

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

6.	<p>Committee Minutes (Pages 3 - 62)</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none">(a) Audit 23 November 2022(b) Cheviot Area Partnership 23 November 2022(c) Berwickshire Area Partnership 1 December 2022(d) Selkirk Common Good Fund 7 December 2022(e) Scrutiny and Petitions 8 December 2022(f) Audit 12 December 2022(g) Pension Board 13 December 2022(h) Galashiels Common Good Fund 14 December 2022(i) Chambers Institution Trust 14 December 2022(j) Civic Government Licensing 16 December 2022(k) Planning and Building Standards 9 January 2023(l) Scrutiny & Petitions 12 January 2023(m) Eildon Area Partnership 26 January 2023 <p>(Copies attached.)</p>	5 mins
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(a)	Audit	23 November 2022
(b)	Cheviot Area Partnership	23 November 2022
(c)	Berwickshire Area Partnership	1 December 2022
(d)	Selkirk Common Good Fund	7 December 2022
(e)	Scrutiny and Petitions	8 December 2022
(f)	Audit	12 December 2022
(g)	Pension Board	13 December 2022
(h)	Galashiels Common Good Fund	14 December 2022
(i)	Chambers Institution Trust	14 December 2022
(j)	Civic Government Licensing	16 December 2022
(k)	Planning and Building Standards	9 January 2023
(l)	Scrutiny & Petitions	12 January 2023
(m)	Eildon Area Partnership	26 January 2023

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SCOTTISH BORDERS COUNCIL AUDIT COMMITTEE

MINUTES of Meeting of the AUDIT
COMMITTEE held in via Microsoft Teams on
Wednesday, 23 November 2022 at 2.00 pm

Present:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson, P. Brown, M. Douglas, J. PatonDay, E. Robson, S. Scott, F. Sinclair, Mr S. Whalley and Mr P. Whitfield

Apologies:- Councillors J. Cox

In Attendance:- Acting Chief Executive, Acting Chief Financial Officer, Chief Officer Audit and Risk; Ms G. Woolman, Mr A. Haseeb, and Ms J. Law (Audit Scotland; and Democratic Services Officer (W. Mohieddeen).

CHAIR'S REMARKS

The Chair welcomed Members, officers and observers to the Meeting. The Chair extended a welcome to Mr Whalley and Mr Whitfield who had been selected as External Members of Audit Committee and were to have their appointments confirmed by a meeting of Scottish Borders Council on 24 November 2022.

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 12 September 2022.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **ANNUAL TREASURY MANAGEMENT REPORT 2021-22**

- 2.1 There had been circulated copies of a report by Acting Chief Financial Officer that presented the annual treasury management activities undertaken during the 2021-22 financial year. The CIPFA Code of Practice on Treasury Management in the Public Services (the Code) required an annual report on treasury management to be submitted to Council following the end of each financial year. The report highlighted the Council's treasury activity undertaken in the year ended 31 March 2022 and the performance of the Treasury function. Appendix 1 of the report is the annual report of treasury management activities for 2021-22 and contained an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. The performance comparisons reported were based on the revised indicators agreed as part of the mid-year report approved on 16 December 2021. The Appendix showed the Council's borrowing requirement to fund the capital investment undertaken during 2021-22, how much the council actually borrowed against the sums budgeted and the level of external debt within approved limits. During the year, the Council had, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing. However, in March 2022, the Council did proactively undertake long-term borrowing of £20 million toward the financing of the capital program before interest rates were increased by the Bank of England, saving £3.94m over the life of the loan on a comparable basis to 2 November 2022 rates. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code. The Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2022.

- 2.2 The Acting Chief Financial Officer presented the report and answered Members' questions. The Acting Chief Executive explained that overnight rates were a means to manage Council's cash in a proactive way to maintain an appropriate overdraft facility and put surplus cash to a positive third party. The approach to the investment strategy was to address the security of SBC money, assure liquidity and then, as a tertiary priority, obtain yield on investments. With regards to borrowing undertaken on 10-year fixed-rate terms, it was explained that the rates on which money was borrowed at would be fixed for the duration of the 10-year term and that treasury management advisers, Link Asset Services, would be consulted on re-borrowing. The Chief Officer Audit and Risk advised that Link Asset Services recently held a training seminar on Capital Strategy and Treasury Management to support the learning and development of new Members to the Audit Committee and was also a useful refresher for continuing Members; the seminar was an open invite to all Members. Link Asset Services expressed willingness to share the training slides on request for Members of the Committee and the wider Council that weren't able to attend. Members raised a number of typing errors in the Report that would be addressed before being presented to Council.

DECISION

AGREED:

- (a) **That treasury management activity in the year to 31 March 2022 was carried out in compliance with the approved Treasury Management Strategy and Policy as detailed in this Report and in Appendix 1 of the Report; and,**
- (b) **To address typing errors in the Report before presented to Scottish Borders Council.**

3. EXTERNAL AUDIT ANNUAL REPORTS 2021-22 - SCOTTISH BORDERS COUNCIL PENSION FUND 2021 ANNUAL AUDIT REPORT

- 3.1 There had been circulated copies of the Audit Scotland Scottish Borders Council Pension Fund 2021-22 Annual Audit Report. Ms Woolman introduced Mr Asif Haseeb to present the report. Mr Haseeb explained that report had been presented to the Pension Fund Joint Board/Committee and was before the Audit Committee for information. Mr Haseeb emphasised that the Council was the administrative authority for the fund and stewarded a fund of over £900 million. There were no significant audit findings; however there were four recommendations made which were detailed in Appendix 1 of the report and which were accepted by officers with an agreed action plan. Appendix 1 of the report also set out the progress on recommendations for the previous year. Mr Haseeb summarised the key messages of the report which were that:

- The audit opinions on the annual report and accounts are unmodified;
- The financial statements of Scottish Borders Council Pension Fund gave a true and fair view of the state of affairs of the Fund as at 31 March 2022 and have been properly prepared in accordance with the financial reporting framework;
- the Fund paid out more than it collected annually from fund members, with investment returns making up the difference;
- the value of the Fund increased by 5.9% to £911 million during 2021-22, but investment performance was below the benchmark return set for the year;
- the Fund has appropriate and effective financial management arrangements in place which included comprehensive reporting of investment performance;
- recent triennial valuations provided assurance over the financial sustainability of the fund and the viability of its funding strategy;
- the Fund reviewed its investment strategy following the March 2020 triennial valuation and would continue to diversify the investment structure to support income generation,
- governance arrangements had been appropriate and operated effectively;
- there was effective scrutiny, challenge and informed decision-making by committee;
- the Fund actively considered Environmental, Social and Governance matters as part of its Investment Strategy;

- the Fund had an appropriate best value framework in place which included effective arrangements for monitoring investment performance and scrutinising management expenses;
 - Scottish Borders Council Pension Fund was awarded Local Government Pension Scheme (LGPS) Fund of the Year (assets under £2.5bn) at the LAPF Investments Awards; and,
 - 2021-22 was a challenging year for Scottish Local Government Pension Schemes. Ten of the eleven funds in Scotland still reported positive movements in net assets during the year, but only three of those funds, not including Scottish Borders, reported above benchmark returns.
- 3.2 In response to questions from Members, Mr Haseeb confirmed Audit Scotland was satisfied the incidence of an error in calculation of pension benefits was an isolated one and that retesting was not necessary. Discussions had taken place with management and Audit Scotland was satisfied with the response received. Mr Robertson advised that advice was sought on the incident, including from the Strathclyde Pension Fund, and that an isolated error was made which management understood why it happened and steps were taken to learn lessons so the mistake would not happen again. Mr Haseeb further advised that Audit Scotland that testing on transfers did not raise significant concerns and that future auditors may wish to look into this area.

DECISION

NOTED Scottish Borders Council Pension Fund Annual Report 2021-22 from the Council's External Auditor.

4. EXTERNAL AUDIT ANNUAL REPORT 2021-22 - AUDIT SCOTLAND SCOTTISH BORDERS COUNCIL ANNUAL REPORT

- 4.1 There had been circulated copies of the Audit Scotland Scottish Borders Council annual report and associated covering letters. The report explained that the external auditors' work on the 2021-22 annual accounts was substantially complete and subject to the satisfactory conclusion of any outstanding matters and receipt of a revised set of annual accounts for final review, Audit Scotland anticipated being able to issue a modified but unqualified audit opinion in the independent auditor's report on 24 November 2022. Members discussed the timing of the paper's submission to the committee. Ms Woolman apologised for the late submission of the paper to the meeting, however the report had not been scheduled to be submitted for September 2022. Prior to the Covid-19 pandemic, the audited annual accounts were usually concluded by 20 September each year. An agreement had been reached with the Scottish Government that the revised deadline for audited annual accounts would be 30 November and Audit Scotland were delighted that the paper was submitted in time for a meeting of Scottish Borders Council on 24 November for approval of the accounts. The date of the meeting was changed in light of difficulties that encountered during the audit. Ms Woolman recognised that finance team and audit team had worked very well together in partnership in preparation of the unaudited and audited accounts.
- 4.2 Ms Woolman highlighted in paragraph 5 of the report that there were no unadjusted misstatements yet to be corrected. Furthermore, in presenting the report to the Audit Committee, confirmation was sought from those charged with governance of any instances of any actual, suspected or alleged fraud, any subsequent events that have occurred since the date of the financial statements, or material non-compliance with laws and regulations affecting the entity that should be brought to the attention of the external auditors. Normally Audit Scotland are kept informed of those matters during their liaison with officers. A letter of representation from the Acting Chief Financial Officer was further sought, which was regarded as standard at the conclusion of an audit. Ms Woolman confirmed that the external auditors gave an unqualified audit opinion on the annual accounts. Furthermore, in the opinion of the external auditor, the financial statements gave a true and fair view in accordance with applicable law and the 2021-22 Code of the state of affairs of the Council and its group as at 31 March 2022 and of the income and

expenditure of the Council and its group for the year then ended. Ms Woolman presented a summary of the annual audit report for members. Audit Scotland were positive that management sought additional expertise regarding the valuation of land and buildings which resulted in a significant upward revaluation of assets. Related to common good fund assets, Council officers had been diligent in recognising that assets constructed on common good land be identified as belonging to the common good, and where assets were used constantly by the Council, it was more appropriate for them to be recognised as finance leases in the Council's balance sheets. These adjustments were made to Audit Scotland's satisfaction. With regards to transaction of Covid-19 grants, these were incorrectly included within the 2021-22 comprehensive income and expenditure statement as Scottish Borders Council was acting as agent on behalf of the Scottish Government. This was an administrative error and appropriate adjustments had been made to ensure that the income and expenditure were not materially mis-stated.

- 4.3 A number of questions were raised on the annual accounts. Close attention was paid to what was reported in Management Commentary and supporting evidence. The audit opinion covered the Management Commentary and that a correct balance was made in terms of backward and forward view. Audit Scotland tested that the Management Commentary was able to act as a standalone document. Testing was not made on detailed function as this would ordinarily be the role of Internal Audit; however Audit Scotland would assess whether appropriate internal arrangements were made to look into it. Mr Whalley asked for Council to be aware that Audit Committee did not receive enough time to review the report in detail, however the verbal report from the external auditors was reassuring. With regards to International Accounting Standard (IAS) 19 employee benefits and the impact on SBc Contracts, Ms Woolman explained that in the balance sheet of Scottish Borders Council, there was an IAS 19 liability related to the difference between assets and liabilities of pension fund as pertained to employees of Council. SBc Contracts own IAS 19 liability was contained within the Council overall liability. The Acting Chief Financial Officer explained that SBc Contracts delivered an operating surplus however there was a requirement to make technical statutory adjustments related to IAS 19. The pension adjustment valued all future pension liabilities if pension payments were made at present. The Acting Chief Executive advised that SBc Contracts had previously been classified as a direct labour organisation (DLO), and when the relevant legislation lapsed SBc Contracts was then reclassified as a significant trading organisation. This meant that it needed to be accounted related to IAS 19. SBc Contracts was performing more work internally and whether being a significant trading organisation was still relevant.

MEMBER

During discussion of the item, Councillor Douglas left the meeting.

- 4.4 The Acting Chief Financial Officer explained that external turnover of SBc Contracts increased from £2.1 million to £5.1 million from 2020-21 to 2021-22 which was likely due to restrictions in ability for SBc Contracts to do external work during 2020-21. The Acting Chief Financial Officer confirmed that the Chief Legal Officer would be the responsible officer for Follow-up of Prior Year Recommendations Action 2 Assets on Common Good Land. The Chief Officer Audit and Risk recommended that, with regards to Follow-up of Prior Year Recommendations Action 7 Best Value Action Plan, the Chair recommended to Council that Audit Committee would continue to scrutinise progress toward full completion of actions.
- 4.5 Ms Woolman confirmed that it was the final meeting for the external audit team, and extended thanks to finance officers, internal auditors and wider officer teams that have assisted Audit Scotland with their audit. The chair thanked Ms Woolman and the external auditors for the work on the audit.

DECISION

NOTED the Annual Reports from the Council's External Auditors prior to Council approval.

5. AUDITED ACCOUNTS 2021-22

5.1 With reference to paragraph 10 of the Minute of the Meeting held on 27 June 2022, there had been circulated copies of a report by Acting Chief Financial Officer that presented Members with copies of the Council's audited Annual Accounts for 2021-22. The audit appointment of Audit Scotland for Scottish Borders Council (SBC) accounts included the requirement to provide an auditor's report for the Council as well as related charities. KPMG had continued to provide the external audit of the Council subsidiary Bridge Homes. 2021-22 represented the sixth year of Audit Scotland undertaking of the External Audit of the Council's Annual Accounts with the process completed. As required under the Local Authority Accounts (Scotland) Regulations 2014, the audited Annual Accounts for Scottish Borders Council, SBC Pension Fund, SBC Common Good Funds, the SBC Charitable Trusts, Bridge Homes LLP and Lowood Tweedbank Ltd were being presented to the Audit Committee prior to signature. KPMG had concluded their audit of Bridge Homes LLP and had raised no issues or matters to report.

5.2 Mr Haseeb highlighted minor changes since the report had been circulated with the agenda which officers had corrected related to typing errors in the contents page, name of the committee and in notes to the accounts. The Chair highlighted that a playpark that was noted as having opened in St Boswells had in fact been opened in Newtown St Boswells. The Acting Chief Financial Officer advised that the changes would be made before the accounts were signed. The Acting Chief Financial Officer summarised the report and responded to questions from members. Ms Woolman advised that Councils did not have guidance for what level of percentage should aim for in Reserves to cover risk. The Acting Chief Executive advised that most local authorities aimed for 2-4% of net expenditure as an allocated contingency balance and that Scottish Borders Council sat at just over 2%. Mr Whitfield highlighted a typing error on page 70 of the report with regards to the comparative years which the Acting Chief Financial Officer confirmed would be corrected prior to signing of the accounts.

DECISION

(a) AGREED to recommend the following accounts for officer signature and Council approval:

- (i) the Scottish Borders Council's audited Annual Accounts for the year to 31 March 2022;**
- (ii) the Scottish Borders Council's Pension Fund audited Annual Accounts for the year to 31 March 2022;**
- (iii) the Scottish Borders Council Common Good Funds (Charity SC031538) audited Annual Accounts for the year to 31 March 2022;**
- (iv) the SBC Welfare Trust (Charity SC044765) audited Annual Accounts for the year to 31 March 2022;**
- (v) the SBC Education Trust (Charity SC044762) audited Annual Accounts for the year to 31 March 2022;**
- (vi) the SBC Community Enhancement Trust (Charity SC044764) audited Annual Accounts for the year to 31 March 2022;**
- (vii) the SBC Ormiston Trust for Institute (Charity SC019162) audited Annual Accounts for the year to 31 March 2022;**

- (viii) the Scottish Borders Council Charitable Trusts (Charity SC043896) audited Annual Accounts for the year to 31 March 2022;**
 - (ix) the Bridge Homes LLP audited Annual Accounts for the year to 31 March 2022; and,**
 - (x) Lowood Tweedbank Ltd Annual Accounts for the year to 31 March 2022,**
- (b) AGREED to address typing errors in the Report before presented to Scottish Borders Council.**

CHAIR'S REMARKS

The Chair thanked Ms Woolman, Mr Haseeb, Ms Law and previous members of the external audit team; that the Committee would look forward to working with the new external audit team, welcomed Mr Whalley and Mr Whitfield as new external members of the committee; and all officers including the Acting Chief Executive, Acting Chief Financial Officer, and the finance team.

The meeting concluded at 3.40 pm.

MINUTES of Meeting of the CHEVIOT
AREA PARTNERSHIP held in Kelso
High School, Angraflat Road, Kelso on
Wednesday, 23 November 2022 at 6.30
pm.

Present:- Councillors P. Brown, (Chairman), S. Hamilton, S. Mountford, E. Robson,
S. Scott, T. Weatherston, together with 12 Representatives of Partner
Organisations, Community Councils and Members of the Public.

Apologies:

In attendance: - Community Engagement Officer – Gillian Jardine, Democratic Services
Officer (F. Henderson).

1. WELCOME AND INTRODUCTIONS

The Chairman welcomed everyone to the in person meeting, which included Elected
Members, Community Council representatives, Community Organisations and guests
attending within the meeting. She outlined how the meeting would be conducted.

2. FEEDBACK FROM MEETINGS ON 28 SEPTEMBER 2022 AND 10 OCTOBER 2022

The minutes of the meetings of the Cheviot Area Partnership held on 28 September 2022
and 10 October 2022 had been circulated with the Agenda.

3. SECTION 1: SERVICE & PARTNER UPDATES AND CONSULTATIONS

- 3.1 **Climate Change feedback and next steps:** The Community Engagement Officer thanked
everyone who took part in the discussion. There were interesting comments raised around
understanding the scale of the challenge and what everyone as a whole needed to do to
reduce our carbon footprint. Interest was raised in how energy could be created from local
rivers, how to increase solar panel usage and consider alternative energy and heating
sources and how to encourage a decarbonisation strategy. In terms of next steps; SBC was
working with delivery partners to provide home energy efficiency projects under the SG
funded Area Based Schemes. If communities were interested in community renewable
energy options, particularly hydro, SBC can signpost communities to Local Energy Scotland.
SBC was collecting information on communities which were interested in developing projects
with a view to organising a workshop with Local Energy Scotland. SBC was working with
Scottish Communities Climate Action Network and local groups to potentially develop a local
Climate Hub/Network to support behaviour change. SBC was also piloting a Demand
Responsive Transport pilot in Berwickshire to look at ways of improving local transport
services.

**DECISION
NOTED.**

- 3.2 Information on Kalemouth Bridge had been circulated to the local community and was being
circulated around the Area Partnership for information.
- 3.3 In response to a question raised at the last meeting concerning the rationale for the boundaries

of the Area Partnerships, it was advised that boundaries were based on the electoral boundaries rather than High School boundaries. [Democratic Services can expand on this if required].

3.4 The consultation report on the former Jedburgh Grammar School Site which had been mentioned at the last meeting was available on Citizenspace and had been shared with local groups.

3.5 In terms of the question raised on the Community Plan, the Community Planning Partnership's Community Plan was agreed in May 2018. In early September the Community Planning Strategic Board agreed a 12 month Work Plan along with a full review of the Community Plan in 2023-24.

4.0 **Coast to Coast Cycle Route**

The Chairman welcomed Katy Jackson, Community Development Advisor, SOSE to report on the exciting new 250 mile on-road coast to coast cycle route covering the length of the South of Scotland which would be launched in summer 2023. The new product was aimed at experienced cyclists who feel comfortable cycling on road. The new Coast to Coast (*working title) route would run from Stranraer to Eyemouth, making it one of the longest in the UK and a new discovery route for experienced cyclists. The route was expected to bring significant economic, environmental and community benefits to the South of Scotland but also contribute to the national economic performance. Early projections were that the new route could attract up to 175,000 new visitors to the region, with a direct spend of £13.7million per year. The project was aiming to be delivered in time for the 2023 UCI Cycling World Championships which would take place in August 2023 in venues across Scotland with 11 days of competition taking place in the Scottish Borders and Dumfries & Galloway. Three of the thirteen championship disciplines would take place in the South in August next year and by launching the route in advance of the Cycling World Championships, it was hoped to offer spectators and visitors a great cycling holiday experience to extend their stay and explore the very best of the region. The development of the route was being led by South of Scotland Enterprise who were using a TEAM South approach through the South of Scotland Cycling Partnership including Dumfries and Galloway and Scottish Borders councils, South of Scotland Destination Alliance, VisitScotland, Cycling Scotland and Sustrans Scotland. The route was aligned with the new South of Scotland Cycling Partnership Strategy which by 2032 aimed to deliver a new VISION that "our South of Scotland Communities are shaped around ALL of our people and cycling is the most popular choice for shorter, everyday journeys and embedded into the daily fabric of the lives of our residents and experiences of our visitors." The route would start in Stranraer and take a stunning journey through towns and hamlets finishing in Eyemouth. It would pass through the very best of the landscape, including Newton Stewart, Kirkcudbright, Dumfries, Langholm, Newcastleton, Hawick, Selkirk, Melrose and Coldstream. Ms Jackson went onto to highlight the importance of using local knowledge as they moved into phase one of a 3 phase project. Disappointment was expressed that the route did not include Jedburgh and potential links to attractions in the Borders be considered. Questions were raised as to how success would be measured and links to what was on offer in the Borders were highlighted to encourage detours of the route.

**DECISION
NOTED.**

5.0 SECTION 2: Community Empowerment and Community Funding

5.1. Cheviot Funding Tables 2022/23

There had been circulated copies of the Cheviot Funding for 2022/2023 which detailed the funding available together with information on the allocation of the Community Grant Fund in 2022/23. The opening balance at 1 April 2022 was £80,268.39 plus underspend from the Community Fund in 2021/22 of £28,640.65 and underspend in the Local Festival Grant in 2021/22 of £2,953.00, which resulted in an overall budget of £111,862.04. Neighbourhood Support Fund applications awarded to date totalled £23,980.43. Other sources of funding included Local Festival Grant Budget totalling £16,675.00, Annual Support Grant to Community Councils totalling £10,470.00, Common Goods, SBC Enhancement Grant, SBC Welfare Grant and SBC Small Schemes totalled £196,676.17.

**DECISION
NOTED.**

5.2 There had been circulated copies of a report which detailed the recommendations of the Cheviot Community Fund Assessment Panel. The report provided a brief description of each application received and a recommendation on the sum to be awarded to each project.

5.3 Kelso Cricket Club

An application had been received from Kelso Cricket Club requesting £2,160 was received for the purchase of a marquee to replace the old marquee which had been destroyed in high winds and storms. The marquee was used for hosting events which helped raise funds for the club. The Panel were supportive of the project and recommended that £2,160 be awarded.

5.4 Kelso in Bloom

An application had been received from Kelso in Bloom requesting £2,500 to purchase perennials and shrubs to provide an alternative and more financially sustainable planting scheme for Kelso. The perennials and shrubs would be used to enhance the entrance to Kelso from Sprouston by developing the beds in front of the Linn. The Panel were supportive of the project and recommended that £2,500 be awarded.

5.5 Sprouston Coronation Hall

An application had been received from Sprouston Coronation Hall requesting £2,101.75 to fund the installation of a switch rated at 100amps to provide a connection to a generator in the hall to create a safe refuge for members of the village in the event of another major power outage. The Panel were supportive and were of the opinion that this would enhance the village's provision as a rural community and was a good example of the community being proactive. Recent experiences had shown the vulnerability of communities for different reasons.

DECISION

AGREED that the following sums be awarded to each of those listed:-

- **Kelso Cricket Club - £2,160**
- **Kelso in Bloom - £2,500**
- **Sprouston Coronation Hall - £2,101.75**

5.6 There had been circulated copies of a report from the Cheviot Assessment Panel who were seeking to increase the maximum grant to £5,000 (currently the maximum grant was £2,500). The Panel were of the opinion that raising the limit to £5,000 would encourage

more groups and organisations to apply and support local groups/organisations to deliver projects/initiatives. All other Localities had an application limit of £5,000 or above and were on course to spend their Neighbourhood Support Fund before the end of the financial year. Assuming the current applications to the Cheviot Neighbourhood Support Fund were approved it would leave a balance of £92,652.33 to spend before the end of March 2023 and based on the number of applications received for the year, it was highly unlikely that would be achieved.

- 5.7 The Assessment Panel were also requesting to remove the restriction that groups could only submit two applications per annum and that they must be for different Groups as this was particularly challenging for Community Councils who were often the main body for organising and delivering community projects in their area. The panel believed the scrutiny of applications applied at the assessment stage would consider the merit and worth of all community projects and therefore the limitation on the number of times a group can apply was not required.

**DECISION
AGREED:-**

- (a) **to increase the maximum payable per grant to £5,000 for the remainder of 2022/23 Financial year and then review; and**
- (b) **to remove the restriction on the number of times a Group could apply for funding.**

6.0 **Kelso Skate Park Floodlighting**

Louise Rawlings from CLD and two high school pupils who were working on a project to secure floodlighting for the skate park, attended the Area Partnership to give the young people experience of a public meeting as they would be meeting the Community Council and speaking with community residents in the coming months. There were no actions to agree.

**DECISION
NOTED.**

7.0 **POLICE SCOTLAND UPDATE**

Sergeant Ali Grainger was present and explained that the Police Community Officers were hoping to make contact with the small Community Councils and develop a working relationship.

Community Officers were:- Gary Chisholm (Jedburgh)
Kirsty Chisholm (Kelso)
Paul Owenson (Kelso)

8.0 **SECTION 4: Other**

8.1 **ADDITIONAL INFORMATION DOCUMENT**

The Chairman advised that additional information was included in the agenda pack which contained information on current consultations and links to useful information.

**DECISION
NOTED.**

9.0 **DATE OF FUTURE MEETINGS**

Future Meetings of the Cheviot Area Partnership would be held on the following dates:

Wednesday, 29 March 2023

Wednesday, 31 May 2023

The next meeting would be held on **Wednesday, 1 February 2023 at 6.30 p.m. via Microsoft Teams.**

10.0 **MEETING EVALUATION**

Ms Jardine reminded those present about the meeting evaluation form which could be accessed via the link <https://forms.office.com/r/HHH1dEcmz3>. She added that feedback about the Area Partnership meetings was really helpful and always appreciated.

The meeting closed at 7.45 p.m.

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SCOTTISH BORDERS COUNCIL BERWICKSHIRE AREA PARTNERSHIP

MINUTES of Meeting of the
BERWICKSHIRE AREA PARTNERSHIP
held in Coldstream Community Centre, High
Street, Coldstream, TD12 4AP on Thursday,
1 December 2022 at 6.30 pm

Present:- Councillors J. Anderson (Chair), J. Greenwell, C. Hamilton, D. Moffat, A. Orr
and M. Rowley

Other organisations attendees: Ms J. Amaral (BAVS), Ms L. Anderson (Eyemouth CC); Mr J. Cairnie and Mr A. Johnson (Duns CC); Ms T. Collin (Allanton, Whitsome and Edrom CC), Ms D. Findlay, Ms J. Thomson and Ms W. Myers (Coldstream and District CC); Mr L. Inglis (Reston and Auchencrow CC), Ms A. McNeil (A Heart for Duns), Mr C. McQuinn (Hutton and Paxton CC), Ms R. Parker (The Frangipane Bakery), Mr D. Paterson (Berwickshire Housing Association) Ms J. Sutton (Cockburnspath and Cove CC) and Mr S. Wright (Chirnside CC).

In Attendance:- Community Co-ordinator (G. Jardine), Community Engagement Officer (J. Purves), Sergeant Alison Grainger (Police Scotland); Ms Rachel Hardie and Mr T. Jackson (Borders Greenway); Group Commander Douglas Tait (Scottish Fire and Rescue Service), Democratic Services Officer (W. Mohieddeen).

ORDER OF BUSINESS

The Chair 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.

1. WELCOME AND MEETING PROTOCOLS

The Chair welcomed everyone to the meeting of the Berwickshire Area Partnership and to Coldstream Community Centre.

2. REPORT FROM POLICE SCOTLAND

The Chair introduced Community Sergeant Alison Grainger to deliver a presentation on Police Scotland work in Berwickshire communities. Sergeant Grainger advised that there was guidance for police officers to attend Coldstream and District, Duns and Eyemouth community councils while attendance for smaller community councils could be arranged on request. In Berwickshire, there were three community police constables, two based in Eyemouth and one based in Duns. Availability of police officers was affected by resources and Sergeant Grainger advised that community officers would fill gaps in provision affected by response police officers. In response to a question on whether there was enough police officers needed to cover the area, Sergeant Grainger advised that there were generally two police constables to cover each area however the Borders was a challenging local authority area to cover and that the guidance from the Chief Inspector was that Police Scotland should meet needs rather than expectations. Police Scotland were always recruiting and it was advised that the policy of retirement being available for police officers over 50 years-old or with 25 years of service brought challenges to Police Scotland capacity. Road safety and speeding in communities was discussed and attendees raised the possibility of more dragon's teeth road markings being used. Sergeant Grainger advised that she worked regularly with Scottish Borders Council Road Network Team Leader on issues of road safety. Mr Inglis raised the importance for the

police representation on the Berwickshire Community Safety Panel and Sergeant Grainger advised that she could be contacted by email to discuss possible police attendance. Sergeant Grainger advised that high-risk missing persons contributed to a great deal of work for Police Scotland. It had been observed that mental health issues have increased since the onset of the Covid-19 pandemic and that the impact on incidences of high-risk missing persons required a lot of police resource. The Chair thanked Sergeant Grainger for her contribution and advised attendees that councillors work with Police Scotland and could pass on any messaging through the Area Partnership.

3. **FEEDBACK FROM MEETING OF 1 SEPTEMBER 2022**

- 3.1 There had been circulated copies of the Minute of the Meeting held on 1 September 2022. Mr Dougie Paterson, Berwickshire Housing Association, advised that he had also been in attendance at the meeting.
- 3.2 With reference to paragraph 8 of the Minute of the Meeting held on 1 September 2022, the Chair advised that Ayton Heritage had already received funding elsewhere and that the panel didn't want to disclose that information before the funding scenario had been clarified.

DECISION

AGREED to approve the Minute of the Meeting for signature by the Chair subject to the change detailed above.

URGENT BUSINESS

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

4. **REPORT FROM SCOTTISH FIRE AND RESCUE SERVICE**

- 4.1 The Chair invited Dougie Tait, Scottish Fire and Rescue Service Group Commander for Midlothian, East Lothian and the Scottish Borders to provide an update on fire and rescue matters for Berwickshire. The following statistics of incidences in Berwickshire for the year to date were presented to the Area Partnership.
- There had been 8 accidental dwelling fires, which caused 3 deaths
 - There had been 48 recorded incidences of other fires
 - There had been 41 non-fire incidences including 19 road traffic collisions, with 3 requiring rescue work with 6 recorded injuries
 - The service had seen an increase of incidences where forced entry was required for partner agencies, there had been 16 incidences recorded.
 - There was a significant recording of unwanted fire alarm signals, there were 91 since the first year quarter.
- 4.2 An on-call watch commander was introduced to co-ordinate non-fire related work. There were three on-call stations in Berwickshire. The service operated its own community action team which consisted of 4 firefighters and a Local Area Liaison Officer. 48 home fire safety visits for the most vulnerable had taken place. More community activity was able to take place following the ease of restrictions associated with the Covid-19 pandemic which included CPR training at The Hirsell, Coldstream and bonfire safety talks in schools. With regards to skills development in the service, training activity had taken place for flood response. Coldstream station was appointed as wildfire support station following a period in July-August 2022 where there were wildfire incidences in the area. Group Commander Tait advised that the service supports wildfire response in Northumberland. With regards to recruitment, the Duns station saw an increase of personnel from 5 to 10 following targeted recruitment work. Daytime availability of personnel increased from 34% to 80% and there was an aim to increase availability by 25% in Coldstream and Eyemouth. Pre-recruitment opportunities were available for

prospective personnel to meet crew and observe training.

- 4.3 Group Commander Tait responded to questions from attendees. It was confirmed that damage to Duns fire station caused by Storm Arwen was resolved and the service's business continuity plan ensured that emergency availability was maintained. With regards to reports related to institutional prejudice in the London Fire Brigade, Group Commander Tait advised that he wasn't aware of the situation there, however his experience was that in 25 years of service in Scotland, he had not come across anything like what had been described in the reports of the London Fire Brigade. With regards to fire alarm legislation, the service initially fitted new smoke detectors for high-risk people. Group Commander Tait advised that information on CPR training could be accessed through groups contacting him by email.

DECISION

AGREED to circulate contact details for community groups to access support from SFRS community action team

5. BORDERS GREENWAY BRIEFING

- 5.1 The Chair invited Rachel Hardie to present an update on work taking place to establish an active travel route connecting Tweedbank Station with Eyemouth using the route of the old Berwickshire railway. The project started in 2020 when the potential was identified for connecting Tweedbank and Reston stations via the old railway route. There were benefits identified in three categories:
- People – Mental health and fitness benefits in a route with no traffic.
 - Place – active travel would have economic benefits for local businesses, and to connect communities.
 - Planet – active travel would be beneficial in the context of the climate crisis encouraging a shift from using cars.
- 5.2 In 2021, a group was formed to advocate the establishment of the route and which put a proposal to South of Scotland Enterprise (SOSE) who provided funding for a Scottish Borders Council-led feasibility study which was reported on in May 2022. The proposal put forward was for a hard-surface buggy/wheelchair friendly path for walkers and cyclists. The accommodation for equestrian use was being debated. In October 2021, a formal community collaboration group was established to work with communities to identify the most feasible route for the route. A walk of the old railway line from Earlston to Gordon had taken place to assess barriers and fencing for reporting to Scottish Borders Council. Community Councils were encouraged to participate in the group and to find out more by visiting <https://www.gavinton.net>.
- 5.3 Ms Hardie advised the route would be 40 miles-long and that over the course of the old railway line, two-thirds was walkable and access was allowed over three-quarters of the route. Roads were to be avoided as far as possible and final route had not been determined. The Chair thanked Ms Hardie for the presentation.

DECISION

NOTED the update.

MEMBER

Councillor Rowley joined the meeting during discussion of the above item.

6. UPDATE FROM NHS BORDERS

- 6.1 The Chair invited Mr Inglis, Reston and Auchencrow Community Council to introduce the item. A representative from NHS Borders primary care was not able to attend the meeting to address health centre matters. Adelle McElrath, Director of Dentistry of NHS Borders provided an update on dentist provision in Berwickshire and the Scottish Borders. Dr McElrath advised that primary dental care was provided through general services and public services. It was explained that general services were generally provided through

independent, high street-based dental practices. Public services were employed by NHS Borders and provided a safety net which offered services to the vulnerable, children and for emergency care. The Covid-19 pandemic had affected dental provision. There were 16 general dental services in the Scottish Borders and activity was at 84% higher than the national average. Public dental services were working hard to cover unscheduled and emergency care. Recruitment was increasingly an issue for dental services as nurses and receptionists were leaving the service. The establishment of a new dental surgery for Duns was progressing. Advertising for the new surgery couldn't begin until inspections on equipment had taken place. There was a potential for capability of 4,500 patients and registrations were being accepted on their website.

- 6.2 Dr McElrath advised that due to annual leave and sickness, there was not anyone available from NHS Borders to address the closure of the Chirnside Health Centre.

7. **PLACE MAKING**

- 7.1 The Chair invited Anne McNeil to present an update on the Duns and District Place Plan development. A meeting on place making in Duns had recently taken place with over people from various local groups. Amongst issues discussed were the desire to look at natural spaces like the park. Feedback also highlighted the desire for face-to-face consultancy to take place with someone that understood the community. It was identified that when data is collected from the community that resource was needed to take forward the work. A Heart for Duns had a part-time development officer led by a voluntary lead officer, however additional resource was needed to take forward place planning. Attendees discussed capacity requirements for communities take forward place making. Ms McNeil advised that a full-time officer could take forward this work and that A Heart for Duns would otherwise not have the capacity to take forward the work.

- 7.2 Attendees undertook table discussions for 10 minutes to discuss taking forward place making in communities.

8. **COAST TO COAST CYCLE ROUTE**

The Chair invited Councillor Rowley to present an update on developments of the Coast to Coast Cycle Route in place of Lena Hutton, South of Scotland Enterprise. Councillor Rowley advised that a soft launch of the route would soon take place and that the concept was for a cycling equivalent of the Southern Upland Way. The route would begin at Stranraer and would aim to go through as many settlements as possible along the route, making connections through scenic roads. The end point was intended to be Eyemouth. The expected time taken for keen recreational cyclists to complete the route would be 4-7 days. The intended impact of the route would be that investment would follow for e-bike storage and other infrastructure. The route has been fully funded and would follow as a legacy of the UCI World Championships which would take place in Scotland in August 2023. Councillor Rowley advised that project would not be an engineering project and that the route would be supported by new signage and a mobile application. Attendees discussed the route, and raised the importance of investing in road quality for cyclists and other users.

9. **COST OF LIVING UPDATE**

The Community Co-ordinator provided an update on activity and support across the Borders and in Berwickshire in relation to the cost of living. Scottish Borders Council had £1.2 million to support communities and households with the rising cost of living. Some activity was related to food including work with Fareshare and the Low and Slow Project with NHS Borders and Changeworks. BAVS had opened Warm Spaces Fund which used funding from SBC. Ms Amaral of BAVS advised that support had been received from The National Lottery and that applications to the fund were being received. Ms Amaral advised that there had been concerns raised with food distribution and that there had been movement to advocate for a 'cash first' approach. Councillor Anderson advised that feedback had been received from foodbanks for donations of pet food. Attendees raised concern about ongoing impact of the cost of living crisis and what further support there

would be from SBC. This would be dependent on the announcement of local authority funding from the Scottish Government which was due for December 2022. Mr Inglis advised that storage heaters had been switched off in the Reston community larder due to uncertainty of how to pay for heating. Feedback from users indicated that financial support was required possibly to cover food vouchers or money off electricity bills. It was noted that less food was being donated through Fareshare. The Community Coordinator advised that supermarket vouchers were available for distribution and the information to access them could be shared with community groups. Communities and Partnerships advised they would follow-up with community groups with information related to food vouchers and food distribution.

DECISION

NOTED the update.

10. **BERWICKSHIRE FUNDING TABLE 2022-23**

There had been circulated copies of the Berwickshire Funding Table which showed available funding in the Berwickshire area. Communities and Partnership confirmed balances of funds available and noted there were no applications for funding to be considered at the meeting. The Neighbourhood Support Fund began with £99,997.19 for 2022-23 and that £62,565.64 of funding had been awarded since 1 April 2022.

DECISION

NOTED the update.

The meeting concluded at 8.40 pm.

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SCOTTISH BORDERS COUNCIL SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the SELKIRK
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Wednesday 7 December 2022 at 15.00 pm.

Present:- Councillors C. Cochrane (Chair), L Douglas and E. Thornton-Nicol and
Community Councillor I. King
In Attendance:- Estates Surveyor (T. Hill), Property Officer (G. Smith), Solicitor (J. Webster),
Treasury Business Partner (S. Wilson), Democratic Services Officer (D. Hall).

1. MINUTE.

There had been circulated copies of the Minute of the meeting held on 31 August 2022. Community Councillor King explained that the issues referred to in the Minute related to insufficient detail with regards to concerns that he had raised in the context of Common Good owned assets and properties covered under Scottish Borders Council's insurance policy. Mr King was concerned that the policy was inadequate in the level of coverage which it provided, and stressed that he had requested that Officers provide assurances and insight into the insurance levels, particularly as they related to flooding. Regarding sustainability and the potential for Common Good owned land and property to generate income from sustainable energy sources, Community Councillor King had requested an explanation of what the Common Good, and Scottish Borders Council as a whole was undertaking to improve sustainability. A target had been set, but there appeared to be no awareness of whether the target was being met, and whether or not all of the towns in the region were undertaking work related to sustainability. The Democratic Service Officer undertook to ensure that future Minutes was sufficiently detailed on such matters of significance. There had also been circulated copies of the Minute of the Meeting held on 15 September 2022, 6 October 2022 and on 14 November 2022.

DECISION

AGREED to:-

- (a) approve the Minute of 31 August 2022 for signature by the Chairman;**
- (b) approve the Minute of 15 September 2022 for signature by the Chairman;**
- (c) approve the Minute of 6 October 2022 for signature by the Chairman; and**
- (d) approve the Minute of 14 November 2022 for signature by the Chairman.**

2. MONITORING REPORT FOR 6 MONTHS TO 30 SEPTEMBER 2022.

There had been circulated copies of a report by the Acting Chief Financial Officer which provided details of income and expenditure for the Selkirk Common Good Fund for the six months to 30 September 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 to the report provided the projected income and expenditure position for 2022/23 that showed a projected surplus of £21,395 for the year, which was less than the previously reported surplus on 31 August 2022 as a result of an increase in the property repairs budget. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2023, which showed a projected decrease in reserves of £229,958. A breakdown of the property portfolio showing projected rental income and projected net return for 2022/23 and actual property income

to 30 September 2022 was provided in Appendix 3a, and a breakdown of the property portfolio showing projected property expenditure for 2022/23 and actual property expenditure to 30 September 2022 was provided in Appendix 3b. A breakdown of the property portfolio showing projected property valuations at 31 March 2023 was provided in Appendix 4. Appendix 5 showed to the value of the Aegon Asset Management Investment Fund to 30 September 2022. The Treasury Business Partner, Ms Sara Wilson, presented the report and highlighted that the Aegon Investment Management Fund unit price had continued to increase over the Quarter following the previously reported fall. The investment in the Fund continued to be monitored, and the 5% target of returns had been met. In response to a question regarding the projected depreciation charge for Selkirk swimming pool, Ms Wilson explained that the pool was Common Good owned and would continue to be present in SBC accounts as there was no lease in place between the Common Good and LiveBorders. All of the depreciation charges outlined in Appendix 4 to the report would be met by release from the revaluation reserve, which resulted in nil effect. The process represented an accounting rather than a monetary transaction. In response to a question regarding the presence of Victoria Hall in the report, Ms Wilson confirmed that it had been included in the report.

DECISION

- (a) **AGREED the projected income and expenditure for 2022/23 in Appendix 1 to the report as the revised budget for 2022/23.**
- (b) **NOTED:-**
 - (i) **the projected balance sheet value as at 31 March 2023 in Appendix 2 to the report;**
 - (ii) **the summary of the property portfolio in Appendices 3 and 4 to the report; and**
 - (iii) **the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.**

3. PROPERTY UPDATE

The Estates Surveyor, Ms Hill explained that Go Wild Scotland had requested access through Victoria Park in order to install an accessible footpath. Agreement was in place for the work to begin. Communications would be sent out via social media and LiveBorders to ensure that local residents understood what work was taking place, and that access to the park would be restricted whilst the work was carried out.

DECISION

NOTED the update.

DECLARATION OF INTEREST

Community Councillor King declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion below.

4. SELKIRK REGENERATION

- 4.1 With reference to paragraph 8 of the Private section of the Minute of the meeting held on 31 August 2022, there had been circulated copies of a letter from Selkirk Regeneration which outlined their proposal to develop a solar array on Selkirk Common Good land to provide benefits to the wider Selkirk community. The Chair welcomed Mr David Bethune of Selkirk Regeneration to the meeting. Two of the four identified site options had been determined as economically viable, with the potential to generate significant income for

the Common Good and benefit for the community by providing low cost renewable energy to businesses. Representatives from Selkirk Regeneration had met with members of Scottish Borders Council's Planning Department, whom had raised a number of issues which would require consideration, such as road access, archaeological and economic aspects, and visibility. None of the issues raised were considered to be insurmountable or overly problematic for the project. Selkirk Regeneration therefore proposed that a feasibility study be carried out on option one, land above and below the A707 road, and option two, land between Lingle Farm and Ettrick. The feasibility study would address all planning aspects and implications, and would include community consultation, provide a robust business plan for the development and ongoing maintenance of the array, possible phasing of the development, and propose a structure for the management of the facility. Mr Bethune explained that a grant was needed to fund the feasibility study, and that agreement from the landowner was required in order to apply for that grant.

- 4.2 Members were fully supportive of the proposal and encouraged the feasibility study to be undertaken as a matter of urgency. The Solicitor, Ms Webster explained that matters which would be discussed in private had the potential to impact upon the project. Ms Webster suggested that a letter could be provided to Selkirk Regeneration which would agree in principle to the study, with appropriate legal conditions attached. The letter would allow Selkirk Regeneration to demonstrate to the Scottish Government that they had the agreement in principle from the landowner in order to apply for a CARES loan. The letter would be drafted in such a way as to not be legally binding on the Common Good. Members agreed to provide the approval in principle. The Solicitor would investigate the appropriate legal conditions required and prepare the letter outlining approval in principle for the feasibility study.

**DECISION
AGREED:-**

- (a) **to approve in principle a feasibility study into the development of a solar array on Selkirk Common Good land by Selkirk Regeneration; and**
- (b) **that the Solicitor would write a formal letter to Selkirk Regeneration which would provide notification of the approval in principle and outline the appropriate legal conditions that the approval was subject to.**

MEMBER

Community Councillor King re-joined the meeting.

5. **URGENT BUSINESS**

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

5.1 **Selkirk Hill Management Group**

The Chair advised that she had received a letter from the Selkirk Hill Management Group which requested that the Selkirk Common Good Fund Sub-Committee pay a previously agreed annual grant to the Selkirk Hill Management Group. Community Councillor King explained that the sum of money had been paid for a considerable period of time on a yearly basis in order to allow the group to maintain the Common Good owned land of Selkirk Hill. It was unanimously agreed that a decision on the funding would be deferred to allow Officers sufficient time to investigate and provide clarity on the funding arrangements.

DECISION

AGREED that a discussion on the Selkirk Hill Management Group Maintenance fee would take place at the next meeting of the Selkirk Common Good Fund Sub-Committee.

6. **PRIVATE BUSINESS
DECISION**

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

SUMMARY OF PRIVATE BUSINESS

7. **MINUTES**

The Private section of the Minutes of the Meetings held on 31 August 2022, 6 October 2022 and 14 November 2022 were approved.

8. **PROPERTY**

The Sub-Committee received an update on private matters relating to Common Good owned property and approved various maintenance works.

9. **APPLICATION FOR FINANCIAL ASSISTANCE**

The Sub-Committee considered an application for financial assistance from the Haining Charitable Trust and agreed not to grant funding.

The meeting concluded at 4.55 pm.

SCOTTISH BORDERS COUNCIL SCRUTINY & PETITIONS COMMITTEE

MINUTES of Meeting of the SCRUTINY &
PETITIONS COMMITTEE held via Microsoft
Teams on Thursday, 8 December 2022 at
10.00 am

Present:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson,
P. Brown, J. Cox, M. Douglas, J. PatonDay, E. Robson (from para 2.1),
S. Scott and F. Sinclair (from para.1.2).

In Attendance:- Director Resilient Communities, Communities & Partnership Manager, Clerk
to the Council, Democratic Services Officer (W. Mohieddeen), and Trainee
Democratic Services Officer.

1. MINUTE

- 1.1 Copies of the Minute of Meeting held on 20 October 2022 had been circulated.

DECISION

APPROVED the Minute for signature by the Chair.

- 1.2 Copies of the Action Tracker for Scrutiny decisions had been circulated. With reference to item 2 from 9 June 2022, the Clerk to the Council advised that the timeline for the outstanding actions had now been agreed with Directors so this action was now complete. For the following actions, the dates for presentation to Committee were as follows:

1. Item 1, 13 January 2022 – Use of school facilities would be considered at the meeting of the Committee scheduled for 20 April 2023.
2. Item 2, 9 December 2021 – Rural Proofing policy would be considered at the meeting of the Committee scheduled for 12 January 2023.
3. Item 3, 9 December 2021 – Waste & Recycling communications would be considered at the meeting of the Committee scheduled for 12 January 2023.
4. Item 1, 29 June 2021 – Public Transport and Communities would be considered at the meeting of the Committee scheduled for 1 June 2023.

DECISION

NOTED the dates where outstanding actions would be considered.

MEMBER

Councillor Sinclair joined the meeting during consideration of the above item.

2. MANAGEMENT AND MAINTENANCE OF PUBLIC HALLS

- 2.1 With reference to paragraph 10.3 of the Minute of 14 March 2022, copies of a report by the Director Resilient Communities on the Management and Maintenance of Public Halls had been circulated. The Director explained that when Halls were referenced in the report this was a catch all phrase covering different sizes and types, town halls, community centres, and village halls. The report covered the management and funding of halls across the Borders. Village Halls hosted regular local events and activities, they provided space for local clubs and societies to run activities and play a major role during emergency responses and elections. Village halls were often run by independent voluntary management committees, taking bookings for the halls, ensuring that they were clean and maintained. An umbrella organization called the Scottish Borders Village & Community Halls (SBVCH) brought together 4 Federations of Village Halls in the Borders, with 95 Halls having membership of the Federations. Scottish Borders Council had lease arrangements in place for 45 halls (20 to Live Borders and 25 to local community groups/committees), with the remaining halls owned by their individual communities or held in private trusts. All halls leased from the Council had a

responsibility to run as community enterprises and to fundraise as required. The duration and annual cost of the leases had been developed over a number of years on a case by case basis, which had led to inconsistency. The Council provided c.£50k of funding to the 4 Federations using a formula split between the number of halls within the respective Federation and the rural population for each area (excluding certain towns and villages where halls were now run by Live Borders. The average payment per hall was £526. Further details were given in the report on the management of the halls. As part of the SBC Council Plan 2022-23, under the 'Good Health and Wellbeing' theme, there was an action to review the Cultural Strategy for the Scottish Borders, and it was proposed that this would also explore options to improve consistency in lease, funding and management arrangements for halls.

MEMBER

Councillor Robson joined the meeting during the above presentation.

- 2.2 The Communities & Partnership Manager, Ms Smith, explained that the role of the halls during Covid had been exemplary, but since the Covid restrictions had been relaxed it had been a struggle to get volunteers back. There was an evolving role for halls and it would be useful to review their operation, management and support within communities going forward. Cllr Anderson raised the matter of those community centres leased to Live Borders, whereby management committees were paying an annual contribution equating to 65% of their income from lets to Live Borders, advising that for Eyemouth this was incorrect as they paid a fee which was much greater than 65% of let income. Mrs Craig, Director Resilient Communities, undertook to look into this if Cllr Anderson would send on specific details. Other points raised included the need to be careful so as not to disadvantage some halls by making everything the same; there was a need for capacity building in communities when working with volunteers, especially where there were complex arrangements; the differences between halls' incomes with some achieving more than others; and that any income received should be vested in the halls themselves and not moved elsewhere. Consideration should also be given to the number of halls and whether all were needed or required financial support. Mrs Craig confirmed that, through the Place Making discussions, the number of assets in a community and their use would be verified and then communities asked whether they still wished to retain them all or whether some could amalgamate to get more investment. Discussions on this were only in the very early stages in a few towns at the moment. There were huge variations between areas and the halls themselves, with different funding streams. It was unlikely a consistent model could be brought in across the Borders but hopefully it would be possible to develop a framework in which they all could work.
- 2.3 Ms Smith confirmed that officers had had a look at 2 or 3 halls in private trusts, and these could be quite complex. However, they too could still be a member of a Federation and get additional benefits. Further concern was expressed about the management fee paid by halls, which may still be based on pre-Covid use, and there needed to be a better relationship developed between Live Borders and the voluntary committees running some of the halls. With regard to the promotion of Community Asset Transfers and capacity building to assist communities in making applications, Mrs Craig explained that work was currently underway and a report would be brought to Council on better community engagement and a better way to support communities. It was recognized that the Council website was not structured in the right way to make it easy for communities to get the support they needed, and it was proposed – in the same way as had happened with the cost of living crisis – that information on community support, whether that be asset transfer, how to get more volunteers, financial support, etc., would be brought to the one place. This would also include links to other organisations as it was not just the Council providing support to communities. Ms Clare Malster, the Council's Participation Officer, was available to have a conversation with groups about asset transfers and a video on this had just been added to the Council website. It was a complex process but Ms Malster could help guide people through it, including a "try before you buy" arrangements where the Estates team could arrange a lease of varying lengths to allow communities to check if

they could manage before going ahead. In response to a request for a list of halls, including their ownership and any lease arrangements in each Ward, Mrs Craig advised that this could be provided, although it would not be a complete list, and Members should let officers know of any others which were missing from the list.

DECISION

AGREED to note the findings of the report and that the planned work to review and update the Scottish Borders Cultural Strategy and action plan would include the lease, maintenance, funding and management options for Halls.

URGENT BUSINESS

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

3. **FUTURE SCRUTINY WORK PROGRAMME**

The Chair advised that an item of business would be placed on the agenda of the next meeting of the Committee to consider potential items for the future Scrutiny Work Programme. Should Members have any items they wished to be included in the programme, they should contact the Clerk to the Council, who would write out to all Members and also Community Councils asking if they had any matters, within the remit of the Council, for a Scrutiny review.

DECISION

NOTED.

The meeting concluded at 10.45 am.

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SCOTTISH BORDERS COUNCIL AUDIT COMMITTEE

MINUTES of Meeting of the AUDIT
COMMITTEE held in via Microsoft Teams on
Monday, 12 December 2022 at 10.00 am

- Present:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson, P. Brown, J. Cox, M. Douglas, J. PatonDay, S. Scott, F. Sinclair, Mr S. Whalley and Mr P. Whitfield
- Apologies:- Councillors E. Robson
- In Attendance:- Acting Chief Executive, Director Education and Lifelong Learning, Acting Chief Financial Officer, Chief Officer Audit and Risk, Principal Internal Auditor, Corporate Risk Officer, and Democratic Services Officer (W. Mohieddeen).

CHAIR'S REMARKS

The chair welcomed members and attendees to the meeting and welcomed to the meeting Mr Paul Whitfield and Mr Steven Whalley as external members of the Committee, the Chief Officer Audit and Risk, Corporate Risk Officer, Director Education and Lifelong Learning, and Acting Chief Financial Officer. Invitations to the meeting were extended to the new external audit team however they were unable to attend.

1. AUDIT ACTION SHEET

- 1.1 There had been circulated copies of the Audit Action Sheet which was presented by the Chief Officer Audit and Risk. With reference to paragraph 7 of the Minute of the Meeting of Audit and Scrutiny Committee held on 22 November 2021, the software implementation action for the Business Continuity Framework was now complete; however this was the start of the process of the updating Business Continuity planning arrangements. Contact had been made with lead owners of associated Internal Audit actions in Emergency Planning to extend due dates to make them achievable.
- 1.2 With reference to paragraph 13 of the Minute of the Meeting of Audit and Scrutiny Committee held on 27 June 2022, the Chief Officer Audit and Risk advised that briefing seminars had been delivered or were scheduled. Briefings had taken place for: Risk Management Framework (7 September 2022); Treasury Management (9 November 2022); Internal Audit and Fraud Fundamentals (1 December 2022). Briefings were in the diary for Audit Committee Skills and Knowledge (2 February 2023); and annual Audit Committee self-assessment (1 March 2023).
- 1.3 With reference to paragraph 3 of the Minute of the Meeting held on 12 September 2022, a further update on progress on remaining audit actions for the Learning and Disability Service was scheduled for the March meeting of Audit Committee.
- 1.4 With reference to paragraph 6 of the Minute of the Meeting held on 12 September 2022, the Chief Officer Audit and Risk advised that a number of actions were underway by the Integrity Group. Internal Audit were proposing to bring reports forward on Counter Fraud Controls Assessment and an update on progress on National Fraud Initiative to the February 2023 meeting of Audit Committee.

DECISION

NOTED the update.

2. **DIRECTOR RISK MANAGEMENT PRESENTATION**

- 2.1 The Chair introduced the Director Education and Lifelong Learning to give a presentation on risk management in Education and Lifelong Learning. The presentation slide pack had been sent to members of the Committee on 9 December 2022. Ms Munro presented an organisational chart that outlined where service risks had been identified across and led by officers within Education and Lifelong Learning. The corporate risk that Ms Munro manages for the Senior Leadership Team was highlighted in which if children or young people were placed or educated outwith the local area their needs may not be sufficiently met and such placements result in significant cost to the local authority. This remained under active review rather than covered periodically, and Ms Munro worked with the Chief Officer Children and Young People's Social Work and the Corporate Risk Officer took a detailed approach into factors affecting this risk. The context reported showed an increased number of young people showing distressed behaviours which was identified as being an impact of the Covid-19 pandemic, including in children of a younger age profile than had previously been observed. There was also a reduction seen in available and suitable foster care spaces, respite and placements externally in these areas. This reflected the national picture. There were internal controls that were regarded as partially effective as they tended to be procedural or of a governance nature rather than addressing the number of care spaces. The next steps in management of the risks were to undertake an urgent review alongside the Director Social Work and Practice and the Director Health and Social Care to identify mitigating actions and to look at revenue and capital implications of any recommendations made. Other corporate risks managed by the Director Education and Lifelong Learning were de-escalated following a structured exercise to map strategic risks from the Corporate Risk Register. These related to Strategic Risk 18 Mental and Emotional Wellbeing of Children and Young People and Strategic Risk 20 Education System. Work to finalise the Risk Appetite, Capacity and Tolerance Toolkit had been finalised and was being introduced to Risk Owners and Managers. The Toolkit would help to meet the recommendation set out in the Risk Management Internal Audit Report 2021.
- 2.2 There were 30 Service Risks which Ms Munro presented to the committee. Some risks were of limited lifespan which included Covid-19 related measures which may be removed in the near future. Ms Munro suggested that some risks may be amalgamated such as those related to staffing. Concern of the impact of short-term school closures has been reduced following the Covid-19 pandemic lockdown. High impact risks in Community Learning and Development (CLD) were identified related to third sector funding and access to CLD services. In line with the revised risk management policy, these would be reviewed by Directors to see if any further mitigation could be taken. However, Ms Munro advised that this was a small service that would impact a lower number of users. Risks to young people's mental wellbeing and violence were highlighted. With regards to violence, the nurture approach was being used to mitigate distressed behaviours leading to violence. An improvement collaborative activity was undertaken within the service to focus on distressed behaviours as an increase of distressed behaviours was being seen nationally. On mental health and wellbeing, the Covid-19 pandemic has had an impact on young people. Participation on the national survey of health and wellbeing has given the service strong data on areas to work on for young people and to assist with resource allocation and support planning. A mobile application had been developed for young people to access a directory of support to address young people's mental health.
- 2.3 The Director Education and Lifelong Learning responded to questions from members. Mr Whitfield raised a number of procedural comments related to dates and actions associated with risks, access to the risk register and on risk related to impact on children and young people. The Director Education and Lifelong Learning acknowledged the points raised and the Chief Officer Audit and Risk summarised procedural matters related to risk appetite. Risk appetite tolerance and capacity toolkit would be used with risk owners for a considerable period of time which would give an opportunity to assess categorisation of what risk approach should be taken based on risk rating. Tolerate element would be evaluated as the risk appetite toolkit was applied. With regards to

specific actions on red and high impact risks contained within the report, the report and presentation was intended to cover high-level information; however risk management practices and actions were in place to address risks. The Acting Chief Executive advised that the information in the presentation was a summary of risk within the service area and that members were welcome to have an oversight session arranged to assess risk register and see risk management arrangements behind the snapshot contained in the presentation. The Chief Officer Audit and Risk advised that a risk management overview seminar was delivered in September 2022 attended by the Audit Committee members and other elected members and that information presented could be shared with all members.

DECISION

NOTED the update.

MEMBER

During discussion of the above item, Councillor Anderson left the meeting due to technical difficulties.

3. RISK APPETITE TOOLKIT FOR MANAGERS

3.1 There had been circulated copies of a report by Chief Officer Audit and Risk that provided Members with the Risk Appetite Toolkit for Managers that had been developed. Effective Risk Management was one of the foundations of effective Corporate Governance as recognised 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 serves. 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. One of the Audit Committee's functions was to scrutinise the framework of internal financial control, risk management and governance throughout the Council to ensure its adequacy. In 2021, a revised Risk Management Policy statement and a 3-year Risk Management Strategy were endorsed by this Committee and approved by the Council to enable the Council to refine its approach to managing risks and embed these key aspects into the management practices of the Council. A Risk Appetite Toolkit for Managers had been developed and was contained in Appendix 1 of the report. The Toolkit provided additional guidance to Management by defining acceptable levels of risk in relation to different risk categories and built on guidance set out in the Risk Management Process Guide.

3.2 A number of questions were raised by Mr Whalley on the report. The Chief Officer Audit and Risk advised that she had met with Directors to raise awareness of the document which was placed on the SBC intranet. The document was early in its rollout. The risk management criteria stated that red risks were reviewed at a minimum every three months, amber risks every six months, and green risks annually. Education and Lifelong Learning were targeted for a rollout of the process. The rollout would be an iterative process while conversations would take place with managers so that they were comfortable handling risk appetite and tolerance.

DECISION

NOTED

- (a) the development of the Risk Appetite Toolkit for Managers as an enhancement in support of implementing the Council's Risk Management Policy and Strategy; and,**
- (b) that the Risk Appetite Toolkit is being applied by Management, following its approval by Senior Leadership Team on 19 October 2022.**

4. **MID-YEAR TREASURY MANAGEMENT REPORT 2022-23**

- 4.1 There had been circulated copies of a report by Acting Chief Financial Officer that presented the mid-year report of treasury management activities for 2022-23, in line with the requirements of the CIPFA Code of Practice, including Prudential and Treasury Management Indicators, and sought comments from Audit Committee prior to consideration of the report by Council. The report was required as part of the Council's treasury management control regime. It provided a mid-year report on the Council's treasury activity during the six month period to 30 September 2022 and demonstrated that Treasury activity in the first six months of 2022-23 had been undertaken in full compliance with the approved Treasury Strategy and Policy for the year. Appendix 1 of the report contained an analysis of the performance against the targets set in relation to Prudential and Treasury Management Indicators, and proposes revised estimates of these indicators in light of the 2021-22 out-turn and experience in 2022-23 to date for Council approval.
- 4.2 A number of points were raised by Mr Whalley. A typing error was highlighted in page 8 of the report. It was suggested that it would be worth noting to Council that the commentary reflected the UK government policy scenario at the time. It was explained that Link Asset Services provided treasury advice and technical information to report to committees. Councillor Scott highlighted an error in describing the increase in inflation from 9% to 9.9% in August 2022 which the Acting Chief Financial Officer advised would be addressed.

DECISION

- (a) **NOTED that treasury management activity in the six months to 30 September 2022 was carried out in compliance with the approved Treasury Management Strategy and Policy; and,**
- (b) **AGREED**
- (i) **to the presentation of the Treasury Management Mid-Year Report 2022/23, as contained in Appendix 1, to Council for approval of the revised indicators; and,**
 - (ii) **to address typing errors in the Report before being presented to Council.**

5. **INTERNAL AUDIT WORK TO OCTOBER 2022**

- 5.1 There had been circulated copies of a report by Chief Officer Audit and Risk that provided members of the Audit Committee with details of the recent work carried out by Internal Audit and the recommended audit actions agreed by Management to improve internal controls and governance arrangements. The work Internal Audit had carried out in the period from 1 August to 31 October 2022 associated with the delivery of the approved Internal Audit Annual Plan 2022-23 was detailed in this report. A total of 5 final Internal Audit reports had been issued. There were 6 recommendations made associated with 2 of the reports (3 Medium-rated; 3 Low-rated). An Executive Summary of the final Internal Audit assurance 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 this report. The SBC Internal Audit function conformed to the professional standards as set out in Public Sector Internal Audit Standards (PSIAS) (2017) including the production of this report to communicate the results of the reviews.
- 5.2 The Chief Officer Audit and Risk summarised the report for members and confirmed that the move to Internal Audit consultancy in a 'critical friend' role was a decision made by Internal Audit to ensure more value was taken from the internal audit process. The recommendation for a 'low' rating on developing a policy on Councillor training to provide

clarity on requirements to facilitate training needs assessment, monitoring and evaluation was explained by the Chief Officer Audit and Risk as having been made to have something in writing. There had previously been implicit or unwritten rules regarding training needs assessment and that it was felt that Council should approve a formal policy on training of elected members. With regards to changes to Clients' SDS care plans being actioned timeously, the Chief Officer Audit and Risk explained that as part of the digital transformation strategy there would be an element of making it easier to fulfil obligations and that capacity challenges would be highlighted.

DECISION NOTED

- (a) the Executive Summaries of the final Internal Audit assurance reports issued in the period from 1 August to 31 October 2022 associated with the delivery of the approved Internal Audit Annual Plan 2022-23;**
- (b) the Internal Audit Consultancy and Other Work carried out in accordance with the approved Internal Audit Charter; and,**
- (c) the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work.**

6. INTERNAL AUDIT MID-TERM PERFORMANCE REPORT 2022-23

There had been circulated copies of a report by Chief Officer Audit and Risk that informed the Audit Committee of the progress Internal Audit has made, in the first 6 months of the year to 30 September 2022, towards completing the approved Internal Audit Annual Plan 2022-23. It also summarised the statutory obligations for Internal Audit and requirements of the Public Sector Internal Audit Standards. The Internal Audit Annual Plan 2022-23 that was approved by the Audit and Scrutiny Committee on 14 March 2022 set out the audit coverage for the year utilising available Internal Audit staff resources to enable the Chief Officer Audit & 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. The Appendix 1 of the report provided details of the half-yearly progress by Internal Audit with the delivery of its programme of work, which indicated good progress. Some revisions to the Internal Audit Annual Plan 2022-23 would require approval by the Committee. The programme of work for the six months from October 2022 to March 2023 with current resources indicated that the revised Internal Audit Annual Plan 2022-23 can be delivered in full. The report also summarised the statutory obligations for Internal Audit and the requirements of the Public Sector Internal Audit Standards (PSIAS) with which the SBC Internal Audit function conformed.

DECISION

- (a) NOTED the progress Internal Audit has made towards completing the Internal Audit Annual Plan 2022-23;**
- (b) AGREED:**
 - (i) that it is satisfied with the Performance of the Internal Audit service; and,**
 - (ii) approved the revisions to the Internal Audit Annual Plan 2022/23.**

7. FOLLOW-UP REVIEW OF IN PROGRESS AUDIT RECOMMENDATIONS

- 7.1 There had been circulated copies of a report by Chief Officer Audit and Risk that provided an update to Members of the Audit Committee on the status of the implementation by Management of audit recommendations made and agreed in Internal Audit reports during 2021-22 and previous years. Internal Audit was an independent appraisal function established for the review of the internal control system as a service to Scottish Borders Council. It objectively examined, evaluated and reported on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources and the management of risk. The Internal Audit activity added value to the organisation (and its stakeholders) when it considered strategies, objectives, and risks; strived to offer ways to enhance governance, risk management and control processes (by way of making audit recommendations); and objectively provided relevant assurance. The Remit of the Audit Committee included the function to consider “all matters relating to the implementation of recommendations contained within internal audit reports”, as part of its high level oversight of the framework of internal control, risk management and governance within the Council.
- 7.2 The Chief Officer Audit and Risk presented the report and answered members’ questions. With regards to long extensions to audit actions, particularly to Roads Asset Management, when the audit was taken, conversations took place with the Director and relevant managers with regards to resourcing and dependency. The Chief Officer Audit and Risk was comfortable with timescales related to development as they may only be audited once every five years. Assurance was given by the Chief Officer Audit and Risk that checks were made where Internal Audit Actions may be closed. Assurance was also given by the Chief Officer Audit and Risk that the Internal Audit team had enough resource to cover the demands of audit work, noting that additional work was undertaken for the Health for Social Care Integration Joint Board and for the Pension Fund.

DECISION

(a) NOTED:

- (i) the progress made by Management in implementing Internal Audit recommendations to improve internal controls and governance, and mitigate risks;**
- (ii) that Internal Audit will continue to monitor the completion of outstanding recommendations and will provide update reports to this Committee; and,**

(b) AGREED that it is satisfied with progress made.

8. **WHY BEST VALUE MATTERS - CHAIR OF ACCOUNTS COMMISSION BLOG**
The Chief Officer Audit and Risk advised that a link had been sent to members of the Committee on 9 December 2022 to a blog post by the Chair of Accounts Commission on Best Value which provided helpful context to the national view on developments of best value.

DECISION

NOTED the update.

CHAIR'S REMARKS

The Chair stated that John Boyd, Audit Scotland, was unable to join the meeting but the Chair looked forward to welcoming the new external audit team to the Committee and watching the new relationship with the Council grow.

The meeting concluded at 11.55 am.

SCOTTISH BORDERS COUNCIL PENSION BOARD

MINUTE of Meeting of the PENSION BOARD
held Via Microsoft Teams on Wednesday, 13
December 2022 at 10.35 a.m.

Present:- Councillor J. Pirone (Chair), Mr. A. Daye, Mr. M. Drysdale, Ms K Robb, Ms. L. Steven,
Apologies:- Mr M Everett and Mrs K M Hughes,
In Attendance:- Acting Chief Executive, Acting Chief Financial Officer, HR Shared Services Manager, Democratic Services Officer (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 19 December 2022.

DECISION

NOTED for signature by the Chairman

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

The Chair invited those present to raise any matters which had been discussed at the joint meeting, and highlighted that the proposal to follow an action plan to assess and implement the recommendations of Ms Claire Scott was a prudent and sensible one. In response to a question regarding whether Members of the Pension Board would be involved in discussions regarding changes to the terms of reference, the Acting Chief Executive, Mr David Robertson explained that he was happy for the Board to contribute and comment on the wider plan. Ms Robb stressed that the Members of the Pension Board were unable to propose or second any motion at the Joint Meeting of the Pension Committee, and that their role at that meeting was one of scrutiny. It was highlighted that in order to ensure proper governance it was important to ensure that the role of the Pension Board Members was clear. Regarding whether the Fund could continue to exist in the future given its small size and an increasingly onerous regulatory environment, the Acting Chief Executive stressed that not all of the recommendations made by Ms Scott would necessarily be acted upon. Each recommendation would be considered for its suitability and viability and responded to accordingly. In response to a question regarding whether the Fund should prioritise generating profit over ESG matters, Mr Robertson explained that the Committee had agreed that the Fund's investments be brought into line with its sustainable investment policy, and that the balance between profit and responsibility was being struck. The Fund was able to deliver returns in order to allow pension benefits to be paid whilst also being a responsible investor. In response to a question regarding the newly agreed overpayment policy, the HR Shared Services Manager explained that due to the timescales involved with payments, it was possible for small overpayments to be made where a scheme member passed away between the processing and the date of payment. Recovery would be proportionate to the period of time which had elapsed.

DECISION

AGREED that there were no issues to raise.

3. **DATE OF NEXT MEETING**

The date of the next Meeting of the Pension Board was set for 13 December 2022.

The meeting concluded at 12.00 p.m.

SCOTTISH BORDERS COUNCIL CHAMBERS INSTITUTION TRUST

MINUTES of Meeting of the CHAMBERS
INSTITUTION TRUST held via Microsoft Teams
on Wednesday, 14 December, 2022 at 3.00 pm

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Present:- Councillors R. Tatler (Chair); D. Begg, M. Douglas, J. Pirone, E. Small
Apologies:- Councillor V. Thomson
In Attendance:- Chief Legal Officer, Treasury Business Partner (S. Wilson), Estates
Surveyor (T. Hill), Property Officer (G. Smith), S. Milne (Live Borders),
F. Colton (Live Borders), C. Renton (GB Technologies), Democratic
Services Team Leader, Trainee Democratic Services Officer

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1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 23 November 2022.

DECISION

APPROVED for signature by the Chair.

2. **BENEFICIARIES GROUP FEEDBACK**

2.1 The Chair provided an update from the meeting on 13 December 2022. It was agreed that The Bridge would provide administration support for the Beneficiaries Group at a cost of £600 per annum. The Chair sought the approval of this funding which was unanimously agreed.

2.2 With reference to paragraph 2.4 of the Minute of 23 November 2022, the facilitator brief had now been completed and approved by the Beneficiaries Group. There followed a discussion on the identification and appointment of a facilitator. An Appointment sub-group had been formed to put the project out to tender and thereafter to present a shortlist to the Beneficiaries Group and the Chambers Institution Trust members, with an expectation that one would be appointed by February 2023. The Chair proposed a budget of £15,000. This was agreed by the Trust and members of the sub-group were confirmed as Councillors Pirone and Tatler, Crick Carlton, Sam Coe, and Fiona Colton (Live Borders).

2.3 With reference to paragraph 3.1 of the Minute of 23 November 2022, it had been noted that news of the Levelling Up Fund award was expected in early January 2023. The project's completion date of the end of April and into May 2023 was dependant on the settlement from the Levelling Up Fund.

2.4 With reference to paragraph 2.1 of the minute of 23 November 2022, the Chair reported that there was to be a meeting on 15 December 2022 of the Consultation sub-group to discuss how to widen the geographical spread of the consultation process. Councillors Tatler, Councillor Pirone and Tatler, Kenny Harrow, Fiona Colton (Live Borders) and Sam Coe were confirmed as members of this sub-group.

2.5 In response to a question regarding the existence of floor plans of the Burgh Hall, Tricia Hill confirmed that she would locate any drawings, along with estates records.

These plans were to be made available to the architects Page\Park in the event that indicative proposals for a mezzanine floor in the Burgh Hall were commissioned. It was agreed that this matter be further discussed at the next meeting.

- 2.6 With reference to paragraph 3.1 of the Minute of 23 November 2022, Gareth Smith reported an additional allocation of funds was required to meet the inflated cost of removing the suspended ceiling in the Burgh Hall. The funding requested was as follows:- £8,075 for roof work; approximately £1700 for security arrangements with Border Safeguard; an amount for scaffolding for which an estimate was pending. Mr Smith also awaited an electrician's quote for the cost of installing dimmer switches to the wall lights and chandeliers. Members agreed to award the proposed amount of £15,000.
- 2.7 Gareth Smith confirmed the process of engaging contractors. All tenders were awarded to approved, local contractors with prior experience of the premises where possible. There were sometimes unavoidable limitations on the number of contractors available to undertake work; a shortage of workforce or contractors already operating at full capacity. The Chief Legal Officer reminded members of the importance of the retention and maintenance of all documentation and that the appropriate level of scrutiny was undertaken.
- 2.8 With reference to the paragraph 3 of the Minute of 14 September 2022, it was agreed that a sub group be formed to consider the matter of the colour scheme and possible window treatments/alterations (secondary glazing). The members of the sub-group were confirmed as Councillor Tatler, Sam Coe, Lorna McCulloch (The Bridge) and Anne Snoddy (Peebles Community Council).
- 2.9 It was suggested by Fiona Colton that any re-opening event planned could coincide with the 140th anniversary of the death of William Chambers. This was to be discussed at a future meeting.
- 2.10 The Chair sought the approval for an observer member from the Beneficiaries Group to be invited to join the Chambers Institution Trust. The Chief Legal Officer confirmed the appointment of an observer member with no voting rights was allowable within the Scheme of Administration for the Chambers Institution Trust. The proposal was approved unanimously. The observer member would be selected at the next meeting of the Beneficiaries Group.

DECISION

(a) NOTED the update.

(b) AGREED to approve the following costs:-

- (i) £600 to meet the annual cost of administration support for the Beneficiaries Group;**
- (ii) £15,000 to fund the identification and appointment of a facilitator;**
- (iii) £15,000 to meet the increased building costs, security arrangements, scaffolding and lighting modifications; and**
- (iv) the appointment of an observer member with no voting rights from the Beneficiaries Group to the Chambers Institution Trust.**

3. PROPERTY UPDATE

Tricia Hill provided an update to Members. With reference to paragraph 2.3 of the Minute of 23 November 2022, it was reported that a simple Energy Performance Certificate (EPC) was insufficient. It was recommended that this task be commissioned from a qualified surveyor along with a subsequent energy efficiency survey of the estate. Tricia Hill had already agreed to obtain quotes for a survey of all the buildings to determine their state of repair; this EPC task could be added to the survey where possible. It was confirmed that there was currently no insulation in the roof of the Burgh Hall and the retrofitting of insulation would be problematic, particularly given the steepness of the pitch and the large surface area. The conflict between the desire for historical restoration and the need for cost effective energy efficiency solutions was acknowledged. Further consultation on this issue was needed and Gareth Smith agreed to research alternatives that might be available. It was agreed that access to survey the roof space via scaffolding was possible provided it was co-ordinated with on-site contractors. Fiona Colton agreed to share contacts information with Estates officers that they might examine other exemplar projects currently being undertaken.

DECISION

NOTED the update

4. WI-FI ACCESS POINTS IN BURGH HALL

With reference to paragraph 3.2 of the Minute of 23 November 2022, Sheena Milne provided further information on the proposed Wi-Fi access points for the Burgh Hall. Ms Milne confirmed that the project had been awarded to GB Technologies as a consequence of them already being contracted to provide services to the Library and Museum Service. Craig Renton, a representative of GB Technologies confirmed the following:- the original brief had been to quote for Wi-Fi access points (WAP) to cover the interior of the Burgh Hall only, which resulted in two WAPs being recommended; Wi-Fi coverage in the Registrar's Office would need to be investigated, though the need for an additional WAP was to be expected; and in order to achieve Wi-Fi coverage in the whole of the Quadrangle, an exterior WAP would be required and may be prohibited by the listed building status of the estate. Mr Renton agreed to provide an updated quote that included Wi-Fi coverage to the Registrar's Office and the Quadrangle to the next meeting. Fiona Colton confirmed that there was at present no public Wi-Fi access within the Library and Museum Service. However, a pending refresh of the hardware, peripherals and network by CGI would include consideration of a public network via The People's Network rather than Live Borders.

DECISION

AGREED that an updated quote be obtained from GB Technologies for Wi-Fi coverage to the Registrar's Office and the Quadrangle.

5. DATE OF NEXT MEETING

The date of the next meeting was agreed as 18 January 2023 at 4pm.

The meeting concluded at 4pm.

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SCOTTISH BORDERS COUNCIL GALASHIELS COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the GALASHIELS
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Wednesday, 14 December 2022 at 4.00 pm.

Present:- Councillors H. Steel (Chair), E. Jardine, N. Mackinnon, and F. Sinclair.
Apologies:- Community Councillor R. Kenney.
In Attendance:- Estates Surveyor (J. Stewart), Treasury Business Partner (S. Wilson),
Solicitor (F. Rankine), Democratic Services Officer (D. Hall).

1. **MINUTE**

The Minute of the Meeting of the Galashiels Common Good Fund Sub-Committee held on 8 September 2022 had been circulated.

DECISION

APPROVED for signature by the Chairman as amended.

2. **MONITORING REPORT FOR 6 MONTHS TO 30 SEPTEMBER 2022**

There had been circulated copies of a report by the Acting Chief Financial Officer which provided the details of the income and expenditure for the Galashiels Common Good Fund for the six months to 30 September 2022, a full year projected out-turn for 2022/23, and projected balance sheet values as at 31 March 2023. Appendix 1 to the report provided the projected income and expenditure position for 2022/23. That showed a projected surplus of £1,174. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2023, and showed a projected decrease in reserves of £53,135. Appendix 3a provided a breakdown of the property portfolio, and showed projected rental income and projected net return for 2022/23 and actual property income to 30 September 2022, whereas Appendix 3b to the report provided a breakdown of the property portfolio and showed projected property expenditure for 2022/23 and actual property expenditure to 30 September 2022. A breakdown of the property portfolio, showing projected property valuations at 31 March 2023 was provided in Appendix 4 to the report. The value of the Aegon Asset Management Investment Fund to 30 September 2022 was provided in Appendix 5 to the report. The Treasury Business Partner presented the report and explained that the price per unit invested in the Aegon Fund was recovering following a fall. The investment continued to provide returns of 5%, and was being monitored carefully.

DECISION

AGREED to:-

- (a) **note the projected income and expenditure for 2022/23 in Appendix 1 to the report;**
- (b) **note the projected balance sheet value as at 31 March 2023 Appendix 2 to the report;**
- (c) **to note the summary of the property portfolio in appendices 3 and 4 to the report; and**

- (d) to note the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.

3. **PROPERTY UPDATE**

The Estates Surveyor provided an update on Common Good property matters. Discussions had been held with the woodland consultant regarding the price of timber. The price remained very low. A further update on the price would be brought to the next meeting. If there was no considerable impact from winter storms it was hoped that an extraction plan could be drawn up for timber located at Ladhope golf course in September 2024. Discussions would be held with the golf course prior to September 2023 in order to draw up firm plans. Diking work had been completed around the perimeter of the golf course. Repairs to the section which ran alongside the road to the golf club remained outstanding. The Estates Surveyor explained that the Common Good had contributed to the cost of felling the dangerous tree on the golf course. In response to a question on the impact of Storm Arwen on the extraction and sale of the timber at the golf course, the Estates Surveyor explained that the storm had caused significant damage and delays in addition to causing timber prices to fall significantly. Regarding what levels of financial returns could be expected from the sale of the timber, the Estates Surveyor explained that, factoring in the cost of extraction, the sale was projected to result in a loss. The woodlands were located in a difficult location, and access was only possible via the golf club road. Work would continue with the woodland consultant, and whatever extraction solution was recommended would be tendered. Members thanked the Estates Surveyor for the helpful update.

DECISION

NOTED the update.

The meeting concluded at 4.10 pm.

SCOTTISH BORDERS COUNCIL CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC GOVERNMENT LICENSING COMMITTEE held in Council Chamber, Council Headquarters, Newtown St. Boswells and via Microsoft Teams on 16 December 2022 at 10.30 a.m.

Present:- Councillors M. Douglas (Convener), J. Cox, D. Parker, J. PatonDay, P. Brown, N. Richards, E. Small, F. Sinclair and T. Weatherston.

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officers (M. Wynne and J. Scott), Licensing Officers – (S. Lackenby and T. Thomson), PC D. Aitchison, Democratic Services Officer (F. Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 18 November 2022.

DECISION

AGREED to approve the Minute for signature by the Chairman.

2. **LICENSES ISSUED UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the periods 2 November 2022 – 2 December 2022.

DECISION

NOTED.

PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

3.0 **LICENSING OF TAXIS, PRIVATE HIRE VEHICLES AND DRIVERS**

Hearing to consider revocation of Taxi Driver Licence

There had been circulated copies of a letter from the Licensing Standards and Enforcement Officer dated 7 December 2022. The Taxi Driver was present at the meeting. After hearing submissions from both the Licensing Standards and Enforcement Officer and the Taxi Driver the Taxi Drivers Licence was revoked with immediate effect.

4.0 **MINUTE**

There had been circulated copies of the Private Section of the Minute of the Meeting held on 18 November 2022.

DECISION

AGREED to approve the Minute for signature by the Chairman.

The meeting concluded at 12 noon

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

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Monday, 9th January, 2023 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott, E. Small and V. Thomson

In Attendance:- Lead Planning Officer (B. Fotheringham), Lead Roads Planning Officer (D. Inglis), Solicitor (F. Rankine), Democratic Services Team Leader, Democratic Services Officer (W. Mohieddeen).

1. **MINUTE.**

There had been circulated copies of the Minute of the Meeting held on 5 December 2022.

DECISION

AGREED to approve the Minute for signature by the Chair.

2. **APPLICATION.**

There had been circulated copies of a report by the Chief Planning and Housing Officer on an application for planning permission which required consideration by the Committee.

DECISION

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

3. **APPEALS AND REVIEWS.**

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

DECISION

NOTED that:

(a) **There remained one appeal previously reported on which a decision was still awaited when the report was prepared on 21 December 2022 which related to a site at Land West of Slipperfield House, Slipperfield Loch, West Linton;**

(b) **Review requests had been received in respect of:**

(i) **Erection of Class 4 joinery workshop with associated access and parking, Land North and East of Clay Dub, Duns Road, Greenlaw;**

(ii) **Alterations and extension to dwellinghouse, 17 George Street, Eyemouth;**

(iii) **Alterations and extensions to dwellinghouse, Dove Cottage Gate Lodge Press Castle, Coldingham, Eyemouth;**

(c) **The following reviews had been determined as shown:**

- (i) **Erection of dwellinghouse, Plot 1, Land North of Belses Cottage, Jedburgh – Decision of Appointed Officer Overturned (Subject to Conditions),**
 - (ii) **Erection of dwellinghouse, Plot 2, Land North of Belses Cottage, Jedburgh – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement),**
 - (iii) **Erection of dwellinghouse, Garden Ground of Cheviot View, Eden Road, Gordon – Decision of Appointed Officer Upheld (Terms of Refusal Varied),**
 - (iv) **Erection of two dwellinghouses with access and associated works, Land West of 1 The Wellnage, Station Road, Duns – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement),**
 - (v) **Demolition of agricultural building, erection of dwellinghouses with ancillary accommodation, Derelict Agricultural Building North of Ladyurd Farmhouse, West Linton – Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement),**
 - (vi) **Erection of dwellinghouse, Land North and East of Tweed Lodge, Hoebridge East Road, Gattonside – Decision of Appointed Officer Overturned (Subject to Conditions),**
 - (vii) **Erection of 3 no holiday pods and associated parking, Land West of Burnmouth Church, Stonefalls, Burnmouth, Eyemouth – Decision of Appointed Officer Upheld,**
 - (viii) **Replacement windows and door (retrospective), Caddie Cottage, Teapot Street, Morebattle, Kelso – Decision of Appointed Officer Overturned,**
 - (ix) **Alterations and extension to dwellinghouse, Deanfoot Cottage, Deanfoot Road, West Linton – Decision of Appointed Officer Upheld,**
 - (x) **Installation of soil vent pipe to front elevation, Hillside, Duns Road, Swinton, Duns – Decision of Appointed Officer Upheld,**
 - (xi) **Installation of photo voltaic array to the south facing roof, Mansefield, 91 High Street, Coldstream – Decision of Appointed Officer Overturned (Subject to Conditions);**
- (d) **There remained 7 reviews previously reported on which decision were still awaited when the report was prepared on 21 December 2022 which related to sites at:**

• Land East of 16 Hendersyde Avenue, Kelso	• Townfoot Hill, Land North West of Cunzierton House, Oxnam, Jedburgh
• Land North East of Runningburn Farm, Stichill	• Land at Silo Bins Edington Mill Chirnside, Edington Mill Road, Chirnside
• Land West of Pease Bay Holiday Home Park, Cockburnspath	• Land South West of Castleside Cottage, Selkirk
• Land South West of Corstane Farmhouse, Broughton	

- (e) There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 21 December 2022 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.**

The meeting concluded at 10.30 pm.

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APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/00877/FUL	Partial demolition of buildings, erection of 3no dwellinghouses with detached garage block and erection of 2no industrial units.	Langlands Mill, Langlands Place Newtown St Boswells

DECISION: Approved as per officer recommendation and subject to a 'clawback clause' being included in the Section 75 Agreement. The clawback clause shall secure additional development contributions (over and above the figure suggested by the DV and agreed by the applicant - £5000 per dwelling), in the event that the residential sales exceeds the enhanced level of Gross Development Value as set out in the DV Valuation Report. The decision is also subject to the following conditions and informatives:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

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

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

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.

- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

- 4. The two light industrial units hereby approved shall only be used for Class 4 (office, research and development or light industry) of the Schedule of The Town and Country Planning (Use Classes) (Scotland) Order 1997, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure that the use remains compatible within the site and to safeguard residential amenities.
- 5. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials and colour finishes to be used in the construction of the external walls, roofs, window frames, doors, balustrades, roller shutter doors and garage doors of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 6. The finished floor levels of the dwellinghouses and light industrial units hereby approved shall be consistent with those indicated on a scheme of details which shall be submitted to and approved in writing by the Planning Authority before the development commences. Such details shall indicate the existing and proposed levels throughout the application site, including the courtyard and parking spaces, and shall be measurable from a fixed datum point in a location clearly indicated in the scheme of details so approved.
Reason: To ensure that the proposed development does not have an adverse effect upon the amenity currently enjoyed by adjoining occupiers or on visual amenities.
- 7. Details of boundary treatments (walls, gates, fences) including position, extent, height, materials, design and colour finish (around the site or between plots) to be submitted to and approved in writing by the Planning Authority before the development commences. The approved boundary treatments then to be erected in accordance with the approved details.
Reason: To safeguard the visual amenities of the area.
- 8. Details of bin storage areas for waste and recycling and any external storage areas for the light industrial units to be submitted to and approved in writing by the Planning

Authority before the development commences. The bin storage areas and external storage areas then to be installed in accordance with the approved details before the light industrial units are occupied.

Reason: To safeguard the visual appearance of the area.

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

Reason: To protect the residential amenity of nearby properties.

10. Prior to commencement of development, details confirming the construction of the communal courtyard to be submitted to and approved in writing by the Planning Authority. Thereafter the courtyard to be constructed as per the approved details prior to first occupation of either the dwellinghouses or light industrial units.

Reason: To ensure the development hereby approved is served by an adequate form of access.

11. Prior to commencement of development, a scheme of details of the proposed improvements to the lane adjacent to the northern boundary of the site to be submitted to and approved in writing by the Planning Authority. Thereafter the improvements to be implemented in accordance with the approved scheme and completed prior to first occupation of either the dwellinghouses or light industrial units.

Reason: To ensure the development hereby approved is served by an appropriate form of access.

12. Core path 140, to be kept open and free of obstruction for walkers, cyclists and horse riders, before, during and after any development in this location.

Reason: To ensure rights of access are maintained during the construction period and upon completion of the development.

13. The construction phase of the development to be carried out in accordance with the requirements and mitigation contained within the Construction Method Statement.

Reason: To protect the Special Area of Conservation and SSSI.

14. No development shall commence until written evidence is provided on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development, unless otherwise agreed in writing by the Planning Authority. Thereafter, a public water mains connection shall be functional prior to the occupancy of the dwellinghouses and light industrial units hereby approved, and no water supply arrangements shall be used other than the public water mains without the written agreement of the Planning Authority.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

15. No foul drainage system other than the public mains sewer shall be used to service the development hereby approved without the written consent of the Planning Authority. The foul drainage to be functional prior to occupation of the dwellinghouses and light industrial units hereby approved

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

16. Details of surface water drainage to be submitted to and approved in writing by the Planning Authority before the development commences. The surface drainage to be functional prior to occupation of the dwellinghouses and light industrial units hereby approved.

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

Informatives

1. In respect of condition 9, all plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.
2. In respect of condition 11, improvements to the lane should be such that all potholes are repaired and a level surface capable of supporting a 14 tonne axle loading is provided.

SCOTTISH BORDERS COUNCIL SCRUTINY & PETITIONS COMMITTEE

MINUTES of Meeting of the SCRUTINY & PETITIONS COMMITTEE held via Microsoft Teams on Thursday, 12 January 2023 at 10.00 am

Present:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson, J. Cox, M. Douglas, E. Robson, S. Scott and F. Sinclair

Apologies:- Councillors P. Brown and J. PatonDay

In Attendance:- Waste Manager, Senior Communications & Marketing Officer (A. Drummond), Clerk to the Council, and Trainee Democratic Services Officer.

1. **MINUTE - 8 DECEMBER 2022**

1.1 Copies of the Minute of Meeting held on 8 December 2022 had been circulated.

DECISION

APPROVED the Minute for signature by the Chair.

2. **SCRUTINY ACTION SHEET**

Copies of the Action Tracker for Scrutiny decisions had been circulated. With reference to item 2 from 9 December 2021, regarding the Rural Proofing Policy, the date for presentation to Committee had now been changed to 20 April 2023, to allow work to tie in with other reviews underway e.g. Integrated Impact Assessment.

DECISION

NOTED the dates where outstanding actions would be considered.

3. **WASTE AND RECYCLING COMMUNICATIONS**

2.1 With reference to Paragraph 1.2 of the Minute of 8 December 2022, Adam Drummond, Senior Communications and Marketing Officer, presented an update on the Council's Climate Change Communications. In working towards the Net Zero target, it had been challenging to develop and sustain the level of communications required due to multiple competing priorities and staff vacancies. The recent recruitment of a Climate Change Officer was to result in more effective communications with internal and external audiences henceforth. A brief overview of the plan was presented to Members which would provide an easily accessible, web based source of information and plans on the action of Scottish Borders Council towards its Net Zero Commitments; to raise awareness, signpost to resources, highlight best practice and support behavior and cultural change internally and externally related to the climate emergency, and to work with national and local partners. The initial web content was in its final stages and was to be published shortly. Climate emergency training had been rolled out internally and 1800 staff had completed the e-learning module on Climate Change. This was to be an area of focus in the coming months.

2.2 Ross Sharp-Dent, Waste Manager, then presented an update on the Waste and Recycling Campaign. This initiative, as part of the Climate Change communications Plan, aimed to encourage positive behavior change, to increase recycling performance and to reduce the amount of recyclable waste going into general waste bins (currently at 76%).

The previously delayed campaign had launched in December 2022 to coincide with the festive collection communications and was disseminated via social media platforms, Councillor and Community Council briefings, posters and a press release. A staff video had also been produced. The Council web page had been updated with a new 'missed bin' service whereby the public were apprised of missed collections reported by the waste crews and subsequent remedial action to be taken. The results of an information gathering survey conducted in January 2022 had now been published. The survey had highlighted public confusion as to the type of refuse permitted in the different bins. It was confirmed that excess recyclate could be put out alongside the blue bin for collection, although that needed to be in a clear or white bag tied at the top. No black bags could be used for recyclate, as there was an assumption that this could contain ordinary waste so would be contaminated and the sorting machine did not recognise black bags so these would be rejected. Large cardboard boxes could be flattened and also left out for collection.

2.3 A summary of planned initiatives was provided: the Primary Schools Waste and Recycling Resource was to be launched in conjunction with Levensat (General Waste Contractor) in March 2023 and contained online lesson plans, activities and games; a Community Engagement Review to maximise community involvement; and 'Recollect' - a one year trial of a web app to be rolled out in March/April 2023. The interface allowed the public to type in an item and be directed to the correct means of disposal. Training was to be provided to CAS staff to enable them to use the app and provide answers at the first point of contact. The app also provided reminders to put out domestic bins. Comprehensive data gathered from the trial was to be used to address public knowledge gaps and improve behaviours.

2.4 The shortage of HGV drivers was discussed. All posts for HGV drivers were filled apart from one. There were also loaders who were trained as HGV drivers but the number of those in the workforce had shrunk from 20 down to 2 or 3 in recent years. Currently, any gaps in drivers were being filled by foremen and supervisors. A recent recruitment exercise for six HGV drivers received no applicants. Scottish Borders Council was committed to training new drivers and had undertaken to put applicants through their DVLA car licence training first if they did not have a pre-1997 licence, with a view to starting HGV training one year later, although there was a backlog of testing. In response to a question about the reporting of full bottle banks, it was confirmed that this was not currently possible via the website but this was something which would be considered. Where it was known in advance e.g. festive period, summer festivals, etc. then additional bottle banks were brought in and also bins were emptied more frequently. The advent of the Deposit Return Scheme (DRS) for plastic bottles and cans would likely result in a reduction in the amount of recyclate to be collected by Waste Management. While the Council was still obliged by legislation to collect plastic at kerb sides and bottle banks, it was acknowledged that the position, timing and routes of collections would be reviewed at the appropriate time. The issue in the Borders was distance and not volume so it may mean vehicles would pick up less waste as the assumption was less would be going into general waste bins. The frequency of collections may reduce. There was an acknowledgement that while emails had been sent out to all Community Councils on the waste campaign over the festive period, communications with Community Councils required greater focus to ensure that information was being disseminated to their local community. It was suggested that future waste management email communications to Community Councils should also be sent to Elected Members to allow them to check on receipt and that the information was being disseminated out to communities.

DECISION

NOTED the updates and AGREED that waste management emails to Community Councils also be sent to Elected Members to allow them to check that the information had been received and was being disseminated out to communities.

4. **FUTURE SCRUTINY WORK PROGRAMME**

There had been circulated copies of a briefing note by the Clerk to the Council, the purpose of which was to provide Members with details of the proposed process for future Scrutiny reviews. The Clerk to the Council gave an explanation of the work of the Scrutiny and Petitions Committee: to monitor the Authority's performance in achieving policy objectives and priorities; to review the Council's effectiveness against agreed standards, targets and budgets; and to act as a focus for value for money and service quality exercises. Subjects for review were to be brought to the Clerk by members of the Committee and other Elected Members; this was to be submitted via email with no need for a rationale to be completed at this stage and reviews could be focussed and specific. Further explanation was provided as to how proposals for review were to be initially assessed for inclusion in a Programme of Work. With a focus on their strategic role, Members had the authority to objectively scrutinise the delivery of a project against a plan, or a benefit realisation against a target, according to set criteria. The review would proceed in one of three ways initially: an Information Hearing whereby officers or representatives made a presentation; a more focussed Hearing where questions would be submitted in advance and supplemented by further queries to delve deeper, with a Working Group convened to probe further still; or a Working Group would be convened immediately to take matters forward. Oversight of a Working Group was to be ensured through the approval of their remit by the Scrutiny & Petitions Committee. Due attention was to be given to the scale and number of reviews at any given time to ensure reviews were adequately resourced and proportionate across the service. The Clerk to the Council had received one subject for review to date. It was suggested that one Working Group at a time was convened; this could be either for a short term of a few months or longer up to a year. There was general agreement that each Committee member proposed one subject for review before the next meeting on 20 April 2023. The Clerk to the Council would also write out to all Members and Community Councils asking for any subjects for review.

DECISION

NOTED the briefing and AGREED to each Committee member submitting one subject for review before the next meeting.

The meeting concluded at 11.10 am

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MINUTE of Meeting of the EILDON AREA
PARTNERSHIP held remotely by Microsoft
Teams on Thursday, 26 January 2023 at
6.00 pm

Present:- Councillors E. Thornton-Nicol (Chair), C. Cochrane, L. Douglas, E. Jardine J. Linehan, N. Mackinnon, J. PatonDay and F. Sinclair, together with 8 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillor D. Parker

In Attendance:- Community Co-ordinator, Community Engagement Officer (E. Coltman), Democratic Services Officer (D. Hall)

1. **WELCOME**

The Chair 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.

2. **FEEDBACK AND EVALUATION FROM MEETING OF 17 NOVEMBER 2022**

The Minute of the meeting of the Eildon Area Partnership held on 17 November 2022 had been circulated and was noted. The Community Co-ordinator, Mr Kenny Harrow, explained that feedback on the Tweedbank Care Village had been positive, and that work was ongoing to realise that project. Mr Harrow encouraged any group or organisation seeking to provide a warm space for people struggling to heat their homes over the winter to contact the Communities and Partnership team.

3. **COMMUNITY CONVERSATION FEEDBACK**

Mr Harrow explained that a copy of the feedback from the Community Conversations held by Scottish Borders Council over the summer had been circulated with the agenda. The events had provided the general public with the chance to meet Elected Members and senior staff to talk about what the Council did well, and where it needed to improve. Events had been held in all of the wards of the Scottish Borders. Councillor Jardine explained that the conversations had been well received, and highlighted that the events in Selkirk and Galashiels had been well attended and engaging. A broad range of issues had been raised, and it was hoped that some areas of concern could be brought into the Council Plan. It was hoped that further events would be held in the spring or summer of 2023. Those in attendance highlighted that it was important to promote the events by various different means in order to reach the widest possible audience. Members highlighted that it was important to try and engage with people who were not already engaged with the Council, and suggested that advertising or running sessions at non Council events could potentially ensure that a wider range of voices were being heard. Mr Harrow highlighted that it was important to deliver real improvements and changes, and that attempts to engage with people had to be genuine. The use of electronic notice boards at bus stops was suggested as a potentially effective way of disseminating official information to the public in a modern way.

4. **EILDON FUNDING TABLE**

Copies of the Eildon Funding Table 2022/23 had been circulated with the agenda. Mr Coltman advised that the opening balance of the Neighbourhood Support Fund (NSF) had been £147k, and that approximately £128.5k had been awarded since April 2022.

Applications totalling £32.1k had been assessed and were awaiting decision. Mr Coltman explained that if all of the applications were approved in full then the Fund would be oversubscribed by £13.5k. The Selkirk Community Council (Brighter Selkirk) application for £1.2k had been approved under the fast track arrangements following the publication of the agenda.

5. **NEIGHBOURHOOD SUPPORT FUND**

5.1 There had been circulated copies of the Eildon Assessment Panel's recommendations as a supplement to the agenda. The Chair welcomed Ms Jenny Mushlin of the Eildon Assessment Panel to provide an overview of each of the recommendations.

5.2 **Earlston Bumps, Babies and Toddler Group**

Earlston Bumps, Babies and Toddler Group had applied for £3,763.39 to provide support and friendship to parents attending their group. Wider family members would also be encouraged to attend. The support would be used to help support training costs. The Panel was keen to support the group, and had recommended to part-fund the project with a grant of £1.5k. Members unanimously agreed to approve the application.

5.3 **Perfect Harmony**

The application from Perfect Harmony was for £3k to allow the group, made up of local musicians, to provide more concerts in nursing homes, residential homes, sheltered housing, hospitals and day care centres across the Scottish Borders. Perfect Harmony had indicated that the funding would allow them to provide an additional 40 concerns per year throughout 13 care facilities in the Eildon locality. The Panel was fully supportive of the group, and highlighted that the concerts were free at the point of access. If the group was unsuccessful in other securing funding in other localities, then the Panel felt that that the funding provided by the Eildon Area Partnership should be ring-fenced for Eildon performances only. Members unanimously agreed to approve the application.

5.4 **Hike and Bike Hub**

Hike and Bike Hub had applied for £8.2k, which would be used to cover the annual lease costs of a unit in Galashiels. The group aimed to promote active travel in the region, and were opening a centre which would offer affordable bike hire, servicing, led cycles and guided walks. The Panel was very supportive of the group, but were keen to see how sustainable the project was, and had therefore recommended to part-fund with a grant of £4.1k. The Panel indicated that this would allow the group to cover 6 months of their rent, and encouraged a further application to the NSF in 6 months if they could evidence that the project was doing well. Angela Crow of the Hub was present, and explained that plans to open a unit on Douglas Bridge in Galashiels had fallen through due to safety issues. The premises which would be rented were owned by a local landlord. In response to a question regarding whether SBC had been able to offer assistance finding a low rent space, Mrs Crow confirmed that SBC had been unable to find an available premises. Mrs Crow encouraged all attendees to visit the official opening ceremony of the Hub.

5.5 **Melrose in Bloom**

The application from Melrose in Bloom was for £5.75k to fund the replacement of a dilapidated wooden fence. It had not been possible to determine who ownership of the land. The Panel had recommended not to fund the application, but were happy that if ownership was established to consider a new application. Mr Coltman explained that since the Panel had met, he had received confirmation that the land in question was not owned by SBC. The Panel were content for Melrose in Bloom to submit a new application once they had undertaken their due diligence and confirmed ownership of the key area of land. The Chair encouraged the Group to consider engaging with the Criminal Justice Team for assistance with delivery of the project, as recently shared photographs had shown excellent works delivered at reasonable cost. Members unanimously agreed not to grant the funding.

5.6 **At Birkhill House CIC**

The application was for £10.1k to help support costs associated with creating a “Fleece and Fibre” hub. This would enable people to learn new techniques and skills with fibre and fleece. The Panel felt that the group delivered important activities for the community, and that there was general support for their plans. It was felt that the application could benefit from a business plan and timeline in order to understand how their project would be delivered. Members unanimously agreed not to fund the project.

MEMBER

Councillor Sinclair left the meeting during the discussion below.

6. **TRANSPORT – LOCAL ISSUES AND SOLUTIONS**

- 6.1 The Chair welcomed Mr Gordon Grant, Scottish Borders Council’s Principal Transport Officer to the meeting. Mr Grant explained that the preceding years had seen significant changes to the bus network in the region, with some areas more negatively impacted than others. Following the unprecedented disruption caused by the Covid-19 pandemic, operations were now more stable. The Council was undertaking a transport network review in order to assess how it could improve what it has in place. The local bus network had operated on a series of fixed routes for approximately 30 years, with very little change. The use of technology, in the form of Demand Responsive Transport, such as that seen in the pilot PINGO project in the Berwickshire locality, had the potential to greatly alter the way in which transport services were delivered across the region. Work needed to take place to engage with key employers, such as NHS Borders, to try and ensure that bus services were fit for purpose, and enabled workers and service users to confidently rely on the bus network to meet their needs. Usage of the bus network was estimated at 78% of pre-covid levels. Mr Grant explained that a considerable part of the patronage of buses was made up of older people travelling on concessionary cards, and those individuals had not returned to using the service in the levels seen prior to the pandemic. Operating costs had increased considerably due to the inflationary environment seen in the UK as a whole, with costs up approximately 33%. Minor adjustments to the network, such as certain buses arriving or departing slightly later had the potential to make a big difference to user numbers and the wider networks’ effectiveness. Mr Grant explained that, with reference to paragraph 3, where it had been suggested to use electronic travel boards to disseminate information to the public, it was possible to use those screens to put messages out. Work was ongoing to assess the practicalities and effectiveness of that. A marketing campaign was being developed which would encourage users to return to the bus network, and would focus on what changes were happening, and how families could travel at very cost effective prices.
- 6.2 Mr Grant encouraged attendees to provide their honest feedback on the network, and invited questions. Regarding how improvement and success would be measured, Mr Grant explained that the overall effectiveness of the network, and user numbers ultimately defined how successful the bus network was. The number of young people using the service was seen as key, and whilst the numbers of people aged between 11 and 17 was generally good, following that there was a dramatic drop off. Attracting tourists and visitors to use the public transport network was also hugely important. In response to a question regarding the lack of printed timetables at bus stops, and the need for passengers to use a smart phone application, the cost of printing and updating timetables regularly was highlighted as an issue. Whilst using a smart phone to check the bus time was not suitable for everyone, it was nonetheless considered effective taking into account resource challenges. Regarding cancellations and alterations to the X95 service, Mr Grant suggested that whilst the service could appear to very busy at certain times, a certain level of usage across the whole day was required to ensure viability. In response to a question regarding the 51 Service reverting to the bus station in Edinburgh from Waterloo Place, Mr Grant undertook to discuss the issue with the operator, but suggested that the current arrangement could be in place to ensure that traffic congestion in Edinburgh did not impact upon the 51’s ability to connect with the 67. The importance of bus reliability was highlighted, as breakdowns had the potential to corrode user

confidence. Attendees suggested that SBC consider its potential to generate considerable energy from renewable sources, and to use that energy to power buses, with convenient charging points located throughout the region providing a hop on, hop off service. Mr Grant thanked attendees for their suggestions and emphasised that partnership working would be key to ensuring that the region had a travel network that was modern, green, and fit for purpose.

6.3 Attendees were placed into breakout room discussions to discuss what the barriers to active travel were in Eildon, and how greater usage of public transport could be encouraged. Following those discussions, the Chair explained that the key theme which had arisen appeared to be the need to provide 21st century solutions to 21st century problems. Attendees were encouraged to continue to provide their ideas or solutions, as the link to the discussion record would remain open. Mr Grant thanked attendees for their feedback. Mr Harrow suggested that a special forum could be set up to allow the Area Partnership to continue to feed its ideas and opinions on transport back to SBC. Regarding the work of the other Area Partnerships on specific issues, Mr Harrow explained that the Chair of the Eildon Area Partnership had been keen to provide the breakout room function, with a specific theme and a more focused agenda. Feedback on the way the Eildon Area Partnership had operated would be shared.

7. **NEXT AREA PARTNERSHIP**

The Chair confirmed that the next Area Eildon Area Partnership would be held on Thursday, 23 March at 6pm. The meeting would be held online via Microsoft Teams.

8. **ANY OTHER BUSINESS/ OPEN FORUM**

Attendees expressed their thanks to Mr Grant for his attendance and work on in a difficult area.

9. **MEETING EVALUATION VIA MENTI**

Mr Coltman posted the link to the Menti evaluation, and encouraged attendees to complete the survey.

The meeting concluded at 7.40 p.m.