undertake a consultation. Consultation periods were 28 days for comment submissions and Scottish Borders Council was a statutory consultee. It was further noted that Community Councils were not statutory consultees. Forestry Scotland was in the process of establishing a South of Scotland Regional Land Use Partnership and developing a Regional Land Use Framework. Wider priorities being led by the Scottish Government included climate change and achieving net zero carbon emissions by 2045. This priority placed responsibility on Forestry Scotland to woodland creation including planting 18,000 hectares of forestry annually by 2024.

6.2 Attendees discussed the presentation by Mr Sheridan, including processes for consultation. Ms Friell of Upper Teviotdale and Borthwick Water Community Council noted the importance of consultation for their community in relation to the importance of forestry to their community. Walks in Craik Forest were used frequently by residents and visitors and concern was raised regarding felling close to paths and the installation of forest roads. Concern was also raised regarding funding applications for strimming work on paths in Craik Forest. Larch felling was referenced and Mr Sheridan advised that where larch had been identified as being affected by a serious notifiable disease, landowners were required to conduct felling in a short timescale. The impact of forestry on flooding was queried with Mr Sheridan and whether felling had an impact on flood frequency. Mr Sheridan noted that large-scale felling tended to be approved in 5-year phases where applicants could fell every tree in an application over a 5-year phase.

Difficulty of gauging impact on flooding was noted with issues of harvesting run off also referenced. If Community Councils wanted to be consulted on forestry applications, they could contact Forestry Scotland, but they would need to respond within the timescales.

7. TIMBER TRANSPORTATION

Councillor Turnbull introduced Brian Young, Network Manager for Environment and Infrastructure, who gave a presentation on timber transportation in the Scottish Borders. Mr Young reported that almost a fifth of the area of the Scottish Borders was forest, and that the road network was not in as good a state as it had been. Mr Young presented pictures to the Area Partnership that had been used in a presentation for the timber industry. Issues associated with timber transport were the prevalence of single-track roads, noise associated with empty timber-lorries, occasions of roadside stacking, driver behaviour and incidents with other road users, vehicle convoys, damage to roads and verges and unsafe loading. The weight of full timber-lorries required a period of time where there would be no other timber-lorries on a route to allow road material to re-expand. Positive developments included the Borders Timber Transport Forum, establishment of agreed route maps and strategic timber transport management plans (STTMP). STTMPs were established to address routes with issues such as passing schools. Scottish Borders Council had successes with bids to the Strategic Timber Transport Fund. Agreed route maps (ARMs) were voluntary protocols which acknowledged that timber transport has rights to use public road network. ARMs had been used to agree and exclude routes including weight restrictions and local communities are usually encouraged to be consulted. It was noted that transport associated with felling plans would be known to the industry and this may be accessed through the South of Scotland Timber Transport Officer. Driver behaviour was discussed with incidents raised regarding hauliers becoming angry when approached by other road users. It was recognised that often drivers were under pressure to complete hauls within time limits.

8. FLOODING UPDATE

Duncan Morrison, Flood and Coastal Management Team Leader, presented an update on flood management and scheme works. Ground investigation had been ongoing in Newcastleton where residents had noted water flowing back up pipes in drains. There had been issues drilling through boulders after 2.5 metres. This had been affected by a shortage of speciality drills to get through boulders where rotary rigs were used by HS2 works in England. Due to a nationwide funding shortage for new flood schemes temporary measures were being investigated for the Green in Newcastleton, along with dredging and bridge removal. Schemes waiting to be funded were in Newcastleton, Slitrig and Peebles. It was noted that Scottish Borders Housing Association was budgeting to take property-level action in Newcastleton and Hawick which may be followed by other registered social landlords. Mr Morrison advised that the Hawick Flood Scheme was progressing with recent floods providing some concern with a part-built flood defence. The study for the Slitrig flood defence was ongoing with a public exhibition being considered for the new year, with temporary measures being put in at Crowbyres and Whitlaw. Drainage issues at Hobkirk Road, Bonchester Bridge were being investigated. The national consultation on flood risk management had concluded on 31 October 2021. Mr Morrison advised that the Scottish Environment Protection Agency (SEPA) have a gauge network for rivers and a new process for requesting additional gauges with a proactive system to assess applications. Attendees noted recurring issues that were still affecting their communities and thanked Mr Morrison for their presentation.

9. SBC ROADS

Attendees noted the written update on SBC Roads planned works programme.

10. ADDITIONAL INFORMATION FOR NOTING

The Chair advised that additional information was included in the agenda on current consultations, community empowerment requests and an update on the Community

Assistance Hub, funding table overview for Teviot and Liddesdale and a report from the Scottish Fire and Rescue Service.

11. **NEXT AREA PARTNERSHIP MEETING**

It was noted that the next Area Partnership meeting was scheduled for 25 January 2022 and attendees were asked to consider rescheduling the meeting for 1 February 2022.

DECISION

AGREED to reschedule the 25 January 2022 meeting of the Teviot and Liddesdale Area Partnership to 1 February 2022.

12. **ANY OTHER FORMAL BUSINESS**

It was noted that information was due to be announced for details of the Queen's Platinum Jubilee Fund for community groups to organise celebratory events.

13. **FUTURE MEETING DATES**

The future meeting dates of the Teviot and Liddesdale Area Partnership were noted as:

- 1 February 2022
- 22 March 2022
- 21 June 2022

14. **MEETING EVALUATION**

Attendees concluded the meeting with submission of meeting evaluations using the software Menti.

The meeting concluded at 8.40pm

SCOTTISH BORDERS COUNCIL

CHAMBERS INSTITUTION TRUST

MINUTE of Meeting of the CHAMBERS INSTITUTION TRUST held in Via Microsoft Teams on Wednesday, 17 November 2021 at 3.00 pm

Present:- Councillors H. Anderson, S. Bell, S. Haslam, E. Small , R. Tatler
Apologies:- Councillor K. Chapman

In Attendance:- Director of Finance and Corporate Governance, Chief Legal Officer, Solicitor (G. Sellar), Estates Surveyor (T. Hill), Localities Development Co-ordinator (K. Harrow), Democratic Services Team Leader

1. CHAIRMAN

Councillor Haslam, seconded by Councillor Bell, moved that Councillor Tatler be appointed as Chairman. Councillor Anderson, seconded by Councillor Tatler, moved that Councillor Bell be appointed as Chairman. Councillor Haslam, seconded by Councillor Anderson, moved that Councillors Bell and Tatler be appointed as Co-Chairs and this was unanimously agreed.

DECISION

AGREED that Councillors Bell and Tatler be appointed as Co-Chairs of the Chambers institution Trust and that they rotate for each meeting with Councillor Tatler taking the Chair for this meeting.

2. MINUTES

There had been circulated copies of the Minutes of the meetings held on 18 August and 6 October 2021.

DECISION

AGREED to approve the Minutes.

3. FINANCIAL MONITORING FOR 12 MONTHS TO 31 MARCH 2021 AND PROPOSED BUDGET FOR 2021/22

There had been circulated copies of a report by the Director of Finance and Corporate Governance providing the details of the income and expenditure for the Chambers Institution Trust for the year 2020/21 including the balance sheet values as at 31 March 2021 and proposed budget for 2021/22. Appendix 1 to the report provided the actual income and expenditure for 2020/21 and showed a surplus of £29,893, for the year, which was more than the previously reported surplus on 18 November 2020, as a result of an improvement in the return on the Aegon Asset Management Investment Fund being partly off-set by the removal of the Property Service Charge income. Appendix 2 to the report provided an actual balance sheet value as at 31 March 2021 and showed a decrease in the reserves of £10,264, partly due to the annual release from Revaluation Reserve off-set by unrealised gain on the Aegon Asset Management Investment Fund. Appendices 3a and 3b provided a breakdown of the property portfolio showing actual rental income and net return for 2020/21 together with actual property expenditure. Appendix 4 to the report provided a breakdown of the property portfolio showing actual property valuations at 31 March 2021 and Appendix 5 to the report showed the value of the Aegon Asset Management Investment Fund to 31 March 2021. Mr Robertson answered Members questions and confirmed that property costs were met by the Council but an allowance for

the kitchen works and the work by Page and Park would need to be reflected in the 2021/22 budget. It was agreed that provision of £14,850 be included for the kitchen works and £3,750 for the Page and Park costs.

DECISION

AGREED:-

- (a) to note the actual income and expenditure for 2020/21 in Appendix 1 to the report;
- (b) the proposed budget for 2021/22 as shown in Appendix 1 to the report with the addition of £14,850 for the kitchen works and £3,750 for the Page and Park costs;
- (c) to note the final balance sheet value as at 31 March 2021, and projected balance sheet value as at 31 March 2022 in Appendix 2 to the report;
- (d) to note the summary of the property portfolio in Appendices 3 and 4 to the report; and
- (e) to note current position of the investment in the Aegon Asset Management Investment Fund in Appendix 5 to the report.

4. VIRTUAL TOUR

With reference to paragraph 1 of the Minute of 6 October 2021, the Estates Surveyor gave a run through of the updated version of the virtual tour which had been updated by Page and Park. Members agreed that the amended version would be used as part of the public consultation. Following a discussion on next steps it was agreed that Councillors Bell and Tatler would meet with Mr Harrow to prepare a draft consultation process for consideration at the next meeting of the Trust.

DECISION

AGREED that Councillors Bell and Tatler would meet with Mr Harrow before the next meeting of the Trust to draft a consultation process.

5. PROPERTY UPDATE

5.1 With reference to paragraph 3.2 of the Minute of 18 August 2021, the Estates Surveyor advised that the kitchen works were underway and should be completed in December.

5.2 With regard to the former TIC space, it was not possible for it to be used until Covid restrictions had eased. The Tweed Valley Tourism BID and Live Borders had expressed interest in the space although Live Borders only wished to use it for a window display. It was agreed that Live Borders could put up a window display over the winter and that proposals should be sought from those wishing to use the space in the future. Members also agreed that Live Borders should be represented at future meetings as they managed the building.

DECISION

AGREED that:-

- (a) the Estates Surveyor take forward the proposal for Live Borders to put up a window display and seek proposals from the parties interested in using the space when Covid restrictions allowed; and
- (b) Live Borders be requested to be represented at future meetings to provide property updates.

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 to keep Members informed.

7. **FUTURE MEETINGS**

7.1 Councillor Tatler proposed that the Trust meet on a more regular basis and suggested that they be held monthly.

7.2 Councillor Bell asked that the Members thanks to Councillor Chapman for his work as Chairman of the Trust be recorded.

DECISION

AGREED:-

(a) that meetings be held on a monthly basis.

(b) to thank Councillor Chapman for his work as Chairman of the Trust.

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. **PRIVATE MINUTE**

Members approved the Minute of the meeting held on 6 October 2021.

10. **25 HIGH STREET, PEEBLES**

Members approved an amendment to the lease for 25 High Street, Peebles.

The meeting concluded at 4.10 p.m.

This page is intentionally left blank

Date: 18 November 2021 from 2.00 to 3:25 p.m.

Location: Via Microsoft Teams

Attendees: Councillor Rowley (Chair), Ms A. Cox (Borders College), Mr S. Gourlay (Fire & Rescue Service), Prof. R. Griggs (SOSE), Councillor C. Hamilton, Mrs K. Hamilton (NHS Borders), Mr R. Hill (RSL representative), Mr A. Hirst (Third Sector), Dr T. Paterson (Public Health), Councillor R. Tatler, Councillor G. Turnbull.

Also in attendance: Chief Executive, Director Resilient Communities, Communities and Partnership Manager, Clerk to the Council (all SBC); Mr J. McDougall (Scottish Government), Mr C. Myers (Health & Social Care Partnership).

MINUTE AND ACTION POINTS

1. **WELCOME AND APOLOGIES**

Councillor Rowley welcomed everyone to the meeting. Apologies had been received from Councillor Bell (SBC), Mrs Hume (Third Sector) and Mr R. Roberts (NHS).

2. **MINUTE**

Copies of the Minute of 9 September 2021 had been circulated.

DECISION

AGREED to approve the Minute.

3. **COMMUNITY PLANNING PARTNERSHIP REVIEW PROGRAMME**

With reference to paragraph 3 of the Minute of 9 September 2021, copies of an update paper on the Community Planning Partnership Review had been circulated. SBC Chief Executive, Netta Meadows, advised that a lot of work was happening behind the scenes, including discussions with the Improvement Service and it was hoped to hold a workshop in January 2022. This workshop would be facilitated by the Improvement Service and would focus on capturing and reflecting the learning from Covid-19, the strengths and weaknesses of the current arrangements, resources, priorities, performance monitoring and would also consider the refresh of the Community Plan and Action Plan. To put in place a framework to support this workshop, the Improvement Service was assisting with a self-assessment questionnaire for all CPP members. This would be issued in the next few weeks and it was hoped responses would be returned prior to Christmas to allow the Improvement Service to undertake analysis and develop the agenda for the workshop to focus the discussions and maximise the opportunities for participants. The proposed outcome of the workshop would be a draft Scottish Borders CPP Improvement Plan that would be brought back to the Board for approval.

DECISION

NOTED that the self-assessment questionnaire would be sent to the members of the CP Strategic Board and the CP Programme Board.

4. **FOOD GROWING STRATEGY**

- 4.1 Copies of a report by SBC Director Infrastructure & Environment on the Scottish Borders Community Food Growing Strategy had been circulated. The report proposed that the Community Planning Partnership endorsed the Scottish Borders Community Food Growing Strategy and Action Plan, attached as an appendix to the report, and actively supported this within both the Community Planning Partnership and within each partner's own organisational plans. The Strategy "Cultivating Communities" was adopted by SBC in March 2021. While the Strategy was a legislative requirement, it was also a vehicle for nurturing and developing community food growing across the Scottish Borders, in line with the national food growing agenda. Community food growing was increasingly recognised as a valuable model for supporting sustainable, resilient, healthy communities. The impact of Covid-19 had increased awareness around the role of local access to community food growing in supporting health and wellbeing. John Curry, Director Infrastructure & Environment introduced Amy Alcorn, SBC Green Space Programme Officer who presented highlights of the Strategy, which had been developed in response to requirements within the Community Empowerment (Scotland) Act 2015. Ms Alcorn gave a presentation which covered Part 9 of the Act; the aims and objectives of the Strategy; what that looked like in terms of community gardens, community orchards, allotments, social prescribing, "garden share/lend & tend" schemes, guerrilla gardeners /Incredible Edible; and resources available – information, contacts, local growing sites, community planning support through SBC, 3rd Sector/SBCommunity Food Growers networks, and CPP key staff. The next steps were to consider the following 5 years and beyond and how to embed the Strategy
- 4.2 Councillor Rowley referred to the amount of activity taking place across the Borders and asked that the 2 newsletters be shared with the partners. It was hoped that the members of the Community Planning Partnership would get behind this and help make it a success. Councillor Tatler commented that while it had been a requirement to produce the Strategy and Action Plan, we had gone way beyond that and were really moving forward. Thanks were offered to all the officers for putting this together and also to Ms Alcorn who had recently joined the Council but was putting in a huge amount of work. The Food Growing Network Group had met 3 times and had great discussions, with responses from all groups and the Sharepoint site was really good for sharing information. It was hoped that this format could be used for other groups. Mrs K Hamilton praised the whole process, in particular the newsletter which was very well received. Ms Alcorn advised that feedback was to be collected at the end of each meeting and the newsletter was available to view on the Food Growers network. It was hoped to broaden the network. Shona Smith, SBC Communities & Partnership Manager, confirmed that the number of volunteers was one of the measures used to show success and Ms Alcorn could also be included in the "Menti" team which was a useful tool for feedback. Ms Alcorn further advised that she had visited the Eildon Housing allotments in Kelso and the RSLs were keen to develop land and community gardens. RSLs could contact Ms Alcorn and then "Lend and Tend" arrangements could be set up with volunteers to tend gardens of tenants who maybe struggled to keep them now due to ill health or infirmity. Jenni Craig added that this was a hugely topical subject with lots of enthusiasm being shown. Anything any of the partners could do to support community groups with their ambitions and aspirations would be helpful e.g. if there was a demand for volunteers, it would be really useful to get a sense of that. Any land suitable for growing would be most welcome so if any of the partners had space which could be used for growing should contact Ms Alcorn, who would be carrying out a land audit soon, looking at all available land, so that a land bank was there when community groups wanted to take up growing. Ms Alcorn had been out to a few schools and created a pdf resource for schools which had links to lesson plans and funding for schools for growing projects. Angela Cox, Principal of Borders College, advised that the College had a dedicated land-based site and offered to connect in with Ms Alcorn. The College was working with a number of schools e.g. providing support of the growing curriculum, bees and land management to Kelso High School.

DECISION

AGREED:

- (a) to endorse the Community Food Growing Strategy “Cultivating Communities” 2021/2026;**
- (b) that Partner members reflected the Strategy and Action Plan within their own organisational plans and considered how this could contribute to community planning objectives in relation to land use, climate change, health and wellbeing, and community resilience;**
- (c) to collaboration between CPP partners to identify resources (land, utilities, funding streams, skills development) to develop community capacity and enable access to community food growing;**
- (d) to receive an annual report and also an interim report in 6 months, on the progress of the Food Growing Strategy and Action Plan; and**
- (e) to consider the longer term evolution of the Community Food Growing Strategy and how shared objectives may be reflected in the next refresh of the CPP Community Plan.**

Note: Mr Robin Hill (RSL representative) and Professor Russel Griggs (SOSE) joined the meeting during the above discussion.

5. COMMUNITY PLANNING PARTNERSHIP - KEY PRIORITIES AND ACTION PLAN 2020/21

With reference to paragraph 4 of the Minute of 9 September 2021, copies of progress with CPP Key Priorities and Action Plan 2020/21 had been circulated. Mrs Jenni Craig, SBC Director Resilience Communities, thanked all partners for feeding in to the update and gave some highlights. The aim now was to prioritise on the back of Covid and move away from the existing Community Planning Plan. Through the review, those priorities would be identified and the format of the report would fundamentally change to focus on targets and performance. Officers would really value the Board's input to that and establish how collectively we could go forward to work in the best way. Having high partner attendance at the regular community meetings established during Covid was really encouraging in building up networks. Members were asked to consider and advise of any obvious gaps and places needing more emphasis. The slides would be shared with the Board. In response to a question around any increase in unemployment following the cessation of the furlough scheme, Mrs Craig advised that while significant changes had been expected, they had not materialised. This was being monitored closely and there were weekly joint meetings between SBC, SOSE and a number of other partners to establish an understanding of what was going on with redundancy rates, unemployment rates and job opportunities. There was a real shortage of people for the number of jobs that were actually available and a lot of work was going on to try to understand that and match people to jobs and prepare them with the right skills. While a lot of jobs were available, there were not necessarily the people available to fill them. Ms Angela Cox, Principal of Borders College, advised of the balance needed between aspirations and jobs availability. The College had seen a growth of 30% in enrolment in health and social care courses; some of that was because it was currently trendy but people came in at HNC/HND level to go on to higher level education and jobs but this was not addressing the lack of people for lower level care jobs. The Chairman asked if consideration could be given to using blue as part of the RAG analysis to highlight those types of issues. With regard to students in the peripheral areas of the Borders accessing College digitally, work through both Berwickshire and Eyemouth High Schools continued. The College had also teamed up with Eyemouth Marine to have a digital hub thus targeting boat builder apprentices but also recognising that the skills were the same for carpentry. Technical or practical trades

did however require attendance in person. During Covid, digital spokes had been tested in Farne Salmon, Heart of Duns and also piloted a couple of hybrid meetings to see how that worked. The College was working with SBC mapping out opportunities and there were more apprenticeships in the east of region than anywhere else.

DECISION:

AGREED to review the Key Priorities and Action Plan reporting content and format in line with the wider review of the Community Planning Partnership, and for discussion at the workshop in January 2022.

6. ANTI-POVERTY STRATEGY AND ACTION PLAN

Copies of a covering report and SBC's Anti-Poverty Strategy and Action Plan had been circulated. It was proposed that the Community Planning Partnership endorsed the Strategy and Action Plan and supported the delivery of these by ensuring that each member's organisational plans contained references to actions within them. The Strategy set out the steps that SBC and partners planned to take in tackling poverty in the Scottish Borders in relation to economic poverty and income, fuel poverty, housing poverty, food poverty, impact on family and community health and wellbeing, and digital poverty. The Council and partners continued to respond to the current Covid-19 pandemic and work within our communities through the Community Assistance Hubs and other services to help alleviate poverty as a result. The learning from this work and the lived experience of those in hardship would be taken into account in how the ongoing delivery of the Action Plan evolved in partnership. Jenni Craig, SBC Director Resilient Communities, gave a presentation updating the Board on progress since March 2021, the outcome of the Strategy consultation from those with lived experience and lived experience focus groups, implementation and actions undertaken since the Strategy was approved by Council on 23 September 2021. Councillor Tatler, who had chaired the Working Group responsible for developing the Strategy and Action Plan, advised that while work had started on this over a year ago, it was recognised that so much was already going on especially over the pandemic and lockdowns, with partners working together on poverty. The Strategy and Action Plan had brought all that together and given a focus and thanks were expressed to all contributors. The idea was that these were living documents and as circumstances changed across the Borders we would all have to react and tackle poverty. Cllr Tatler had attended the Financial Inclusion Officers networking event attended by such officers from a number of organisations and had been very impressed so was pleased this would be continuing and a network developed. The Members Reference Group would allow an oversight of the anti-poverty work, monitor progress, and partners would be invited to participate.

DECISION

AGREED:

- (a) to endorse the Council's Anti-Poverty Strategy and Action Plan;**
- (b) that members of the Community Planning Partnership reflected the Strategy and Action Plan within their own organisational plans and considered how this contributed to community planning objectives;**
- (c) to collaboration between CPP Partners to identify resources to deliver the Strategy and Action Plan where appropriate; and**
- (d) to receive an annual progress report of the Anti-Poverty Strategy Action Plan.**

Note: Mr Hill and Prof. Griggs left the meeting during the above discussion.

7. ANY OTHER BUSINESS

No other items of business were raised.

8. **NEXT MEETING**

The Strategic Board noted that its next meeting was scheduled to take place on 3 March 2022 at 2pm. This meeting would be held via Microsoft Teams and would be livestreamed.

This page is intentionally left blank

SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTES of Meeting of the AUDIT AND
SCRUTINY COMMITTEE held Via Microsoft
Teams on Monday, 22 November 2021 at
10.00 am

Present:- Councillors S. Bell (Chairman), H. Anderson, J. A. Fullarton, N. Richards, E
Robson, H. Scott, and E. Thornton-Nicol.
Apologies: Councillor J. Greenwell, Ms H Barnett and Mr M. Middlemiss
In Attendance:- Chief Executive, Director Finance & Corporate Governance, Pensions &
Investment Manager, Chief Officer Audit and Risk, Clerk to the Council,
Democratic Services Officer (D. Hall).

AUDIT BUSINESS

1 **MINUTE.**

There had been circulated copies of the Minutes of 5 October 2021 and 21 October 2021.

DECISION

APPROVED both for signature by the Chairman.

2 **AUDIT ACTION TRACKER**

There had been circulated copies of the Audit Action tracker. The Chief Officer Audit and Risk advised that there were a number of completed actions which would now be removed from the Tracker, and indicated that Best Value audit actions would be brought to the next meeting that would consider Audit Business.

DECISION

AGREED to add the Best Value audit update for the February 2022 meeting to the Audit Action Tracker.

3 **ANNUAL ASSURANCE STATEMENT 2020/21 TO THE SCOTTISH HOUSING REGULATOR - UPDATE**

- 3.1 With reference to paragraph 8 of the Minute of 10 May 2021, there had been circulated copies of a report by the Director, Resilient Communities, outlining progress in the areas set out in appendix 1 of Scottish Borders Council Annual Assurance Statement 2020/2021 to the Scottish Housing Regulator of the annual governance Statement 2020/21 and Annual Assurance Statement 2020/21 to the Scottish Housing Regulator which was considered by Audit and Scrutiny Committee at its meeting on 10 May 2021. At its meeting on 10 May 2021, the Audit and Scrutiny Committee approved the Annual Assurance Statement 2020/21 in respect of landlord services provided by the Council to be submitted to the Scottish Housing Regulator, and requested that an update report be presented to Audit and Scrutiny Committee, outlining progress in the areas set out in the annual Assurance Statement to the Scottish Housing Regulator. The report outlined progress in the areas set out in the annual Assurance Statement to the Scottish Housing Regulator as detailed in the updates Summary Statement of Self-Assessment of Compliance against Regulatory Framework as set out in Appendix 2 to the report.

- 3.2 Homelessness Services Manager, David Kemp, joined the meeting to present the report. Mr Kemp provided some context to the report, and highlighted the unprecedented level of pressure that had been placed upon temporary accommodation stock levels. With regard to the timescale of work at Tweedside Caravan Park, Mr Kemp clarified that he expected work to be carried out throughout the winter, to be completed by spring of next year. Regarding regulatory action, Mr Kemp advised that he was uncertain what options were

available to the Housing Regulator, and explained that if agreement with the Park could not be reached then work would not be able to proceed and an alternative would need to be found. In response to a question, Mr Kemp gave an overview of the number of properties owned by SBC, explaining that the properties were well spread across major population centres, with good access to services. Mr Kemp also drew attention to the Council not having used Bed and Breakfast accommodation for over 2 years as a positive sign in relation to the management of temporary accommodation stock.

DECISION

NOTED the progress in the areas set out in the Annual Assurance Statement to the Scottish Housing Regulator as detailed in the updated Summary Statement of Self-Assessment of Compliance against Regulatory Framework.

4 BRIDGE HOMES LLP FINAL ACCOUNTS.

With reference to paragraph 5.2 of the Minute of 21 October 2021, there had been circulated copies of the Annual Report and Financial Statements of Bridge Homes LLP for the year to 31 March 2021. The Director, Finance & Corporate Governance, explained that the Committee had previously seen the unaudited accounts. These accounts included an unmodified audit opinion, giving a true and fair account of activities. In response to a question, the Director explained that the 40% increase in management fees reflected the level of service they had undertaken, and having to pay the market rates for the services received. The Director also undertook to pass on concerns raised regarding the high number of pigeons present on roofs at Henderson Court in Kelso.

DECISION

NOTED the Bridge Homes LLP Final Accounts.

5 MID-YEAR TREASURY MANAGEMENT REPORT 2021/22

- 5.1 There had been circulated copies of a report by the Director Finance & Corporate Governance presenting the mid-year report of treasury management activities for 2021/22, 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 2021 and demonstrated that Treasury activity in the first six months of 2021/22 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 2021/21 out-run and experience in 2021/22 to date for Council approval. The Pensions & investments Manager, Kirsty Robb, highlighted the main points of the Council's Capital Expenditure and Financing summarised in the Appendix to the report. She explained that there was a small amount of slippage from 2020/21 to 2021/22.

- 5.2 The Director, Finance & Corporate Governance, Mr Robertson, and Ms Robb answered Members' questions and provided further detailed information where requested. Regarding the delivery of the capital programme, Ms Robb welcomed further scrutiny as having the potential to have a positive impact on slippage and re-phasing within the program. In relation to lending capital to other Local Authorities, Ms Robb acknowledged that whilst other Local Authorities were involved in lending, Scottish Borders Council did not anticipate lending at this time. Concerning the UK infrastructure Bank, Ms Robb explained that there had not been a need to borrow yet, but that options would be investigated to ascertain whether lower costs could be achieved using the Bank. The Chairman asked a question about the levels of slippage within the programme and what action was being taken to ameliorate the issues faced. Mr Robertson explained that it was important to examine the circumstances behind the slippage. Councillor Anderson asked that the next project briefing included an assessment of deliverability. The Director highlighted that the capital programme was particularly large, including amongst other

projects, the flood works at Hawick and two major high school projects, and faced a unique set of challenges, such as the ongoing scarcity of labour and rising cost of materials.

DECISION

AGREED:-

- (a) **to note that treasury management activity in the six months to 30 September 2021 was carried out in compliance with the approved Treasury Management Strategy and Policy;**
- (b) **that the Treasury Management Mid-Year Report 2021/22, as contained in Appendix I to the report, be presented to Council for approval of the revised indicators; and**
- (c) **to request the Director Finance & Corporate Governance include factors affecting deliverability within the next budget briefing.**

6 INTERNAL AUDIT MID-TERM PERFORMANCE REPORT 2021/22

With reference to paragraph 11 of the Minute of 8 March 2021, 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 2021, towards completing the Internal Audit Annual Plan 2021/22. It also summarised the statutory obligations for Internal Audit and requirements of the Public Sector Internal Audit Standards (PSIAS). The Internal Audit Annual Plan 2021/22 that was approved by the Audit and Scrutiny Committee on 8 March 2021, 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 towards completing the approved Internal Audit Annual Plan 2021/22, despite lower than planned Internal Audit staff capacity. The programme of work for the six months from October 2021 to March 2022, based on maintaining current staffing levels within this period, indicated that the Internal Audit Annual Plan 2021/22 could be delivered in full. The report also summarised the statutory obligations for Internal Audit and the requirements of the PSIAS, to which the SBC Internal Audit Function conformed.

DECISION

AGREED to note the progress Internal Audit had made towards completing the Internal Audit Annual Plan 2021/22 and to confirm that the Committee was satisfied with the Performance of the Internal Audit service.

7 INTERNAL AUDIT WORK TO OCTOBER 2021

With reference to paragraph 6 of the Minute of 20 September 2021, 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 28 August to 5 November 2021 associated with the delivery of the approved Internal Audit Annual Plan 2021/22 was detailed in the report. During this period a total of 5 final Internal Audit reports had been issued. There were 4 recommendations made associated with 1 of the reports. An Executive Summary of the final Internal Audit reports issued, including audit objective, findings, good practice, recommendations (where appropriate) and the Chief Officer Audit and Risk's independent and objective opinion on the adequacy of the control environment

and governance arrangements within each audit area was shown in Appendix 1 to the report. In response to a question regarding the timescale for the proposed disaster recovery test by CGI, the Director, Finance & Corporate Governance explained that a detailed plan was being formulated, with a series of checks on the system being carried out in advance of the test. Given the importance of IT systems to the operation of the Council, it was necessary to carry out the checks in a controlled, managed manner to avoid any potential disruption. In a discussion of the report, Members expressed concern regarding the business continuity plans that Senior Management had in place. Councillor Anderson, seconded by Councillor Thornton-Nicol, proposed a further recommendation requesting that the Corporate Management Team (CMT) review business continuity arrangements across the Council and report back to the Committee. This was unanimously accepted.

DECISION

AGREED to:

- (a) note the final assurance reports issued in the period from 28 August to 5 November 2021 associated with the delivery of the approved Internal Audit Annual Plan 2021/22;**
- (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 the Corporate Management Team to review business continuity arrangements across the Council and that an assurance report be presented to the Audit and Scrutiny Committee at its February 2022 meeting.**

8 PROGRESS ON IMPLEMENTATION OF INTERNAL AUDIT RECOMMENDATIONS

With reference to paragraph 3 of the Minute of 29 June 2021, 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 2020/21 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. There were no outstanding overdue recommendations, with a relatively small number of recommendations still to be implemented. Regarding progress on the implementation of Total Mobile, the Director Finance & Corporate Governance explained that planning was well developed, with the project expected to go live later in the week. The Chairman expressed his gratitude for the work undertaken by CMT to make progress on internal audit recommendations.

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 the Committee was satisfied with the progress made by Management; and**

- (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.**

9 RISK MANAGEMENT POLICY AND STRATEGY 2021-2024

With reference to paragraph 7 of the Minute of 10 May 2021, there had been circulated copies of a report by the Chief Officer Audit & Risk presenting the Committee with a revised Risk Management Policy Statement and Risk Management Strategy. The report explained that effective Risk Management was one of the foundations of effective Corporate Governance and was recognised as such in the Council's Local Code of Corporate Governance. Compliance with the principles of sound Corporate Governance required the Council to adopt a coherent approach to the management of risks that it faced every day. Better and more assured risk management would bring many benefits to the Council and the people it served. Management had the primary responsibility to systematically identify, analyse, evaluate, control and monitor risks to the achievement of the Council's objectives. Internal Audit was required to give independent assurance on the effectiveness of all internal controls and other arrangements put in place by Management to manage risk. Part of the Audit and Scrutiny Committee's role (Audit function) was to scrutinise the framework of internal financial control, risk management and governance throughout the Council to ensure its adequacy. A revised Risk Management Policy statement, included as Appendix 1 to the report, and 3-year Risk Management strategy, included as Appendix 2 to the report were included for consideration and endorsement by the Committee in advance of their presentation to Council.

**DECISION
AGREED to:**

- (a) **endorse the revised Risk Management Policy Statement and Risk Management strategy for full Council approval;**
- (b) **acknowledge the role and responsibilities of the Audit and Scrutiny Committee in the Risk management Policy; and**
- (c) **note the reporting for assurance purposes on efficacy of Risk Management arrangements in the Risk Management Policy.**

10 COUNTER FRAUD POLICY AND STRATEGY 2021-2024

With reference to paragraph 6 of the Minute of 10 May 2021, there had been circulated copies of a report by the Chief officer Audit & Risk presenting a revised Counter Fraud Policy statement and Counter Fraud Strategy. The report explained that the Council was committed to minimising the risk of loss due to fraud, theft or corruption and to taking appropriate action against those who attempted to defraud the Council, whether from within the authority or from outside. The primary responsibility for the prevention, detection and investigation of fraud rested with Management, supported by the Integrity Group. Internal Audit provided advice and independent assurance on the effectiveness of processes put in place by Management. Part of the Audit and Scrutiny Committee's role was to oversee the framework of internal financial control including the assessment of fraud risks and to monitor counter fraud strategy, actions and resources. A revised Counter Fraud Policy Statement had been included in Appendix 1 to the report and a revised 3-year Counter Fraud Strategy Management Strategy had been included in Appendix 2 to the report which were presented for consideration and endorsement by the Committee in advance of their presentation to Council. The Chief Officer Audit & Risk answered Members' questions and provided further detailed information where requested. In relation to the Integrity Group, the Chief Officer explained that the group was a forum that aimed to support Management in their responsibilities tackling fraud. Membership of the group included two members of CMT and senior officers from procurement, financial services, IT management and a representative from Roads. Regarding the support

available to Council Employees, Ms Stacey highlighted the employee helpline, occupational health and various HR policies designed to support staff manage the risks posed by, and impact of, fraud.

DECISION

AGREED to:

- (a) endorse the revised Counter Fraud Policy Statement and Counter Fraud Strategy for full Council approval;**
- (b) acknowledge the role and responsibilities of the Audit and Scrutiny Committee in the Counter Fraud Policy Statement; and**
- (c) note the reporting for assurance purposes on efficacy of counter fraud arrangements in the Counter Fraud Policy Statement.**

SCRUTINY BUSINESS

11 SCRUTINY ACTION TRACKER AND WORK PROGRAMME

With reference to paragraph 6 of the Minute of 21 October 2021, there had been circulated copies of an Action Tracker for Scrutiny business. The Clerk to the Council, Ms Wilkinson, advised that the Tracker included outstanding actions which had not yet been reported back to Committee as complete. With regard to the action (a) on Responsible Dog Ownership Strategy Review about options for the collection and processing of dog waste, it was confirmed that this was simply a request for the Department to provide any information on a more sustainable disposal route for dog waste. With regard to the action on the Autism Strategy, Ms Wilkinson advised that after conversations with Chris Myers, the newly appointed Chief Officer for the Health & Social Care Partnership, it was thought the best route for a review of the Strategy was through the Integrated Joint Board (IJB) as part of its future work plan. Councillor Greenwell, who was a member of the IJB would likely be involved in this review. Further updates on outstanding actions would be provided to the meeting of Audit & Scrutiny being held on 9 December 2021.

DECISION

NOTED the Scrutiny Action Tracker.

The meeting concluded at 12.30 pm