

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

6.	<p><b>Committee Minutes</b> (Pages 3 - 68)</p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;">(a)</td><td style="width: 75%;">Hawick Common Good Fund</td><td style="width: 20%;">16 August 2023</td></tr> <tr><td>(b)</td><td>Tweeddale Area Partnership</td><td>22 August 2023</td></tr> <tr><td>(c)</td><td>External Services – Providers Monitoring</td><td>28 August 2023</td></tr> <tr><td>(d)</td><td>External Services – Providers Monitoring</td><td>29 August 2023</td></tr> <tr><td>(e)</td><td>External Services – Providers Monitoring</td><td>5 September 2023</td></tr> <tr><td>(f)</td><td>Kelso Common Good Fund</td><td>12 September 2023</td></tr> <tr><td>(g)</td><td>Selkirk Common Good Fund</td><td>13 September 2023</td></tr> <tr><td>(h)</td><td>Cheviot Area Committee</td><td>20 September 2023</td></tr> <tr><td>(i)</td><td>Audit</td><td>25 September 2023</td></tr> <tr><td>(j)</td><td>Chambers Institution Trust</td><td>27 September 2023</td></tr> <tr><td>(k)</td><td>Planning and Building Standards</td><td>3 October 2023</td></tr> <tr><td>(l)</td><td>Teviot &amp; Liddesdale Area Partnership</td><td>4 October 2023</td></tr> <tr><td>(m)</td><td>Peebles Common Good Fund</td><td>11 October 2023</td></tr> <tr><td>(n)</td><td>Civic Government Licensing</td><td>20 October 2023</td></tr> </table> <p>(Please see separate Supplement containing the public Committee Minutes.)</p>	(a)	Hawick Common Good Fund	16 August 2023	(b)	Tweeddale Area Partnership	22 August 2023	(c)	External Services – Providers Monitoring	28 August 2023	(d)	External Services – Providers Monitoring	29 August 2023	(e)	External Services – Providers Monitoring	5 September 2023	(f)	Kelso Common Good Fund	12 September 2023	(g)	Selkirk Common Good Fund	13 September 2023	(h)	Cheviot Area Committee	20 September 2023	(i)	Audit	25 September 2023	(j)	Chambers Institution Trust	27 September 2023	(k)	Planning and Building Standards	3 October 2023	(l)	Teviot & Liddesdale Area Partnership	4 October 2023	(m)	Peebles Common Good Fund	11 October 2023	(n)	Civic Government Licensing	20 October 2023	5 mins
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# SCOTTISH BORDERS COUNCIL HAWICK COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the HAWICK  
COMMON GOOD FUND SUB-COMMITTEE  
held via Microsoft Teams on Wednesday, 16  
August 2023 at 10.00 am

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Present:- Councillors C. Ramage (Chair), J. Cox, S. Marshall, W. McAteer, N. Richards,  
and A. Smart.

In Attendance:- Solicitor (R. Kirk), Statutory Account (G. Reid), Estates Strategy Manager (J.  
Stewart), Estates Surveyor (T. Hill), Property Officer (S. Drummond),  
Graduate Trainee Surveyor (A. Watson); Mr A. Findlay (Interest Link  
Borders), Mr D. Tait (Future Hawick); and Democratic Services Officer (W.  
Mohieddeen).

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 23 May 2023.

### **DECISION**

**AGREED to approve the Minute for signature by the Chair.**

## 2. **MONITORING REPORT for 3 MONTHS TO 30 JUNE 2023**

2.1 The had been circulated copies of a report by Director Finance and Procurement that provided the details of the income and expenditure for the Hawick 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 of the report provided the projected income and expenditure position for 2023-24 which showed a projected surplus of £108,633 for the year. Appendix 2 of the report provided a projected balance sheet value as at 31 March 2024 which showed a projected increase in reserves of £28,255. Appendix 3a of the report provided a breakdown of the property portfolio which showed projected rental income and projected net return for 2023-24 and actual property income to 30 June 2023. Appendix 3b of the report provided a breakdown of the property portfolio which showed projected property expenditure for 2023-24 and actual property expenditure to 30 June 2023. Appendix 4 of the report provided a breakdown of the property portfolio which showed projected property valuations at 31 March 2024. Appendix 5 of the report showed the value of the Aegon Asset Management Investment Fund to 30 June 2023.

2.2 With reference to paragraph 4 of the Minute of the Meeting held on 23 May 2023, officers advised that the Hawick Ex-Service Association trip to Bailleul would not be going ahead and the award granted to the applicant would be reallocated to the grant budget. Members raised the outstanding payment of financial assistance to Silverbuthall Community Development Trust agreed on the meeting held on 22 November 2022. Officers advised that contact had been made with the applicants who had asked for time while their banking system was arranged. Members asked for officers to liaise with the applicants and an update brought to the next meeting about the readiness of the applicants to receive the

payment. Members asked for the date of approval of the grant application to be corrected to read '2022'.

#### **DECISION**

- (a) **AGREED** that officers would seek an update on the award for Silverbuthall Community Development Trust as approved at the Meeting held on 22 November 2022; and,
- (b) **NOTED:**
  - (i) **the actual income and expenditure for 2023-24 in Appendix 1;**
  - (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.**

#### **3. APPLICATION FOR FINANCIAL ASSISTANCE – INTEREST LINK BORDERS**

There had been circulated copies of an application for financial assistance from Interest Link Borders for £3,000 to fund volunteer costs and expenses related to group activities. The Chair invited Andrew Findlay, Project Co-ordinator at Interest Link Borders to present the application who advised that Interest Link Borders work across the Borders to improve the lives of socially excluded children over 8, adults with learning disabilities and their carers through volunteer befriending and the holding of friendship groups. The funds request would support Roxburgh branch members.

#### **DECISION**

**AGREED** to award Interest Link Borders a grant of £3,000.

#### **MEMBER**

Councillor Cox joined the Meeting at 10.25 am.

#### **4. APPLICATION FOR USE OF COMMON HAUGH MOTORHOME PARK**

Members considered a request from the Motorhome Fun Club for arrangements to be made for the exclusive use of the motorhome parking area of the Common Haugh on the dates Thursday 21 – Monday 25 March 2024 to coincide with the Reivers Festival. Members highlighted criticism that was made of the Council with regards to management of the booking and that lessons should be learnt from previous experiences in arranging for the area to be cordoned for the applicant's exclusive use. Members noted that the area was a free parking facility and further consideration of appropriate arrangements should be made for requests to cordon the area for exclusive use by an applicant. Members agreed for officers to submit an appraisal report to the Sub-Committee on arrangements for cordoning of the Common Haugh motorhome area for exclusive use by applicants.

#### **DECISION**

**AGREED** to refer the application to officers and to submit an appraisal report on exclusive use of the Common Haugh motorhome parking area.

#### **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 make an early decision.

5. **APPLICATION FOR FINANCIAL ASSISTANCE – FUTURE HAWICK**

There had been circulated copies of an application for financial assistance from Future Hawick for £3,223.80 to fund Welcome Hosts' wages for the Hawick Welcome 2023 project through to late August-early September 2023. The Chair invited Derick Tait, Treasurer of Future Hawick to present the application who explained that there had been shortfall in project funding as other funds wouldn't cover the cost of wages. Members agreed to fund the application and advised that conversations should take place with officers in Community Engagement so that Future Hawick weren't reliant on recurring Common Good funding being awarded.

**DECISION**

**AGREED:**

- (a) to award Future Hawick a grant of £3,223.80; and,
- (b) to advise Future Hawick to engage with Community Engagement officers to explore further funding opportunities.

6. **PRIVATE BUSINESS**

**DECISION**

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

7. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 23 May 2023.

8. **PILMUIR AND ST LEONARD'S LEASES**

Members considered the report by the Estates Surveyor.

9. **PROPERTY UPDATE**

Members considered the update on Common Good property by the Property Officer.

*The meeting ended at 11.55 am.*

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# SCOTTISH BORDERS COUNCIL TWEEDDALE AREA PARTNERSHIP

MINUTES of Meeting of the TWEEDDALE  
AREA PARTNERSHIP held in Eddleston  
Village Hall, Eddleston, EH45 8QP on  
Tuesday, 22 August 2023 at 7.00 pm

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- Present:- Councillors M. Douglas (Chair), D. Begg, E. Small, R. Tatler, V. Thomson
- Apologies:- Councillors J. Pirone
- In Attendance:- Community Engagement Officer (H. Lacon), Participation Officer (C. Malster), P. Rigby (Youth Engagement Officer), G. Gibson (Project Manager), Democratic Services Officer (L. Cuerden).
- Also In Attendance:- Sergeant J. Harrison (Police Scotland), A. Holliday (Tweeddale Assessment Panel), P. Maudsley (Chair, Peebles Community Council), L. McCullough, C. Downey (Borders Community Action), Crick Carleton (Chair, Tweeddale Area Partnership Place Making Working Group), S. Meikle (Innerleithen & District Community Council), C. Kerr, M. Daylon (Walkerburn Community Council); M. Piper (Destination Tweed), T. Lightley, D. Beattie (Forestry Land Scotland), D. McGrath (Peebles Retailers Association), R. McDowell (SBC), M. Piper (Destination Tweed), C. MacDonald, G. Holliday.

## 1. **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting of the Tweeddale Area Partnership and outlined how the meeting would be conducted.

## 2. **FEEDBACK FROM MEETING OF 13 JUNE 2023**

There had been circulated copies of the Menti feedback and the Minute of the Meeting held on 13 June 2023. Feedback was generally positive though the poor acoustics of the Burgh Hall had been noted, as was the request for less presentations and more discussion. The meeting of 22 August was to have round table discussions around youth engagement and Ally Turnbull MSYP was in attendance.

## **DECISION**

**NOTED and AGREED the Minute of 13 June 2023**

## 3. **POLICE SCOTLAND UPDATE**

Sergeant James Harrison gave a brief background summary to his position as Supervisor for the Community Beat Officers (CBO). In post for two months, Sergeant Harrison had transferred from the Police Community Action Team. The challenges of policing the region were highlighted, with an acknowledgement that an increase in police officer numbers was a frequent request. Decisions around the recruitment and deployment of additional officers remained with Area Commanders and MPs and MSPs. With regards to youth anti-social behaviour it was acknowledged that current resources impacted on response times with only the most serious incidences attended. It was important that evidence (e.g. CCTV), corroboration and statements were obtained in order for a case to proceed. There were a few ways to report incidents to Police Scotland: to dial 999 or 101; to use the 'Contact Us' button on Police Scotland website – which had yielded a speedier response than 101 in some instances; and via the anonymous service Crimestoppers. It was important for incidents to be reported for the Police Scotland analyst to identify any upward trends and for resource to be allocated to an area. An incident number should

also be obtained. Moving forward, Sergeant Harrison was keen to develop the partnership with community councils and the wider public with the Community Beat Officer mailbox to be better utilised. Sergeant Harrison undertook to circulate to Community Councils the monthly Police reports. In response to a question about 'boy racers' in Peebles, it was confirmed that the matter was to be addressed with the Roads Policing Unit in Galashiels.

## **DECISION**

**NOTED the update**

### **4. INTRODUCTIONS TO MSYP CANDIDATES**

Pam Rigby, Youth Engagement Officer shared information on the upcoming elections to the Scottish Youth Parliament. There were currently three Members of the Scottish Youth Parliament (MSYP) in office for two years. The role of the MSYP was to consult with peers on matters which were fed through to the National Forum and then on to the Scottish Government. A current MSYP Ally Turnbull was in attendance to help facilitate the round table discussions. Peter Maudsley, Chair of Peebles Community Council reported that Lennox Lovell-Henderson had recently joined the community council and they were also a candidate in the upcoming SYP elections. The attendees then engaged in round table discussions to share opinions and suggestions on how to promote youth participation and capture their perspective. The involvement of young people from the beginning was key to promote the ownership of any project and provided the opportunity to gain confidence, life skills and to build a CV. It was acknowledged that co-production was key, along with the matter of remuneration in the form of vouchers or an outing to mark appreciation of their engagement. There was the suggestion that longer term funding by SBC was needed to allow groups to focus on delivery of service rather than sourcing funding annually and/or for specific projects. Ms Lacon reported that SBC were to consider a more sustainable funding model in partnership with South of Scotland Enterprise and Borders Community Action. The results from the round table discussions were to be collated by Hannah Lacon, Community Engagement Officer for distribution.

## **DECISION**

**AGREED to the distribution of discussion findings following the meeting.**

### **5. DESTINATION TWEED**

Greig Gibson provided a brief summary of progress to date on the five year, £1.3 million funded Tweed Trail project. Tweed Trail was to be a 113 mile walking trail and facilitated cycling from Moffat to Berwick-Upon-Tweed. There was to be physical and digital interpretation to animate and engage user experience on the trail. Included in the 2023 budget was a proposal to make improvements to the paths between the Gytes and Fotheringham Bridge to create a new 3 metre wide multi-use bound path funded by Sustrans and to repair existing sections of Tweed Green path where necessary. There was to be scope for seating, landscaping and habitat enhancements with accessibility for all where possible. It was also proposed to widen and regrade the mound site behind Haylodge hospital, to widen the Eddleston water bridge and upgrade the link path to The Cuddy to two metres and to three metres for the path to town. New signage was also proposed. The redecking of the bridge at Cardrona and lighting improvements at Eshiels tunnel were to commence in September and October 2023. The resurfacing of the multi-use path below the Peebles Hydro Hotel had been completed with Sustrans funding. There had been a public consultation exercise on 12 July 2023, the results of which were to be presented in a report in due course. A feasibility study on options on the north and south banks of the River Tweed was to be completed in September 2023. With a view to maximizing public engagement and consultation, Mr. Gibson asked for attendees to advise of the most effective means within the locality. Suggestions included the use of the window of Go Tweed Valley office on the High Street for public display of proposals with feedback forms and an article/advertisement in Peebles Life magazine (distributed to every household in Peebles). Crick Carleton was to liaise with Marina Piper and Greig Gibson to share learning gleaned from the Eddleston Path project. With regards to

ongoing maintenance costs of the path network, it was confirmed that the funding award for the Tweed Trail path network included its maintenance.

#### **DECISION**

**NOTED the update**

#### **6. FLOOD MANAGEMENT IN TWEEDDALE**

The Chair informed the meeting of a request to establish a working group under the auspices of the Tweeddale Area Partnership to address issues around improving communications and the early warning of potential flooding of the River Tweed in the Tweeddale locality. Colin Kerr, Walkerburn Community Council spoke to members regarding the need for a coordinated community response. It was suggested that any working group should include those with specialized local knowledge, particularly the ghillies as they were able to provide an early warning of worsening river conditions. The working group was to be formed of Elected Members, Community Council representatives and other interested parties. Colin Kerr agreed to lead the Committee. There was the recommendation that the group speak with Councillor Stuart Marshall who was involved with the Hawick Volunteer Flood Group and that Councillor Marshall be invited to attend the next meeting of the Tweeddale Area Partnership along with representatives from the local Resilience Groups.

#### **DECISION**

**AGREED:**

- (a) to the establishment of an Area Partnership working group to consider early warning of potential flooding of the River Tweed in the Tweeddale locality; and**
- (b) that Councillor Stuart Marshall and representatives of the local Resilience groups be invited to attend the next Tweeddale Area Partnership meeting.**

#### **7. FUNDING TABLE OVERVIEW**

There had been circulated copies of the Tweeddale Funding Table which showed available funds in the Tweeddale area. Hannah Lacon reported that there was an opening balance of £60,138.77 at 1 April 2023, which gave a total available balance of £53,938.77. Were all applications under consideration to be successful, there would be £37,214.87 left.

#### **DECISION**

**NOTED**

#### **8. NEIGHBOURHOOD SUPPORT FUND**

Ms Angela Holliday of the Tweeddale Assessment panel provided an overview of each of the applications. The Assessment Panel had carefully considered each application and any conflicts of interest were declared during the Panel's deliberations.

Conservation Without Borders had requested £7,500 to make a documentary about the flight of Ospreys through the Tweed Valley. In response to the Panel's view that the project was not specific enough to Tweeddale, Tony Lightley and Dianne Beattie of Forestry Land Scotland confirmed that the project was to focus on only nine schools in the locality. There followed a brief discussion during which FLS undertook to redraft the application to better highlight the benefit to the locality, to be reconsidered at the next meeting on 31 October 2023.

#### **DECISION**

**AGREED TO DEFER decision on the application until 31 October meeting.**

Oor Space Youthy had requested £6,723.90 to support with on-going costs for staffing and rent from January 2024 onwards. There followed a brief discussion during which it was agreed that further information from the organization was required on the particular projects that were to be funded from January 2024, the strategic approach to youth work in Peebles and its sustainability going forward.

#### **DECISION**

**AGREED TO DEFER decision on the application until 31 October meeting.**

The Dyslexic Collective had requested £2,500 for equipment for assisting dyslexic children with school work. There followed a brief discussion during which it was agreed to defer any decision until such time as the group had received further advice from officers and Borders Community Action.

#### **DECISION**

**AGREED TO DEFER decision on the application until a later meeting**

#### **9. PEEBLES PARKING WORKING GROUP**

Councillor Tatler, Chair of the Peebles Parking Working Group presented an update of progress to date. A number of recommendations had been agreed and there remained outstanding the issue of changes to the paid parking regime at East Station car park and the free parking regime at Kingsmeadows and Neidpath car parks. Contrary to recent a newspaper report, no final decision regarding the recommendations had been made on these matters. There followed a brief discussion, during which a variety of opinions were shared. It was also confirmed that officers were investigating parking revenue due to the Peebles Common Good Fund from SBC. The Chair reiterated that the decriminalisation of on-street parking was a matter for Scottish Borders Council, a process which could take up to 2 years and cost between £200-300k to establish. A report on the matter was to be brought before the Council in September. Recommendation six in the report was not agreed; an option of paid parking for 3 days was also to be considered for the Citizen Space survey.

#### **DECISION**

**AGREED to approve the following five of the six recommendations contained in the report as follows:**

- 1. Any changes to the off-street parking regime in Peebles were to be reviewed after a period of 18 months from implementation.**
- 2. There was to be no immediate changes to the charging regime for the Neidpath, Kingsmeadows, Greenside or Swimming Pool car parks.**
- 3. There was to be improved signage at entrances (and possibly junctions) in the Town indicating the name, capacity and charging regime for all Car Parks. Consideration was to be given to including information about the availability of public toilets at the Kingsmeadows and East Station Car Parks.**
- 4. There was to be improved signage at the Pay Stations at the Greenside, Swimming Pool and East Station Car Parks, indicating that funds from parking fees and fines (less maintenance and staff costs) was to go directly towards Town Centre improvements. These improvements could be better visitor information, path and pavement maintenance, environmental work (flower beds and baskets) and promotion of the Town for visitors.**
- 5. For the benefit of residents there was to be a promotional campaign to encourage the purchase of Annual Car Parking Passes which were available from Scottish Borders Council for £26 a year. The Pass allowed for free**

**parking in any of the Peebles Car Parks and some of the other Car Parks across the Scottish Borders.**

**NOT AGREED**

6. **A proposal to change the current charging regime in the East Station Car Park will be put to an online vote on Citizen Space, before a final decision is made at the next meeting of the Group in October 2023. The proposal will be to change this from only charging on a Saturday to charging 6 days a week (Sunday excluded).**
  
10. **OPEN FORUM**  
Crick Carleton, Chair of Tweeddale Place Making Working Group provided a brief update of progress since the last meeting. Peebles now had a working draft of their Place Plan, Walkerburn continued to make progress and Skirling had organised a meeting for the majority of households in the village.- The SBC Placemaking website area was a useful resource and a sharing platform still needed to be established for groups and areas to exchange expertise and experience.
  
- DECISION**  
**NOTED the update**
  
11. **MEETING EVALUATION VIA MENTI**  
Ms Lacon encouraged attendees to complete meeting evaluation forms to be sent via email and to submit any items for a future agenda.
  
12. **DATE OF NEXT MEETING**  
The next Area Partnership meeting was scheduled for 31 October 2023. Following the meeting, the venue was confirmed as online via Microsoft Teams.

***The meeting concluded at 9.20 pm***

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# SCOTTISH BORDERS COUNCIL EXTERNAL SERVICES/PROVIDERS MONITORING GROUP

MINUTES of Meeting of the EXTERNAL  
SERVICES/PROVIDERS MONITORING  
GROUP held via Microsoft Teams on  
Monday, 28 August 2023 at 2.00 pm

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- Present:- Councillors J. Greenwell (Chair), J. Anderson, M. Douglas, S. Hamilton, J. Pirone, E. Thornton-Nicol
- Apologies:- Councillors P. Brown, E. Jardine and M. Rowley
- In Attendance:- Director - Infrastructure and Environment, Contracts Manager (P. McNulty), Neighbourhood Area Manager (D. Silcock), Neighbourhood Senior Asst Area Manager (K. Miller) Estimator (M. Douglas) and Democratic Services Officer (L. Cuerden).

**In the absence of Councillor Rowley, Councillor Greenwell chaired the meeting.**

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 30 May 2023.

**DECISION**

**AGREED the Minute for signature by the Chair.**

2. **SBC CONTRACTS 1ST QUARTER REPORT 2023-24**

- 2.1 There had been circulated copies of a report by the Chief Officer Roads, the purpose of which was to provide Members with a summary on the performance of SBc Contracts for the financial year 2023/24 up to 30 June 2023. Director Infrastructure and Environment John Curry presented the report and provided a workload update. In relation to road surfacing activity to 30 June 2023, there had been 23 surface dressing patching sites, 4 carriageway patching sites, 6 screed sites, 2 capital resurfacing schemes and several contracts for private clients commenced or successfully completed. With reference to paragraph 2.2 of the Minute of 30 May 2023, use of the Pothole Pro continued to provide timely road repairs. Up to 30 June 2023, 474 potholes had been treated using 30415 sq.m of asphalt. SBc Contracts remained on target to complete the year's surface dressing programme by the end of July 2023 across an area of approximately 200,000 square metres. In April SBc Contracts had been awarded a 5 year framework with South Lanarkshire Council which was to generate external income against the specialist plant and contributed to lower unit and maintenance costs. The Peebles Eddleston Cycleway had been completed with preparation underway on the additional phase from Eddleston to Waterheads. Work continued on this year's bridge and culvert repair programme. In relation to building works, upgrades to Balmoral Primary School reception and installation of acoustic ceilings at Melrose and Burnfoot Primary Schools were underway. Peebles Swimming Pool was operational from August 2023. Flood mitigation work had been completed at Romanno Bridge and erosion damage repair in Selkirk was underway. It was highlighted that 12 sites remained active from 2022/23 into 2023/24. Since April 2023, work on 61 new sites had commenced, 15 of which remained active. SBc Contracts continued to engage local external contractors when necessary and available.
- 2.2 With reference to paragraph 4.2 of the Minute of 21 June 2022, Mr Curry reported that SBc Contracts were in the process of recruiting and additional 5 modern apprentices, 4 general engineering operatives and 1 bricklayer. Work experience was provided in

relation to the Earlston High School Campus. A site visit was also arranged to the new Primary School in Earlston whereby 3<sup>rd</sup> and 4<sup>th</sup> year pupils were provided with career opportunities advice within SBC Contracts.

- 2.3 There followed a brief discussion on road repairs. Mr Silcock confirmed to Members that roads were inspected and categorised according to a 7, 21 and 28 notice period during which work was to be done. There was a balance to be struck between available budget and ensuring repairs were done within the stipulated timescale to prevent potential claims being made against SBC. The categories and repair timescales for actionable defects were to be shared with Members. Work was ongoing to review the Roads Asset Management Plan specifically how to manage, assess and respond to risk. It was acknowledged that it was more economical to have a work force repairing a larger area at one time rather than having to return later to repair other areas nearby. However, the availability of materials for other high priority areas was to be considered. There was a suggestion that a Members' Briefing on the matter would be beneficial. Monthly reports were submitted to Director Infrastructure and Environment and there was to be some consideration how this information was to be shared with Elected Members and the public going forward. In relation to the 5 year framework with South Lanarkshire Council, it was confirmed that the availability of the six vehicles used for specialist bond coat applications, whereby two were in South Lanarkshire, ensured coverage of the Scottish Borders with the remaining four. In response to a question about the number of females recruited to posts recently, it was confirmed that there were none. It was agreed that the matter was to be taken up with HR and schools across the region; there were many career opportunities available across Infrastructure and Environment and there was a plan to expand the work experience programme to the remaining 8 high schools. Gratitude was expressed to the team for the swift pothole repairs carried out around the Berwickshire locality following the reporting by Community Councils. In response to a question about contingency planning for emergencies, it was confirmed that the majority of SBC Contracts workforce was engaged in internal SBC works and were able to be redeployed on emerging priorities.

#### **DECISION**

**NOTED the performance of SBC Contracts for the 1<sup>st</sup> quarter of 2023/24.**

#### **3. ITEMS LIKELY TO BE TAKEN IN PRIVATE**

##### **DECISION**

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

#### **4. MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 30 May 2023.

#### **5. SBC CONTRACTS TRADING OPERATION TO 30 JUNE 2023**

Members considered a report by the Chief Officer – Roads.

***The meeting concluded at 2.50 pm***



# SCOTTISH BORDERS COUNCIL EXTERNAL SERVICES/PROVIDERS MONITORING GROUP

MINUTES of Meeting of the EXTERNAL  
SERVICES/PROVIDERS MONITORING  
GROUP held via Microsoft Teams on  
Tuesday, 29 August 2023 at 2.00 pm

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- Present:- Councillors M. Rowley (Chair), J. Anderson, M. Douglas, J. Greenwell, S. Hamilton, E. Thornton-Nicol
- Apologies:- Councillors P. Brown, E. Jardine and J. Pirone
- In Attendance:- Director Strategic Commissioning and Partnerships, Chief Officer Audit and Risk, Estimator (M. Douglas), IT Client Manager (N. Byers), J. Wordsworth-Goodram (CGI), and Democratic Services Officer (L. Cuerden)

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 23 May 2023.

### **DECISION**

- (a) **AGREED the Minute of the Meeting; and**
- (b) **NOTED that details of the CGI sponsorship scheme be sent to officers for circulation to Members**

## 2. **CGI CONTRACT PERFORMANCE**

- 2.1 There had been circulated a report by Director Strategic Commissioning and Partnerships and associated slide deck, the purpose of which was to provide Elected Members with key information with respect to the CGI contract for the second quarter to the end of June 2023: the governance of the contract; updated information on the transformation programme; key performance information with respect to the service delivery of the contract and a note of key issues associated with contract management.
- 2.2 John Wordsworth-Goodram presented the slide deck. Regarding governance, CGI continued to provide detailed updates on recruitment measures in the Scottish Borders. CGI was in the process of replacing the IT Service Management system 'Remedy' with 'Service Now' which was anticipated to offer substantial improvements in service communications. Scottish Borders Council now had a dedicated service team. With reference to paragraph 5.3 of the Private section of the Minute of 23 May 2023, it was confirmed that all planned work had been completed and tested during school holidays in readiness for the start of the new term. The iPad refresh of around 2,000 devices was underway and additional resources had been allocated to account for a potential uplift in calls from teachers on their return to work. At the time of the meeting 10-15 calls a day had been reported. It was confirmed that this approach to test relevant infrastructure networks during each school holiday period was to be adopted going forward. All governance meetings with partners had been held for quarter 2. A new Digital Security Board had been convened to meet monthly.
- 2.3 It was reported that significant progress had been made on the Transformation priorities. As progress continued with the Social Work Pathfinder programme, CGI had also engaged with Protective Services Department in relation to further Pathfinder deployment. The next phases of Digital Customer Access had been agreed. An increased CGI

resource, along with the engagement of wider CGI expertise, was expected to accelerate proposal output. Partners had been engaged in relation to Connectivity and Wi-fi deployments. A summary of Agreed Transformation Priorities was provided. In relation to the Pathfinder programme, SBC was currently reviewing the Children Processes to progress to the To-Be stage. iPads and iPhones had been deployed to front line Social Workers and had been well received with a CSAP score of 10. Initial training on Mosaic had also taken place. A summary of other Key Projects was provided with associated RAG status as follows: green – 7; amber – 5; red – 2; and 1 on hold. It was confirmed that a RAG status related to the progress of a project against its forecasted end date; those projects coded amber and red had not been completed by the date identified at the planning stage. There was agreement to include the original project baseline date alongside the current end date in subsequent reports. It was acknowledged that a fourth Blue status was to be used to identify those projects that had been completed and were formally and fully accepted into service.

- 2.4 In response to a question about the iPad refresh, it was confirmed that the devices were returned to Apple under the Apple Direct lease agreement. Director Strategic Commissioning and Partnerships agreed bring forward a paper on the lease agreement and financial information to the next meeting. With regards to Public Service Network (PSN) compliance, Nick Byers reported that the renewal date was 16 May 2023 and the PSN certification was received on 30 June 2023. The submission had been made a month in advance of 16 May 2023 and its processing had been delayed by the Cabinet Office. The intervening six-week period had been required for necessary remedial action in collaboration with the Cabinet Office. While it was confirmed that the certification had expired for that period, assurances was to have been given by the Cabinet Office in response to any enquiries. It was confirmed that PSN accreditation was to be a key element of the new Digital Security Board which was to provide assurance throughout the year that SBC were as well prepared as possible for the annual renewal of PSN accreditation. Mr Byers confirmed that an IT health check could be done within six months of the PSN certificate expiry date which allowed a further four months for remediation to be carried out prior to the annual submission date.
- 2.5 Director Strategic Commissioning & Partnerships provided information on the Digital Security Board recently set up to examine all aspects of digital security in SBC and which reported to CMT. Digital security was to be a key imperative for all Service Directorates and SMT groups going forward. Membership was as follows: Director Strategic Commissioning & Partnerships; Chief Legal Officer; IT Client Manager and other relevant SBC and CGI colleagues. The terms of reference and programme of work were to be shared with Members at the next meeting.
- 2.6 A summary of service quarter highlights was provided and included among others: MS Office to 365 rollout across the whole estate; phase 2 pilot stage of Amelia chatbot; deployment of several Apple patches to mobile phone users. There had been four minor KPI missed targets in relation to Impact Assessment SLA for which additional resource had been identified and applied. There had been a network outage at Glendinning Primary School which had been resolved with an engineer visit and a server reboot at Burnfoot Primary School. It was reported that there were had been no red KPI failures on the last six months. A joint quarterly e-zine was in development with SBC Communications for distribution to all staff via intranet or Sharepoint to increase the overall awareness and visibility of CGI. CGI also intended to attend SMT meetings going forward, building on the monthly meetings with the Directorates. There had been changes to the MyIT New User form which had removed the need for multiple forms and Service Catalogue improvements had continued and republished on the intranet. There had been 13 updates across several systems in the last quarter and all Application Management KPIs had been met during the same period. In response to a question about the 365 rollout, Mr Wordsworth-Goodram had not been aware of difficulties experienced by some staff where multiple download attempts had been necessary but not reported to CGI. The number of tickets raised in response to the 365 rollout was to be ascertained and further

discussion was to be had with managers to promote the logging of issues with CGI Service Desk. It was acknowledged that system updates did take longer working from home and were not always successful. Support was available via the Digital Skills on SBScene (Yammer) and Ms Holland undertook to further discuss the matter with the team with a view to its wider promotion and effectiveness.

- 2.7 A brief summary of community benefits was provided and included action to promote CGI support of the Uniformed Services Network and the Veterans' Association. A list of 28 current club sponsorships was provided along with an undertaking to provide Elected Members with the means to nominate clubs. The financial value of sponsorship was to be discussed in Private Business. Recruitment levels had remained static since the last meeting, with Tweedbank Office now fully operational with 68 Borders based members and 101 members engaged in Borders activity. A summary plan of action to address recruitment was provided and it was to be noted that CodeClan that provided retraining in digital skills had recently gone into liquidation. Work was ongoing with Scottish Government to find a replacement service. Currently CGI had over 600 remote working vacancies in a wide range of roles across the UK for which they had received very few applicants from the region. Tweedbank and the Scottish Borders continued to be promoted alongside activities with Skills Development Scotland and Developing Young Workforce. It was confirmed that CCI was to continue to engage with the region's secondary schools to promote cyber employment opportunities in the Borders and the Cyber Escape room was to be reopened towards the end of 2023. The use of Artificial Intelligence (AI) was to be balanced in terms of efficiencies and improvements afforded from its adoption. Currently \$1billion had been invested in AI technologies by CGI. E-sports within the corporate landscape was to be viewed cautiously given the security implications and bandwidth capabilities and was not currently an area of high priority for SBC.
- 2.8 All subsequent meetings of the External Services/ Providers Monitoring Group had been extended to 90 minutes, with a request that officers avoided a clash of dates and times with other Committees in future.

**DECISION  
NOTED:**

- (a) the report and the associated slide deck; and,
- (b) the information provided within the report and the associated slide deck that detailed the performance of CGI contract to the end of Q2 2023; and

**AGREED:**

- (a) to include the original project baseline date alongside the current end date in subsequent reports;
- (b) Director Strategic Commissioning and Partnerships to provide a briefing paper on the Apple lease agreement and financial information to the next meeting;
- (c) that the terms of reference and programme of work of the Digital Security Board were to be shared with Members at the next meeting; and
- (d) for Director Strategic Commissioning & Partnerships to further discuss the online Digital Skills content and promotion with the relevant team.

3. **ITEMS LIKELY TO BE TAKEN IN PRIVATE  
DECISION**

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

4. **MINUTE**

Members considered the Private Section of the Minute of the Meeting held on 23 May 2023.

5. **CGI CONTRACT PERFORMANCE**

Members considered a report by Director Strategic Commissioning and Partnerships and noted its recommendations.

***The meeting concluded at 3.15 pm***

# SCOTTISH BORDERS COUNCIL EXTERNAL SERVICES/PROVIDERS MONITORING GROUP

MINUTES of Meeting of the EXTERNAL  
SERVICES/PROVIDERS MONITORING  
GROUP held via Microsoft Teams on  
Tuesday, 5 September 2023 at 2.00 pm

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Present:- Councillors M. Rowley (Chair), M. Douglas, J. Greenwell, S. Hamilton,  
J. Pirone and E. Thornton-Nicol.  
Apologies:- Councillors J. Anderson, P. Brown and E. Jardine  
In Attendance:- Director Resilient Communities, Chief Officer Audit and Risk, E. Jackson (Live  
Borders) and Democratic Services Officer (L. Cuerden).

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 6 June 2023.

### **DECISION**

**AGREED the Minute for signature by the Chair.**

## 2. **LIVE BORDERS CONTRACT PERFORMANCE: QUARTER 1 2023/24**

- 2.1 There had been circulated a report by Jenni Craig, Director Resilient Communities, the purpose of which was to provide Members with performance information regarding the Live Borders partnership agreement for Quarter 1 2023/24. The report at Appendix 1 provided Members with performance information on the delivery of the commissioned sport, physical activity and cultural services. Live Borders continued to face challenges including: lower than anticipated participation levels due to the cost of living crisis and a protracted recovery from the pandemic; inflation and energy costs; and continuing changes to the ways in which some services are consumed. Members were reminded of the ongoing review of Live Borders provision agreement due to report in October 2023. Key outputs from the review were to include both a revised SPA and robust, agreed performance management arrangements to enable stakeholders to monitor its delivery.
- 2.2 Ewan Jackson presented the report at Appendix 1. Live Borders continued to operate in a challenging context particularly in the sporting and cultural sectors. Action had been taken to reduce energy consumption but was limited by the age and condition of the estate, the plant and the machinery within the facilities; replacement boilers at the Gytes, Peebles and the air handling unit at Eyemouth pool were planned. In terms of sports facilities, issues with plant and equipment had resulted in Eyemouth and Teviotdale leisure centres and Kelso pool being closed for short periods. Peebles pool had reopened on 7 August. Notwithstanding, approximately 270,000 sporting participations had been recorded in Q1. Membership remained static with new memberships offset by lower than planned retention. The new Live Borders app had been deployed with more than 10,000 downloads initially and a new loyalty card was being trialled. The percentage of bookings made through the app was to be provided at the next meeting. Work was ongoing to establish a new 'Youth Membership' for the 12-17 year old cohort with low monthly fee and unlimited swim and gym use. The 'Get Ready for Summer' initiative generated £2.5k and participation of 170 and two new yoga classes had sold out each week since launch. The Learn2 membership was expected to grow with the reopening of Peebles pool and the increase in the number of suitably qualified instructors. In addition, a programme of planned activities had been developed to generate income. There was increased competition from the 50+ gym/studio providers in the Borders, both local and national

providers. Active Communities had performed strongly over Q1 across all offerings including newer offerings of Netball and Pickleball. Holiday programme participation was in line with its target of approximately 1,000 while other festivals and events attracted almost 4,000. Library membership continued to grow and there were plans to extend opening hours at Galashiels and Hawick libraries. Two new mobile libraries had been ordered and a review of the mobile library routes and stock management/rotation had been undertaken. Borrowbox and Pressreader use continued to grow. Eyemouth RNID and the library service had partnered with the NHS to provide a free drop-in service for hearing checks.

- 2.3 With reference to paragraph 2.5 of the Minute of 6 June 2023, it was confirmed that the swim participation data for 2022/2023 was incorrect whereby both wet and dry activities had been compared against wet only activities for 2019/2020. When compared with wet and dry data for 2019/2020, there had been an overall decrease of 28% participation at all swimming pool sites. With reference to paragraph 3.3, an additional column of 2019/20 wet and dry activities data was to be added to the table. There was a request for opening hours for 2019/20 and 2022/23 to be added to the table also and for this to be continued in subsequent reports. Additionally, there was a request for clarification in future reports on which sites offered both wet and dry activities as opposed to only wet activities.
- 2.4 With reference to paragraph 2.7 of the Minute of 6 June 2023, historical data on the energy consumption per square metre in sporting and cultural venues where possible was provided. The aging plant and machinery had become less energy efficient and resulted in higher kW usage, which along with the cost of energy and poorly insulated buildings had a significant impact on overall costs and on working towards Net Zero targets. Energy surveys were to be undertaken as part of the Joint Review of Services which were to provide comprehensive data across all the Council-owned estate including those facilities managed and operated by Live Borders. Usage data for 2022/23 was to be provided at the next meeting.
- 2.5 With reference to paragraph 2.7 of the Minute of 6 June 2023, the opening hours of Live Borders libraries and SBC Library Contact Centres (LCC) and total operational hours as of August 2023 were provided. It was to be noted that Live Borders was currently planning to extend the opening hours at both Hawick and Galashiels libraries by 4 hours per week. [Tuesday opening to 7pm (+1hr) and Saturday opening 10am-1pm (+3hrs)]. Staff recruitment was underway. In relation to Jedburgh campus, there was to be an extension of opening hours to improve accessibility for the public during school hours with a plan to offer additional services. Public access to Earlston library was to be reviewed with an update provided at the next meeting. In response to a question about parity of provision across the Borders, particularly in relation to Selkirk, it was to be noted that workforce differences across Live Borders libraries and LCC was a factor. Mr Jackson agreed to discuss the matter further with the Head of the Library service.
- 2.6 A summary of the Quarter 1 2023/24 KSI performance was provided. KSI 15, 22 and 23 were coded red and KSI 9 was coded as amber. Staff absence and turnover were low and staff were commended for their resilience during and post-pandemic. It was reported that the cost to attract new members was higher than retention and it was acknowledged that Live Borders had more work to do on retaining memberships and improve efficiency. In response to a question about measures to improve retention, Mr Jackson reported that the Live Borders workforce needed to be commensurate with needs of the members and support them post-induction. The cost of entry was also a factor. Lessons were to be learned from the success of Tri-fitness gym in Galashiels which had been shortlisted for an award. There had been discussion with NHS Borders on the promotion of the 50% off vouchers for gym referrals from GPs and physiotherapists. The KSI performance graphs and tables for Q1 2023/24 were provided for those KSIs that were measured quarterly. There had been a request for visitor figures for museums and cultural offerings to be provided at the next meeting, to which Mr Jackson agreed. There was also a request for

the previous RAG status to be detailed alongside the updated status to better reflect performance trends going forward.

**DECISION**

- (a) **NOTED the Live Borders Performance Report; and**
- (b) **NOTED the ongoing joint strategic review; the inclusion of performance information and reporting of a revised Service Provision Agreement within the scope of the review.**

3. **DATE OF NEXT MEETING**

The next meeting of the External Services/Providers Monitoring Group (Live Borders) was scheduled for 5 December 2023 at 2p.m.

*The meeting concluded at 3.30 pm*

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# SCOTTISH BORDERS COUNCIL KELSO COMMON GOOD SUB-COMMITTEE

MINUTES of Meeting of the KELSO  
COMMON GOOD SUB-COMMITTEE held  
via Microsoft Teams on Tuesday, 12<sup>th</sup>  
September 2023 at 5.15 pm

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- Present:- Councillors T. Weatherston and E. Robson (Chairman)
- Apologies:- Councillor S. Mountford and Community Councillor Gavin Horsburgh
- In Attendance:- Statutory Accountant (Gordon Reid), Principal Solicitor (Gillian Sellar),  
Democratic Services Officer (F Henderson).

## 1. MINUTE AND ACTION TRACKER

- 1.1 There had been circulated copies of the Minute of the Kelso Common Good Fund Sub-Committee held on 27 June 2023.

### DECISION

**AGREED to APPROVE the Minute for signature by the Chairman.**

## 1.2 Action Tracker

The Action Tracker had been circulated. The Chairman advised that an e-mail had been received from the Woodland Trust, which had suggested that the Borders Forest Trust may be a more appropriate route. The Chairman had emailed and had telephoned and would update at the next meeting.

- 1.3 In terms of the actions in respect of the Pinnaclehill Woodland, it was reported that the invoice for the initial work had been paid, although only part of the work had been carried out due to time and the crown lifting by the steps and riverside was not completed. Mr Wilkinson to be contacted for confirmation that all the work had been undertaken as per original quote. Further work requiring to be undertaken would require a quote being obtained and submitted to the Kelso Common Good for approval.

### DECISION

**AGREED:-**

- (a) that confirmation be sought that the crown lifting by the steps and riverside had been completed;
- (b) that Mr Wilkinson confirm whether further work was required to address Residents claims of encroaching trees; and
- (c) that should further work be required, a quote would be obtained for approval.

## 2.0 MONITORING REPORT FOR 3 MONTHS TO 30 JUNE 2023

- 2.1 There had been circulated copies of a report by the Director of Finance and Procurement providing details of the income and expenditure for the Kelso Common Good Fund for the 3 months to 30 June 2023, a full year projected out turn for 2023/24, and projected balance sheet values as at 31 March 2024. It was highlighted that the Grants and Other Donations table contained in para 4.5 of the report was incorrect and the correct table is contained below:-

<b>Grant Recipients</b>	<b>Approved</b>	<b>£</b>
<b>Approved and paid to 30 June 2023</b>		0
<b>Total Paid to 31 March 2024</b>		<b>0</b>
<b>Approved but not yet paid</b>		0
<b>Total Grants Approved not paid</b>		<b>0</b>
<b>Budget 2023/24</b>		<b>2,500</b>
<b><i>(Unallocated)/Overallocated Budget</i></b>		<b><i>(2,500)</i></b>

- 2.2 Appendix 1 to the report provided the projected Income and Expenditure position for 2023/24, which showed a surplus of £8,280 for the year, which was less than previously reported due to an increase in the property repairs budget. Appendix 2 to the report provided a projected balance sheet as at 31 March 2024 and showed a projected decrease in reserves of £70,108. Appendix 3(a) to the report provided a breakdown of the property portfolio showing projected rental income and net return for 2023/24, and actual property income to 31 June 2023. Appendix 3(b) provided a breakdown of the property portfolio showing projected property expenditure for 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 detailed the value of the Aegon Asset Management Investment Fund to 30 June 2023. The Statutory Accountant highlighted the main points in the report and answered Members' questions.

**DECISION  
NOTED**

- (a) the actual income and expenditure for 2023/24 in Appendix 1 as the revised budget for 2023/24;
- (b) the projected balance sheet value as at 31 March 2024 in Appendix 2;
- (c) the summary of the property portfolio in Appendices 3 and 4; and
- (d) the current position of the Aegon Asset Management Investment Fund in Appendix 5.

**3.0 CROFT PARK TOILET BLOCK**

Councillor Weatherston had requested that the future of Croft Park Toilets, Kelso be added to the agenda as a result of a casual approach from Kelso RFC late in 2022 about taking over the toilets located at Croft Park, Kelso. In terms of background, it was explained that the President of the Club, Mr Neil Hastie, had had some informal discussions with Councillor Weatherston regarding the future of the public toilets at Croft Park, Kelso. The Club already had a steel container situated at Croft Park in which equipment etc was stored for training and matches at the park and had also installed floodlights a number of years ago. The idea which the Club was putting forward was to create a hub within the toilets so that when there were training sessions or games, the facility could be opened as a toilet, storage and to provide refreshments for spectators. The pitches at Croft Park were an integral part of the club and used by the Mini section, Youth Section, Girls and Ladies Sections and Senior Section.

- 3.1 Following discussion, the Common Good were in favour of investigating the matter further following receipt of a formal detailed proposal which would be subject to community consultation and a formal lease.

**DECISION**

**AGREED that no further action could be taken until a formal, detailed proposal had been received from Kelso RFC.**

*The meeting concluded at 5.50 pm*

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# SCOTTISH BORDERS COUNCIL

## SELKIRK COMMON GOOD FUND SUB COMMITTEE

MINUTE of Meeting of the SELKIRK  
COMMON GOOD FUND SUB COMMITTEE  
conducted remotely by Microsoft Teams on  
Wednesday 13 September 2023 at 16.00 pm.

Present:- Councillors C. Cochrane (Chair), L Douglas and E. Thornton-Nicol and  
Community Councillor I. King

In Attendance:- Estates Surveyors (T. Hill and A. Watson), Solicitors (F. Rankine and J.  
Webster), Statutory Accountant (G. Reid), Democratic Services Officer (D.  
Hall).

### 1. **MINUTE AND ACTION TRACKER**

- 1.1 There had been circulated copies of the Minutes of the meetings held on 7 June 2023 and 10 July 2023. With reference to paragraph 1.2 of the Minute of 7 June 2023, Community Councillor King sought assurances that investigations and work related to insurance was still ongoing. The Solicitor, Ms Jane Webster, confirmed that discussions with the insurance department were ongoing and that the relevant information would be reported back once it was available. Regarding reference in the Minute to Community Councillor King expressing “gratitude for a response regarding the legal ownership of Common Good Funds”, Mr King disputed the use of the word gratitude as an accurate summation of his reaction. Whilst Mr King may have been grateful for a response, he did not express gratitude. The Minute would be amended to replace “expressed his gratitude for a response” with “was grateful for a response”. Mr King disputed the explanation that “further discussion regarding the ownership and administration of the Common Good could be a topic for further discussion”. Mr King requested that the word “could” be replaced by “would”. The Minute would be amended accordingly. The Solicitor acknowledged that there remained a disagreement regarding ownership of the Common Good Fund and its assets, and Community Councillor King and Scottish Borders Council officers had agreed to disagree regarding ownership. With regard to paragraph 3.3, Community Councillor King expressed his concern that he had not been invited to a site visit with the Heritage and Design Officer at the Sir Walter Scott Memorial. The Chair explained that the site visit had not taken place, and that she expected that when the visit did take Community Councillor King would be invited.

#### **DECISION**

**AGREED to approve the Minute, as amended, for signature by the Chairman.**

### 1.2 **Action Tracker**

The action tracker had been circulated.

#### **DECISION**

**NOTED the action tracker.**

### 2. **MONITORING REPORT FOR 12 MONTHS TO 31 MARCH 2023**

There had been circulated copies of a report by the Director – Finance and Procurement which his report provided the details of the income and expenditure for the Selkirk 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 position for 2023/24. That showed a projected deficit of £2,763 for the year, which was less than the previously reported surplus

on 7 June 2023, as a result of an increase in the property repairs budget. Appendix 2 to the report provided a projected balance sheet value as at 31 March 2024. It shows a projected decrease in reserves of £142,039. A breakdown of the property portfolio showing projected rental income and projected net return for 2023/24 and actual property income to 30 June 2023 was provided in Appendix 3a to the report. Appendix 3b provided a breakdown of the property portfolio showing projected property expenditure for 2023/24 and actual property expenditure to 30 June 2023. A breakdown of the property portfolio showing projected property valuations at 31 March 2024 was provided in Appendix 4 to the report. Appendix 5 showed the value of the Aegon Asset Management Investment Fund to 30 June 2023. The Statutory Accountant, Mr Gordon Reid, presented the report and responded to questions. Mr Reid highlighted that because the tenant had withdrawn their offer to lease 28 Market Place there would be an impact associated with the loss of rental income. The Estates Surveyor, Ms Tricia Hill, confirmed that the works to refurbish 28 Market Place had proceeded as agreed. With regard to the revaluation reserve, Mr Reid explained that it was hoped that the works to refurbish 28 Market Place would offset depreciation. In response to a question regarding the depreciation associated with the caretakers flat at Victoria Hall, Mr Reid undertook to explore the issue with Estates and ensure that an update was provided at a future meeting. Mr Reid explained that he was attending the meeting as part of an interim arrangement and confirmed that he would raise displaying the value of fixed assets with his successor. It was highlighted that insurance arrangements for assets remained unclear and that it was of paramount importance that photographs, and full documentation of fixed assets should be in place to cover assets in the event of fire, theft, or loss of any description. Mr Reid undertook to explore the insurance of assets, including the thoroughness of their valuation and whether appropriate documentation and evidence of their condition was in place. In response to a question regarding the valuation and depreciation of farms, Mr Reid explained that the depreciation referred to was based on the likely lifespan of buildings. The land holdings were not depreciating in value. The revaluation referred to in the report was carried out every five years, and it was possible that there could be a significant uplift in the value of individual farms once that exercise was undertaken.

## **DECISION**

### **(a) AGREED:-**

- (i) that the Statutory Accountant would investigate the depreciation charges associated with the Caretakers Flat at Victoria Hall with the Estates Department;**
- (ii) that the Statutory Accountant would investigate providing fixed asset values as part of future reports; and**
- (iii) that the Statutory Accountant would explore whether appropriate photographic evidence and documentation of assets existed for insurance purposes, and whether insurance arrangements in place were sufficiently thorough to afford the appropriate level of protection from fire, theft, and loss.**

### **(b) NOTED:-**

- (i) the actual income and expenditure for 2023/24 in Appendix 1 to the report as the revised budget for 2023/24;**
- (ii) the projected balance sheet value as at 31 March 2024 in Appendix 2 to the report; and**

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

3. **PROPERTY**

The Estates Surveyor, Ms Tricia Hill, explained that she did not have any matters related to Common Good property to discuss in public. The Property Officer, Mr Gareth Smith, was unable to attend the meeting. No matters were discussed.

**DECISION  
NOTED**

4. **3 BRETHERN FENCE**

In the absence of the Property Officer, it was agreed that a discussion regarding the 3 Brethren Fence would take place at the next meeting of the Selkirk Common Good Fund Sub-Committee.

**DECISION  
AGREED to discuss the 3 Brethren Fence at the next meeting of the Common Good Fund Sub-Committee.**

**DECLARATION OF INTEREST**

**Councillor Douglas and Community Councillor King declared an interest in the following item of business and did not take part in the discussion.**

5. **SELKIRK HILL MANAGEMENT GROUP**

There had been circulated copies of a letter from the Selkirk Hill Management Group which requested that payment of the current year's annual £10,000 maintenance grant be paid. The Solicitor explained that the five-year agreement was still being drafted, would be circulated as soon as it was ready, and that once it was in place it was expected that payment could be made promptly. The Statutory Accountant, Mr Reid, explained that payment was due to be paid in November, but could be expedited. It was confirmed that the Selkirk Hill Management Group had amended their financial year to follow the standard financial year.

**DECISION  
AGREED to expedite the payment of the 2023/24 grant to Selkirk Hill Management Group.**

**MEMBER**

Community Councillor King requested that a discussion take place on the Integrated Impact Assessment (IIA) which had been circulated with the agenda. Concerns were expressed regarding the lack of reference to sustainability in the context of the Common Good and the wider Council. Mr King expected that there should be a policy in place regarding the improvement of the quality and condition of Common Good owned assets in the context of sustainability and energy conservation. It was highlighted that sustainability was not one of the headings of the impact assessment. Members explained that the IIA was directly related to the Equalities Act 2010 and was concerned with assessing the impact of Council reports on individuals with protected characteristics. Sustainability was embedded into all the Council's strategic thinking, and all monitoring reports and every council paper was produced in the context of the Council having signed up to the sustainable development goals and other climate change commitments. It was highlighted that the IIA referred to specifically related to the financial monitoring report.

6. **PRIVATE BUSINESS  
DECISION**

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

**SUMMARY OF PRIVATE BUSINESS**

7. **PRIVATE MINUTE AND ACTION TRACKER**

The Private sections of the Minutes of the Meetings held on 7 June 2023 and 10 July 2023 were approved for signature by the Chair

8. **PROPERTY**

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

*The meeting concluded at 5.00 pm.*



# SCOTTISH BORDERS COUNCIL AUDIT COMMITTEE

MINUTES of Meeting of the AUDIT COMMITTEE held in the Council Chamber, Council Headquarters, Newtown St. Boswells and via Microsoft Teams on Monday, 25 September 2023 at 10.00 am

- Present:- Councillors E. Thornton-Nicol (Chair), J. Anderson, J. Cox, M. Douglas, J. PatonDay, E. Robson, S. Scott, F. Sinclair, Mr S. Whalley and Mr P. Whitfield
- Apologies:- Councillors P. Brown and N. Richards
- In Attendance:- Chief Executive, Chief Officer Audit and Risk, Director – Corporate Governance, Director – Finance and Procurement, Director – Resilient Communities, Mr J. Boyd and Ms S. Harold (Audit Scotland) and Democratic Services Officer (D. Hall ).

## 1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 27 June 2023.

## **DECISION**

**AGREED to approve the Minute for signature by the Chair.**

## 2. **AUDIT COMMITTEE ACTION TRACKER**

- 2.1 There had been circulated copies of the Audit Committee Action Tracker which was presented by the Chief Officer Audit and Risk, Ms Jill Stacey.
- 2.2 With reference to paragraph 6 of the Minute of 22 November 2021 the Chief Officer Audit and Risk confirmed that work related to the Internal Audit Action was ongoing and that the Action would remain on the tracker.
- 2.3 With reference to paragraph 3 of the Minute of 13 March 2023, Ms Stacey confirmed that the Director Risk Management Presentation Action remained ongoing, with the Director-Infrastructure and Environment due to present to the Committee in March 2024.
- 2.4 With reference to paragraph 4 of the Minute of 10 May 2023, relating to Progress on LDS Financial Management, Ms Stacey highlighted that she had circulated the link to the relevant Integration Joint Board papers on Modern.Gov to the Committee and confirmed that the appropriate papers were included there for information.
- 2.5 With reference to paragraph 6 of the Minute of 10 May 2023, Ms Stacey confirmed that the Integrity Group would conduct the counter fraud maturity assessment during 2023/24 and report outcomes to the Audit Committee in May 2024.
- 2.6 With reference to paragraph 7 of the Minute of 27 June 2023, it was confirmed that a briefing note on the Aegon Monthly Income Unit Trust had been circulated to Audit Committee members by email on 29 August 2023. The Chair highlighted that the Council had full oversight of the Common Good Funds and Trusts, and that governance arrangements in place were strong and robust. Whilst the Aegon Investment Fund had delivered poor returns in the years following Covid-19, that was reflective of market conditions worldwide, and did not reflect on the governance arrangements of the Funds and Trusts. The Chair was confident that the action in the tracker had been completed and should be removed from the tracker. In response to a question regarding whether there had been a breach of investment rules via the Aegon Investment Fund, the Director

– Corporate Governance, Ms Nuala McKinlay, explained that the briefing note referred to in the Action Tracker had been asked to consider the risks associated with placing all Fund and Trust investments in one single fund. Ms McKinlay advised that if there was an alleged breach of investment rules then the Committee should be notified in advance to allow officers to investigate, and an appropriate item included on the agenda of a meeting to discuss the matter. Mr Whalley confirmed that he had requested that an item be placed on the agenda. The Chief Executive explained that the Council had an agreed policy in place to manage the Common Good Funds and Trusts with Aegon Investment Management. The Council received regular reports in terms of the performance of investments and monitoring reports were presented to Sub-Committees. Aegon had provided returns since inception in line with the objectives set by the Council, with regular income provided to Funds. Members were regularly briefed on the performance of the Fund and if there were concerns then the arrangements could be reviewed. Mr Whalley explained that the specific breach of rules he was referring to related to the investment strategy, which set out that between 0% and 30% of investments should be held in bonds. Currently Aegon held 51% of the Fund in bonds. The Chief Executive explained that the asset allocation strategy acted as a guideline, and that due to the nature of investments and markets there would be variations to the concentration of asset type held. The Chair confirmed that she was content that action in the tracker had been completed. In response to a question regarding PSN accreditation, the Chief Executive provided assurance that accreditation was in place in full for the Council.

## **DECISION**

**NOTED the update.**

### **3. DIRECTOR RISK MANAGEMENT PRESENTATION**

- 3.1 The Chair introduced the Director – Resilient Communities to give a presentation on corporate risks in the Resilient Communities service. The Director – Resilient Communities provided an overview of the various services for which she was responsible. Copies of the presentation had been circulated by email to the Committee. Economic Development was led by Sam Smith and focused on economic improvement and regeneration. Work relating to the two growth deals that the Council was signed up to was ongoing and considerable. Customer Advice & Support Services were focused on front facing customer service arrangements across a range of communication channels. The Business Administration and Support team were engaged with work across the Council supporting its effective operation. Communities and Partnerships were involved with work related to the Community Empowerment Act as well as supporting communities achieve their aspirations and ambitions. Accessing appropriate grant funding and supporting placemaking were other important elements of that team’s work. Mrs Craig highlighted that sport, leisure, and cultural facilities across the region were delivered through the strategic partnership with LiveBorders.
- 3.2 The Director – Resilient Communities explained that she was responsible for two corporate risks managed on behalf of the Council Management Team. The first risk was Community Planning Partnership, particularly that if there was not effective partnership working then it would not be possible to deliver on agreed strategies or realise objectives and outcomes. The risk was longstanding, and considerable work had gone into delivering improvements through internal controls and improving partnership work. A new Community Planning Partnership had been developed following the fundamental changes brought about by the Covid-19 pandemic. Mrs Craig presented the range of internal controls which were in place and highlighted that they ranged from fully effective to not effective. The implementation of the long-term Plan was the sole item listed as not effective, however that would be updated as a clearer picture became apparent over time. Two linked actions remained outstanding; however, progress was being made to ensure that they were completed. The second risk managed on behalf of the CMT Risk Register was Stakeholder Engagement, and how the Council engaged with its primary stakeholders. Mrs Craig highlighted that the risk had been managed for a considerable period of time, and provided assurance that work was ongoing to reduce risk. A

Community Engagement strategy was being developed and was expected to be presented to Council for adoption prior to the end of the year. Work on the development of the Locality Model had been paused whilst the Chief Executive pursued work related to the proposed Future Operating Model. The range of internal controls ranged from fully effective to not effective.

- 3.3 The Director presented the Service Risk Registers and explained that her presentation would focus primarily on the risks which had been scored as red on the red, amber, green rating. The majority of risks had been scored as amber. Mrs Craig highlighted that the risk level of path inspections and countryside bridge inspections had increased and confirmed that an assessment was being undertaken to assess whether the Council had sufficient staffing capacity to undertake the required work. External options would also be explored. Two risks under Customer Advice & Support Services had been scored as red: insufficient resources and online services. Mrs Craig explained that there had been significant turnover in staff within this service, particularly in those managing the telephony channels. There had been a negative impact on performance as a result of the staff turnover, however weekly meetings regarding the issue had taken place and a newly recruited cohort of staff were in the process of undergoing training. The delivery of online services had also been affected by capacity and staffing issues. The Council was in the process of developing a proactive plan to accelerate the work to deliver an improvement in its online services and it was anticipated that progress would be made over time. Mrs Craig confirmed that in line with the agreed Joint Strategic Review between SBC and Live Borders that was underway, officers were identifying and discussing related threats and opportunities and were establishing the best ways in which to capture those as part of the Council's Risk Management process.
- 3.4 In response to a question regarding how risk management arrangements operated associated with services delivered in partnership with third parties, Mrs Craig explained that as part of the procurement process regular meetings were held to assess risk and where significant issues were identified they would be brought into the risk register. Regarding training for managers on how to manage risk, it was highlighted that significant training was offered to all managers, in particular new managers. All Directors within the Council had the capability to check whether managers in their service had completed the appropriate level of training. The Corporate Risk Officer, Ms Emily Elder, confirmed that there was a risk management process guide which would be signposted to new managers. Quarterly risk management reports were also being cascaded to risk owners across the Council. In response to a question regarding the effectiveness of controls in the context of stakeholder engagement, Mrs Craig acknowledged that a lot of the controls were listed as partially effective and confirmed that it remained a priority to deliver effective engagement which the communities of the Scottish Borders felt invested in. Mrs Craig confirmed that a report on the outcome of the Community Conversation sessions would be produced, and the feedback presented to Council. In response to a question regarding work to improve the strategic relationship with LiveBorders, Mrs Craig provided assurance that part of the ongoing review concerned governance arrangements and refreshing the partnership agreement in place. The Chief Officer – Audit and Risk confirmed that as part of the wider service provision agreements in place that risk management services were also provided to Live Borders, the IJB and Pension Fund. In response to a question regarding the Regional Development Strategy being categorised as amber, Mrs Craig undertook to assess whether the register needed to be updated to properly reflect current risk. Regarding the ability of the public to contact Council officers via telephone, Mrs Craig acknowledged that due to staffing issues there had been performance problems and highlighted that through the effective use of technology it would be possible to deliver improvements in the area.

## **DECISION**

**NOTED the presentation.**

## **4. INTERNAL AUDIT WORK TO 30 JULY 2023**

- 4.1 With reference to paragraph 6 of the Minute of the meeting held on 10 May 2023, there had been circulated copies of a report by the Chief Officer Audit and Risk which provided details of the recent work carried out by Internal Audit and the recommended audit actions agreed by Management to improve internal controls and governance arrangements. The work Internal Audit had carried out in the period from 1 April to 31 July 2023 associated with the delivery of the approved Internal Audit Annual Plan 2023/24 was detailed in this report. A total of 6 final Internal Audit reports had been issued. There were 8 recommendations made associated with 5 of the reports (0 High-rated; 3 Medium-rated; 5 Low-rated). An Executive Summary of the final Internal Audit assurance reports issued, including audit objective, findings, good practice, recommendations (where appropriate) and the Chief Officer Audit and Risk's independent and objective opinion on the adequacy of the control environment and governance arrangements within each audit area, was shown in Appendix 1 to the report. The SBC Internal Audit function conformed to the professional standards as set out in Public Sector Internal Audit Standards (PSIAS) (2017) including the production of this report to communicate the results of the reviews. The Chief Officer Audit and Risk presented the report and highlighted that minor tweaks had been made to the internal audit plan as a result of adopting an agile way of working. Ms Stacey outlined that following the retirement of the Council's Principal Internal Auditor, Ms Sue Holmes, the recruitment process for a replacement had been undertaken. An offer had been made to the preferred candidate, with a start date of 20 November identified. The Internal Audit Team would be fully staffed following that appointment. Ms Stacey confirmed that standard practice had been followed in respect of internal audit items, with relevant officers expected to use the IDEAGEN system to update progress. The internal audit team would follow up to ensure that progress had been made and evidence was required. With regard to the Looked after Children audit work, Ms Stacey confirmed that the recommendation had been rated as low due to the substantial level of assurance provided and the ongoing work being undertaken by Council Management Team. The Council was aware of the high-risk nature of this service area and was taking steps to ensure that the risk was appropriately managed. Ms Stacey undertook to include the Corporate risk rating (Red, Amber or Green) that identified the overall risk associated with each audit area. In response to a question regarding line managers ensuring that staff were completing mandatory training on which there were two separate Internal Audit recommendations, Ms Stacey explained that more action needed to be taken by Managers to ensure that staff completed Health and Safety training (medium-rated), but there was a recognition that staff completing updated training modules on Complaints would take time following the implementation of new policies and procedures (low-rated). The Chair expressed her thanks for the work undertaken by the Internal Audit Team.

## **DECISION**

**(a) NOTED:**

- (i) the Executive Summaries of the final Internal Audit assurance reports issued in the period from 1 April to 31 July 2023 associated with the delivery of the approved Internal Audit Annual Plan 2023/24;**
- (ii) the Internal Audit Consultancy and Other Work carried out in accordance with the approved Internal Audit Charter**

**(b) AGREED:**

- (i) to acknowledge the assurance provided on internal controls and governance arrangements in place for the areas covered by this Internal Audit work; and**
- (ii) approve the minor amendments to the Internal Audit Annual Plan 2023/24, as set out in the report.**

## **5. AUDIT SCOTLAND FRAUD AND IRREGULARITY REPORT 2022/23**

With reference to paragraph 6 of the Minute of the meeting held on 12 September 2022, there had been circulated copies of a report by the Chief Officer Audit and Risk which made the Committee aware of a recently published counter fraud report by Audit Scotland and the Management Actions required in response for improvement and assurance purposes. Having robust fraud prevention and investigation arrangements in place contributed to safeguarding the Council's financial resources, for delivery of services, as part of protecting the public purse. A focus on prevention and detection and promotion of a counter fraud culture across the Council to improve its resilience to fraud, taking account of reducing resources, were associated with the Counter Fraud Strategy 2021-2024 that was approved by Council in December 2021. The purpose of the Integrity Group was to improve the Council's resilience to fraud, theft, corruption, and crime. One way it could achieve that was self-assessing the Council's arrangements against best practice and agreeing any appropriate actions to continuously improve the arrangements in place. The report referred to a national fraud report recently published by Audit Scotland, which set out recommendations for public sector organisations. Part of the Audit Committee's role was to oversee the framework of internal financial control including the assessment of fraud risks and to monitor counter fraud strategy, actions, and resources. The Chief Officer Audit and Risk presented the report and highlighted that the members of the Integrity Group had been made aware when the National Fraud and Irregularity report had been published. In response to a question regarding the confidence that frauds were being detected, Ms Stephanie Harold explained that the guidance outlined that frauds over £5k needed to be reported to Audit Scotland, however working with the Police and through the use of correct working practices, lower levels of fraud would be detected. Ms Stacey highlighted that the Scottish Local Authority Investigators Group were very active and shared a lot of information and insight into fraud trends and anti-fraud work. Frauds above £5k were reported in line with the proper mechanisms, and where other frauds were detected, they would be reported through normal procedures. The Chair highlighted that all the Council had a responsibility to tackle fraud.

## **DECISION**

### **AGREED to:**

- (a) acknowledge the Audit Scotland Fraud and Irregularity Report 2022/23 published in recent months;**
- (b) endorses the tasks being undertaken by the Integrity Group, associated with the recently published counter fraud report by Audit Scotland, as set out in Action Plan in paragraph 4.6 of this report; and**
- (c) request that the Integrity Group report back to the Audit Committee on its findings and proposed further actions arising from these tasks.**

## **6. ANNUAL TREASURY MANAGEMENT REPORT 2022/23**

With reference to paragraphs 9 of the Minute of the meeting of Scottish Borders Council held on 22 February 2022 and paragraph 11 of the meeting of Scottish Borders Council held on 15 December 2022, there had been circulated copies of a report by the Director – Finance and Procurement which presented the annual treasury management activities undertaken during the 2022/23 financial year. The CIPFA Code of Practice on Treasury Management in the Public Services (the Code) required an annual report on treasury management to be submitted to Council following the end of each financial year. The report highlighted the Council's treasury activity undertaken in the year ended 31 March 2023 and the performance of the Treasury function. Appendix 1 to the report was the annual report of treasury management activities for 2022/23 and contained an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. The performance comparisons reported were based on the revised indicators agreed as part of the mid-year report approved on 12 December 2022. The Appendix showed the Council's borrowing requirement to fund the capital investment undertaken

during 2022/23, how much the council actually borrowed against the sums budgeted and the level of external debt within approved limits. During the year the Council had again, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code. The Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2023. The Director – Finance and Procurement presented the report and in response to a question regarding surplus capital confirmed that interest was earned on cash held.

## **DECISION**

### **AGREED to:-**

- (a) note that treasury management activity in the year to 31 March 2023 was carried out in compliance with the approved Treasury Management Strategy and Policy as detailed in the report and in Appendix 1 to the report; and**
- \* (b) recommend the report to Council for approval.**

## **7. EXTERNAL AUDIT ANNUAL AUDIT REPORTS 2022/23**

7.1 There had been circulated copies of the Scottish Borders Council Pension Fund 2022-2023 Annual Audit Report, Audit Scotland Scottish Borders Council annual report and associated covering letters. The report summarised the findings from the 2022/23 annual audit of the Scottish Borders Council. The key messages of the report included that Audit Scotland's audit opinion on the annual accounts of Scottish Borders Council and its group were unmodified, which meant that the financial statements and related reports were free from material misstatements. Adjustments had been made to the annual accounts as a result of the audit process. The Council continued to balance its budget each year and operated within budget in 2022/23. Whilst facing significant financial challenges through inflationary pressures on pay and non-pay costs as well as demand on services, the Council continued to demonstrate sound financial management maintaining reserves in line with the long-term Revenue Financial Strategy. There were appropriate and effective budget setting, financial management and monitoring arrangements in place. Medium and longer-term financial plans reflected the Council's strategic priorities and outcomes. The Council plan outlined the Council's vision for 2033 and elected members had shaped that vision. The Council had elements of an effective performance framework but needed to ensure it could measure its performance against clearer outcome-based targets for the next ten years. A Best Value Assurance Report on Scottish Borders Council was published in October 2019, containing seven improvement recommendations. The Council had concluded these had been addressed. Governance arrangements were appropriate and operated effectively. There was effective scrutiny, challenge and informed decision making. There was strong partnership working to meet the health and social care challenges facing the Scottish Borders. The Council failed to comply with the statutory requirement for their significant trading operation, SBc Contracts to break even.

7.2 Mr Boyd presented the Scottish Borders Council 2022/23 Annual Audit Report and explained that overall materiality threshold for the annual audit was set with reference to gross expenditure, with the figure set at £250k. There had been no material misstatements identified in relation to the valuation of land or buildings. It was highlighted that the Council had one significant trading operation, SBc Contracts, and that under the Local Government in Scotland Act 2003 the operation was obligated to break even over a rolling three-year period. SBc Contracts had reported an operating surplus of £1.299 million in 2022/23. However, following technical accounting adjustments for IAS 19 Employee Benefits (including pensions), the final position was a deficit for 2022/23 of £75,000 for external works and a three-year cumulative deficit of £0.331 million. Mr Boyd explained that this did not represent a material misstatement but did require work to change the recharging process in place. Regarding the Pension ceiling asset, the unaudited accounts recognised the Council's share of the pension scheme assets and liabilities in accordance with IAS 19. During the course of the audit, management had

engaged with the actuary to provide an actuarial valuation of the asset ceiling in accordance with IFRIC 14. The information was not received during the course of the audit; however, the audit team had reviewed the actuarial assumptions and were satisfied that it was appropriate. Mr Boyd highlighted that a judicial review had concluded that all Council assets built on Common Good land could not be considered as owned separately from the land they stood on and were therefore Common Good assets. The Council had a number of operational assets which were on Common Good land, and it had been recommended that a formal agreement between the Council and Common Good funds was put in place for the use of the assets. The issue was not unique to Scottish Borders Council. It was highlighted that good financial management arrangements were in place, and that the Council operated within its budget for the year. The Council continued to balance its budget each year and the level of reserves was in line with the long-term Revenue Financial Strategy. There were appropriate and effective budget setting, financial management and monitoring arrangements in place. Mr Boyd outlined that vision, leadership, and governance as well as best value had formed part of the wider thematic review of the audit. Governance arrangements were appropriate and operated effectively and there was effective scrutiny and informed decision making. The key aspects of the agreed action plan were presented, and Mr Boyd confirmed that management had agreed to the actions.

- 7.3 In response to a question regarding how progress against the agreed actions would be reported, the Director – Finance and Procurement explained that an operational action plan on how to deliver the outcomes would be drawn up and could be shared with the Committee. Individual actions would have a responsible officer. Regarding the Council's under-borrowed position, Mrs Douglas explained that the Council set aside part of its revenue budget to pay back loans each year. Revenue reports and balances were reported quarterly, with a view to adding to the treasury reserve over two years. It was confirmed that underspend from previous years would be used to smooth peaks and troughs in costs associated with borrowing. Mrs Douglas confirmed that on the advice of treasury advisors the Council had sought to borrow on the short term throughout 2022/23 due to the high rate of interest. In response to a question regarding comments received at the Pension Fund Committee meeting regarding the annual accounts, Mrs Douglas explained that there had been recognition that whilst the Fund's assets had reduced in value in 2022/23 there had also been a decrease in the liabilities of the fund by a greater amount. That was expected to result in a better funded position. The triennial valuation by the actuary would confirm the Fund's funding position as at 31 March 2024. In response to a question regarding the operating deficit of SBc Contracts, Mr Boyd explained that due to the IAS19 pension liability and internal recharges the entity was deemed an internal service. Mrs Douglas explained that the work of Audit Scotland had concluded that when SBc Contracts staff were carrying out work on behalf of SBC, there was an obligation for SBC to recognise that they worked for the Council. The Chief Executive confirmed that the deficit referred to in the report was a combination of accounting adjustments for pension and holiday pay not taken. In response to a question regarding Mr Boyd's outlook, Mr Boyd outlined that all Local Authorities faced different, unique challenges. Financial challenges were common to all Local Authorities across Scotland. Scottish Borders Council appeared to be operating with an understanding of their environment and how they needed to change and use technology to ensure that it was sustainable and could continue to deliver services. In response to a question regarding the funding position of the Pension Fund, the Chief Executive confirmed that whilst the value of assets had fallen, the overall liabilities of the Fund had fallen by a greater degree. Discussions would take place with the Actuary regarding the level of funding position to maintain following the completion of the valuation. In response to a question regarding the recommendation to put in place formal agreements governing the use of Common Good assets, Mrs Douglas confirmed that the focus of such agreements would be the use of buildings. The Director – Corporate Governance highlighted that a school building in Peebles was located on Common Good owned land, and that school therefore belonged to the Common Good as a matter of law. Municipal use of the building would continue, and a full agreement would be put place. Mrs McKinlay explained that

there was not expected to be a financial benefit to the Common Good Funds of the formal agreements. The Director highlighted that whilst Common Good Funds are separate legal bodies to the Council, the Council met operational costs and did not charge for the administration of the Funds. In response to a question regarding changes made to the management commentary of the statutory external audit process, Mrs Douglas explained that no material changes had been made. Minor alterations had been undertaken, largely to improve comprehensibility. Mr Boyd confirmed that in respect of management commentary the audit was compliant with the requirements of the code. In response to a question regarding updates on action plan actions, Mrs Douglas undertook to provide updates as they became available. The Chair highlighted that in regard to the Best Value action agreed in December 2019 in response to the Best Value Assurance Report, a further best value report had been circulated with the annual audit report. Mrs Douglas confirmed that an action plan formed part of the new report. The Chair confirmed that she was happy for the previous actions related to best value to be marked as complete, with the new plan to supersede that.

#### **DECISION**

- (a) NOTED the Annual Reports from the Council's External Auditors prior to Council approval; and**
- (b) AGREED to request updates from the Director – Finance and Procurement on progress against the agreed actions in the Action Plans from within the SBC 2022/23 Annual Audit Report and the Best Value thematic report.**

#### **8. ANNUAL REPORT AND ACCOUNTS**

With reference to paragraph 7 of the Minute of the meeting held on 27 June 2023 there had been circulated copies of a report by the Director – Finance and Procurement which presented copies of the Council's audited Annual Accounts for 2022/23. The audit appointment of Audit Scotland for Scottish Borders Council (SBC) accounts included the requirement to provide an auditor's report for the Council. 2022/23 represented the first year of new Audit Scotland team undertaking the External Audit of the Council's Annual Accounts with the process now completed. Audit Scotland had prepared both the Annual Audit Report and a Best Value thematic report and had provided an unqualified independent audit opinion. The Annual Audit Report summarised Audit Scotland's conclusions, including an unqualified audit opinion. Audit Scotland concurred with management's accounting treatment and judgements; and Audit Scotland concluded positively in respect of financial management, financial sustainability, vision, leadership and governance and use of resources to improve outcomes. Audit Scotland identified the following recommendations across 3 reports. Four recommendations for improvement requiring action were identified along with two follow-ups to prior year recommendations within the Scottish Borders Council annual report. Six recommendations for improvement requiring action were identified in the Scottish Borders Council Best Value thematic review. Four recommendations for improvement requiring action were identified along with one follow-up to prior year recommendation for the Scottish Borders Council Pension Fund. All recommendations had been accepted by management and will be enacted within the agreed timescales. As required under the Local Authority Accounts (Scotland) Regulations 2014, the audited Annual Accounts for Scottish Borders Council, SBC Pension Fund, Bridge Homes LLP, Lowood Tweedbank Ltd and SB Inspires LLP were being presented to the Audit Committee prior to signature. It should be noted that, as approved by Council on the 30 March 2023, SBC Common Good Funds were removed from the Scottish Charity Register on 31st March 2023. Following that deregistration, annual accounts had not been prepared, audited, or submitted to OSCR. The Common Good funds had instead been consolidated within the Council's statutory accounts. Trusts did not have the same annual accounts statutory deadline as the Council and Pension Fund. In addition, the trusts were presented to Council members in their role as Trustees rather than as full Council. That would be done for 2022/23 via correspondence. Audit Scotland would provide a letter to Councillors as trustees at the completion of the audit, in advance of the reporting deadline of 31 December 2023. Bridge Homes LLP,



Lowood Tweedbank Ltd and SB Inspires accounts had been prepared in accordance with the special provisions applicable to companies subject to the small companies' regime. For financial year 2022/23 the companies were entitled to exemption under section 477 of the Companies Act 2006 which meant their accounts did not require to be audited. The Director – Finance and Procurement presented the report and responded to Members questions. Regarding the submission of the accounts of SB Inspires to Companies House, the Chief Executive explained that the accounts had been submitted by the deadline, however due to a technical recording issue Companies House had refused to accept them. The Director confirmed that SBC had evidenced that the accounts had been submitted by the deadline. Mrs Douglas outlined that an issue regarding the location of a specific statutory paragraph within the accounts had also been resolved. The Chief Executive acknowledged ongoing frustrations related to the inability to submit LLP accounts online. In response to a question regarding RAAC concrete, it was confirmed that no RAAC had been identified within the Council's estate, and that fact would be highlighted when the report was presented to Council.

#### **DECISION**

**\* AGREED to recommend the following accounts for officer signature and Council approval:**

**(i) the Scottish Borders Council's audited Annual Accounts for the year to 31 March 2022;**

**(ii) the Scottish Borders Council's Pension Fund audited Annual Accounts for the year to 31 March 2022;**

**(iii) the Scottish Borders Council Common Good Funds (Charity SC031538) audited Annual Accounts for the year to 31 March 2022;**

**(iv) the SBC Welfare Trust (Charity SC044765) audited Annual Accounts for the year to 31 March 2022; (v) the SBC Education Trust (Charity SC044762) audited Annual Accounts for the year to 31 March 2022;**

**(vi) the SBC Community Enhancement Trust (Charity SC044764) audited Annual Accounts for the year to 31 March 2022;**

**(vii) the SBC Ormiston Trust for Institute (Charity SC019162) audited Annual Accounts for the year to 31 March 2022;**

**(viii) the Scottish Borders Council Charitable Trusts (Charity SC043896) audited Annual Accounts for the year to 31 March 2022;**

**(ix) the Bridge Homes LLP audited Annual Accounts for the year to 31 March 2022; and**

**(x) Lowood Tweedbank Ltd Annual Accounts for the year to 31 March 2022.**

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 make to keep Members informed.

10. **EQUAL PAY CLAIMS**

The Chair explained that a specific question had been raised regarding potential financial risk that Scottish Borders Council could face comparable to that faced by Birmingham City Council because of costs associated with settling equal pay claims. The Chair confirmed that Scottish Borders Council had no outstanding or current equal pay claims. The grading system used for determining pay scales had given equal weight to roles and there

was no distinction between male and female in comparable roles as had happened in Birmingham.

*The meeting concluded at 1.00 pm.*

# SCOTTISH BORDERS COUNCIL CHIEVIOT AREA PARTNERSHIP

MINUTES of Meeting of the  
CHEVIOT AREA PARTNERSHIP  
held on Wednesday, 20 September  
2023 at 6.30 pm. Via Microsoft  
Teams.

Present:- S. Hamilton, S. Mountford, S. Scott, T. Weatherston, together with  
Representatives of the following Community Councils and Partner  
Organisations:-

John Taylor - Jedburgh Community Council  
Harry Tomczyk – Kelso Community Council  
David Watson – Ednam, Stichill and Berrymoss  
Dean Weatherston - Chair of Cheviot Assessment Panel  
Alison Grainger – Police Scotland  
Pam Rigby – Youth Engagement Officer  
Patricia Watt  
Sumati Bala  
Ruth Davidson  
Scott Kyle  
Katy Jackson - Abundant Borders  
Colin McGrath

Apologies:- Councillor P. Brown  
Councillor E. Robson  
Susan Oliver – Headteacher, Jedburgh Campus  
Charles Strang – St Boswells, Mertoun and Community Council  
Louise Rawlins – CLDS Worker  
Hazel Woodsell – Kelso Heritage  
Carol Spalton - Crailing Nisbet and Eckford Community Council  
Cath Henderson – Kalewater CC  
Clare Starla-Nicoll – Heiton & Roxburgh CC  
Fiona Benton – The Bridge

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

## 1.0 APPOINTMENT OF CHAIR

In the absence of the Chair, Councillor Hamilton, seconded by Councillor Scott, proposed that Councillor Weatherston be appointed as Chair. There being no other nominations, Councillor Weatherston was appointed as Chair.

### DECISION

**AGREED that Councillor Weatherston be appointed as the Chair for the meeting of the Cheviot Area Partnership.**

## 2.0 WELCOME

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

### 3.0 **A DEDICATION TO ASSESSMENT PANEL MEMBER, BRAIN BURTON**

Prior to the commencement of the meeting, the Chairman made a dedication to Brian Burton, Assessment Panel Member, who sadly passed away on Tuesday the 8th of August 2023. Brian was a dedicated and passionate member of the community and an integral part of the Cheviot Neighbourhood Fund Assessment Panel. The Chairman went on to thank Brian for his considerable contribution to the assessment panel as well as the place-making work for the Sprouston community. Thoughts and condolences were with Brian's family at this difficult time.

### 4.0 **FEEDBACK FROM THE MEETING ON 29 MARCH 2023**

4.1 With reference to paragraph 3 of the Minute of 31 May 2023, the formal consultation of the Local Housing Strategy (LHS) 2023-2028 closed on the 21st of July. A good response had been received to the consultation after attending a wide range of groups and partnership meetings and engagement through social media. Work was being undertaken on a summary report of the consultation which would include the feedback received. LHS was being updated and would be presented to the Executive Committee in early November.

4.2 With reference to paragraph 4, of the Minute of 31 May 2023, The Community Plan Partnership group had provided an update, as follows;

*Following the consultation, the priorities were redrafted to form 11 outcomes and four themes – with changes made to the theme names to make it clearer what they were about, and have been amended to:*

- *Poverty*
- *Learning, skills & economy*
- *Good health & wellbeing*
- *Place, community & connectivity*

Cross cutting issue: A resilient and net zero Scottish Borders by 2045. Community engagement and empowerment would underpin how we work and being people focused was a core value. The draft plan went to the CPP Strategic Board on 7<sup>th</sup> September 2023 and was available on the SBC website (Modern.gov).

### **SECTION 1: SERVICE & PARTNER UPDATE AND CONSULTATIONS**

5.0 The Chair welcomed Neil Robertson to the meeting. Neil engaged with those present on the development of the Local Heat and Energy Efficiency Strategy. Neil shared the work that was being done to produce the strategy which would be a legal statutory requirement for Local Authorities by the end of 2023. Local Authorities would be required to develop a Local Heat and Energy Efficiency Strategy (LHEES) which identified what required to be done to change buildings and relevant local infrastructure by 2045 to fulfil the Scottish Government's objectives and local priorities relating to heat and energy efficiency in buildings. The LHEES would take into account and interact with local and national factors, such as the timing of planned infrastructure upgrades, access to resources and funding, major projects, decisions over the gas grid and community engagement. Covering a period of up to 15-20 years with detailed actions set out in shorter term Delivery Plans. (This builds on SBC's existing AWHEES). The LHEES would provide a framework and delivery programme for local authorities to reduce energy demand and decarbonise heat supply. The LHEES would set out the long-term plan for decarbonising heat in buildings and improving their energy efficiency across an entire local authority area. The number of older houses in a rural area was highlighted, which Neil acknowledged was a challenging and need to understand where these properties were within the community. In terms of new houses, new technologies needed to be embraced. In terms of private rentals, there would be legislation requiring landlords to undertake prescribed works for renting in the future.

**DECISION  
NOTED.**

**6.0 COMMUNITY HEAT DEVELOPMENT PROGRAMME**

The Chair welcomed Ruth Dickenson, Fife, Lothians and Borders, Local Energy Scotland to the meeting. CARES aimed to support community organisations to decarbonise their buildings with 80% of eligible costs up to a maximum of £80,000 available. Subject to funding, CARES was open to March 2025, and projects had 12 months to complete following approval. The Fund was open to constituted non-profit distributing community organisations, including organisations with charitable status, which were established and operating across a geographically defined community. Organisations which were constituted but unincorporated could also apply. Ruth engaged with those present on Local Energy Scotland's Community Heat Development Programme explaining that the Government target was to be net zero by 2045 and shared how the programme supported communities to engage with, participate in, and benefit from the energy transition to net zero emissions. It was noted that Stichill Village Hall and Duns Swimming Pool had received funding.

**DECISION  
NOTED.**

**POLICE REPORT**

**7.0** The Chairman welcomed Sergeant Alison Grainger to the meeting to give an update on policing in the Cheviot Area. Sergeant Grainger advised that resources remained unchanged from the previous update. She congratulated the organisers of Kelso Civic Week and the Jethart Callant's Festival which had been well organised and had gone without incident. Local Police had been heavily involved with the St Boswells Fair which had seen some incidents but, on the whole, had been good natured. In terms of rural crime, there had been vehicle checks carried out through the night to try and stop the movement of stolen goods. Anti-social behaviour youth patrols had also been carried out in town centres. The focus for October/ November would be Fireworks and Bonfires. Community Councillor Taylor raised the untidiness outside the Police Station in Jedburgh and also people congregating in Jedburgh Square on Court days, using bad language and making residents uneasy. Dean Weatherston raised the parking issues in Kelso, particularly along Bridge Street.

**DECISION  
NOTED.**

**8.0 YOUTH ENGAGEMENT UPDATE**

The Chairman welcomed Pam Rigby, Youth Engagement Worker, Community Learning and Development Services who advised on the Scottish Youth Parliament (SYP) and Election process. It was explained that the SYP was the young people's parliament, designed by young people and led by young people for the benefit of young people. They were committed to ensuring young people are heard by the decision makers of Scotland and are determined to campaign on the issues which matter most to Scotland's youth. The Members of the Scottish Youth Parliament were supported by staff from Scottish Borders Youth Voice to attend sittings and to deliver and develop local and national campaigns. In the Scottish Borders there were three elected representatives serving as Members of the Scottish Youth Parliament (MSYPs), elected by their peer group to serve for a two-year term. MSYP's attend three sittings of the Scottish Youth Parliament in each year and can also sit as members or conveners of committee groups. There are two constituencies covering Etrick, Roxburgh and Berwickshire and Midlothian South, Tweeddale and Lauderdale and the electronic voting system on the young scot platform using Young Scot cards would be used. The Candidates for the Youth Parliament would be present at the Community Conversations and would be engaging with Community Councils across the Borders. As well as the SYP campaigns and consultations, local

MSYPs would also be holding consultations and campaigns on issues specific to the Scottish Borders. If you have any issues, you know are affecting young people in the Borders get in touch. Contact [youth@scotborders.gov.uk](mailto:youth@scotborders.gov.uk).

**DECISION  
NOTED.**

**9.0 SECTION 2: COMMUNITY EMPOWERMENT AND COMMUNITY FUNDING**

**9.1 Cheviot Funding Tables 2023/24**

There had been circulated copies of the Cheviot Funding for 2023/2024 which detailed the funding available together with information on the allocation of the Neighbourhood Support Fund in 2023/24. The opening balance at 1 April 2023 was £46,383. Other sources of funding included Local Festival Grant Budget totalling £16,675.00, Annual Support Grant to Community Councils totalling £10,470.00, Common Goods, SBC Enhancement Grant, SBC Welfare Grant and SBC Small Schemes totalled £192,112.69. There had been two Neighbourhood Support Fund applications awarded since 1 April 2023 amounting to £1,628 and applications assessed and awaiting decision totalled £43,791.77.

**DECISION  
NOTED.**

**Neighbourhood Support Fund**

9.2 It was noted that, since the last meeting of the Panel, two young people, R. Flint and E. Chalmers had joined the panel and were supported by the Youth Engagement Worker (Pam Rigby). There had been 10 applications received for the Cheviot Neighbourhood Support Fund totalling £43,791.77, which was an encouraging number. There had been circulated copies of a report which provided a brief description of each application received and a recommendation on the sum to be awarded to each project. As previously reported, projects with a mean score of 80+ in terms of their ability to deliver, clear evidence of need, potential impact, use of public money, innovation and sustainability and therefore would be recommended for approval and those were detailed below:-

**9.3 Kelso Football Club**

An application had been received from Kelso Football Club in the sum of £5,000 to upgrade their shower room which had fallen into a state of disrepair. The Group hoped to attract more players and community sport with improved facilities. The Panel were supportive of the project and recommended that £5,000 be awarded. In addition, the panel suggested that the group look to address the cause of the issues, i.e., freezing pipes as noted in the application, which would lead to fewer repairs and renovation work in the future.

**9.4 Abundant Borders**

An application had been submitted by Abundant Borders in the sum of £3,593.00, to create raised bed planters and an outdoor cooking space within the Community Garden space in Kelso. The project continued their work to create a sustainable community food garden in Kelso town centre and was supported by Abundant Borders. The Panel were supportive of the project and recommended £3,593.00.

**9.5 Jedburgh Tourism Alliance**

An application had been submitted by Jedburgh Tourism Alliance in the sum of £3,947 to update and print 30,000 copies of their Jedburgh leaflet and specifically distribute them out-with the town in designated tourism locations in Northumberland, East Lothian, and other Borders town in the promotion of Jedburgh. The project aimed to maximise opportunities to build local and regional economy as well as enhance the visitor experience. The Panel were supportive of the project and recommended that £3,947 be awarded. In addition, the panel ask that the Group consider the environmental challenges in producing single-use paper leaflets and encourage the group to use recyclable papers and online publications where possible.

#### 9.6 **Kelso in Bloom**

An application had been submitted by Kelso in Bloom in the sum of £4,500, to renew greenspace with a mix of bedding and perennial planting. This would allow more diversity planting, improve sustainability, reduce costs, and create year-round colour to the town. The Panel were supportive of the project and recommended that £3,947 be awarded.

#### 9.7 **St Boswells Village Hall**

An application had been submitted by St Boswells Village Hall in the sum of £5,000 to support their ambitious 3-part 'Greening' Project. The application was specifically for Part 1 – the installation of solar panels on the hall's roof. The project would dramatically reduce their dependence on the national electricity grid and keep ongoing costs under control. The Panel were supportive of the project and recommended that £5,000 be awarded and noted that the Application was currently ineligible, pending planning permission and conditions would be set prior to the release of funds.

#### 9.8 **St Boswells Christmas Lights Group**

An application had been submitted by St Boswells Christmas Lights Group in partnership with the Village Week Committee in the sum of £5,000 to establish a village festive Christmas tree lighting-up event. The funding would support the installation of a permanent accessible power supply point which would enable temporary lights for festive occasions. The Panel were supportive of the project and recommended that £3,947 be awarded.

#### 9.9 **Kelso Orchard Tennis Club**

An application had been submitted by Kelso Orchard Tennis Club in the sum of £4,000, to offer free tennis taster sessions to many junior players including toddlers aged 2 to 4 and juniors aged 5 to 18. These sessions could provide young people with the opportunity to exercise in a known environment and enjoy the many benefits that tennis had to offer in terms of physical and mental health. The Panel were supportive of the project and recommended that £4,000 be awarded. The panel noted that young players be encouraged to bring their own water bottles and that free refill to lower refreshment costs be offered to reduce environmental impact.

#### 9.10 **Visit Kelso**

An application had been submitted by Visit Kelso in the sum of £3,761.30 to purchase in-house IT equipment such as a laptop, and printer. These items would support the group to grow, develop and reduce financial pressures on employing external help for existing work. The panel raised queries on the necessity of Apple products due to their cost, as well as the requirement for branded pens. Information provided noted that the group predominately use Apple products, so an iPad was required to ensure their existing products linked. The branded pens were used as a marketing tool and were often given as gifts to such events such as their window dressing competition. The panel were happy with the information provided and support of the application and recommended that £3,761.30- be awarded.

A further application had been received and had been discussed by the Assessment as follows:-

#### 9.11 **Morebattle Community Shop**

An application had been received from Morebattle Community Shop in the sum of £4,940.00 to instal a retractable awning to the front of the shop, to provide essential sun screening and shelter for those waiting for the bus service. The panel had expressed concerns with regard to the cost of the proposed awning and agreed to recommend approval of 50% of the request totalling £2,470 as a contribution to the cost.

The Panel had approached Passenger Transport with regard to the provision of Bus Shelters in Morebattle. While Passenger Transport would support the request for Bus

shelters in Morebattle, there were no plans or funding available, although elected members may have access to small scheme or other funding as their community requests. It was likely that given the location of the village that “Heritage style” structures would be required.

**9.12 Association South Scotland Entertainment Tent (ASSET)**

An application had been received from the Association South Scotland Entertainment Tent (ASSET) to support the purchase of items, training and marketing to initiate use of the community asset. The Panel had sought clarification, with regard to some of the costs detailed in the application and in particular asset depreciation, catering aprons, catering gloves, catering tongs, napkins as the panel did not feel these were appropriate costs for the application. The panel had also sought further information in terms of the insurance costs and whether public liability was included. Although the project scored 80+, the panel did not feel some of the costs listed were suitable for the fund and therefore decided to recommend part-fund of the project in the sum of £3,500.

9.13 With reference to paragraph 8.4 of the Minute of 20 September 2023, it was reported that one application had been received and confirmation was awaited. The outstanding posts had been marketed through SBC Comms and E. Husband had shared amongst contacts, as well as reaching out to local community members.

Remaining positions:-

- Member of the Public (Jedburgh & District)
- Community Councillor (Jedburgh & District)
- Member of the Public (Kelso & District)

**DECISION**

(a) **AGREED** that the following sums be awarded to each of those listed:-

- **Kelso Football Club - £5,000**
- **Abundant Borders - £3,593.00**
- **Jedburgh Tourism Alliance - £3,947.00**
- **Kelso in Bloom - £4,500.00**
- **St Boswells Village Hall - £5,000**
- **St Boswells Christmas Lights Group - £5,000**
- **Kelso Orchard Tennis Club - £4,000**
- **Visit Kelso - £3,761.30**
- **Morebattle Community Shop - £2,470**
- **Association South Scotland Entertainment Tent (ASSET) - £3,500**

(b) **NOTED**

(i) that approval of the following Applications was subject to planning permission being granted:-

- **Morebattle Community Shop**
- **St Boswells Village Hall**

(ii) **The timetable for future meetings as follows:-**

<b>Application Deadline</b>	<b>Assessment Panel</b>	<b>Area Partnership</b>
18 October 2023	01 November 2023	22 November 2023
13 December	10 January 2024	31 January 2024



2023		
14 February 2024	06 March 2024	27 March 2024

### **SECTION 3: PLACE MAKING**

- 9.0 The Community Engagement Officer explained the say Jed Town Team continued to meet and were planning community engagement events before and after Christmas. Further information on the progress being made across the Borders can be found at [Place Programme \(arcgis.com\)](https://arcgis.com).

**DECISION NOTED.**

### **10.0 SECTION 4: Other APPOINTMENT OF CHAIR**

As there was no vice chair appointed, Councillor Scott, seconded by Councillor Mountford proposed that Councillor Weatherston be appointed as Vice Chair. There being no other nominations, Councillor Weatherston was appointed as Vice Chair.

**DECISION AGREED that Councillor Weatherston be appointed as the Vice Chair for the Cheviot Area Partnership.**

### **10.1 ADDITIONAL INFORMATION DOCUMENT**

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

**DECISION NOTED.**

### **11.0 DATE OF FUTURE MEETINGS**

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

Wednesday, 31 January 2024

Wednesday, 27 March 2024

The next meeting would be held on **Wednesday, 22 November 2023 at 6.30 p.m.** via Microsoft Teams.

### **12.0 MEETING EVALUATION**

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

*The meeting concluded at 19:45 p.m.*

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# SCOTTISH BORDERS COUNCIL CHAMBERS INSTITUTION TRUST

MINUTES of Meeting of the CHAMBERS  
INSTITUTION TRUST held via Microsoft  
Teams on Wednesday, 27th September,  
2023 at 5.00 pm

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

Apologies:- Gareth Smith

In Attendance:- F. Colton (Live Borders), Localities Development Co-Ordinator (K. Harrow), S. Coe (Beneficiaries Group), Democratic Services Officer (L. Cuerden)

## 1. ORDER OF BUSINESS

The Chair varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting. An item on Page\Park Architects was added to Private Business.

## 2. MINUTE AND ACTION TRACKER

There had been circulated copies of the Minute of the Meetings held on 2 August 2023 and 11 September 2023 and the Action Tracker.

## DECISION

**AGREED to approve the Minutes for signature by the Chair.**

## 3. BENEFICIARIES GROUP UPDATE

3.1 The Chair provided an update from the Beneficiaries Group meeting held on 26 September. SBC had identified the cause of the leak and additional matching downpipes were to be installed. With reference to the artwork to be displayed, there was the offer of a permanent loan from the artist Susan Mitchell. Fiona Colton confirmed that the Live Borders approach was not to agree a permanent loan of assets but for a maximum period of five years with option to renew. A formal agreement was to be drawn up between the artist and the Trust. It was suggested that shelving be erected for its display in the vestibule. With reference to the acoustics in the Hall, stage curtains had been ordered with a 6 week lead time. The quotation for the induction loop installation was to be considered at meeting on 27 September. Live Borders had received some recommendations for acoustic consultants to survey the Hall. The matter of daylight and interior lighting impeding presentations was discussed. It was acknowledged that electric window blinds were a desirable though expensive longer-term aim. The installation of curtains or roller blinds would help meanwhile and it was agreed that Councillor Tatler, Mr Coe and Ms Colton were to liaise with Gareth Smith at SBC to agree sourcing and costs. Trustees were to request costs for a daylight projector from Live Borders. Concern was raised at the apparent difference in colour between the walls and the stage; Gareth Smith was to be asked to raise this as a snagging issue.

3.2 With reference to Page\Park Architects, the Group were advised that Karen Nugent had parted ways with the company and no further work had been carried out since the last meeting. Simpson Brown had been suggested as an alternative. Councillor Tatler was to discuss the matter further with the Trustees.

## DECISION

**NOTED the update**

4. **CONDITION SURVEY UPDATE**

The Chair agreed to liaise with Estates to discuss the arrangement of a thorough condition survey. One had been completed in 2016.

**DECISION**

**AGREED** that the Chair and Estates liaise to arrange a thorough condition survey.

5. **PRIVATE BUSINESS**

**DECISION**

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

6. **MINUTE AND ACTION TRACKER**

Members considered the Private Minutes of 2 August 2023 and 11 September 2023.

7. **INDUCTION LOOP SYSTEM QUOTATIONS**

Members considered a quotation to supply and install an induction loop system in Burgh Hall.

8. **BURGH HALL DECORATION**

Members discussed the plan to decorate additional areas of the Burgh Hall building. The awarding of the paint contract was to be revisited following roof repairs.

9. **PAGE\PARK ARCHITECTS**

Members discussed the work completed at the Burgh Hall to date by Page\Park Architects.

***The meeting concluded at 5.30 pm***

# Public Document Pack

## SCOTTISH BORDERS COUNCIL PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St. Boswells and via Microsoft Teams on Monday, 2nd October, 2023 at 10.00 am

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

Apologies:- Councillors J. Cox

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

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 4 September 2023.

**DECISION**

**AGREED to approve the Minute for signature by the Chair.**

2. **APPLICATION**

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

**DECISION**

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

3. **APPEALS AND REVIEWS.**

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

**DECISION**

**NOTED that:**

(a) An appeal had been received in respect of:

(i) **Erection of dwellinghouse, Land Adjacent Rose Cottage, Maxwell Street, Innerleithen – 22/01993/FUL;**

(ii) **Residential development with access, landscaping and associated works, Land East of Kirkwell House, Preston Road, Duns – 23/00131/PPP; and,**

(iii) **Installation of communication lattice tower 35m high c/w headframe on new 6.5m x 6.5m RC concrete base and associated ancillary works, Land at Menzion Forest Block, Quarter Hill, Tweedsmuir – 23/00777/FUL;**

(b) An appeal decision had been received in respect of:

- (i) **Erection of a double garage, 32 Dunglass Road, Coldstream – 23/00430/CLPU – reporter’s decision: sustained; and,**
  - (ii) **Erection of Stable, Keppel Gate Nettleingflat, Heriot – 23/00648/CLEU – reporters’ decision: dismissed;**
- (c) **Review requests had been received in respect of:**
- (i) **Erection of dwellinghouse, Land South of 1 Netherwells, Jedburgh – 23/00331/FUL;**
  - (ii) **Erection of dwellinghouse, Plot C Land West of Hedgehope Cottage, Winfield – 23/00507/PPP;**
  - (iii) **Erection of dwellinghouse, Land East of Dunedin Lodge, Crossrig – 23/00508/PPP;**
  - (iv) **Erection of dwellinghouse, Land North East of Alba Cottage, Fishwick – 23/00509/PPP;**
- (d) **The following reviews had been determined as shown:**
- (i) **Erection of dwellinghouse, Land Northeast of The Bungalow, Crosshill, Chirnside – 22/01236/FUL – Decision of Appointed Officer Upheld;**
  - (ii) **Erection of dwellinghouse and associated work, Land South of Ebbastrand, Coldingham Sands, Coldingham – 22/01357/FUL – Decision of Appointed Officer Upheld;**
  - (iii) **Erection of raised decking (retrospective), 33 Weensland Park, Hawick – 22/01936/FUL – Decision of Appointed Officer Upheld;**
  - (iv) **Erection of dwellinghouse, Land North of Belses Cottage, Jedburgh – 23/00034/PPP – Decision of Appointed Officer Overturned (Subject to Conditions);**
  - (v) **Erection of dwellinghouse, W Pearce and Sons St Ronan's Works, 2 Miller Street, Innerleithen – 23/00129/FUL – Decision of Appointed Officer Overturned (Subject to Notification to Scottish Ministers)**
- (e) **There remained 3 reviews previously reported on which decisions were awaited when the report was prepared on 22 September 2023 which related to sites at:**

<ul style="list-style-type: none"> <li>• <b>Land South of Headshaw Farmhouse, Ashkirk, Selkirk</b></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Site Adjacent The Steading Whiteburn Farm, Lauder</b></li> </ul>
<ul style="list-style-type: none"> <li>• <b>U-Stor Business Units, Spylaw Road, Kelso</b></li> </ul>	

- (f) **There remained one Section 36 Public Local Inquiry previously reported on which a decision was still awaited when the report was prepared on 22 September 2023 which related to a site at Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.**

*The meeting concluded at 11.18 am.*

**APPENDIX I**  
**APPLICATIONS FOR PLANNING PERMISSION**

<b><u>Reference</u></b>	<b><u>Nature of Development</u></b>	<b><u>Location</u></b>
22/01588/FUL & 22/01587/LBC	Reinstatement, alterations and extensions to dwellinghouse	Cavers House

DECISION: Approved as per officer recommendation subject to a legal agreement and the following conditions and informatives:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.
3. The use of the development hereby permitted shall fall within Use Class 9 (Houses) of the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended, and no other use shall be permitted unless further written consent is obtained from the Planning Authority.  
Reason: to allow the Planning Authority the ability to exercise control future intensification of the application site.
4. Prior to the commencement of development, the developer shall submit for approval in writing by the Planning Authority, details on the proposed Biodiversity Enhancement scheme for the site. Thereafter, no development shall take place except in strict accordance with the approved scheme.  
Reason: To enhance the ecological interest in accordance with Local Development Plan EP3 and NPF4 policy 3.
5. Prior to commencement of development, a Species Protection Plan for badgers shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.  
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
6. Prior to commencement of development, a Species Protection Plan for breeding birds and barn owls shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.  
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
7. Prior to the commencement of development, the developer shall submit for approval in writing by the Planning Authority a sensitive lighting scheme for the site. Thereafter, no

development shall take place except in strict accordance with the approved plan. Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

8. No development shall take place unless in strict accordance with the tree protection measures and Method Statement contained in the Arboricultural Impact Assessment (TD Tree & Land Services Ltd, March 2023).  
Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.
9. Only the trees identified on site (as per approved Arboricultural Impact Assessment) and agreed in writing by the Planning Authority shall be removed.  
Reason: The existing trees represent an important visual feature which the Planning Authority considers should be substantially maintained.
10. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which shall be first have been submitted to and approved in writing by the Planning Authority, and shall include:
  - i. Details of proposed tree planting (including species, sizes, indicative numbers) which is referred to but not detailed at Item T1 of the Operations Schedule 2023-2028 Woodland Management Plan
  - ii. Details of all fencing and boundary treatment
  - iii. Details of all surfacesReason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
11. No development shall take place except in strict accordance with the Woodland Management Plan. All works, amendments and updates to the plan must be agreed in writing by the Planning Authority and thereby implemented.  
Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings
12. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

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

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.
- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.



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

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

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

13. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured a Written Scheme of Investigation (WSI) detailing a programme of archaeological works. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA). The WSI shall be submitted by the developer no later than 1 month prior to the start of development works and approved by the Planning Authority before the commencement of any development. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results are undertaken per the WSI.

This should include historic building recording and evaluation work, but it may not be limited to these aspects alone;

Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

14. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority

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

15. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been

formulated by, or on behalf of, the applicant and submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons nominated by the developer and agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report.

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

16. No development shall commence until precise engineering details for the upgrading of the access route (to include construction and visibility) have first been submitted to and approved in writing by the Council. Thereafter, the agreed upgrading works to the access track shall be completed in accordance with the agreed details prior to the commencement of development hereby approved.

Reason: To ensure the access route is suitable for the anticipated vehicular traffic generated by the development hereby approved.

17. The parking area and access specified on the approved site plan shall be implemented prior to the occupancy of the dwellinghouse and subsequently retained free from obstruction for the parking of four vehicles in perpetuity thereafter.

Reason: To ensure the provision of adequate off-street parking.

18. Before any works commence a scheme shall be submitted to and approved in writing by the Local Planning Authority indicating proposals for the satisfactory storage of refuse in accordance with BS.5906. The approved scheme shall be implemented upon occupation of the development and thereafter retained.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse.

19. No development is to commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the building(s), written confirmation shall be provided to the approval of the Planning Authority that the development has been connected to the public mains water supply.

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

20. The development hereby permitted shall not be commenced before a fully detailed foul drainage strategy, demonstrating that there will be no negative impact to public health has been submitted to and approved by the Planning Authority.

Reason: in the interests of public health.

21. No development shall commence until detailed proposals for surface water drainage have first been submitted to and approved in writing with the planning authority. The dwellinghouse hereby approved shall not be occupied until the approved surface water drainage arrangements are installed. All hardstanding areas shall be drained by means of porous surfacing, or drained to a permeable or porous area or surface within the application site. All drainage measures shall be maintained in perpetuity in order to manage surface water run-off within the site.

Reason: To ensure surface water is sustainably managed.

22. Notwithstanding the details shown in the consented application, samples and sample panels of all external materials and finishes shall be prepared on site for prior approval by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved materials.

Reason: The materials to be used require further consideration to ensure a satisfactory form of development.

23. Large scale details for all new windows and doors (1:20 sample elevations and sections, and 1:1 moulding profile sections), other architectural features and key junctions should be submitted to and approved in writing by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved details.

Reason: To ensure satisfactory form of development.

24. Construction or remediation work comprising the use of plant, machinery, or equipment, or deliveries of materials shall only take place between the hours of 0800 to 1800 Monday to Friday and 0900 to 1300 on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by the Planning Authority.

25. The approved statement shall be adhered to throughout the construction period. The Statement shall include:

- Details of sequence of operations
- Details of segregated non-vehicular access
- Site delivery management and frequency
- Site waste management
- Site lighting
- Noise dust and dirt mitigation measures

Reason: In the interest on residential amenities, road safety and public access to core path.

26. Prior to the commencement of works on the new footpath around the existing pond, a barrier fence should be erected comprising of newt barrier fencing separating the construction area from the pond. The fence should be constructed using 1000-gauge polythene newt and reptile barrier fencing held tightly in place with wooden stakes. The top 10cm of the polythene should be folded back on itself so that it faces the outside area of the fence. The fence should be installed by preparing a narrow trench by hand and burying the polythene sheeting such that it extends 50cm down into the ground. The fence should be checked daily in the morning and any damaged parts should be repaired, as necessary. The fence should remain in place until all works are completed.

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

### Informatives

1. In the event that bats are discovered following the commencement of works, works must stop immediately and the developer must contact NatureScot for further guidance. Works can only recommence by following any guidance given by NatureScot. The developer and all contractors are to be made aware of accepted standard procedures of working with bats at [www.bats.org.uk](http://www.bats.org.uk).
2. The ALGAO Scotland Historic Building Recording Guidance can be found at; [ALGAO Scotland Buildings Guidance 2013.pdf](#).
3. The responsibility of any tree works identified lies with the land owner. Any constraints in relation to trees, such as felling licences, should be applied for through the relevant Government Body. All tree works will be carried out by qualified arborists in accordance with British Standard BS3998:2010.

4. With regards to Condition 16, the required engineering details should include the proposed construction makeup, clarification over which area this is to be implemented, areas where vegetation is to be trimmed back to provide adequate visibility and areas where widening is to be provided to allow vehicles to pass within the carriageway.
5. Core path 128 is on the shared use tarmac road and corridor and includes the verge of the route. Core Path 128 is outwith the curtilage of a residential property. Public rights of access apply for non-vehicular path users on the Core path. There is public interest for recreation to use the Core path and woodland area to access locations where it is possible to view the outside of the derelict building of Cavers House.

## **22/01587/LBC**

I recommend the application be approved subject to compliance with the following schedule of conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the provisions of Section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. No development shall commence until the following have been submitted to and approved in writing by the planning authority:
  - a) Schedule, with methodology and specifications, for repairs to existing fabric at Caver House, the walled garden and other landscape features
  - b) Details of internal wall finishes, including materials (which shall be vapour open) and treatment of historic features.Thereafter, no development shall take place except in strict accordance with the approved details.  
Reason: To ensure satisfactory preservation of this Listed Building
3. Notwithstanding the details shown in the consented application, samples and sample panels of all external materials and finishes shall be prepared on site for prior approval by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved materials.  
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which preserves the Listed Building
4. Large scale details for all new windows and doors (1:20 sample elevations and sections, and 1:1 moulding profile sections), other architectural features and key junctions should be submitted to and approved in writing by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved details.  
Reason: To ensure satisfactory preservation of this Listed Building

## VOTE

Councillor Scott, seconded by Councillor Thomson moved that the application be approved as per officer recommendation.

Councillor Orr, seconded by Councillor Richards, moved as an amendment that in respect of access the development is contrary to NPF4 Policy 17 Rural Homes (c) (iii) in that the development proposals are not suitable in terms of location, access, siting design and

environmental impact. The proposed development is contrary to Local Development Plan Policy HD2 Housing in the Countryside in that the proposed access road even with conditions to mitigate the risk would not be sufficient to make the development acceptable on safety grounds of all road users. The development is contrary to Local Development Plan PMD2(q) Quality Standards in that the proposed development does not adequately ensure that there is not an adverse impact on road safety, including but not limited to the site access. In respect of residential amenity, the proposed development is contrary to LDP Policy HD3 (b) (ii) & (iii) in that the development would adversely impact the residential amenity and character of adjacent properties particularly in terms of overlooking and loss of privacy provisions particularly in relation to garden ground including the generation of traffic or noise.

On a show of hands, Members voted as follows:

Motion	-	6 votes
Amendment	-	2 votes

The motion was accordingly carried.

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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 Wednesday, 4 October 2023 at 9.30 am

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Present:- Councillors C. Ramage (Chair), S. Marshall, N. Richards and A. Smart together with 7 Community Councillors and Members of the Public.

Apologies:- Councillors J. Cox, and W. McAteer.

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

## 1. **WELCOME**

The Chair welcomed attendees to the meeting of the Teviot and Liddesdale Area Partnership.

## 2. **FEEDBACK FROM PREVIOUS MEETINGS**

There had been circulated the Minutes of the meetings held on 14 June 2023 and 19 September 2023. The Chair explained that the consultation on the draft Community Planning Partnership Plan and the Local Housing Strategy 2023-2028 had closed. There had been a good response to both consultations. The Local Housing Strategy would be presented to the Executive Committee in November.

## **DECISION**

**AGREED to approve the Minutes for signature by the Chair.**

## 3. **TEVIOT AND LIDDESDALE FUNDING TABLE 2023/24**

There had been circulated copies of the Teviot and Liddesdale Funding Table 2023/24. The Community Engagement Officer, Ms Sarah Culverwell, presented the table and highlighted that a fast-track application from Hawick Boxing Club for £500 had been awarded.

## **DECISION**

**NOTED.**

## 4. **NEIGHBOURHOOD SUPPORT FUND 2023/24**

4.1 There had been circulated copies of the Neighbourhood Support Panel recommendations for three applications.

### 4.2 **Burnfoot Community Futures**

The application from Burnfoot Community Futures was for £3084 to develop and provide an events programme following a number of previously successful events. A breakdown of the proposed events, which included 10 events and 2 trips had been provided. £2184 of the grant was planned for staffing costs and £900 for bus hire. The Burnfoot Panel had considered the application and recognised that the project was beneficial and would serve an underprivileged area. They had recommended to grant £1500. In response to a question regarding whether the applicants would be able to proceed with their plans if they were not granted the full amount, Mr Culverwell explained that the funding would allow some of the events to proceed, and that Burnfoot Community Futures were in the process of seeking alternative sources of funding. Members unanimously agreed to approve the recommendation.

## **DECISION**

**AGREED to grant Burnfoot Community Futures £1,500 from Pot A of the Teviot and Liddesdale Neighbourhood Support Fund.**

### **4.3 Southdean Village Hall**

Southdean Village Hall had applied for £800.06 to help cover additional costs for an artist to provide their services at the Southdean Village Hall Craft Evenings. The funding would ensure that the events were more affordable and allow the provision of 2 free places per class. The Panel had considered that the events provided considerable benefit to the local and wider community. Members unanimously agreed to approve the recommendation for £800.06.

## **DECISION**

**AGREED to grant Southdean Village Hall Craft Evenings £800.06 from Pot A of the Teviot and Liddesdale Neighbourhood Support Fund.**

### **4.4 Interest Link Borders**

An application to Pot B of the Neighbourhood Support Fund had been received from Interest Link Borders which requested £4500 to assist costs associated with volunteering and Group costs, comprising tutor costs, venue hire and an overnight trip. The Panel had considered the application and noted there was much evidence of many other funding applications, either secured or had been applied for. Interest Link had also applied to the four other Area Partnerships for funding. The Panel had unanimously agreed to recommend to grant £4500.00 to Interest Link and there were no conditions attached to the award. Feedback to the Panel would be appreciated in the first instance relative to the group tutor events and secondly in 2024 in respect of the proposed trip to Kielder. Panel members had expressed comments such as Interest Link providing a valuable and fantastic organisation much needed within Scottish Borders for those with learning difficulties but not just for the children themselves but also family carers. Great consideration was given by the Panel to the application, particularly in respect of current and potentially future funding for the work involved. Mr Andrew Findlay of Interest Link was present at the meeting and confirmed that he was happy to provide feedback following the events. It was unanimously agreed to approve the grant in full.

## **DECISION**

**AGREED to grant Interest Link Borders £4500 from Pot B of the Teviot and Liddesdale Neighbourhood Support Fund.**

### **5 NEIGHBOURHOOD SUPPORT FUND 2022/23**

There had been circulated copies of a recommendation from Hawick Community Council which requested a reallocation of the balance of £1,664.25 towards the Christmas Event fund. The funds were an underspend from the £2,916.25 Williestruther Pathways Project from the NSF 2022/23. The reallocation would be used to assist with the running of the event and fund the purchase of new Christmas lights and Santa gazebo. Members acknowledged the importance of Christmas lights events to the community of Hawick and unanimously agreed to approve the recommendation.

## **DECISION**

**AGREED to allow Hawick Community Council to reallocate the underspend of £1,664.25 to the Christmas Event fund to assist with the running of the event and to buy new Christmas lights and Santa gazebo.**

*The meeting concluded at 10:00 am.*



# SCOTTISH BORDERS COUNCIL PEEBLES COMMON GOOD FUND SUB-COMMITTEE

MINUTES of Meeting of the PEEBLES  
COMMON GOOD FUND SUB-COMMITTEE  
held via Microsoft Teams on Wednesday,  
11th October, 2023 at 4.00 pm

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

Apologies:- Councillors D. Begg and V. Thomson, G. Ramsay

In Attendance:- Chief Legal Officer, Financial Analysts (G. Reid, K. Robertson), Community Engagement Officer (H. Lacon) and Democratic Services Officer (L. Cuerden)

1. **MINUTES**

There had been circulated copies of the Minute of the Meetings held on 23 August 2023 and 11 September 2023.

**DECISION**

**AGREED** the Minutes for signature by the Chair.

2. **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.

3. **PRIVATE MINUTES**

Members considered the Private Minute of the meetings held on 23 August and 11 September 2023.

4. **OLD CORN EXCHANGE LEASE**

Members considered a report from Estates Surveyor on applications received for the lease of the Old Corn Exchange.

***The meeting concluded at 4.45 pm***

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**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 20 October 2023 at  
10.00a.m.

Present: - Councillors M. Douglas (Convener), J. Cox, J. Paton Day, N. Richards, E. Small, F. Sinclair, T. Weatherston.

Apologies: Councillors P. Brown, D. Parker.

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

**ORDER OF BUSINESS**

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

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 22 September 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 6 September 2023 – 8 October 2023.

**DECISION**

**NOTED.**

**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 make an early decision or to keep Members informed.

3. **SHORT TERM LET LICENCING**

3.1 With reference to para 13 of the Minute of the Scottish Borders Council held on 31 August 2023, there had been circulated a briefing note to update Members and seek views on whether it was necessary to apply all of the mandatory conditions to temporary exemptions, with regard to the imposition of the mandatory licensing conditions as set out in the 1982 Act on any temporary exemptions which were issued to the requirement to hold permanent licence.

- 3.2 It had previously been agreed that the Council's short term lets licensing policy be amended to allow temporary exemptions to the requirement to hold a permanent licence for holiday home swap purposes. The Act allowed Licensing Authorities to grant such temporary exemptions for 6 weeks during a 12 month period. In making this amendment to the policy, Council instructed the Director of Corporate Governance to bring a further paper providing clarity. It was explained that the Act provided that Licensing Authorities may attach conditions to any temporary exemptions granted and guidance issued by the Scottish Government stated that a licensing authority might not apply all the mandatory conditions. Despite this, it was apparent that all other Licensing Authorities who had decided to allow temporary exemption applications were making it clear within their policies that any temporary exemptions issued would be subject to the mandatory conditions as set out in the 1982 Act. The Mandatory conditions had been circulated with the briefing note for ease of reference. Following discussion, it was agreed that the draft paper for Council would be circulated to the members and any comments members may have be forwarded to the Clerk prior to the draft paper being finalised..

**DECISION**

**AGREED that the draft paper for Council be forwarded to members and any comments be forwarded to the Clerk as soon as possible.**

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

**Hearing to consider grant of Taxi Driver Licence**

There had been circulated copies of an application for the grant of a Taxi Drivers Licence together with a letter from Police Scotland, dated 26 September 2023 for information. A letter of support from a potential employer had also been circulated.

*The meeting concluded at 10.30 a.m.*