

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

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| 6. | <p>Committee Minutes (Pages 3 - 54)</p> <p>Consider Minutes of the following Committees:-</p> <ul style="list-style-type: none"> (a) Pension Fund 8 August 2023 (b) Local Review Body 14 August 2023 (c) Peebles Common Good Fund 23 August 2023 (d) Eildon Area Partnership 7 September 2023 (e) Peebles Common Good Fund 11 September 2023 (f) Jedburgh Common Good Fund 11 September 2023 (g) Executive 12 September 2023 (h) Teviot & Liddesdale Area Partnership 12 September 2023 (i) Galashiels Common Good Fund 21 September 2023 (j) Civic Government Licensing 22 September 2023 (k) Pension Fund 22 September 2023 (l) Pension Board 22 September 2023 (m) Executive 3 October 2023 <p>(Please see separate Supplement containing the public Committee Minutes.)</p> | 5 mins |
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| (a) | Pension Fund | 8 August 2023 |
| (b) | Local Review Body | 14 August 2023 |
| (c) | Peebles Common Good Fund | 23 August 2023 |
| (d) | Eildon Area Partnership | 7 September 2023 |
| (e) | Peebles Common Good Fund | 11 September 2023 |
| (f) | Jedburgh Common Good Fund | 11 September 2023 |
| (g) | Executive | 12 September 2023 |
| (h) | Teviot & Liddesdale Area Partnership | 12 September 2023 |
| (i) | Galashiels Common Good Fund | 21 September 2023 |
| (j) | Civic Government Licensing | 22 September 2023 |
| (k) | Pension Fund | 22 September 2023 |
| (l) | Pension Board | 22 September 2023 |
| (m) | Executive | 3 October 2023 |

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SCOTTISH BORDERS COUNCIL PENSION FUND COMMITTEE AND PENSION BOARD

MINUTES of Special Meeting of the
PENSION FUND COMMITTEE AND
PENSION BOARD held in the Caledonian
Hotel, Edinburgh and via Microsoft Teams
on Tuesday, 8 August 2023 at 3.00 pm.

- Present:- Councillors D. Parker (Chairman), C. Hamilton, W. McAteer, D. Moffat, S. Mountford, S. Scott, Mr D. Bell, Mr A. Daye, and Mr M. Drysdale.
- Apologies:- Councillors P. Brown, and J. Pirone; and Ms K. Robb.
- In Attendance: Chief Executive, Director Finance and Procurement, Chief Officer Audit and Risk, and Democratic Services Officer (W. Mohieddeen).
- Also in Attendance: Mr C. Pringle, Mr A. Ross and Mr A. Singh (Isio); Mr J. Boyd (Audit Scotland); Mr M. Hamber, Mr B. Lee and Mr C. Lipton (Nuveen).

1. PRIVATE BUSINESS

DECISION

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

2. NATURAL CAPITAL MANDATE PROCUREMENT

The Committee considered the Briefing Paper on natural capital mandates by Isio.

3. NUVEEN GLOBAL TIMBERLAND FUND

The Committee considered a presentation by Nuveen Natural Capital.

The meeting concluded at 4.45 pm.

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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW BODY held in the Council Chamber, Council Headquarters, Newtown St Boswells on Monday, 14 August 2023 at 10 a.m.

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

In Attendance: - Lead Planning Officer, Principal Planning Officer (S. Shearer), Solicitor (S. Thompson), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

MEMBERS

Having not been present when the following review was first considered, Councillors Mountford, Thomson, Orr, Small, and Scott left the meeting. Councillor Richards chaired the meeting for the next item of business only.

1. CONTINUATION OF REVIEW 23/00002/RREF

- 1.1 With reference to paragraph 14 of the Minute of 17 April 2023, the Local Review Body continued their consideration of a request from Mr Robert Gaston, Ravelaw Farm, Whitsome, Duns to review the decision to refuse the planning application for the Erection of agricultural building (retrospective). The supporting papers included the written submissions from the Planning Officer and Applicant in respect of new information, written; submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; additional information; consultation replies, support comments; general comments; objections and list of Policies.
- 1.2 The Local Review Body noted that the application was retrospective. The building which was the subject of the appeal was used as part of Ravelaw's pig farming enterprise and as the building had been erected within 400 metres of third-party residential properties planning permission was required for the development. The Review Body accepted that the principle of the development was supported by Policy ED7, and no concerns were raised regarding the siting and design of the building in relation to visual amenity. The Review Body therefore considered whether the development was compatible with surrounding uses and in particular whether it would harm the amenity of neighbouring residential properties, particularly in relation to noise, odour, dust and attracting vermin.
- 1.3 Following discussions, the Review Body concluded that the development did not result in an increase in the number of pigs at Ravelaw Farm but instead allowed the number of pigs to be spread across more farm buildings, therefore reducing the number of pigs housed in sheds nearest the residential properties and improving the impact of the pig farm on neighbouring residential properties, provided it was operated in accordance with the terms of the Memorandum of Understanding. In addition, Members considered that the development would improve the welfare of the pigs and the efficiency of the rural enterprise. In light of the information which had been presented to them and compared against the current relationship of the farm and residential properties, Members concluded that the development would not negatively impact on the amenity of nearby residential properties.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) after considering all relevant information, the development complied with Policies ED7, HD3 and PMD2 of the LDP and Policies 5, 14 and 23 of NPF4; and**
- (d) the officer's decision to refuse the application be overturned.**

2. CONTINUATION OF REVIEW 23/00012/RREF

- 2.1 With reference to paragraph 2.1 of the minute of 19 June 2023, there had been circulated copies of a request from Mr Ian Swann, per MAKAR Ltd, Clachandreggy, Dores Road, Torbreck, Inverness to review the planning application in respect of the erection of dwellinghouse on Land West of the Old Barn, Westwater, West Linton. The supporting papers included the written submissions from the Planning Officer and Applicant in respect of new information, written submissions from the Planning Officer and Applicant in respect of NPF4; Notice of Review (including the Decision Notice and Officer's Report); papers referred to in the Officer's report; Additional Information and Consultation Replies.
- 2.2 The Review Body were advised that the second reason for refusal on the original Decision Notice and the Handling Report was a duplicate of the first reason and instead a residential amenity reason was intended to be the second reason for refusal. Members noted that the applicant had sought to address residential amenity concerns in their appeal submissions. It was confirmed that the site already benefited from PPP approval for a dwellinghouse, and the principle of the development was supported by the Appointed Officer. The key issue was in relation to whether the design and siting of the development was acceptable against relevant housing in the countryside and placemaking development plan provisions.
- 2.3 In terms of the siting of the proposed dwellinghouse, the Review Body judged that the house was positioned deep within the plot, too far from the road, too close to the site's eastern boundary and did not relate well to the positioning of other dwellings within the building group. This resulted in the height of the proposal having an overbearing impact on the amenity of the Old Barn and gave rise to overlooking which would detract from the privacy of the Old Barn. The Review Body accepted that the site was large and had capacity for the development provided it was suitably sited. The modern design approach was also acceptable, in principle, provided that the design was sympathetic to the character of the rural area. However, reservations were raised with regard to the use of timber as the sole wall material finish as this did not fully respect the material finishes of other properties within the building group.

DECISION

AGREED:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure**
- (c) the siting, access design, orientation and height of the development failed to respect the character of the building group and resulted in a development which would adversely impact in the residential amenity of the Old Barn. The Review Body concluded that the proposal was contrary to Policies HD2, HD3**

and PMD2 of the Local Development Plan, Policies 14 and 17 of NPF4 and supplementary guidance on New Housing in the Borders Countryside; and

(d) the officer's decision to refuse the application be upheld.

3. REVIEW OF 23/00019/RREF

3.1 There had been circulated copies of a request from Mr J M and Mrs G Barton c/o Ferguson Planning, 54 Island Street, Galashiels to review the planning application in respect of the installation of timber gates (retrospective) at Church House, Raemartin Square, West Linton. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Consultation Replies and List of Policies. The Review Body considered whether certain matters included in the review documents constituted new evidence under Section 43B of the Act and whether or not this evidence could be referred to in their deliberations. This related to letters of support from local residents, updated response from the West Linton Community Council, letter from ward Councillor and letter from the West Linton Village Trust. The Review Body concluded that the information did not raise any new material evidence that was not before the appointed officer and could be admitted without the need for any further procedure.

3.2 The Review Body noted that the application was retrospective, that the site was located within the West Linton Conservation Area and that the property was a converted church with two separate gates providing access to the property from Raemartin Square. Members observed that the gated openings were formally iron railed with decorative tops and the appeal sought permission for the painted timber boards which had been added to both access gates, whilst the iron gates remained in-situ behind the timber boards and gave weight to the fact that the works had not resulted in the complete loss of the original entrance features. The Review Body observed that the property was not extensively visible from other parts of the Conservation Area and noticed that other properties within the Conservation Area, including a neighbour opposite the site, had similar timber gates. The Review Body judged that the works did not affect any of the retained gate piers or the stone boundary wall and its railings. Reservations were raised over the colour of coating which had been applied to the timber boards, but it was accepted that this would weather in time.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) that the development was consistent with Policies PMD2 and EP9 of the Local Development Plan and Policies 7, 14 and 16 of National Planning Framework 4 whereby the development was not found to adversely impact on the character and appearance of the conservation area or the visual amenity of the residential area; and**

(d) the Officers decision to refuse the application be overturned.

4. CONSIDER REVIEW OF 23/00020/RREF

4.1 There had been circulated copies of a request from Mr Stephen Murray, per W M Brown, Mill Cottage, Annay Road, Melrose to review the decision to refuse the planning application in respect of the erection of a dwellinghouse on Land South of Greenbraehead Farmhouse, Greenbraehead, Hawick. The supporting papers included Notice of Review (including the Decision Notice and Officer's Report); Consultation Replies and List of Policies.

- 4.2 Members noted the planning history of the site where two previous applications for the erection of a dwellinghouse were refused in 2017 and 2019 on the basis that the site did not relate to a building group. The Review Body noted that the site was located to the south of Greenbraehead Farmhouse within a small paddock to the east of an existing farm track serving Greenbraehead Farm and the application was seeking consent for a house on economic grounds to provide accommodation for the applicant to manage agricultural operations at Greenbraehead Farm. Firstly, Members considered whether an existing building group of three or more dwellings existed at the location and concluded that there was no building group at Greenbraehead. Members then considered whether the proposed house could be justified under Part F of Policy HD2 and criteria a) part 5 of NPF4 Policy 17, and acknowledged the business was a viable operation but questioned whether the 20ha currently rented by the applicant was sufficient to operate the business long term. Members accepted that the economic case required to justify the need for a house to support the business was difficult to prove and also noted that the applicant had invested heavily in machinery and had agreed a 25-year long term lease on the land, with the intention to purchase or lease a further 12ha from the forestry commission, although financing the additional land and growth of the flock had not been included in the projected accounts. Some weight was also given to the security benefits associated with an employee residing on site.
- 4.3 Overall, Members accepted the justification of a house was only on the basis of its operational need, therefore occupation of the house was required to be controlled to a person (and their dependants) employed in the farm enterprise at Greenbraehead Farm and that this occupational restriction be controlled by a planning condition with the house tied to the business via a legal agreement.

DECISION

AGREED that;

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) the development was necessary to support a viable rural enterprise and that there was an essential operational requirement for a worker to reside on site. The development was determined to be consistent with development plan provisions covering housing in the countryside, principally Policy HD2 of the LDP, Policy 17 of NPF4 and relevant Supplementary Planning Guidance on housing in the countryside; and**
- (d) The Local Review Body overturned the decision of the appointed officer and indicated that it intended to grant planning permission subject to conditions and the applicants entering into a Section 75 legal agreement to tie the house to applicants' business.**

5. REVIEW OF 23/00021/RREF

- 5.1 There had been circulated copies of a request from Mr M Curtin per RM Architecture Ltd, Bloomfield, Heatherlie Park, Selkirk to review the decision to refuse the planning application in respect of the demolition of shed and erection of dwellinghouse (approval of all matters specified in planning permission 20/00874/PPP) on Land Northwest of Rosebank Cemetery Lodge, Shedden Park Road, Kelso. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; Consultation Replies and List of Policies.
- 5.2 The Review Body noted that the Application sought AMC approval of the condition attached to consent 20/00874/PPP. It was noted that the PPP consent expired in December 2023 and that the principle of a house on this site was not a matter for the

review. The Review Body were mindful that the site was located close to the Conservation Area and that the site was compact in scale. Members accepted that the central positioning of the house within the site ensured that the proposal was not too close to either neighbour and the height of the house correlated with the ridge heights of the properties on either side. Overall, it was accepted that the proposal would not lead to overdevelopment of the site and the proposal was judged to be in keeping with the scale and density of surrounding residential plots.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) that the development was consistent with Policies PMD2 and PMD5 of the LDP, Policy 16 of NPF4 and Supplementary Planning Guidance on Placemaking and Design; and**
- (d) the Officers decision to refuse the application be overturned.**

6. REVIEW OF 23/00022/RREF

- 6.1 There had been circulated copies of a request from Mr Jim Warnock, per Ericht Planning & Property Consultants, Gifford House, Bonnington Road, Peebles to review the decision to refuse the planning application in respect of the Erection of dwellinghouse with outbuilding and formation of new access (approval of all matters specified in conditions of planning permission 21/00030/PPP) on Land at Rachan Woodlands, Broughton. The supporting papers included the Notice of Review (including the Decision Notice and Officer's Report); Papers referred to in the Officer's report; Consultation Replies and List of Policies.
- 6.2 The Review Body noted that the Applicant was seeking AMC approval of the condition attached to consent 22/01973/PPP and that the PPP consent expired in 2024. The principle of a house on the site was not a matter for the review.
- 6.3 In comparison to the previous AMC application, Members welcomed the updated proposal which transposed the position of the garage and the dwelling and allowed the house to be located closer to other dwellings within the group. The LRB accepted that this positioning would not be possible owing to the presence of a Victorian stone cundy within the application site which would restrict any further westward siting. Members observed that the central positioning of the proposal within the site reflected the positioning of some other dwellings in the group which are centrally located within spacious plots. Overall, Members accepted that the position of the dwelling was well related to the building group, and provided, existing mature trees were protected, and the final site landscape details agreed, the development would integrate with the sense of place of the building group.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) that the development was respectful of the sense of place of the Rachan building group and the submitted details satisfied all conditional requirements of consent 21/00030/PPP, subject to compliance with the schedule of conditions; and**

(d) the Officers decision to refuse the application be overturned.

7. REVIEW OF 23/00023/RREF

7.1 There had been circulated copies of a request from Mrs Nancy Hunter, per Sam Edwards, Ferguson Planning, 37 ONE George Street, Edinburgh to review the decision to refuse the planning application in respect of the Erection of dwellinghouse with detached garage on Land South of Headshaw Farmhouse, Ashkirk, Selkirk. The supporting papers included the Notice of Review; papers referred to in the Officer's Report; Consultation Replies and List of Policies. The Planning Adviser drew attention to information, in the form of aerial photographs which had been submitted with the Notice of Review, but which had not been before the Appointed Officer at the time of determination. Members agreed that the information was new but considered that it met the Section 43B test, was material to the determination of the Review and could be considered. However, they also agreed that the new information could not be considered without affording the Planning Officer an opportunity of making representations.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) new evidence submitted with the Notice of Review in the form of aerial photographs met the test set in Section 43B of the Town and Country Planning (Scotland) Act 1997 and was material to the determination;**
- (c) the review could not be considered without the need for further procedure in the form of written submissions;**
- (d) the Planning Officers be given the opportunity to comment on the new evidence submitted with the Notice of Review in the form of aerial photographs; and**
- (e) consideration of the review be continued to a future meeting on a date to be confirmed.**

8. REVIEW OF 23/00030/RNONDT

8.1 There had been circulated copies of a request from Mr Hugh Garratt, The Guildhall, Ladykirk, Berwick-Upon-Tweed to review the decision to refuse the planning application in respect of the Change of Use of shop and alterations to form 2 No. dwellinghouses at the Shop 22 – 24 South Street, Duns. The Review Body noted that the review was submitted against non-determination of the planning application, as the Council had not determined the application within the agreed application processing period. This constituted a deemed refusal and Members were required to make a 'De Novo' decision on the application. The supporting papers included the Notice of Review; Consultation Replies and List of Policies.

8.2 The Review Body were advised that a previous application (21/01457/FUL) sought planning permission to convert the property into two dwellinghouses, each with two bedrooms. The Planning Authority were minded to support that development, subject to conditions and the need for the applicant to enter into a legal agreement for developer contributions totalling £19,926 towards Duns Primary School, Berwickshire High School and Affordable Housing. Subsequently, the legal agreement had not been concluded therefore planning consent 21/01457/FUL had not been issued.

8.3 The Review Body noted that the application before them sought to convert the property into two, one-bedroom properties and that the applicant's justification for the revised

application was directly in response to the current economic landscape which resulted in the previous proposal (21/01457/FUL) no longer being viable due to the developer contributions it attracted. The new application proposed to reduce the number of bedrooms at each property and would only attract affordable housing contributions of £2000 which would not affect the viability of the proposed conversion.

- 8.4 Members determined that the proposed change of use represented a suitable form of infill development which would not adversely affect the vitality or viability of the Duns town centre and the external alterations were sympathetic to the character of the conservation area subject to conditions covering external materials, replacement window and door details. The proposed access and parking arrangements were acceptable and no residential amenity concerns were raised.

DECISION

AGREED that: -

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for further procedure;**
- (c) that the development was consistent with Policies PMD2, ED3, EP9 and IS2 of the Local Development Plan and Policies 7, 16 and 27 of National Planning Framework 4 in that that proposal represented a suitable form of infill development, which does not detract from the vibrancy of Duns town centre or the character of the Conservation Area, subject to conditions and a legal agreement covering associated developer contributions towards affordable housing; and**
- (d) the application be approved.**

The meeting concluded at 2.00 p.m.

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SCOTTISH BORDERS COUNCIL

PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held in via Microsoft Teams on Wednesday,
23rd August, 2023 at 5.00 pm

Present:- Councillors R. Tatler (Chairman), D. Begg, M. Douglas, J. Pirone, E. Small
and V. Thomson

In Attendance:- Chief Legal Officer, Financial Analyst, (G Reid), Estates Surveyor (T. Hill), D.
Hodson (TYA), A. Findlay, M Mouat (Interest Link), Democratic Services
Officer (L. Cuerden)

1. **ORDER OF BUSINESS.**

The Chair advised Members of an item of business to be heard under Any Other Business and in Private Business.

2. **MINUTE AND ACTION TRACKER**

There had been circulated copies of the Minute of the Meeting held on 23 May 2023 and 27 June 2023 and the updated Action Tracker.

DECISION

AGREED the Minutes for signature by the Chair and Action Tracker.

3. **FINANCIAL MONITORING REPORT TO 30 JUNE 2023**

3.1 There had been circulated copies of a report by Director Finance and Procurement, the purpose of which was to provide details of the income and expenditure for the Peebles Common Good Fund for the three months to 30 June 2023, a full year projected out-turn for 2023/24 and projected balance sheet values as at 31 March 2023. Gordon Reid, financial analyst presented the report. Appendix 1 showed the projected income and expenditure position for 2023/24 with a projected surplus of £47,752 for the year. Appendix 2 provided a projected balance sheet value as at 31 March 2024 with a projected decrease in reserves of £132,756. Appendix 3a provided a breakdown of the property portfolio with projected rental income and projected net return for 2023/24 and actual property income to 30 June 2023. Appendix 3b provided a breakdown of the property portfolio with projected property expenditure for 2023/24 and actual property expenditure to 30 June 2023. Appendix 4 provided a breakdown of the property portfolio with projected property valuations at 31 March 2023. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 30 June 2023.

3.2 With reference to paragraph 4.5 of the report, Mr Reid undertook to update the status of grants that were approved but not yet paid; the payments to the Peebles Pensioners Association and Peebles Christmas Lights had been recently disbursed. The Chair requested that the matter of income due to Peebles Common Good Fund from SBC for parking charges be resolved as soon as possible. It was confirmed that work to refurbish the Jedderfield property was complete, and most payments had been settled. With reference to paragraph 4.11 of the report, there was a suggestion that a portion of the opening cash balance of £31,2564 and projected surplus for the year of £47,752 in Peebles Common Good Fund be reinvested in the Aegon Investment Fund once anticipated property expenditure was identified. The matter of reinvestment was to be discussed at a future meeting given current market volatility.

DECISION

APPROVED the recommendations as follows:

- a) **Noted the actual income and expenditure for 2022/23 in Appendix 1;**
- b) **Noted the projected balance sheet value as at 31 March 2024 in Appendix 2;**
- c) **Noted the summary of the property portfolio in Appendices 3 and 4;**
- d) **Noted the current position of the Aegon Asset Management Investment Fund in Appendix 5.**

4. BIKE LOOPS, KINGSMEADOWS CAR PARK

The Chair reported that the lack of secure bike loops in Kingsmeadows car park was raised at a community council meeting. It was agreed to request a briefing paper from Robert Reid on the costs of installing bike loops and bike cages for consideration at the next meeting of the Peebles Common Good Fund in November. The remarking of parking bays had been scheduled for October/November 2023.

DECISION

AGREED to request a briefing paper on costs associated with installing bike loops and cages at Kingsmeadows car park for consideration at the next meeting on 22 November 2023.

5. FUNDING APPLICATION: INTEREST LINK

There had been circulated copies of a funding application and impact report submitted by Interest Link. Andrew Findlay, Project Co-ordinator and Mary Mouat, Tweeddale Branch Co-ordinator, were in attendance to answer questions. Interest Link currently supported 20 members in Peebles. The application requested £2k to fund volunteer costs and those costs associated with running groups. Peebles Common Good Fund had made a grant award in 2021. There followed a brief discussion where it was confirmed that Interest Link was open to all of Tweeddale with the 20 members in Peebles in line to benefit from any funding awarded at the meeting. Mr Findlay reported that Interest Link operated within a straitened funding environment with the bulk of their awards granted by national funds. Support had been provided by Community Engagement Officers to access localities funding. There was a suggestion that Interest Link contact the Peebles Abbeyfield Charitable Trust to investigate further funding opportunities. Members unanimously agreed to approve the funding application.

DECISION

AGREED to award £2,000 to Interest Link to fund volunteer and group programme costs.

6. ANY OTHER BUSINESS

- 6.1 The Chair reported that the Peebles Pensioners Association had extended their thanks to Members following the purchase of their laptop.
- 6.2 There had been an enquiry from Stuarts Family Funfair concerning the upcoming booking at Victoria Park 14-16 September 2023 with a proposal that extra security was engaged in the light of anti-social behaviour and an assault at the last event. There followed a brief discussion where it was agreed that extra security was to be provided by Stuarts Funfair along with Police Scotland support. An earlier finish time of 9pm was also agreed.
- 6.3 Following recent vandalism in Victoria Park, the prompt removal of event portaloos was discussed. While it was acknowledged that removal of the units within 24 - 48 hours was preferred, this was not always achievable. There was general agreement that a clause was to be inserted into future lease agreements with stipulation regarding removal of portaloos. The Chief Legal Officer and Estates Surveyor undertook to investigate the matter further and return to the next meeting with advice on the wording of an additional clause in Common Good land lease agreements in relation to the removal of portaloos.

- 6.4 The Chair informed Members of an approach from a number of Peebles residents in response to the Common Good information panels that were on display during the Volunteer Fair at the Burgh Hall in May 2023. The Chair proposed that he meet with individuals to gather feedback to bring back to the next meeting in November.

DECISION

AGREED:

- (a) to extra security provision and Police Scotland support during Stuarts Funfair on 14-16 September;
- (b) to consider the wording of an additional clause in Common Good land lease agreement in relation to the removal of portaloos at the next meeting; and
- (c) that the Chair meet with individuals to discuss their feedback on the Common Good information panels and to add an item to the agenda of the next meeting to update Members.

7. **PRIVATE BUSINESS**

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

8. **MINUTE**

Members considered the Private Minutes of 23 May 2023 and 27 June 2023.

9. **CORN EXCHANGE BOILER REPLACEMENT**

Members discussed the replacement of the boiler and considered a quote.

10. **ANY OTHER BUSINESS**

11. **CORN EXCHANGE LEASE**

Members discussed applications for the lease of the Corn exchange.

12. **HAYLODGE PATH REPAIRS**

Members considered a quote for repairs to sections of Haylodge Path.

The next meeting of the Peebles Common Good Fund was scheduled for 22 November 2023 at 5pm.

The meeting concluded at 6.30 pm

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MINUTE of Meeting of the EILDON AREA PARTNERSHIP held at Eildon Housing Association Headquarters, Selkirk on Thursday, 7 September 2023 at 6.00 pm

Present:- Councillors E. Thornton-Nicol (Chair), C. Cochrane, J. Linehan, N. Mackinnon, D. Parker, J. PatonDay, and F. Sinclair together with 15 representatives of Partner Organisations, Community Councils, and members of the public.

Apologies:- Councillors L. Douglas, E. Jardine, and H. Steel

In Attendance:- 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 in person at Eildon Housing Association Headquarters. The Chair expressed her thanks to Mr Nile Istephen, Chief Executive of Eildon Housing Association, for hosting the meeting. Mr Istephen welcomed attendees and explained that future meetings of the Area Partnership could be held at Eildon Housing Headquarters.

2. **ADDITIONAL INFORMATION DOCUMENT**

There had been circulated copies of an additional information document with the agenda.

3. **FEEDBACK AND EVALUATION FROM MEETING OF 22 JUNE 2023**

The Minute of the meeting of the Eildon Area Partnership held on 22 June 2023 had been circulated and was noted.

4. **SPEED INTRODUCTIONS**

The Chair explained that attendees were invited to undertake a 10-minute speed introduction session. Attendees introduced themselves, discussed the capacity in which they were attending the meeting. Following the session, attendees shared one interesting fact they had learned about another attendee, which ranged from an interest in learning Italian to having written a TV series.

5. **BORDERS COMMUNITY ACTION**

5.1 The Chair welcomed Ms Juliana Amaral to the meeting to provide a presentation on the work of Borders Community Action (BCA). BCA were a newly formed organisation that was focused on co-ordinating the work of third sector partners in the Scottish Borders. A draft strategy which had been prepared was being consulted upon, the results of which would form a 3-year plan. Ms Amaral explained that third sector interfaces were commissioned by the Scottish Government and there were 32 across Scotland. Work was focused on grass roots positive changes, empowering communities to deliver projects by providing leadership and representation at local and strategic level. The National Outcomes Framework set by the Scottish Government stipulated what third sector interfaces such as BCA had to fulfil. Particular focus was on the capacity in the sector and fostering connections across the whole of the third sector. The regional shared outcomes, such as reducing poverty were linked in with Scottish Borders Council priorities. The 3-year plan had been presented to Scottish Government in June and was currently in its engagement phase. From January 2024 to March 2024 feedback would be captured and then the Plan presented in April 2024. Ms Amaral acknowledged that since

Covid-19 there had been a drop in the number of people volunteering, and that new ways of connecting with people needed to be put in place. It was important to acknowledge that people were the most important part of volunteering, and that respect and recognition underpinned all actions taken. Given the resource challenges it was key that work in the sector was not duplicated, and the efforts of BCA were focused on filling a gap. BCA were focused on capturing quantitative and qualitative data to assist them in their plans.

- 5.2 Attendees thanked Ms Amaral for her presentation. In response to a question regarding effective communication, Ms Amaral acknowledged that some communications may have been going straight to junk email folders and encouraged people to check if previous emails had not been received as a result. Ms Amaral confirmed that current staffing levels were 6 full-time equivalent staff members, and that a grant was received from the Scottish Government. In response to a question regarding how BCA would operate in what was a potentially cluttered landscape, Ms Amaral explained that conversations with SOSE were ongoing to try and avoid the duplication of work. Attendees expressed some concern that SBC and other organisations were yet to fully empower communities to take real action and derive real benefits. Concerns were expressed regarding the number of volunteers in communities, and Ms Amaral highlighted that it would be very important to engage young people to ensure that people continued to volunteer. The Chair highlighted that volunteers needed to be treated with respect and that those responsible for managing volunteers needed to be properly trained. Attendees thanked Ms Amaral for her presentation.

MEMBER

Councillor Linehan left the meeting during the discussion below.

6. THE EILDON MAP

The Chair explained that copies of a map of the Eildon locality were present in the room. Attendees were placed into groups and asked to identify third sector organisations that they were aware of that operated in the locality. Attendees were particularly encouraged to share the names of organisations that were not expected to be members of the Borders Community Action network. Following the task, the papers were collected by Mr Coltman and would be used to help and support BCA register groups across the locality.

7. EILDON FUNDING TABLE 2023/24

There had been circulated copies of the Eildon Funding Table 2023/24 with the agenda.

7. NEIGHBOURHOOD SUPPORT FUND

- 7.1 There had been circulated copies of the Eildon Assessment Panel's recommendations with the agenda. The Chair welcomed Ms Jenny Mushlin of the Eildon Assessment Panel to provide an overview of each of the recommendations.

7.2 Lauderdale Youth Football Club

Lauderdale Youth Football Club had applied for £10k of funding to help upgrade the existing natural grass main pitches and training pitches. The pitches were in poor condition. The land was owned by the Lauder Common Good. Ms Mushlin explained that the Panel had expressed concerns regarding the use of community funding to deliver the project due to the need to renovate the pitches in 10 years' time. There also needed to be more community engagement for the project evidenced. The panel had recommended that Lauderdale YFC continued to seek alternative funding and had recommended not to fund the project. It was unanimously agreed not to fund the project.

7.3 Selkirk Bowling Club

The application from Selkirk Bowling Club had been for £9,024 which would be used to repair the roof of the club building. The repairs were essential so that the club continue to offer a safe space of members and volunteers. The Panel had felt that they were unsure whether the NSF was the most appropriate Fund for a project of this type. It had been recommended that the group consider exploring energy efficient upgrades to the roof

rather than undertake the planned repairs. The Panel had recommended not to fund the project and recommended that the Club consider submitting an enquiry to the CARES fund administered by Local Energy Scotland. Attendees discussed the application, unanimously agreed with the recommendation of the Panel not to fund and encouraged the Club to contact Local Energy Scotland.

7.4 **Interest Link Borders**

An application of £10k had been received from Interest Link Borders. The grant applied for would allow Interest Link to deliver 12 1:1 sessions for its members. There would be ten befriending groups which would benefit a large group of people with learning disabilities across a range of ages. The Panel acknowledged the efforts to secure funding for the whole project and had recommended to fund the project in full. Attendees welcomed the application, and it was unanimously approved.

7.5 **Lauderdale Community and Leisure centre**

Lauderdale Community and Leisure Centre (LCLC) had applied for £7985.54 to cover all regular and one-off costs during lower income periods so that it could remain open during winter when usage was higher. Significant steps had been taken to reduce monthly costs however significantly increased utility costs remained a problem. The Panel considered that the application aligned with the criteria of the NSF and would support an organisation whose future was at serious risk. Extensive discussions regarding the risk associated with providing the level of funding applied for had taken place, and the Panel had recommended to approve the application in full. It was agreed that should the application be granted that LCLC be required to speak to Borders Community Action regarding implementing a different management model. Attendees unanimously agreed to approve the application in full.

7.6 **Lauderdale Initiative**

The application from Lauder Initiative was for £10k to increase the number of lights installed alongside the A68 lampposts, to enhance the visual impact of festival lighting by filling the gaps in existing lighting. They would also purchase a marquee to be used for craft stalls, food and drink vendors and community groups to attend the annual switch on community event. The Panel was appreciative of the consultation work that had asked the community of Lauder what they would like to see in their town. The funding applied for would benefit the whole of Lauder and would increase the level of community engage and the sense of pride in Lauder. Concerns had been expressed regarding the purchase of a marquee as there had been a significant number of gazebos purchased using community funds in the past. The Panel recommended to fund the application in full. Attendees discussed the application, highlighting the importance of insuring the marquee. Any community group using the marquee would be able to do so free of charge but must assume responsibility for ensuring that no damages occurred in its use. It was unanimously agreed to fund the application in full. The award letter would stipulate that the marquee must be made available to Community Groups throughout the Scottish Borders for no charge.

7.7 **TD1 Youth Hub**

TD1 Youth Hub had applied for £9360 which would be used to provide a range of weekly activities for young people. The activities would be focused on improving mental health and well-being, primarily for those aged between 10-14 years old. The Panel had considered the application, and whilst they acknowledged the important work undertaken by TD1 Youth Hub, had recommended not to fund the application and recommend that the group consider exploring other funding sources. The Panel had noted that since 2019/20 the group had been in receipt of support from SBC community funds totalling £30,233. A document providing supplementary information had been circulated with the agenda. Douglas Ormston of TD1 Youth Hub was present at the meeting and was invited to provide a brief presentation on the work of his group. Mr Ormston acknowledged the difficult decisions being made by the Assessment Panel and explained that the two organisations suggested as other sources of funding were not available. It was

acknowledged that the group had received previous community funding in the past, however no community fund applications had been granted in the previous two years. The group has been in receipt of one-off funding from the Build Back a Better Borders Fund. Mr Ormston explained that there were ongoing concerns regarding anti-social behaviour at the transport interchange in Galashiels, and that the planned activities would be focused on trying to engage with local young people and improve that situation. Attendees discussed the application and whilst there was some apprehension regarding approving the application it was unanimously agreed to approve it in full. In response to a question regarding the number of days a week the activities would take place, Mr Ormston confirmed that the plans were in place for Friday and one other evening during the week. The Chair expressed her thanks to the Panel for their important work.

8. **MEETING EVALUATION VIA MENTI**

The link to the Menti evaluation of the meeting was provided on screen. The Chair encouraged attendees to share potential themes for future meetings of the Area Partnership.

9. **TWEEDBANK CARE VILLAGE – DROP-IN MEETING**

The Chair explained that plans for the Tweedbank Care Village were progressing, and that the proposed plans were groundbreaking and forward thinking. Drop-in sessions were being held, and attendees were encouraged to visit them if possible.

10. **NEXT AREA PARTNERSHIP – 16 November 2023**

The Chair advised that the next meeting would be held via Microsoft Teams.

The meeting concluded at 7.50 p.m.

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the PEEBLES
COMMON GOOD FUND SUB-COMMITTEE
held in via Microsoft Teams on Monday, 11th
September, 2023 at 3.00 pm

Present:- Councillors R. Tatler (Chair), D. Begg, M. Douglas, E. Small. V.
Thomson
Apologies:- Councillor J. Pirone
In Attendance:- Chief Legal Officer, Financial Analyst (G. Reid) D. Hodson (Tweeddale
Youth Action) and Democratic Services Officer (L. Cuerden)

1. **PRIVATE BUSINESS
DECISION**

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

2. **FUNDING APPLICATION AND QUOTATION**

Members considered a funding application from Tweeddale Youth Action for costs associated with a replacement boiler.

The meeting concluded at 3.20 pm

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SCOTTISH BORDERS COUNCIL
JEDBURGH COMMON GOOD FUND SUB-COMMITTEE

MINUTE of MEETING of the
JEDBURGH COMMON GOOD FUND
SUB-COMMITTEE held via Microsoft
Teams on Monday, 11 September 2023
at 4.30 p.m.

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

Apologies: Councillor P. Brown.

In Attendance: - Statutory Accountant (Gordon Reid) Solicitor (Fraser Rankine), Democratic Services Officer (F. Henderson).

Members of the Public: - 0

APPOINTMENT OF CHAIRMAN

In the absence of the Chair, Councillor Scott, proposed that Councillor Hamilton be appointed as Chairman for the meeting. There being no other nominations, Councillor Hamilton was appointed as Chair.

DECISION

AGREED that Councillor Hamilton be appointed as the Chair for the meeting of Jedburgh Common Good Fund Sub-Committee.

1. MINUTE

There had been circulated copies of Minute of the Jedburgh Common Good Fund Sub-Committee held on 23 May 2023.

2. ACTION TRACKER

With reference to paragraph 2 of the Minute of 23 May 2023, Community Councillor Taylor advised that an alternative repairer had yet to be identified. It was agreed that the balance of £500 would remain allocated but not paid in the meantime. Should the repairs to the ceremonial robes be unable to progress for a prolonged period the Common Good would consider re-payment of the Grant.

2.1 The Democratic Services Officer was requested to seek grant evaluation forms from the following;-

- Jedburgh Community Trust – awarded £3,000
- Jedburgh Rotary (Birl and Beer Festival) – awarded £1,500
- Jedburgh Community Council – Christmas Lights – awarded £2,300
- Jethart Festival – awarded £5,000 (2022)

DECISION

AGREED that:-

- (a) the Minute of Meeting held on 23 May 2023 be approved;**
- (b) the balance of £500 in respect of the repairs to the Ceremonial Robes remain allocated but unpaid;**
- (c) Democratic Services Officer seek funding evaluation forms from the following:-**
 - **Jedburgh Community Trust – awarded £3,000**
 - **Jedburgh Rotary (Birl and Beer Festival) – awarded £1,500**
 - **Jedburgh Community Council – Christmas Lights – awarded £2,300**
 - **Jethart Festival – awarded £5,00 (2022)**
- (d) that completed actions be removed from the Tracker.**

3.0 MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2023

3.1 There had been circulated copies of a report by the Director of Finance and Procurement which provided the income and expenditure for the Jedburgh Common Good Fund for the three months to 30 June 2023, full year projected out-turn for 2023/24, and projected balance sheet values as at 31 March 2024. Appendix 1 provided the projected income and expenditure position for 2023/24 and showed a surplus of £34,241 for the year. Appendix 2 provided a projected balance sheet value as at 31 March 2024, which projected a decrease in reserves of £47,278. Appendix 3a provided a breakdown of the property portfolio showing projected rental income and projected net return for 2023/24. Appendix 3b provided a breakdown of the property portfolio showing projected property expenditure of 2023/24 and actual property expenditure to 30 June 2023. Appendix 4 provided a breakdown of the property portfolio showing projected property valuations at 31 March 2024. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 30 June 2023, which highlighted a total return of 16.5%, although a Capital Return of -11.3%. The Statutory Accountant was present and answered Members questions.

**DECISION
NOTED**

- (i) the actual income and expenditure for 2022/23 as shown in Appendix I to the report;**
- (ii) the projected balance sheet value as at 31 March 2024 in Appendix 2;**
- (iii) the summary of the property portfolio in Appendices 3 and 4; and**
- (iv) the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.**

**APPLICATIONS FOR FINANCIAL ASSISTANCE
JETHART CALLANT'S FESTIVAL**

4.1 There had been circulated copies of an application for Financial Assistance from the Jethart Callant's Festival for a grant of £6,000 towards the costs of the 2023 Festival. The application, which had previously been submitted on an annual basis, advised that the festival covered a 3 week period of horse rideouts, ceremonial events and public

entertainment for all ages – dances, family days, swimming gala, bike run etc. which gave the residents the opportunity to come together and celebrate the history and heritage of the Town as well as attracting visitors to the Town. The application detailed the actual costs of the Event in 2022. The non-income generating costs of the event which included hire of Principals horses, Principals Uniforms, purchase of bunting, hire of halls and trophies/rosettes were highlighted. The total amount raised from Patron donations totalled £2,865.22, a grant of £6,340.58 for bunting and the Community Annual Grant of £6,500.00 had been paid. There followed considerable discussion regarding the amount requested, which was rising year on year and the festival demonstrating sustainability. It was acknowledged that the festival was important and beneficial to the Town and the Organising Committee had introduced a sponsorship initiative and increased awareness of the patron's scheme together with increased fund-raising events. Members highlighted the events running at a loss and were reluctant to be a permanent funding source. It was noted that grants of £4,500 had been paid in September 2019 and £5,000 in 2022.

DECISION

AGREED:-

- (a) to award a grant of £6,000 to the Jethart Callant's Festival for 2023;**
- (b) that a letter highlighting concerns about the sustainability of the festival and the events running at a loss be sent to the Festival Committee;**
- (c) that an evaluation form be submitted.**

The meeting closed at 4.55 p.m.

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SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of the Blended Meeting of the
EXECUTIVE COMMITTEE held in Council
Chamber, Council Headquarters, Newtown
St Boswells and via Microsoft Teams on
Tuesday, 12th September 2023 at 10.00 am

Present:- Councillors E. Jardine (Chairman), L. Douglas, M. Douglas, J. Greenwell,
C. Hamilton, S. Hamilton, J. Linehan, D. Parker, E. Robson, M. Rowley, F.
Sinclair, R. Tatler, E. Thornton-Nicol and T. Weatherston.

Also Present:- Councillors W. McAteer

Apologies:- Councillors C. Cochrane, S. Mountford, and J. Pirone.

In Attendance:- Chief Executive, Director – Corporate Governance, Director – Education and
Lifelong Learning, Director- Infrastructure and Environment, Director -
Resilient Communities, Director - Finance and Procurement , Clerk to the
Council, Democratic Services Officer (D. Hall).

ECONOMIC DEVELOPMENT BUSINESS

Present: Mr G Clark (Federation of Small Businesses), Mr T Jackson (Chamber of
Commerce)

1. ECONOMIC DEVELOPMENT UPDATE

- 1.1 There had been circulated copies of a report by the Director - Resilient Communities which provided elected members with information on key areas of economic development delivery within the Scottish Borders. The note identified some of the policies and strategies that were driving regional economic development and detailed key pieces of work. The Local Employability Partnership (LEP) was established in September 2021 to help drive the employability agenda and to foster a strong collaborative approach to delivery. One of the key elements of work was the delivery of the No One Left Behind (NOLB) funding programme which had a greater focus on Child Poverty. In the first quarter of 2023/24 a team of 10 key workers had supported 113 clients with a range of barriers to employment. Scottish Borders Council and South of Scotland Enterprise (SOSE) agreed to form a strategic partnership for delivery of the Business Gateway service in November 2020, with the transfer of services completed in April 2021. The paper briefing note provided an update on delivery and indicated a consistent demand for Business Gateway services, with strong enquiry numbers. All the key agencies in the South of Scotland, including Scottish Borders Council were currently collaborating in terms of the development of a single Responsible Tourism Destination Development Strategy for the South of Scotland. The UCI Cycling World Championships at Glentress were deemed to be a great success and showed the Borders at its best to an estimated television audience of over one billion people. Glentress was the host venue for the cross-country cycling and marathon events and in addition there was a full range of programmes and activities for all visitors and attendees. Following a series of recent meetings and discussions, the Scottish Government, Transport Scotland and The UK Government Department for Transport have confirmed that they are content for the Borders Railway Extension project to move into the first stage of the Borderlands Inclusive Growth Deal Business Case process. There was also agreement that Scottish Borders Council could submit a funding request to appoint a Senior Project Manager to help lead the business case process. The Borderlands Inclusive Growth Deal was signed in March 2021 by the Borderlands Partnership, the UK and Scottish Governments, and the five local authorities within the Borderlands area. An update on the various projects that had The Deal would provide a total funding package of £452m over 10 years for the Borderlands area, with £150m available for the South of Scotland, comprising £65m from

the UK Government and £85m from the Scottish Government. The Chief Officer – Economic Development, Ms Samantha Smith, presented the note and highlighted the various successes over the preceding months. Ms Smith highlighted at the recently held South of Scotland Convention that discussions had taken place regarding short-term lets and the importance of ensuring that applications for licenses were straightforward to complete.

- 1.2 Members welcomed the report and highlighted that the Economic Development team were undertaking a high volume of important work across the region. In response to a question regarding how the number of cases dealt with by Business Gateway compared to its targets, Ms Smith explained that the early numbers were positive and had improved compared to the previous year and the transition year. It was highlighted that the Scottish Borders was well placed to bid to host the proposed regional intelligence centre as part of the regional prosperity framework. Ms Smith explained that the Scottish Borders had some unique opportunities because it was part of two growth deals. Officers would continue to explore future opportunities, and it was hoped that Tweedbank would be well placed to function as a regional intelligence hub for the South of Scotland. The Chairman highlighted that the Scottish Borders had delivered a world class event when it hosted the recent UCI cycling event. It was anticipated that a report on the event would be brought back to Members before the end of the year. The Director – Infrastructure and Environment highlighted that there was an opportunity for the Borders to present to the UCI congress in Bruges in October, with a three-minute presentation to the whole congress and a 15-minute slot for promotional activities.

DECISION

AGREED to:-

- (a) **note the information that was provided regarding the current economic development landscape affecting the Scottish Borders; and**
- (b) **note where future delivery updates will be reported back to Executive.**

OTHER BUSINESS

2. MINUTE

There had been circulated copies of the Minute of the meeting held on 15 August 2023.

DECISION

APPROVED for signature by the Chairman.

3. ANNUAL PROCUREMENT REPORT 2022/23

There had been circulated copies of a report by the Director – Finance and Procurement which presented the 2022/2023 Annual Procurement Report (APR) for review, a mandatory report required by the Procurement Reform (Scotland) Act 2014. The report explained that organisations which were required to prepare a procurement strategy must also publish an annual procurement report. Those documents were part of the reporting landscape for the public sector to support increased transparency and visibility of public expenditure and to embed sustainability into public sector procurement. The purpose of the reporting was to demonstrate to stakeholders that procurement spend was being used to best effect to achieve better public services; social, economic, and environmental outcomes in the area; and compliance with a range of local and national policies. The report included a dedicated section which noted the support and service provided during the period. The Director – Finance and Procurement, Mrs Suzy Douglas, presented the report and responded to Members questions. In response to a question regarding the number of qualifications achieved through training by priority groups being listed as unknown, Mrs Douglas explained that the employability services team would likely have the data and undertook to explore whether the data could be included in future reports. Regarding spending on community meals, Mrs Douglas highlighted that the Council had

committed to using meat from local butchers in school meals and stressed that the Council recognised the wider benefits of using local suppliers of produce to make meals at schools and care homes across the region. The Chief Executive explained that the Council had explored using a local supplier of groceries to produce meals in schools and care homes, however had been unable to find a supplier able provide sufficient volume and guarantee the quality required. Members highlighted that they were more comfortable with local spending on procurement, and that meet-the-buyer events had been well attended. In response to a question regarding whether more businesses could be supported as part of the Scottish Government Supported Business Framework, Mrs Douglas explained that the procurement process had the potential to help with engagement.

DECISION

AGREED to approve the Annual Procurement Report 2022/23, as contained as Appendix 1 to the report, for submission to Scottish Government.

4. WINTER SERVICES PLAN FOR YEAR 2023/24

There had been circulated copies of a report by the Director – Infrastructure and Environment which provided a review of the performance of Scottish Borders Council's Winter Service during 2022/23 and presented SBC's proposed Winter Service Plan for 2023/24. The Winter Service Plan was contained in Appendix A to the report. SBC provided a winter service on almost 3,000km of roads and 787km of footway across the Scottish Borders. The Winter Service Plan was reviewed annually and presented to Elected Members to outline the steps what aimed to make sure, within available resources, that the road and footway network was safe over the coming year. As part of the Fit for 2024 programme of transformational change, the Council was required to modernise and adapt all of its services to meet present and anticipated future needs in a responsive and agile manner, ensuring that services could continue to be delivered cost effectively and sustainably, while delivering efficiencies and savings where required. The winter of 2022/23 was not significant in terms of snowfall, which was limited to a few occasions. Incidents of ice and prolonged frost were also less than the previous five-year average and on a par with those experienced the previous winter. That led to a reduced need to treat primary and secondary routes as frequently and resulted in lower-than-average salt usage. The Winter Service Plan for 2023/24 was similar to the previous 2022/23 Plan in terms of policy, priorities, routes, call out arrangements and resource planning. Section 5 of the report provided details on a revised salt spread rate regime that was trialled, on approximately half of the primary precautionary salting routes, last year. It was proposed that the trial should be continued in the coming winter. The Infrastructure Manager, Mr Brian Young presented the report and responded to Members questions. Mr Young highlighted that no adverse feedback had been received from the public regarding in the trial. Members welcomed the plan and highlighted that the Council delivered an excellent winter treatment service across the region. In response to a question regarding the 359 tons of salt which had been saved as a result of the trial, Mr Young explained that salt was ordered in advance of the winter to ensure that supplies were available and that the saving represented an on the ground one. Regarding the definition for success for the trial, Mr Young confirmed that the trial aimed to deliver the same high levels of service whilst also making savings. It was highlighted that the colder nights of the year no real savings could be made. In response to a question regarding the future outlook following the trial, Mr Young outlined that the fleet was always being developed, and that it would be difficult to affect large scale changes in a short period of time. Regarding feedback of the trial, Mr Young explained that feedback from the crews undertaking the work of delivering the plan was used to assess how effective salting regimes had been. Mr Young confirmed that the vehicles in the fleet were flexible, and that a snow plough would not be fitted to a vehicle which was carrying out gritting treatment. The Director – Infrastructure and Environment acknowledged the need for the different SBC services to communicate and work more collaboratively with each other to deliver services across the region. In response to a question regarding incidents where access to local and minor roads were being covered by snow ploughed from main roads,

Mr Young explained that due to the way snow ploughs operated it was an which was hard to avoid. Mr Young confirmed that work was ongoing to ensure that more data could be provided in map form to show where roads had been treated.

DECISION

AGREED:-

- (a) **note the performance of the Scottish Borders Council Winter Service during 2022/23**
- (b) **endorse the Winer Service Plan for 2023/24; and**
- (c) **to note the continuation of a trial in relation to the salting spread rates applied on 50% of the primary precautionary salting routes.**

5. SCOTTISH BORDERS COUNCIL'S QUARTER 1 2023/24 PERFORMANCE INFORMATION

There had been circulated copies of a report by the Director – People, Performance and Change which presented a summary of Scottish Borders Council's Quarter 1 2023/24 performance information. The information contained within this report would be made available on the SBC website: www.scotborders.gov.uk/performance. The Director – People, Performance and Change, Mrs Clair Hepburn, presented the report and highlighted that of the 21 milestones reported in the quarter, 11 were showing positive progress. 5 milestones would be completed in future quarters and 5 had been partly completed. Of the 99 performance indicators presented, 66 were in a good position and 17 were highlighted as areas of focus for improvement. There was a delay in receiving information for 8 of them. 6 were provided for information only and 2 had not been reported in the quarter. Mrs Hepburn highlighted that the Community Action Team was back up to full strength from 1st June, and that the upturn in statistics reflected that. Members welcomed the report, and that the information would be published online for the public to examine. In response to a question regarding the collation of information on Facebook engagements, Mrs Hepburn confirmed that Communications had access to technology to undertake analysis. Members highlighted that the occupancy rate of industrial and commercial units had been stable, and that the working age population ages 16-64 employment rate had increased to its highest figure in 4 years. The figure of 79.4% was higher than the rate in Scotland, 74.4%, and Great Britain, 75.6%. Regarding Freedom of Information (FOI) requests, the Chief Executive explained that the Council Management Team received regular updates on the type of FOI's received across the Council. A considerable volume of requests were regularly received from journalists, the Scottish Government, Public Bodies and the wider public. The legislation had placed a significant logistical burden on all public sector entities, and the Council undertook to comply with the legislation to the best of its ability. The Council was committed to proactively publishing information where it was able to do so, however some information could not be published for a variety of reasons. In response to a question regarding people volunteering with the Council, Mrs Hepburn explained that there was a range of different ways that people volunteered, and that there was no specific post for a member of staff to have oversight of volunteers. A large proportion of volunteers came from third sector organisations, and they were often involved in care home initiatives or similar programmes. Mrs Hepburn acknowledged the disappointment expressed regarding the low levels of parking tickets issued and highlighted that following the CAT returning to full staffing levels further capacity was present to undertake enforcement.

DECISION

AGREED to:-

- (a) **note the Quarter 1 2023/2 Council Plan Key Milestones and Performance Indictors Report contained in Appendix 1 to the report; and**

- (b) note the Quarter 1 2023/24 Community Action Team Performance Report contained in Appendix 2 to the report.

6. **PRIVATE BUSINESS**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix 1 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7. **MINUTE**

The Private Section of the Minute of the meeting held on 15 August 2023 was approved.

8. **PROPOSED SALE OF LAND AT COMMERCIAL ROAD, HAWICK**

A report by the Director – Infrastructure and Environment was considered, and its recommendations approved.

9. **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.

10. **EASTGATE THEATRE**

Members received a verbal update regarding the Board of the Eastgate Theatre, Peebles.

The meeting concluded at 11.55 pm

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SCOTTISH BORDERS COUNCIL TEVIOT AND LIDDESDALE AREA PARTNERSHIP

MINUTES of Meeting of the TEVIOT AND
LIDDESDALE AREA PARTNERSHIP held
via Microsoft Teams on Tuesday, 19
September 2023 at 6.00 pm

Present:- Councillors C. Ramage (Chair) together with 14 Community Councillors and Members of the Public.

Apologies:- Councillors J. Cox, S. Marshall W. McAteer, N. Richards and A. Smart.

In Attendance:- Community Coordinator (G. Jardine), Community Engagement Officer (S. Culverwell), Democratic Services Officer (D. Hall)

1. **QUORUM**

The Chair explained that under the Scottish Borders Council's Scheme of Administration the meeting was not quorate. Under the Procedural Standing Orders, it was outlined that because the meeting was not quorate, it must be postponed to a future date.

**DECISION
AGREED.**

The meeting concluded at 6:10 pm.

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SCOTTISH BORDERS COUNCIL GALASHIELS COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the GALASHIELS
COMMON GOOD FUND SUB COMMITTEE
conducted remotely by Microsoft Teams on
Thursday, 21 September 2023 at 10.00 am.

Present:- Councillors H. Steel (Chair), E. Jardine (from para. 5), and F. Sinclair.
Apologies:- Councillor N. Mackinnon and Community Councillor R. Kenney
In Attendance:- Estates Strategy Manager, Estates Surveyor (A. Watson),
Statutory Accountant (G. Reid), Solicitor (F. Rankine) and Democratic
Services Officer (D. Hall).

1. **MINUTE**

The Minute of the Meeting of the Galashiels Common Good Fund Sub-Committee held on 15 June 2023 had been circulated.

DECISION

NOTED for signature by the Chairman.

2. **MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2023**

There had been circulated copies of a report by Director, Finance and Corporate Governance which provided details of the income and expenditure for the Galashiels Common Good Fund for the three months to 30 June 2023, a full year projected out-turn for 2023/24, and projected balance sheet values as at 31 March 2024. Appendix 1 to the report provided the projected income and expenditure for 2023/24. That showed a projected surplus of £3,276 for the year. Appendix 2 to the report provided a projected balance sheet as at 31 March 2024 and showed a projected decrease in reserves of £71,399. Appendix 3a to the report provided a breakdown of the property portfolio and projected rental income and net return for 2023/24 and actual property income to 30 June 2023. Appendix 3b to the report provided a breakdown of the property portfolio and projected property expenditure for 2023/24. Appendix 4 to the report provided a breakdown of the property portfolio detailing projected property valuations at 31 March 2024. Appendix 5 to the report showed the value of the Aegon Investment Management Investment Fund to 30 June 2023. The Statutory Accountant, Mr Gordon Reid, presented the report and highlighted that whilst there as an unrealised 11% loss in the value of the investment in the Aegon Fund, income received had generated returns of 16.45% since inception. In response to a question regarding what steps the Common Good Fund should take if returns from Aegon continued to be poor, Mr Reid explained that investment markets on a whole were currently very volatile. Mr Reid explained that investment managers would switch the asset classes they invest in with a view to maximising profits, and that withdrawing the funds invested to be held as cash would result in returns only being made at a low rate of interest. Members were content to continue the monitoring of the investment.

DECISION

AGREED to:-

- (a) **note the actual income and expenditure for 2023/24 in Appendix 1 to the report;**
- (b) **note the projected balance sheet value as at 31 March 2023 in Appendix 2 to the report;**

- (c) **note the summary of the property portfolio in Appendices 3 and 4 to the report; and**
- (d) **note the current position of the Aegon Asset Management Investment Fund in Appendix 5 to the report.**

3. **APPLICATION FOR FINANCIAL ASSISTANCE**

There had been circulated copies of an application for financial assistance from Galashiels Amateur Swimming Club for £590 to help assist with the costs associated with their summer trip. The Chair welcomed Ms Fiona Little of the Club to the meeting to provide a summary of their application. Ms Little explained that the club had in the region of 70 members ranging from 8 to 18. Considerable increases to the cost of pool hire had resulted in a difficult operating environment for the club, especially given that members needed 6 hours a week in pool time. The Club wanted to keep costs as low as possible to remove barriers to entry for all. Regarding the summer fun day, Ms Little explained that the club undertook an annual day trip which involved surfing. Costs associated with travel alone had been £600. In response to a question on whether the Common Good could approve the application in full, Mr Reid explained that the budget for grants had been set at £500, however, the Fund did have sufficient reserves to approve the full amount if Members were minded. Members expressed their support for the application. Councillor Steel, seconded by Councillor Sinclair, proposed that the application to grant £590 to Galashiels Amateur Swimming Club be approved. The proposal was unanimously agreed.

DECISION

AGREED to approve the grant application for £590 from Galashiels Amateur Swimming Club.

4. **PRIVATE BUSINESS**

DECISION

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

SUMMARY OF PRIVATE BUSINESS

MEMBER

Councillor Jardine joined the meeting during the item below.

5. **PROPERTY UPDATE**

The Sub-Committee received an update on property matters relating to Common Good owned land.

The meeting concluded at 10.40 am.

**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 22 September 2023 at
11.00a.m.

Present: - Councillors M. Douglas (Convener), J. Cox, J. PatonDay, D. Parker, E. Small,
F. Sinclair.

Apologies: Councillor P. Brown, N. Richards, T. Weatherston.

In Attendance: - Managing Solicitor (Property and Licensing), Licensing Standards and
Enforcement Officer (M. Wynne), Licensing Officers – (S. Lackenby and T.
Thomson), Sergeant D. Pearey (Police Scotland), Democratic Services
Officer (F. Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 24 February 2023.

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 13 February 2023 – 5 September 2023.

DECISION

NOTED.

3. **APPLICATION FOR GRANT OF SHORT TERM LET LICENCE**

3.1 There had been circulated copies of an application in respect of a Short Term Let under the
Civic Government (Scotland) Act 1982 – (Licensing of Short-term Lets) Order 2022. Mrs
Nina Armstrong, 26 Davidson Place, Newtown St Boswells owned a detached three-
bedroom property and had applied for a Home Share Licence.

3.2 Mr Wynne, Licensing Standards and Enforcement Officers explained that Police Scotland,
Fire and Rescue Service Scotland, Environmental Health, Planning, Building Standards,
Housing Strategy Team and Anti-Social Behaviour unit had been consulted in terms of the
application for a Home Share Licence, none of whom had made any representations but
three objections had been received from neighbours.

3.3 Mrs Armstrong was present at the meeting and represented by Mr Taylor from Chambers
Legal Limited. Mr Taylor explained that he had visited the property at Davidson Place which
was the subject of the Home Share Licence, and which had been built in the 1950's. The
property consisted of 2 upstairs bedrooms, one which was occupied by Mrs Armstrong's
daughter and partner and a small extension, best described as a large single/small double
bedroom which was originally built for when Mrs Armstrong could no longer manage the
stairs.

- 3.4 Mr Taylor referred to the objections received and in terms of the loss of privacy at the rear of the garden, he explained that 8/10 of the gardens to the rear of the property were overlooked, so privacy was gone. In terms of parking, Mr Taylor had visited on a Sunday evening and observed that many of the residents had made provision for off-street parking for at least 2 cars and there was some parking provision. In terms of noise, Mr Taylor stated that change was difficult for neighbours and the licence, if granted would be reviewed in 3 years, and should there be any problems, there was the potential for an early review. The proposal was for a Bed and Breakfast for someone holidaying in the area, who would use it as a base and be out and about through the day, it was not intended for Hen and Stag parties. Mrs Armstrong would not be an absent Landlord and could control inappropriate behaviour.
- 3.5 On being invited to address the Committee, Mrs Armstrong stated that it was a future investment, having decided to retire early and having reviewed her assets.
- 3.6 Mrs Thornton-Nicol, objector was present at the meeting and explained that planning permission for the extension to the rear of the property was granted in 2019 and built over a period of several months in 2021. Mrs Thornton-Nicol had not objected to the planning application as it had clearly stated in correspondence between the Planning Officer and Applicants Agent that the intent was to future proof her property for her later life. However, this was now a business opportunity, to be operated from a house within a fully residential area, where it was quiet and peaceful and where there were no other businesses operating.
- 3.7 Mrs Thornton-Nicol went on to explain her concerns with regard to undue public nuisance impacting on her privacy within her garden and the risk of poor behaviour, particularly fuelled by alcohol. People staying away from home for whatever reason in this house share would either have to remain in the bedroom space when not out, share living room with Mrs Armstrong or spend their time outside. Mrs Thornton-Nicol recounted an issue which had arisen with a visitor to the property in question when very strong and inappropriate language had been used towards her.
- 3.8 In response, Mr Taylor explained that the gentleman to whom Mrs Thornton-Nicol referred did not live in the property and the altercation had revolved around a dog. Mr Taylor further explained that when purchasing a property, you could quite easily come across the neighbour from hell, but in this case the person would leave after days and one of the advantages of the scheme was to allow monitoring and the objections could be seen as speculative. Mr Taylor further commented that he noted that two objections had been received from the same address and all three appear to have been written by the same hand.
- 3.9 Mrs McKell was present at the meeting via Microsoft teams and was invited to address the Committee. Mrs McKell advised that she had nothing to add but objected to the statement that all three objections had been written by the same hand.
- 3.10 There followed discussion with regard to possible conditions and Mr Kirk explained that in addition to the mandatory conditions required by the Act, the Council's Licensing Policy also made provision for additional conditions which were based on the Guidance issued by the Scottish Government, and which covered anti-social behaviour, parking etc.

DECISION
AGREED to Grant.

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

4.0 MINUTE

The Private Section of the Minute of 24 February 2023 had been circulated.

The meeting concluded at 11:40 a.m.

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SCOTTISH BORDERS COUNCIL PENSION FUND COMMITTEE AND PENSION BOARD

MINUTES of Meeting of the PENSION
FUND COMMITTEE AND PENSION
BOARD held via Microsoft Teams on Friday,
22 September 2023 at 1.00pm.

Present:- Councillors D. Parker (Chairman), C. Hamilton, D. Moffat, S. Mountford, J. Pirone, S. Scott, Mr D. Bell (from para 3), Mr A. Daye, Mr M. Drysdale, Mr M. Everett and Ms K M Hughes

Apologies:- Councillors P. Brown, W. McAteer, and Ms K Robb,

In Attendance: Director – Finance and Procurement, Chief Officer – Audit and Risk, HR Shared Services Manager, Democratic Services Officer (D. Hall).

Also in Attendance: Mr A Ross, Mr A Singh, and Mr J Solanki (Isio), Mr J Boyd and Ms S Harold (Audit Scotland)

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 22 June 2023.

DECISION

NOTED for signature by the Chairman.

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

There had been circulated copies of the Minute of the Meetings of the Pension Fund Investment and Performance Sub-Committee held on 26 June 2023.

DECISION

NOTED for signature by the Chairman.

MEMBER

Mr David Bell joined the meeting.

3. **RISK REGISTER UPDATE**

There had been circulated copies of a report by the Chief Officer – Audit and Risk which provided an update on the refresh of the Pension Fund Risk Register. Effective Risk Management was one of the foundations of effective governance of the Pension Fund. It required a coherent approach to the management of risks that it faced every day through the identification, analysis, evaluation, control and monitoring of risks linked to the business plans and activities of the Pension Fund. The “Managing Risk in the Local Government Pension Scheme” published by CIPFA provided helpful guidance on the process. At the Joint meeting of the Pension Fund Committee and Pension Fund Board on 21 March 2023, the proposal to refresh the Pension Fund Risk Register and the associated timetable were agreed, specifically to: (a) Ensure the risks are appropriate, easily measurable and within their control, (b) Incorporate the relevant risk management recommendations made by the Independent Consultant in December 2022, and by Internal Audit and External Audit during the year 2022/23, (c) Reduce the number of risks on the Risk Register to a manageable amount, and (d) Amend the categorisation of risks to within the Categories: Funding; Investment; Administration; Governance; and Operational. The report set out proposals on the refreshed Pension Fund Risk Register the report. The Chief Officer – Audit and Risk, Ms Jill Stacey, presented the report.

Members welcomed the proposed amalgamation of risks as a sensible and prudent course of action.

DECISION

AGREED to:-

- (a) approve the refreshed Pension Fund Risk Register, as contained in Appendix 2 to the report, arising from the proposals to amalgamate and re-categorise the risks on a more manageable scale; and**
- (b) note that the formal full review of the risks in the refreshed Pension Fund Risk Register would continue, and quarterly updates would be presented to the Committee and Board.**

4. FINAL ANNUAL REPORT AND ACCOUNTS 2022/23

4.1 With reference to paragraph 3 of the Minute of the meeting held on 22 June 2023, there had been circulated copies of a report by the Director – Finance and Procurement which provided an opportunity to scrutinise the final Annual Report and Accounts for the Pension Fund for 2022/23 prior to their submission to the Audit Committee and then Scottish Borders Council for signature. Also circulated with the report included the annual Audit Report from Audit Scotland, the annual report, and accounts for the year to 31 March 2023, a letter from Mr John Boyd, Audit Scotland, and a Letter of Representation (ISA 58) from the Director – Finance and Procurement. The report outlined that the Local Government Pension Scheme Amendment (Scotland) Regulations 2010 specified the elements which must be contained in the Annual Report and Accounts, the list of those were contained in the report. The final Annual Report and Accounts contained in Appendix 1 to the report fully met those requirements. Audit Scotland had completed their audit and had provided an unqualified independent audit opinion. The Scottish Borders Council's Pension Fund Annual Audit Report highlighted four new recommendations and followed up one recommendation from previous audits. Actions plans had been agreed for each of the recommendations. The report was presented to members of both the Pension Fund Committee and the Pension Fund Board for them to recommend the final Annual Report and Accounts for 2022/23 (the Annual Report) for approval prior to submission to Scottish Borders Council for signature.

4.2 The Chairman welcomed Mr Boyd and Ms Stephanie Harold of Audit Scotland to the meeting to present their report. Mr Boyd expressed his thanks to the Director – Finance and Procurement for her support during the audit process. It was highlighted that whilst the report was listed as a draft, it would be finalised when the accounts were signed following full approval. The final version would be then published on the Audit Scotland website. The audit which had been completed had focused on financial management; financial sustainability; vision, leadership, and governance; the effective use of resources to improve outcomes. Audit Scotland intended to issue an unmodified audit opinion, which indicated that auditors were content that the accounts were free from material misstatements. The audit which had been carried out was risk-based, which meant that the scope of the audit was based on where there was an identified risk of material misstatement. Audit Scotland undertook its audit based on materiality, based on a percentage of gross assets. There were a number of adjustments which were below the reporting threshold and Audit Scotland was comfortable that they remained unadjusted. Direct testing was undertaken regarding the administration of the Fund regarding new starters and general administrative aspects. Mr Boyd explained that the Fund was not unique in the context of its declining investment performance and highlighted that wider economic conditions had impacted upon other Local Government Pension Schemes (LGPS) as well. Regarding the wider financial sustainability of the

Fund, it was acknowledged that the Fund was subject to a triennial valuation as at 31 March 2023. The Fund was reporting a net asset position, which indicated that the value of assets held was higher than actuarial valuation of its liabilities. That position was consistent with the approach taken by other LGPS across Scotland. Mr Boyd highlighted the importance of vision, leadership, and governance to the Fund. Ensuring that a robust training programme was in place and followed was essential to the proper management of the Fund. Mr Boyd stressed that the Committee was unique in its demands, and that Members were required to be kept up to date on key developments. An agreed Action Plan, which included several key aspects of work to be undertaken, was contained within the report. Good progress had been made following up on the prior year recommendations, and Mr Boyd highlighted the importance of implementing the Stewardship Code and other recommendations. Management had agreed to implement the use of an action tracker to ensure that no actions were not lost. Members welcomed the report and expressed their thanks to Audit Scotland for undertaking their work. In response to a question regarding whether there was an issue with Members not completing their required training, Mrs Douglas explained that there were some potential timing issues regarding the completion of training. Training matters were being addressed and a log would be kept, which would ensure that all Members had undertaken the mandated training.

DECISION

AGREED to approve to approve the Annual Report and Accounts for 2022/23 for Officer signature and Council approval.

5. PENSION FUND BUDGET MONITORING TO 30 JUNE 2023

With reference to paragraph 9 of the Minute of the Meeting held on 22 June 2023, there had been circulated copies of a report by the Director – Finance and Procurement which provided an updated position of the Pension Fund budget to 30 June 2023 including projections to 31 March 2024. The Local Government Pension Scheme (Scotland) Regulation 2014 required Administering Authorities to ensure strong governance arrangements and set out the standards they are to be measured against. To ensure the Fund met the standards a budget was approved on 22 June 2023 following the recommendations within the CIPFA accounting guidelines headings. The report was the first quarterly monitoring report of the approved budgets. The total expenditure to 30 June 2023 was £1.596m with a projected total expenditure of £6.967m against a budget of £6.953m. That projected a budget variance of £14k which represented the additional actuary costs for contribution rate modelling. The Director presented the report and highlighted that investment management fees were charged on a quarterly basis in arrears.

DECISION

AGREED:-

- (a) to note the actual expenditure to 30 June 2023; and**
- (b) the projected out-turn as the revised budget.**

6. COMMUNICATION POLICY REVIEW

With reference to paragraph 4 of the Minute of the meeting held on 15 September 2022 there had been circulated copies of a report by the Director – People, Performance and Change provided an update on the review of forms and communication, including annual benefit statements. In line with the Pension Fund business plan the Policy should be reviewed on an annual basis. The report discharged that requirement. Appendix 1 to the report contained the Communication Policy, there had been no changes made to the policy following review. When the review was carried out last year there was an addition

made for the Fund to produce an update newsletter in June and December, that had not been achieved to date and was something that officers would look to address this year. The Pension Fund website continued to prove to be a useful resource and had been visited on a regular basis. The website continued to be updated to reflect the current Regulations and any relevant documents or news stories were published accordingly. Additionally, the link to the Member Self Service portal had been added. The Pensions Administration team had carried out a review of the supporting information published along with the Annual Benefit Statements. Officers continued to encourage scheme members to sign up to the Members Self Service portal, with wording provided to all Fund Employers to use when advising that the Annual Benefit Statements were published ahead of the deadline date. Work continued to review processes and associated Forms making use of emerging digital technologies wherever possible. The HR Shared Services Manager, Mr Ian Angus presented the report and highlighted that it had not been possible to issue the update newsletter in line with the required timescales. The newsletter had been published in December, but there had been no follow up publication. Councillor Mountford, seconded by Councillor Moffat, proposed that the requirement to publish an update newsletter be changed from biannual to annual. Members unanimously agreed the proposal. Mrs Douglas highlighted that all of the required paperwork associated with the internal Pension Investment Manager post had been completed, and that it was expected to be advertised in the coming weeks. In response to a question regarding the distribution of the newsletter, Mr Angus explained that it would be sent out via email and published on the website. In response to a question regarding capacity, Mrs Douglas confirmed that issues related to capacity stemmed from staffing issues.

DECISION

AGREED to:

- (a) note the Communication Strategy as set out in Appendix 1 to the report;**
- (b) note the website performance;**
- (c) note that work had continued on the review of Forms and the Annual Benefit statement documentation has been reviewed; and**
- (d) amend the requirement to publish the update newsletter from biannually to annually.**

7. RESPONSIBLE INVESTMENT METRICS

There had been circulated copies of a Responsible Investment Project Plan from Isio. The Chairman welcomed Mr Andrew Singh of Isio to present the plan. Mr Singh explained that the Plan was similar to one that had been circulated 12 months prior. The different blocks in the Plan represented key work that the Committee had to consider as part of its responsible investment considerations. Mr Singh highlighted that work on the UK Stewardship Code submission was ongoing and noted that a report was to be presented later in the meeting. The implementation statement, required as part of the UK Stewardship Code, was being finalised and would form part of the submission. Quarter 3 2023 would involve the assessment of the RI metrics and targets and would assess whether there had been improvements compared to the previous year. Quarter 1 2024 would involve an annual review of investment manager's sustainability efforts. Mr Singh highlighted that the consideration at Quarter 2 2024 would be on TCFD and the associated reporting requirements. TCFD remained under consultation in England and Wales, and it was unclear when reporting requirements would come into force.

DECISION

NOTED.

8. REVIEW OF UK STEWARDSHIP CODE (2022/23 SUBMISSION)

With reference to paragraph 7 of the Minute of the meeting held on 15 September 2022 there had been circulated copies of a report by the Director – Finance and procurement which reviewed and sought approval of the Stewardship Code application for 2022/23, for submission to the Financial Reporting Council, by 31 October 2023. The report explained that the Stewardship Code is not a statutory requirement however both the UK Ministry of Housing, Communities & Local Government and the TPR recommended that administering authorities of LGPS funds should become signatories to the code. The Committee agreed on 15th Sept 2021 that the Fund should apply to become signatories. The Fund was successfully confirmed as a signatory, by the Financial Reporting Council (FRC) in February 2023, following a successful submission the previous October. To maintain ongoing status as a signatory, annual submissions, detailing progress, and further improvement, were required. A draft for the year 2022/23 had been produced for submission by 31st October 2023, subject to the Committee's approval. The draft application was contained in Appendix 1 to the report. The submission responded to: (a) feedback received from the FRC regarding its last (successful) submission, outlining areas for further improvement, and (b) the FRC's guidance for 2022/23 applications, stipulating an increased emphasis on strong examples of stewardship activity and outcomes. Work by Isio, preparing an Implementation Statement to support the Fund's preparation for TCFD reporting, would also provide valuable evidence to support this submission. It was intended that, once completed, the data from this exercise would be included, ahead of the submission date to the FRC, of 31st October.

DECISION

AGREED:-

- (a) to approve the proposed application for the Fund to maintain its signatory status to the Stewardship Code as contained in Appendix 1 to the report;**
- (b) the submission of the application to Financial Reporting Council;**
- (c) that the Director of Finance and Procurement be given delegated authority to make amendment to the submission, after the Committee's approval of the documents, to accommodate additional evidence being collected and prepared by Isio; and**
- (d) to note that blue highlighting within the draft submission denoted references to the Implementation Statement evidence that would be integrated into the report when it was completed. That was for illustrative evidence and would not materially change the information in the main body of the submission.**

9. INFORMATION UPDATE

There had been circulated copies of a briefing paper by the Director – Finance and Procurement which provided an update on a number of areas which were being monitored and areas where work was progressing. Full reports on individual areas would be tables as decisions and actions as required. The Director – Finance and Procurement and Mr Ian Angus presented the update and responded to Members questions. In response to a question regarding the PSLA annual conference in Manchester, Mr Solanki of Isio explained that the annual conference covered a much wider subject matter than other, more investment focused, conferences. Regarding training, Mr Solanki explained that the feedback from a training day held at SBC Headquarters in May had been positive and suggested that an annual session could prove useful.

**DECISION
NOTED**

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

SUMMARY OF PRIVATE BUSINESS

11. **MINUTE**
The Committee considered the Private Minute of the Meeting held on 22 June 2023.
12. **PENSION FUND INVESTMENT AND PERFORMANCE SUB-COMMITTEE**
The Committee considered the Private Minute of the Meeting of the Pension Fund Investment and Performance Sub-Committee held on 26 June 2023.
13. **Q2 2023 INVESTMENT PERFORMANCE REPORT**
The Committee noted the Quarter 2 Investment Performance report by Isio.
14. **MACQUARIE INFRASTRUCTURE DEBT (SUB-INVESTMENT GRADE) FUND UPDATE**
The Committee considered noted an update provided.

The meeting concluded at 2.30 pm.

SCOTTISH BORDERS COUNCIL PENSION BOARD

MINUTE of Meeting of the PENSION BOARD
held Via Microsoft Teams on Thursday, 22
September 2023 at 14.30 p.m.

Present:- Mr D Bell (Chair), Mr. A. Daye, Mr. M. Drysdale, Mr. M Everett,
Apologies:- Councillor J. Pirone, Ms K M Hughes and Ms K Robb.
In Attendance:- Director – Finance and Procurement, HR Shared Services Manager,
Democratic Services Officer (D. Hall)

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 22 June 2023. In response to a question regarding the appointment of a representative from LiveBorders, the Director – Finance and Procurement, Mrs Suzy Douglas, explained that a temporary staff member was in post at LiveBorders. It was expected that a representative would be appointed following a permanent appointment.

DECISION

NOTED for signature by the Chair.

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

The Chair invited members of the Board to raise any issues which had arisen from the Joint meeting of the Pension Fund and Board. In response to a question regarding training records, Mrs Douglas explained that work had been undertaken to put more organised training recording in place. The record was up-to-date and arrangements in place to ensure that that continued to be the case. In response to a question regarding the financial responsibility for paying Board members to attend events and conferences, Mrs Douglas acknowledged the importance of clarity and confirmed that she expected that attending events should be as straightforward as possible. The Chairman welcomed Mrs Douglas' comments and expressed his hope that an agreement concerning financial responsibility for attending such events could be put in place. In response to a question regarding engagement, Mr Angus confirmed that Hymans Robertson would be able to provide an accurate picture of how many site visits to the pension website there had been. Mr Angus confirmed that an issue regarding email addresses and payslips was a separate issue from the Pension Fund and that a Yammer post would be sent out in the coming weeks to highlight the Fund's self-service provision. In response to a question regarding whether a pension fund group could be set up on Yammer, Mr Angus explained that all company posts had the potential to reach a very wide audience, and that setting up too many groups had the potential to not engage effectively.

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 12 December 2023 following the joint meeting of the Pension Fund and Board.

The meeting concluded at 14.40 p.m.

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SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of the Blended Meeting of the EXECUTIVE COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Tuesday, 3 October 2023 at 2.00 pm

Present:- Councillors E. Jardine (Chairman), L. Douglas, M. Douglas, J. Greenwell, C. Hamilton, S. Hamilton, J. Linehan, D. Parker, E. Robson, M. Rowley, F. Sinclair, R. Tatler, and E. Thornton-Nicol(from para. 3).

Also Present:- Councillors W. McAteer

Apologies:- Councillors C. Cochrane, E. Robson, T. Weatherston

In Attendance:- Director – Corporate Governance, Director – Education and Lifelong Learning, Director - Finance and Procurement, Director- Infrastructure and Environment, Director - Resilient Communities, Democratic Team Leader, Democratic Services Officer (D. Hall).

1. **MINUTE**

There had been circulated copies of the Minute of the meeting held on 12 September 2023.

DECISION

APPROVED for signature by the Chairman.

2. **STRATEGIC HOUSING INVESTMENT PLAN 2024-2029 SUBMISSION**

- 2.1 With reference to paragraph 2 of the Minute of the meeting held on 4 October 2022, there had been circulated copies of a report by the Director – Infrastructure and Environment which sought approval of the Strategic Housing Investment Plan (SHIP) 2024-2029 so that it could be submitted to Scottish Government by 27th October 2023 deadline. The report explained that Local Authorities were required to submit a SHIP to the Scottish Government on an annual basis. Scottish Borders Council, with the involvement of its key partners via the SHIP Working Group, had prepared this SHIP submission. The SHIP articulated how the Council and its Registered Social Landlord (RSL) partners would seek to deliver the Border's affordable housing investment needs and outcomes, identified in the Council's Proposed Local Housing Strategy (LHS) 2023-2028, over a rolling 5-year planning horizon. Based on available Resource Planning Allocations from Scottish Government and resource planning assumptions, RSL partner, private sector borrowing and commitment from the Council's Affordable Housing Budget, approximately 201 new homes could be delivered during 2023/24 and potentially up to 1,122 new affordable homes over the five-year SHIP 2024- 2029 period. The latter figure assumed that all identified challenges and infrastructure issues were resolved in a timely manner, funding was available, and that agreement was reached between all interested parties and the construction sector had capacity to deliver the identified projects.
- 2.2 The Lead Officer, Housing Strategy and Development, Ms Donna Bogdanovic presented the report and responded to questions. In response to a question regarding emergency housing for homeless people, Ms Bogdanovic explained that funding for that category of homes was not eligible to be included in the affordable housing supply programme. Work was ongoing with RSL partners to ensure that emergency accommodation was provided to people in need, with a desire to provide people with permanent tenancies rather than temporary accommodation. Regarding the appropriateness of reference in the report to the slow-down in house sales and low level of building in the region following the financial crash of 2008, Ms Bogdanovic explained that the crisis in 2008 had a catastrophic impact on the number of houses being built. Whilst Covid-19 had negatively impacted upon the

number of houses being built, the 2008 crisis had a much greater degree of negative impact. Building levels had not returned to pre-2008 volumes. Regarding the potential financial benefits in council tax revenue referred to in the report, Ms Bogdanovic outlined that the figure in the report was a basic calculation using the number of units. There were no allowances made in the figure for council tax exemptions. It was confirmed that officers held regular discussions with Scottish Power Energy Networks regarding plans for the number of houses being built to allow them to plan accordingly. The importance of ensuring that there was an appropriate number of heat-pump trained engineers in the region was acknowledged, and Ms Bogdanovic undertook to provide additional detail on decarbonisation work outside of the meeting. Members agreed that a briefing should be organised following the passage of the Housing Bill. In response to a question regarding the level of confidence that developments in Coldstream and Westruther would be delivered, Ms Bogdanovic explained that RSLs, Scottish Government and SBC had formed the opinion that they were deliverable. Whilst there was the potential that some projects on the list might not be delivered, there was also the possibility that additional ones could be added to the list. Ms Bogdanovic confirmed that engagement with place-making groups had occurred, and that feedback was sought from all communities. It was recognised that assessing demand for RSL homes was a challenge.

DECISION

AGREED to approve the Strategic Housing Investment Programme 2024-2029 for submission to the Scottish Government – More Homes Division.

MEMBER

Councillor Thornton-Nicol joined the meeting during the discussion of the item below.

3. THE IMPACT OF AGILE WORKING ON SERVICE DELIVERY

- 3.1 With reference to paragraph 2 of the Minute of the meeting held on 16 May 2023, there had been circulated copies of a report by the Director – People, Performance and Change which sought out the Council's approach to agile working and the positive effect on standards of service deliverability. The report also set out the background in relation to agile working and the benefits to the adoption of that way of working for the Council, employees, and prospective employees. Scottish Borders Council's agile working approach had been developed over the past 15 years and had evolved over that period. Whilst the report discussed some options in relation to our policy and approach to this, with the technology now in place, moving away from agile working was not considered a viable option given the challenges the Council faced in an increasingly competitive employment market. The Director – People, Performance and Change, Mrs Clair Hepburn, presented the report and responded to Members questions. Mrs Hepburn outlined that SBC's current productivity compared to pre-Covid levels was 88% positive or unchanged. Of the 153 outputs reported, 53 showed a positive change, 82 remained unchanged and 9 had a lower rate. 8 outputs could not be compared and 1 had no data available. It was highlighted that flexible working represented a key strand in the context of employee benefit packages, as well as attracting and retaining staff. There had been benefits to SBC from agile working in the form of increased staff wellbeing and a reduced carbon footprint associated with fewer staff driving to work. Conversely, there had been challenges associated with reduced mental wellbeing and difficulties in interaction, collaboration, and engagement. Members welcomed the report, expressed their thanks to Mrs Hepburn for the extensive data provided on the impact of agile working on service delivery, and acknowledged that whilst the figures were overall positive there were still some areas of concern. In response to a question Mrs Hepburn acknowledged that there were challenges associated with the public perception of home working and suggested that communications and engagement with the public could be undertaken to demonstrate that Council staff continued to deliver effective services. The Director – Infrastructure and Environment highlighted that business mileage was one of the two key areas in the context of the Council's reduction of its carbon emissions, and that a report would be brought back at a future date. In response to a question regarding teams which had been identified as having low rates of interaction, Mrs Hepburn explained that some teams also

inherently had less interaction with their teams due to the nature of their work and highlighted that work was ongoing to create office spaces that would encourage staff back to the office. Mrs Hepburn undertook to share information regarding in-person team induction and team building information with Members. It was confirmed that a policy on hybrid working was already in place and that there was no prescription regarding the number of days that home-working staff were required to be in the office. Individual team managers had responsibility for, and discretion to decide, how their teams would work. In response to a suggestion that home working staff be required to regularly attend the office, Mrs Hepburn explained that an Integrated Impact Assessment would need to be carried out prior to the approval of such a proposal. In response to a question regarding the place of work stipulated in contracts of employment, Mrs Hepburn explained that such contracts stipulated that employees could be asked to work in any location in the Scottish Borders, with the employer designating the work location. In the context of home working and the contract of employment there had been no move to the home being contractually stipulated as the place of work for a variety of reasons. Mrs Hepburn provided assurance that staff were not pressured to work from home, and that, particularly in instances of onboarding and younger members of staff, managers should always choose the course of action which best suits the needs of their team. In response to a question regarding mental health, Mrs Hepburn explained that SBC took the mental health of its staff very seriously, that various avenues of support were available to staff, and confirmed that there had not been an increase in the number of staff absences due to mental health since agile working had been implemented. The Chairman highlighted the importance of staff morale and unity.

- 3.2 Following extensive discussions on whether the recommendations in the report were adequate, there was a difference of opinion so a vote was required as follows:

VOTE

Councillor Rowley, seconded by Councillor Marshall Douglas moved that the recommendations as contained in the report be approved .

Councillor Leigh Douglas, seconded by Councillor Linehan moved as an amendment that an additional recommendation which stated “this council continued to promote opportunities for office attendance within our overall agile framework for teams” be approved alongside the original recommendations of the report.

On a show of hands Members voted as follows:-

Motion – 5 votes

Amendment – 9 votes

The amendment was accordingly carried.

DECISION

DECIDED:-

- (a) **to note there was significant interest in more flexible forms of working, and agile working, was now an essential tool in attracting and retaining staff. Organisations who support flexible forms of working experience reduced employee turnover, increased employee engagement and improved rates of talent attraction. Agile working could also provide many other opportunities for the Council including reduced estate and facilities costs, improved employee wellbeing, diversity and inclusion as well as being more environmentally friendly;**
- (b) **to acknowledge the mainly positive comparison in performance in 2019 and 2022 respectively across those Services utilising agile working arrangements;**

- (c) to note the adopted agile working principles and supports that were in place to provide a framework to support the effective operation and management of agile working. Our aim was to continue embedding an agile working model that gave our people greater flexibility in balancing their work and home lives whilst simultaneously supporting effective recruitment and retention and the health & wellbeing of our staff;
- (d) to recognise that we want to build a culture where our people are customer focused, feel trusted and empowered, and will have greater freedom on how, where and when their work was delivered. Focus would be placed on outcomes as opposed solely to attendance at our offices. However, that level of flexibility, due to the nature of some roles, would not be achievable for all our people. Nevertheless, there would remain a commitment within the Future Operating Model to explore how a level of agile working could be built into roles across the organisation;
- (e) that teams that can utilise agile working engage in co-designing their Team Agreements which describe how they will work. That included when they were required to hold face to face team meetings, time with new colleagues and how they would collaborate. It was part of the HQ refresh plan to ensure there was the right collaborative and workspaces available for those days, so employees could book desks in the same location or arrange other meetings or collaborative events.
- (f) that supporting agile working in the longer term would require more inclusive approaches to remote working, more training and support to workers on cybersecurity and increasing access to digital technologies and infrastructure as well as improving digital skills;
- (g) to endorse the vision to nurture an empowered, resilient, and high performing workforce. A workforce which had the skills and equipment to work flexibly to deliver high quality services in an efficient, sustainable, and environmentally friendly way, now and in the future. Workplaces with modern, flexible spaces not only encouraged collaboration across functional activity but also strengthened our corporate culture, increase engagement with our partners and supported a better customer experience; and
- (h) that the Council continued to promote opportunities for office attendance and collaboration within our overall agile framework for teams.

4. **PRIVATE BUSINESS**

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix 1 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

5. **MINUTE**

The Private Section of the Minute of the meeting held on 12 September 2023 was approved.

The meeting concluded at 15.45 pm