

**SCOTTISH BORDERS COUNCIL**  
**EXECUTIVE COMMITTEE**

MINUTE of Meeting of the EXECUTIVE  
COMMITTEE held in the Council Chamber,  
Council Headquarters on Tuesday, 10  
March, 2015 at 10.00 am

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- Present:- Councillors D Parker (Chairman), S. Aitchison, S Bell, C Bhatia, M J Cook,  
V Davidson, G Edgar, J G Mitchell, D Moffat, D Paterson, F Renton and  
R Smith
- Apologies:- Councillors J Brown  
Also present:- Councillors I. Gillespie, J. Greenwell, G. Logan, A. Nicol, W. McAteer,  
T. Weatherston.
- In Attendance:- Chief Executive, Depute Chief Executive – Place, Depute Chief Executive –  
People, Chief Financial Officer, Service Director Strategy & Policy, Service  
Director Neighbourhood Services, Service Director Regulatory Services,  
Corporate Transformation & Services Director, Clerk to the Council,  
Democratic Services Officer (F. Walling).

1. **MINUTE**  
The Minute of the Executive Committee of 24 February 2015 had been circulated.

**DECISION**  
**APPROVED for signature by the Chairman.**

**MEMBER**  
Councillor Renton joined the meeting during consideration of the following item of  
business.

2. **QUARTERLY CORPORATE PERFORMANCE REPORT (QUARTER 3, 2014/15).**
- 2.1 With reference to paragraph 4 of the Minute of 9 December 2014, there had been  
circulated copies of a report by the Chief Executive presenting a quarterly  
performance update for Members for Quarter 3, 2014/15. The report provided a high  
level summary of performance with a more detailed presentation and explanation of  
each Performance Indicator (PI) shown in Appendix 1. Where quarterly information  
was not available, for example figures for school attainment, annual PIs were used.  
All the information contained in the report was also available on the Council's  
website. The high level summary of performance measures for the quarter were  
divided within the report into two lists indicating key successes and those areas  
where performance was below target. The report detailed actions being taken to  
either improve or maintain performance in respect of the agreed Corporate Priorities.  
The Service Director Strategy and Policy highlighted the key areas of the Quarterly  
Report for Members and gave further information where requested.
- 2.2. With regard to Corporate Priority 1 'encourage sustainable growth' and in response  
to questions on the percentage of planning applications determined within 2 months  
falling over the past two quarters, the Service Director Regulatory Services explained  
that actions were being taken to streamline the process, particularly in respect of the  
time taken for legal agreements to be finalised. He advised that Scottish  
Government was changing the performance measure to reflect average time taken to

process planning applications although clarification was awaited from Ministers on the basis of that measure. It was noted that, in view of particular challenges faced in the Scottish Borders, such as large scale wind farm applications and a relatively high number of legal agreements associated with planning approvals, it was important that the Council's performance be compared against a similar family group of local authorities rather than against national figures. In further discussion, Members recognised the need to understand issues behind the performance figures presented. This was particularly so within Social Work in respect of the PI showing a fall in the percentage of adults over 65 receiving long-term care and intensive homecare. This was affected by the number of clients who were moving to Self-Directed Support (SDS). To more accurately reflect the work being done to increase uptake of SDS, a measure would be introduced for future reports. It was agreed that it would be useful for a workshop to be organised to enable Members to gain a true understanding of all the issues around care at home and the Council's work around SDS. Members drew attention to areas not covered by the performance report which they felt should be addressed, such as performance across the Community Planning Partnership, inequalities and the monitoring of demographic changes within communities. With reference to action 5(b) of the Minute of 9 December 2014, it was noted that the Leader had not yet received a reply to his letter to Scottish Government requesting the scope be widened for the use of Proceeds of Crime money for local initiatives. It was agreed that this should be further pursued at the highest level.

- 2.3 The report went on to explain that the Local Government Benchmarking Framework was publicly released on 30 January 2015. Reference was made to information on benchmarking that had previously been provided at a briefing for Members. Where appropriate, Scottish Borders Council performance in relation to other Councils was highlighted within the appendix to the report. A key part of the Local Government Benchmarking Framework was the sharing of best practice amongst similar local authorities. Within family groups, that is those local authorities who shared similar geographic characteristics, population etc., officers were already taking part in meetings to explore and share best practice. In respect of the Benchmarking Framework, comparative data could be accessed at the new My Local Council website. The Executive Member for HR and Corporate Improvement commented that the ultimate goal was to set up a national performance framework to build a measure of true utility across the country which would be a source of pertinent information and would drive improvement.

#### **DECISION**

- (a) **NOTED the performance presented within the appendix to the Quarterly Performance Report and the action being taken within Services to improve or maintain performance.**
- (b) **AGREED:**
- (i) **that the Leader seek a response to his letter to the Scottish Government requesting the scope for the use of Proceeds of Crime money be widened to enable funding of local sports, not just rugby and football; and**
  - (ii) **to hold a seminar for Members on the work of the Community Planning Partnership.**

#### **3. FINAL REVENUE VIREMENTS AND EARMARKED BALANCES 2014/15.**

With reference to paragraph 3(a) of the Minute of 24 February 2015, there had been circulated copies of a report by the Chief Financial Officer to seek approval for revenue budget virements. The report explained that the monitoring of the General Fund Revenue Budget at the end of January had identified the final virements and earmarked balances

for 2014/15. These included routine virements and balances for schemes and initiative which would be delayed until 2015/16. The virements detailed in Appendix 1 to the report supplemented the virements approved by Executive during the financial year and reflected the following: a range of projected over/under spends; additional income received; the need to defer grant income in order to match with the timing of expenditure incurred; and technical accounting adjustments. The earmarked balances, detailed in Appendix 2 to the report, related to a number of further schemes/initiatives that had been delayed resulting in a requirement to carry forward current year budget for use in 2015/16 and beyond. No previously agreed earmarked balances were projected to require reversing, either in full or part, at this point in the financial year. Members were referred to the detail of the virements proposed as outlined in the appendices and provided with further information where requested.

**DECISION  
AGREED:-**

- (a) the virements detailed in Appendix 1 to the report; and**
- (b) the earmarked balances detailed in Appendix 2 to the report.**

**DECLARATION OF INTEREST**

Councillor Parker declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion. Councillor Bhatia chaired the meeting in the absence of Councillor Parker

**4. UK LANDFILL COMMUNITIES FUND**

With reference to paragraph 2 of the Minute of 21 October 2014 and paragraph 7 of the Minute of 30 March 2010, there had been circulated copies of a report by the Service Director Strategy and Policy recommending three projects for approval from the Landfill Communities Fund (UK LCF) for the funding period to December 2014. A further recommendation was that any balance of the UK LCF remaining at 31 March 2015 be allocated to BCCF Environmental, to be held for future approval of Borders projects in 2015/16. The projects recommended for approval were: Liddesdale Heritage Association – Carbon Reduction Project (Award request £9,675); Smith Memorial Hall – Centenary Refurbishment Project (£14,195); and Earlston Community Development Trust – construction of Adventure Play Park (£27,252). All three applications had been submitted by BCCF Environmental, which was approved by ENTRUST, the regulatory body of the UK Landfill Tax Credit Scheme. The confirmed UK LCF balance to 31 December 2014 was £96,551.89 so approval of the above projects would leave a balance of £45,429.81. The report gave further details of the projects recommended for approval and then went on to inform Members of the new Scottish Landfill Communities Fund (SLCF). The SLCF would continue to allow landfill operators to contribute a capped proportion of their tax liability to be used for environmental and community projects. The SLCF would be regulated by SEPA (rather than ENTRUST). There would be a two year transitions period from April 2015 to 31 March 2017 during which time unspent funds held by environmental bodies on 31 March 2015 could be spent on projects located throughout the UK, including Scotland. This protected the balance recommended to be allocated to BCCF Environmental, to be held for future approval of Borders projects early in 2015/16. This approach was previously agreed by Executive on 30 March 2010. In response to a question regarding the project to develop an Adventure Play Park in Earlston, the Funding and Project Officer confirmed that the amenity land in question was now owned by the Council. The award of any funding was also dependent on lottery funding being released to the Group. The report also gave the outcome of a deferred application from Executive of 21 October 2014. This was with regard to a project to undertake window restoration at Our Lady & St Andrews Catholic Church. Following conversations with the Church and the Council's Conservation Officer, a cheaper solution had been identified, the cost of which could be met by the Church's existing funds. The application had now been withdrawn.

## **DECISION**

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

- (i) a grant of £9,675 to BCCF Environmental (Liddesdale Heritage Association – Carbon Reduction Project);**
- (ii) a grant of £14,195 to BCCF Environmental (Smith Memorial Hall – Centenary Refurbishment Project);**
- (iii) a grant of £27,252 to BCCF Environmental (Earlston Community Development Trust – Construction of Adventure Play Park); and**
- (iv) the allocation of any unspent balance at 31 March 2015 to BCCF Environmental, to be held for future approval of Borders projects**

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

- (i) the change from the UK LCF to the SLCF from April 2015; and**
- (ii) that the application, deferred from Executive of 21 October 2014, had been withdrawn.**

## **5. LOCAL FESTIVAL GRANT SCHEME**

With reference to paragraph 6 of the Council Minute of 31 January 2013, there had been circulated copies of a report by the Service Director Strategy and Policy seeking approval for the allocation of 29 Local Festival grants for 2015/16, 2016/17 and 2017/18 inclusively. The report referred to the allocation-based grant scheme operated by Scottish Borders Council. Currently 28 Local Festivals were part of the scheme and each one received a pre-determined annual grant towards the running costs of its festival activities. The current budget available for allocation was £82,360. As part of the routine three yearly review being presented to Members the report proposed the addition of the Burnfoot Carnival as a new entrant to the scheme at an additional cost of £2,750 annually. The report therefore proposed a budget level of £85,110 from 2015/16 to 2017/18. Further details were given in appendices to the report. The 28 Local Festivals remaining in the Local Festival Grant Scheme were listed in Appendix 1. The report also contained an analysis of local festivals' income and expenditure 2012/13 to 2014/15 with details being shown in Appendix 2. Based on reported free reserves only, it would appear that all festival committees were operating within the confines of their budgets without the need for increased financial assistance from the Council. With regard to the proposed addition to the Scheme, the report explained that the Burnfoot Carnival had been growing steadily over the last seven years and was now a vibrant part of the Local Festival calendar. In recent years Burnfoot Community Council had applied to the Community Grant Scheme for grants and had also been regularly supported by the Hawick Common Good Fund. The Carnival Committee had now requested to be included in the Local Festival Grant Scheme. Members were referred to the fact that within the Equality Impact Assessment, attached for information as Appendix 3 to the report, all the protected characteristics of the Equality Act 2010 were categorised as high risk. However this was purely based on the Council not holding any relevant information on the Local Festivals which were funded. The report detailed mitigation measures by which relevant information would be gathered to enable re-assessment the Council's risks based on the actual position of each Festival Committee. The Service Director Strategy and Policy confirmed that each Festival Committee would be asked to sign a statement regarding their equalities obligations.

## **DECISION**

**AGREED to APPROVE:-**

- (a) the allocation of 28 Local Festival Grant Scheme grants for 2015/16, 2016/17 and 2017/18 inclusively, as listed in Appendix 1 to the report;
- (b) the inclusion of Burnfoot Carnival as a new entrant to the Scheme at an additional cost of £2,750 from 2015/16; and
- (c) the virements of £2,750 from the current Community Grant Scheme budget to fund the addition of the Burnfoot Carnival.

6. **SCOTTISH BORDERS COUNCIL COMMUNITY GRANT SCHEME - YEAR END POSITION 2014/15.**

With reference to paragraph 5 of the Minute of 18 March 2014, there had been circulated copies of a report by the Service Director Strategy and Policy seeking approval of estimated carry forwards into the Community Grant Scheme (CGS) for 2015/16. A table within the report detailed the current budget position of the CGS 2014/15 and estimated carry forwards for each of the five areas of the Borders and for the generic budget. In an update to the report the Funding and Project Officer advised that the estimated underspend to be carried forward was £22,283. Following approval, the estimated carry forward would be detailed as a virements request for ear-marking in a separate report by Financial Services to the Committee. It was confirmed that each Area Forum and the generic budget would retain its individual carry forward, thereby protecting balances for allocation to projects in 2015/16. The report went on to detail how the budget available to each area in 2014/15 was made up and gave a summary of all the grants awarded during the year. In discussing the report Members urged communities to put forward applications for consideration under the Scheme to make full use of the budget available.

**DECISION**

**APPROVED the Community Grant Scheme estimated carry forwards for 2015/16.**

*The meeting concluded at 11.10 a.m.*