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SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held in Council Chamber, Council Headquarters, Newtown St. Boswells on Thursday, 21st May, 2015 at 10.00 am

Present:- Councillors G H T Garvie (Convener), J Brown (Vice Convener), S Aitchison, W Archibald, M Ballantyne, S Bell, C Bhatia, J Campbell, K Cockburn, A Cranston, G Edgar, J A Fullarton, I Gillespie, J Greenwell, B Herd, G Logan, S Marshall, W McAteer, J G Mitchell, D Moffat, S Mountford, A J Nicol, D Parker, D Paterson, F Renton, S Scott, R Smith, R Stewart, J Torrance, G Turnbull, T Weatherston and B White

Apologies:- Councillors M J Cook and V Davidson

In Attendance:- Service Director Regulatory Services, Chief Executive, Depute Chief Executive People, Service Director Strategy & Policy, Corporate Transformation & Services Director, Chief Financial Officer and Acting Director of Public Health, Clerk to the Council

1. **CONVENER'S REMARKS**

- 1.1 On behalf of the Council the Convener congratulated PC Kirsty Neish from the Safer Communities section who, on completion of her 4 week Community Safety and Crime Reduction Course at the Scottish Police College, had been awarded the David Gray Memorial Award as the most outstanding student on the course.
- 1.2 The Convener read out a letter received from Kensington Palace thanking the Council for its kind letter on the occasion of the birth of Princes Charlotte.

DECISION NOTED.

2. **MINUTE**

The Minute of the Meeting held on 2 April 2015 was considered.

DECISION AGREED that the Minute be approved and signed by the Convener.

3. **COMMITTEE MINUTES**

- 3.1 The Minutes of the following Committees had been circulated:-

Tweeddale Area Forum	4 March 2015
Berwickshire Area Forum	5 March 2015
Executive (Performance)	10 March 2015
Local Review Body	16 March 2015
Teviot & Liddesdale Area Forum	17 March 2015
Audit & Risk	23 March 2015
Executive (Education)	24 March 2015
Scrutiny	26 March 2015
Planning & Building Standards	30 March 2015
Local Review Body	30 March 2015
Local Review Body	20 April 2015
Executive (Finance)	21 April 2015
Teviot & Liddesdale Area Forum	21 April 2015
Planning & Building Standards	27 April 2015
Executive (Economic Development)	12 May 2015

DECISION

APPROVED the Minutes listed above subject to paragraphs 5 and 6 below.

3.2 **EXECUTIVE COMMITTEE (EDUCATION THEME)**

With reference to paragraph 6 of the Minute of 24 March 2015, it was recommended that Council approve an amendment to the Scheme of Administration to include 2 pupil representatives as non-voting members of the Executive Committee for Education themed meetings.

DECISION

AGREED to approve the amendment to the Scheme of Administration to include 2 pupils representatives as non-voting members of the Executive Committee for Education themed meetings.

3.3 **EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT THEME)**

With reference to paragraph 11 of the Minute of 12 May 2015, it was recommended that Council approve the response to the Consultation Paper on a proposed Bill relating to burial and cremation and other related matters in Scotland.

DECISION

AGREED to approve the consultation paper response.

4. **OPEN QUESTIONS**

The questions submitted by Councillors Mountford, Logan, Ballantyne, Cockburn and Aitchison were answered.

DECISION

NOTED the replies as detailed in Appendix I to this Minute.

5. **LOCAL VIEW FUSION.**

Members received a presentation from the Forward Planning Manager on the new version of Local View. This was now available as "Find it" for the public and as Web GIS for Council staff. Members welcomed the new version which would be of considerable help to the public and asked that it be widely publicised.

DECISION

NOTED the presentation.

6. **SOUTH OF SCOTLAND ALLIANCE WORK PROGRAMME**

There had been circulated copies of a report by the Service Director Strategy and Policy providing an update on the progress of the work programme of the South of Scotland Alliance, and to gain agreement for its case for a Southern Scotland NUTS 2 area. The report explained that Scottish Borders Council together with Dumfries and Galloway Council and Scottish Enterprise had been working together as part of the South of Scotland Alliance since it was formed in 2001. The purpose of the Alliance was to provide a strong voice for the South of Scotland and to address the key strategic challenges facing the economy in the South of Scotland. The report detailed the progress being made on the Alliance's current programme of work which included the South of Scotland Rural Regional Economic Development Programme, Broadband and Mobile Phone coverage, Supporting the Borderlands Initiative, and the advocacy for a Southern Scotland NUTS 2 statistical area. Councillor Bell commented on the work being carried out to obtain NUTS 2 status which would allow the area to qualify for European Regional Development and Cohesion funding. If successful the new area would come into effect in 2020/21 in time for the next period of European programmes.

DECISION

(a) NOTED the progress made by the South of Scotland Alliance.

(b) AGREED to:-

- (i) continue to actively support the work programme of the South of Scotland Alliance; and**
- (ii) endorse the proposal being made by the South of Scotland Alliance for a Southern Scotland NUTS 2 area.**

7. UPDATE ON THE CHAMBERS INSTITUTION, PEEBLES.

With reference to paragraph 10 of the Minute of 30 October 2014, there had been circulated copies of a report by the Chief Executive providing an update on the functioning of the Chambers Institution and Trust since the request to produce a report setting out possible alternative options for the revitalisation of the Chambers Institution to meet the terms of the bequest from Dr William Chambers; so that there could be a consultation with Tweeddale residents and Trustees on these options before a final decision was made. The report provided background to the current operation of the Chambers Institution and Trust and summarised the work undertaken since the Council decision on 30 October 2014 to pause and reflect. It was proposed that, following discussions with the Trustees and the Scottish Historic Buildings Trust, a community consultation on the future direction of the Institution be undertaken. The Council had limited experience of running this type of engagement event and therefore proposed to retain the Scottish Historic Buildings trust to assist with this process. This consultation would be undertaken recognising the restrictions of Dr Chamber's original bequest and would focus upon potential improvements to the building, options for fundraising, including the potential of attracting grant funding, for example from the lottery, and developing a joint vision with residents on how future public service should best be delivered from the building. The Convener proposed that recommendation (b) be amended to include Councillor Davidson as the Executive Member with relevant responsibility and this was approved.

DECISION

AGREED to:-

- (a) the Chambers Institution Trust reverting to sole Council Control;**
- (b) delegate responsibility to the Chief Executive, in consultation with local Tweeddale members and the Executive Member for Culture, Sport, Youth and Communities, to undertake a community engagement and consultation exercise to gather views on potential improvements to the buildings, identify options for fundraising (including the potential of attracting grant funding) and develop a joint vision with residents on how future public service should best be delivered from the Institution;**
- (c) note the likely financial requirements for matched funding to support any future capital project; and**
- (d) request a further report detailing the outcome of this consultation**

8. CHARITIES REORGANISATION UPDATE.

With reference to paragraph 14 of the Minute of 30 January 2015, there had been circulated copies of a report by the Chief Financial Officer providing an update on the progress of the reorganisation of the Council's registered Trust Fund Charities and proposing the recommended approach to governance for the new Charitable Trusts. The report explained that following the agreement to establish three new Charitable Trusts and the reorganisation and winding up of the existing Council Charity Funds, excluding the Common Good Charity Fund, into one of the new Charitable Trusts, the Council had successfully set up and registered the three new Charitable Trusts with the Office of Scottish Charity Regulator (OSCR) in March 2014: SBC Welfare Trust; SBC Community

Enhancement Trust and SBC Educational Trust. The Council was the sole corporate trustee of each of these charities and copies of the Trust Deeds were appended to the report. Applications for reorganisations of the individual OSCR registered funds were all put to OSCR before 31 March 2014, which had the effect of removing them from the requirement of a full audit. The Ormiston Trust, due to the presence of heritable assets, would remain as a separate charity, and work to re-organise the Thomas Howden Wildlife Trust was underway. Appendix 3 to the report summarised the agreed outcome of these applications and discussions with OSCR and any associated agreed geographical or charitable purpose restriction. OSCR had confirmed de-registration of the 34 charities detailed in the report, and these had now been wound up. There was continued work on the re-organisation of the combined Charitable Trust (with 76 individual funds) and the non-Charitable Trust funds and this would be reported to Council as work progressed. In order to efficiently manage the funds of the new Charitable Trusts, it was proposed to create area based Charitable Trusts Sub-Committees with the remit as set out in Appendix 4 to the report. In addition, where awards were to specific individuals or families the award criteria would be established by the Sub-Committees but the individual applications would be agreed under delegated authority. It was noted that the Sub-Committee would be expected to meet annually. It was further noted that in Appendix 4 the Selkirkshire Ward had been omitted from the Eildon Area and this would be amended. An amended wording for recommendation (k) was tabled and accepted at the meeting.

DECISION

AGREED:-

- (a) to note the establishment and registration of SBC Education Trust, SBC Welfare Trust and SBC Community Enhancement Trust as Charitable Trusts, each having all of the Elected Members of the Council as Trustees and the purposes as set out in Appendix 1 to the report;**
- (b) that the Trust Funds would start with a maximum revenue balance of 5% of the combined capital and revenue balances, that any excess revenue balances above this level would be transferred to the capital balance and invested in accordance with the Common Good and Trust Fund Investment Strategy;**
- (c) that the budget for expenditure from the Charitable Trusts would normally be based on the income generated in the preceding year;**
- (d) to approve the appointment of the Convenor of the Scottish Borders Council as Chairman of SBC Educational Trust, SBC Welfare Trust and SBC Community Enhancement Trust;**
- (e) to approve the appointment of the Chief Financial Officer of the Scottish Borders Council as Treasurer of SBC Educational Trust, SBC Welfare Trust and SBC Community Enhancement Trust;**
- (f) to approve the creation of Charitable Trusts Sub-Committees of Council for the management of the various Charitable Funds with the remit as set out in Appendix 4 to the report (correcting the omission of Selkirkshire from the list of Wards in Eildon Area), and amend the Scheme of Administration to include these new Sub-Committees;**
- (g) to approve the amendment to the Scheme of Delegation to add the Specific Delegated Function of "Make payments to individuals from educational trusts and SBC Education Trust according to set criteria" to the Service Director – Children and Young People and remove it from the Chief Financial Officer;**
- (h) to approve the amendment to the Scheme of Delegation to add the Specific Delegated Function of "Make payments to individuals or families SBC Welfare**

Trust according to set criteria” to the Services Director – Neighbourhood Services;

- (i) to receive further reports on the re-organisation of the combined Charitable Trust and non-Charitable Trust funds as the work continued;**
- (j) that all of the Charitable Trusts administered by the Council formally adopt the Council’s Scheme of Administration, Procedural Standing Orders, Scheme of Delegation, Local Code of Corporate Governance and Financial Regulations as they were currently approved by Council and that any subsequent appropriately approved amendments would automatically apply to these Charitable Trusts, unless there were explicit exceptions approved by the Trustees; and**
- (k) that all the Charitable Trusts administered by the Council formally adopt the Council’s Policy Register as was currently approved by Council and that any subsequent approved amendments would automatically apply to these Charitable Trusts, unless there were explicit exceptions approved by the Trustees.**

9. CITY DEAL.

With reference to paragraph 5 of the Executive Committee Minute of 3 February 2015, there had been circulated copies of a report by the Service Director Strategy and Policy providing an update on participation in the development of a City Region Deal for the Edinburgh and South East of Scotland (ESESCR). Since February 2015, officers from the participating Councils had been engaged in three workshops, numerous Director meetings including two Leaders updates. Economic Development portfolio holders have also met to ensure there was a collective understanding across the region on progress. At the beginning of March 2015 KPMG had been appointed by the partnership to assist in the development of the prospectus and initial development of the bid. KPMG had significant experience in developing successful City deals and had supported all of the major City Deal bids to date. As a result of their engagement the partnership had been able to make significant progress with the various aspects including the development of key objectives and Programme Minima, economic prioritisation, funding and finance and the size of the fund. The approach the partnership was currently taking was split into four distinct phases or ‘Gateways’. There was no obligation on any authority to commit to the process any further that it felt appropriate and the Council had the opportunity to withdraw at any stage. The Council had already committed to being involved in Gateway One. This had resulted in the development of the Business Case or ‘Prospectus’ and the activity identified above. The partnership had now progressed to where it was almost ready to progress to Gateway 2 which would include testing of the economic modelling, refine the list of projects, develop funding scenarios and engage with potential partners and government. Members generally welcomed the progress to date and noted that a mechanism would be devised to allow Members to provide input to the list of possible projects.

DECISION

AGREED:-

- (a) to note the progress to date in developing a City Region Deal;**
- (b) to approves the approach undertaken to developing the City Region Deal with respect to:**
 - (i) Key Objective and Programme Minima**
 - (ii) Each Local Authority investing in its own projects**

- (c) that the Council should continue to participate in developing a bid to UK and Scottish governments;
- (d) that a contribution from the Council of up to £60,000 should be made available to support the further development of the business case;
- (e) subject to (d) above, to delegate authority to the Service Director Strategy and Policy in consultation with the Economic Development Portfolio holder authority to approve stage 2 tender award; and
- (f) that officers should bring a further report to the Executive Committee (or to the Council if there were significant issues for consideration) once the shortlist of infrastructure projects had been agreed across the City Region.

10. **EARLY RETIREMENT AND VOLUNTARY SEVERANCE.**

10.1 There had been circulated copies of a report by the Chief Executive seeking approval for 15 members of staff who had requested early retirement and voluntary severance. If all 15 applications were approved, a total one-off cost of £516,051 would be incurred. In total, £320,763 of direct recurring employee cost savings would be delivered each year. The average payback period for all staff was 1.61 years.

DECISION

AGREED to approve the 15 current proposed applications as detailed in the appendix to the report with associated costs of £516,051 being met from the voluntary severance/early retirement budget which totalled £718,000.

10.2 There had been circulated copies of a report by the Chief Executive seeking approval for 38 teaching members of staff who had requested early retirement and voluntary severance. The report explained that the ERVS Scheme had only recently been extended to include teaching staff. Of the supported applications 27 had opted for a one off severance payment and 11 had opted for a compensatory pension payment. If all 27 applications for severance were approved, total one-off costs of £749,539 would be incurred with year 1 employee cost savings of £503,112 being delivered, demonstrating an average payback period of 1.49 years. If all 11 applications for compensatory pension payment were approved, total one-off costs of £48,201 would be incurred with an annual recurring cost of £16,840, delivering year 1 employee cost savings of £217,722.

DECISION

AGREED to approve the 38 teaching applications as detailed in Appendix 1 to the report with the associated costs being met from the balance of the Voluntary Severance/ Early Retirement budget for 2015/16 of £201,949, a departmental contribution of £200,000 and the balance of £395,791 from identified corporate funding.

11. **LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND 5TH REVIEW OF ELECTORAL ARRANGEMENTS - PROPOSALS FOR WARDS.**

With reference to paragraph to paragraph 16 of the Minute of 2 April 2015, there had been circulated copies of a report by the Chief Executive seeking approval for a proposed response to the Local Government Boundary Commission for Scotland's proposals for wards in the Scottish Borders Council area. Copies had also been circulated of the Note of the Meeting of the Members' Sounding Board which had been held on 23 April 2015. The report explained that the current proposals by the Local Government Boundary Commission for Scotland for the Scottish Borders Council area presented an electoral arrangement for 32 Councillors representing 8 x 3-member wards and 2 x 4-member wards, reducing the number of wards in the area by 1 and reducing Councillor numbers by 2. Appendix 1 to the report detailed the electorates and associated variation from

parity of the proposed Wards, and gave details of the Commission's new Ward proposals, in particular Jedburgh, Denholm & Hermitage and Hawick. The proposals removed the existing Hawick & Denholm and Hawick & Hermitage Wards, placing Newcastleton and Denholm (and surrounding areas) into a new Jedburgh, Denholm & Hermitage Ward. A minor change was also proposed moving around 80 electors from Charlesfield from the Jedburgh Ward into the Selkirkshire Ward, with the detail of this change in boundary given in Appendix 2 to the report. The Commission had made it clear that parity of electors to Councillors was the main determinant for Councillor numbers and ward design. This had been used to develop a response for the Council, proposing a different configuration of Wards, retaining Newcastleton in a Hawick Ward. Details of this were given in Appendix 3 to the report. Consideration had been given to including Denholm in the Hawick Ward but this was not being recommended as it would take the total electorate for that Ward 20% above parity. Two minor amendments to address some inconsistencies in the current ward boundaries which had not been covered by the Boundary Commission proposals at New Horndean Farm and Stichill Home Farm and Stables were also proposed. Members discussed the proposals in detail including the issue of electoral parity; geographic and historic connections between settlements, with reference to Hawick, Denholm, Newcastleton and Hornshole; and the following Motions were put forward and voted on:-

VOTES

Councillor Parker, seconded by Councillor Mitchell, moved approval of the recommendations as contained in the report subject to the inclusion of the amendment relating to Stichill Home Farm and Stichill Stables.

Councillor Smith, seconded by Councillor Paterson, moved as an amendment that recommendation 2.1(c) and the part of (d) relating to Hawick, be replaced with "Scottish Borders Council request the Boundary Commission to review their proposals for the current Wards 10 and 11, as the present proposals ran counter to the Commission's own guidelines on the breaking of local ties and on easily identifiable boundaries, and consequently could not be supported by the Community or its representatives."

Councillor McAteer, seconded by Councillor Marshall, moved as a further amendment that recommendations 2.1(c)&(d) be replaced with "To propose to the Commission that the area to the north, south, east and west of Hawick, representing part of the existing Hawick and Denholm ward and including specific areas of Hawick formerly within the Hawick and Hermitage ward be included in a new ward 10 (Hawick & District Ward) with 4 councillors. The new ward electorate would be in the region of 12,672 at September 2013 level) which would be 13% above parity, but this would reduce in the forecast electorate in 2019 to be in the region of 12,361 which was a variation of 10% above parity. This would include Hawick retaining the historically significant site of Hornshole and address the regulatory provision of schedule 6 of the Local Government (Scotland) Act 1973 Sections 12 to 28 and 210, 233 and 235 by providing (a) defined and fixed boundaries that were easily identifiable and (b) strong connections to local historical and cultural ties that would otherwise be broken by fixing any other boundary. This proposal would result in the parity levels being closer to the criteria set by the Boundary Commission and consequently more likely to be acceptable. The resulting Newcastleton and Hermitage area would as the Boundary Commission proposed and be included in a new Jedburgh and Hermitage ward retaining the change in boundary between Kelso & District and Jedburgh also proposed by the Commission and would be served by 3 councillors."

Firstly a vote was taken between the two amendments by a show of hands as follows:-

*Amendment by Councillor Smith - 3 votes
Amendment by Councillor McAteer - 5 votes.*

Following the success of Councillor McAteer's Amendment, a vote by a show of hands was taken between this amendment and the Motion by Councillor Parker as follows:-

Motion - 26 votes
Amendment - 4 votes

The Motion was accordingly carried.

**DECISION
DECIDED:-**

- (a) to support the Commission's proposal to move Charlesfield (approximately 80 electorate) from the Jedburgh & District Ward into the Selkirkshire Ward, with no change proposed for the houses lying within the settlement boundary of St Boswells;
- (b) not to support the new Jedburgh, Denholm & Hermitage or the Hawick Wards as detailed in the Commission's proposals;
- (c) to propose to the Commission that the area to the south of Hawick, including Newcastleton, should be included in a new Ward 10 (Hawick & District Ward) with 4 Councillors. The new Ward electorate would be 12,426 (at September 2013 level) which would be 11% above parity, but this would reduce in the forecast electorate in 2019 to 12,122 which was a variation of 8% above parity. This would then reflect the same variation from parity (-8%) of the existing and proposed Tweeddale West Ward. The new Ward would cover an area of 621 km², the same area as the current Mid Berwickshire Ward. Wilton Park and Galalaw Business Park, in Hawick, currently had postcodes which placed them outwith the new Hawick Ward and it was recommended that these be included within the new Hawick Ward as they lay within the settlement boundary, albeit containing no houses;
- (d) to propose to the Commission that the area to the north and east of Hawick, including Denholm, be included in a proposed new Ward 9 (Jedburgh & Denholm Ward) which would also retain the change in boundary between Kelso & District and Jedburgh as proposed by the Commission, and would be served by 3 Councillors. The new Ward electorate would be 8,533 based on 2013 figures (2% above parity) with a minor increase forecast for 2019. The new Jedburgh & Denholm Ward would cover an area of 576 km², as opposed to the Commission's proposal for a Jedburgh Ward covering 868 km²;
- (e) to support further amendments:
 - (i) to move all of the property at New Horndean Farm into the Mid Berwickshire Ward – currently the Farm was split between Mid and East Berwickshire Wards; and
 - (ii) to move the properties at Stichill Home Farm and Stichill Stables from the Mid Berwickshire Ward to the Kelso & District Ward.
- (f) to also submit as part of its response to the Commission the following supporting information:
 - (i) in terms of linkages within the new Wards, Newcastleton was a geographically remote village, located just over 21 miles south of Hawick, with a driving time of approximately 56 minutes. There was a direct public transport link between Newcastleton and Hawick. There were existing links between Newcastleton and Hawick in terms of school catchment area, social work services, and health services. Newcastleton was located almost 27 miles from Jedburgh, with a driving

time of approximately 1 hour and 8 minutes and no direct public transport link (public transport link is via Hawick). There were no specific links either socially, currently or historically with Jedburgh;

- (ii) Denholm was located just under 5 miles from Hawick and just under 6 miles from Jedburgh, almost equidistant, and there was a direct public transport link to both Hawick and Jedburgh. Denholm lay in the school catchment area for Hawick High School although some parents chose to send their children to Jedburgh Grammar School. While some members of the Denholm community would have a more natural affinity with Hawick, there were existing links with Jedburgh. This change in boundaries should have no impact on the social and cultural relationships which currently exist between Denholm, Hawick and Jedburgh; and
- (iii) with regard to Community Council areas, Scottish Borders currently had 69 Community Councils, a number of which were split across existing Wards e.g. Hawick Community Council and Hobkirk Community Council areas were split between the current Hawick & Denholm and Hawick & Hermitage Wards. The proposed new Kelso & District and Jedburgh & Denholm Ward boundary would see Heiton & Roxburgh Community Council split between the 2 Wards, with the majority of the Community Council area in the Kelso & District Ward. Crailing, Eckford & Nisbet Community Council area would also be split between these Wards. Denholm and Southdean Community Council areas would be wholly included in the new Jedburgh & Denholm Ward.

12. **ANY OTHER ITEMS WHICH THE CONVENER DECIDES ARE URGENT.**

12.1 Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener 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.

12.2 **MOTION BY COUNCILLOR AITCHISON**

Councillor Aitchison, seconded by Councillor Fullarton, moved that “Scottish Borders Council request that the Royal National Lifeboat Institution review its decision to close the lifeboat station at St Abbs until discussion had taken place with all interested parties including Scottish Borders Council and the local community.” The Motion was unanimously approved.

DECISION

AGREED that the Royal National Lifeboat Institution be requested to review its decision to close the lifeboat station at St Abbs until discussion had taken place with all interested parties including Scottish Borders Council and the local community.

13. **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 Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

Minute

1. The private section of the Council Minute of 2 April 2015 was approved.

Committee Minutes

2. The private sections of the Committee Minutes as detailed in paragraph 4 of this Minute were approved.

The meeting concluded at 12.50 pm

SCOTTISH BORDERS COUNCIL

21 MAY 2015

APPENDIX I

Questions from Councillor Mountford

1. To the Executive Member for HR & Corporate Improvement
How much is absenteeism costing Scottish Borders Council each year?

Reply from Councillor Parker in the absence of Councillor Cook

For periods of absence falling between 1 April 2014 and 31 March 2015 the total cost of Occupational Sick Pay and Statutory Sick pay, where applicable, was £3,747,223. The total paybill in this period was £121,784,516

Work has been ongoing to support managers in effectively managing attendance and the last year's figures are expected to show the Council has achieved the target to reduce sickness absence to 4%.

HR will continue to work closely with managers to improve attendance levels. Over the next 12 months HR staff will work with sections that have higher absence levels to roll out further training and to support managers in managing attendance.

2. To the Executive Member for Education
Can you inform us what cross-Border arrangements are in place for educating children from other local authority areas in Scottish Borders Council schools?

Reply from Councillor Aitchison

Currently SBC hold a (reciprocal) arrangement with Northumberland County Council, City of Edinburgh, Midlothian, East Lothian and Dumfries & Galloway Councils that pupils can make placing requests to Councils outwith their own local catchment area.

Each Council at the moment will accept those placing requests if the child can fit the class organisation of the school of the receiving Council. If it were to result in an extra teacher being required, then the request would be refused. Almost all cases at the moment are accepted.

Currently no Council requests payment from any of the other Councils for educating these children and this is practise across Scotland.

There is a recent development in which Edinburgh, Midlothian, East Lothian and Scottish Borders are considering looking at a charging arrangement in relation to Early Years placements, i.e. nursery, when the child has requested a placement outwith their catchment authority.

Questions from Councillor Logan

1. To the Leader
Are there still plans to carry out a review of the Licensing Board?

Reply from Councillor Parker

The Clerk to the Council is currently reviewing the membership of both the Licensing Board and the Civic Government Licensing Committee. Unfortunately, the work on the Review was delayed due to other competing priorities - for example, the governance of Health and Social Care Integration and also the recent Election.

Other local authorities' membership details have now been researched and the Clerk will be contacting members of the Council's Licensing Board and Civic Government Licensing

Committee shortly for their comments on membership. It is intended that a report will be presented to the June Council meeting for consideration.

2. To the Executive Member for Economic Development

Could you advise what economic benefits have been achieved to date as a direct result of the imminent arrival of the Borders Railway?

Reply from Councillor Bell

There are four main sources of economic benefit expected from the Borders Railway –

- 1) Construction benefits (direct benefits) – from sub-contracting, employment and training opportunities created by the £294million investment in new infrastructure.
- 2) Agglomeration benefits – from new business opportunities arising around station hubs.
- 3) Indirect benefits – from the growth of new tourism, business and inward investment opportunities.
- 4) Commuting – created by a two way flow of new labour market opportunities and access to skills, training and learning opportunities.

The Final Business Case for the Borders Railway estimates a net additional economic impact of **£38.7 million** (from passenger and operator benefits, environmental benefits, safety benefits and social inclusion benefits).

The economic benefits of the construction project are currently as follows:

- In the first year of the project, from April 2013 – April 2014, £82m worth of contracts were awarded, of which 21% (£18m) went to companies with a base in Edinburgh, Midlothian and the Scottish Borders.
- 101 Borders Railway sub-contractors have a base in Edinburgh, Midlothian and the Scottish Borders
- 40% of sub-contractors are Scottish companies
- 1,100 employees working on the line at peak construction
- Overall, 148 Scottish companies are involved in the construction of this major infrastructure project.
- On completion of the Railway BAM will provide the final numbers of apprentices, trainees and graduates the project has created.
- As of Nov 2013, ScotRail had recruited 10 trainee drivers from the Scottish Borders.

The Borders Railway Blueprint aims to push up the wider economic benefits of the Borders Railway, ensuring it brings a transformational impact by stimulating the growth of businesses, increasing investment, generating new employment opportunities, and boosting visitor numbers.

The Blueprint aims to increase the number of passengers on the line to 1 million by 2020, up from the original Business Case estimate of 650,000. The Business Case states that approximately for every 250,000 extra annual journeys, there would be a 39% increase from the central forecast of net economic impact, so pushing the net economic impact up to **£53.7 million** (not talking into account wider economic benefits which would also be expected to significantly increase).

The delivery of the Blueprint Action Plan is a two year programme which started in early 2015, with a long term vision to transform the economy of the Scottish Borders and Midlothian and the wider city-region. Infrastructure drives investment, and creates the opportunity for business growth, higher value jobs and better connected communities.

This is the information that we have on the economic benefits achieved to date. I would finish by saying that there is a bit of a problem getting Borders specific information because the construction project is not yet completed but we will get more information on impacts when Network Rail hands over the completed project in June.

Question from Councillor Ballantyne

To the Executive Member for HR & Corporate Improvement

With reference to Councillor Gillespie's question at the last Council meeting, regarding employment tribunals, can you please advise how many, if any, cases have been settled in the employee's favour prior to a tribunal hearing becoming necessary?

Reply from Councillor Parker in the absence of Councillor Cook

Within the timeframe the Council has settled 8 claims prior to the hearings taking place at Employment Tribunal. These claims all relate to equal pay. The equal pay claims arose out of historic differences between rates of pay between men and women often on account of the types of work undertaken; particularly those traditionally undertaken by men such a roads manual worker paid a bonus which gave rise to the inequity. A number of ET/EAT judgements dating back to 2004-2005 highlighted the issue and all Councils were affected to a greater or lesser degree, this led to a high number of equal pay claims from 2006 onwards being lodged against all Councils. The pay/ grading systems for all Councils had to be redesigned to address this issue and single status was designed to eradicate this inbuilt historic inequality.

The 8 pay claims relate to this equality issue and do not relate to management action's following disciplinary action, the Council has not settled any unfair dismissal claims. There are no outstanding unfair dismissal claim's, the one outstanding case listed in Cllr Gillespie's question was an unfair dismissal/disability discrimination and we have now been notified ET has now dismissed that claim against the Council.

Questions from Councillor Cockburn

1. To the Executive Member for Roads and Infrastructure

The Central Borders is shortly to be serviced by a modern rail service. Do you agree that greater attention must now also be paid to the level of funding, and the potential for better connectivity, of the much needed bus services which are a vital lifeline to some of our more rural areas, which have no other passenger transport systems?

Reply from Councillor Edgar

The introduction of the Borders Railway will provide a new link between the central Borders and Edinburgh that will be used by Borderers and visitors alike. It is important that transport connections are maintained and, if possible, improved where funding allows.

The Council has no plans to reduce the frequency of its current subsidised bus network particularly for those communities who reside outwith the central Borders. However, Elected Members must remember that the Borders also has a well established commercial bus network over which the Council has little or no influence. Every effort is being made to engage with the commercial operators to ensure that the current level of service is maintained.

A paper will be presented to Councillors in the near future which sets out connectivity with the Railway for different modes of transport.

2. To the Executive Member for Planning & Environment

Did the changes made to the Development Contribution Policy in March 2014, at the Planning & Building Standards Committee make a significant difference to development in the Borders and to development contributions to this Council?

Reply from Councillor Smith

The Development contributions Policy amendments introduced in March 2014 focused on two issues a) the efficiency of the process and b) a move to enable more affordable housing contributions through the payment of commuted sums rather than on-site provision.

- (a) In terms of the first issue, performance figures for 2014/15 show a marked improvement in the average time taken to determine applications subject to legal agreements.
- (b) In terms of developer contributions, a total of £1,349,379 developer contributions were received in the financial year 2014/15. This compared with a figure of £822, 298 for the year 2013/14. Legal Agreements to the value of £1,406,868 were also concluded in 2014/15 compared with a figure of £1,316, 652 in 2013/14.

Whilst these increases are welcome, care must be taken in attributing these to the change in the Developer Contributions policy alone as the level of development activity will be influenced by a range of macro and local economic factors. These figures also include payments from consents granted prior to the change in policy.

The annual report on developer contributions which will be submitted to Executive later in the year will provide more detail and analysis on developer contributions.

Question from Councillor Aitchison

To the Executive Member for Community Safety

Was SBC consulted on the proposed closure of the St Abbs lifeboat station?

If so, what was the response and if not, what is the council proposing to do about this decision?

Reply from Councillor Moffat

As far as we can ascertain the Council has not been consulted on the proposed closure and it is our understanding that the RNLI will have taken this operational decision after a review of their resources.

Officers will contact the RNLI to better understand the reasons for the proposed closure and the resultant impact on the community and the wider public.