

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held in Council Chamber,
Council Headquarters, Newtown St Boswells,
TD6 0SA on Tuesday, 16th April, 2019 at
10.00 am

Present:- Councillors S. Haslam (Chairman), S. Aitchison, G. Edgar, C. Hamilton, E. Jardine, S. Mountford, M. Rowley, R. Tatler, G. Turnbull, T. Weatherston
Absent:- Councillor T. Miers
Also present:- Councillors S. Bell, K. Chapman, D. Moffat, S. Marshall, W. McAteer, D. Parker, C. Ramage, H. Scott.
In Attendance:- Executive Director (R. Dickson), Chief Officer Economic Development, Chief Financial Officer, Service Director Regulatory Services, Service Director Assets & Infrastructure, Interim Service Director Children & Young People, Democratic Services Team Leader, Trainee Democratic Services Officer

ECONOMIC DEVELOPMENT BUSINESS

Present:- Mr J. Clark (Borders Chamber of Commerce), Mr G. Clark (Federation of Small Businesses)

1. CHAIRMAN

Councillor Rowley chaired the meeting for consideration of the Economic Development business.

2. ECONOMIC DEVELOPMENT UPDATE

- 2.1 With reference to paragraph 1 of the Minute of 29 January 2019, there had been circulated copies of a briefing note providing an update on recent Economic Development activities. The Chief Officer Economic Development, Mr McGrath, summarised the main points. With regard to business activity during the quarter, Business Gateway had assisted 56 business start-ups and 8 of these had met the new classification of "Early Stage" growth. The Scottish Borders Business Fund had received 6 applications between 1 January 2019 and 20 March 2019, and approved 5 grants valued at £13,878.87. These projects were forecast to create 9.5 jobs with a forecast economic impact of £190,250 GVA. In terms of regeneration activity, the Selkirk BID had progressed key projects identified within the business plan including the development of a town brand identity; new signage to complement the streetscape signage and the development of a new town website. The Jedburgh CARS programme had been awarded a total of 9 repair grants with 8 completed or on site and a further 7 applications had been assessed. The Hawick Business Growth Project for the redevelopment of the Armstrong Department Store was underway and the Council had acquired the site to redevelop it as a business incubator hub to provide small office units for up to 17 businesses. A further initiative in Hawick was the establishment of a Textiles Training Centre for Excellence at Hawick High School, where Alistair Young had been appointed as Centre Manager. The aim of the new training centre was to tackle a critical skills shortage hampering textiles companies' efforts to boost their production and productivity. A funding commitment of £610,000 had been confirmed by the South of Scotland Economic Partnership to support the set up and delivery of the project for the first two years. Mr McGrath reported that the Scottish Borders Tourism Partnership hosted a conference at Peebles Hydro which had been a very successful day with a good turnout. He also advised that work was planned for the

new visitor welcome signage for Duns and Galashiels Town Centres and the new created cycle event, the Women's Tour of Scotland would be visiting the Borders on Sunday 11 August 2019.

- 2.2 In terms of European Funding Programmes, Mr McGrath advised that clarification from UK and Scottish Governments had confirmed that applicants whose LEADER grant funding was agreed and contracted by June 2019 would be able to complete their projects, even if the work was scheduled to take place after leaving the EU. With regard to the Council's portfolio of leased industrial units yards and shops, the occupancy level for the last quarter was 89%. The 168 property enquiries included 32 enquiries to purchase plots. As part of the Change Works in Peebles (CWIP) energy efficiency project, an assessment of supply local chain opportunities had been completed. The work had identified a range of opportunities and barriers to local businesses engaged in the installation of energy efficiency measures. In response of the decarbonisation of both the electricity and gas grids, the Council had initiated liaison between SP Energy Networks and SGN to assess opportunities for local energy solutions. The first workshop with SPEN was held on 25 February 2019 and a similar workshop with SGN was scheduled for 25 April 2019. This partnership would assist in the development of a range of Council functions, including the Local Development Plan, Economic Strategy, major projects / infrastructures and potential future Local Heat and Energy Efficiency Policies. Mr McGrath responded to the various questions raised by Members.

DECISION

NOTED the update.

3. SOUTH OF SCOTLAND ENTERPRISE AGENCY - UPDATE

- 3.1 With reference to paragraph 5 of the Minute of 6 November 2018 and paragraph 9 of the Minute of Scottish Borders Council of 20 December 2018, there had been circulated copies of a report by the Executive Director providing an update on the progress being made by South of Scotland Economic Partnership in supporting projects across the South of Scotland and also the progress of the South of Scotland Enterprise Bill at Scottish Parliament. Mr McGrath gave a brief presentation on the background to the setting up of the new Agency and advised that the Bill was being scrutinised by the Rural Economy and Connectivity Committee (RECC). During Stage 1, the Committee took evidence from the Council and a range of other stakeholders. The RECC published its Stage 1 report on the SOSE Bill on 4 March 2019 recognising the unique circumstances of the South of Scotland and the need for a new body to support the enterprise and skills needs of the area. Stage 1 concluded with a debate on 26 March 2019, when the Parliament unanimously agreed to the general principles of the South of Scotland Enterprise Bill.
- 3.2 Mr. McGrath reported that since it began work in early 2018, SoSEP had established a clear prioritised work programme; it had delivered a strong programme of engagement with stakeholders across the South of Scotland; and it had effectively influenced the design of the new Enterprise Agency. To ensure continued progress, the Scottish Government had made £13.3m available to 2019/20 to support the work of SoSEP and Appendix 1 to the report set out a summary of the projects supported to date. SoSEP was also continuing to engage with businesses and communities across the region and a further major round of engagements were planned for the coming months.
- 3.3 Professor Russel Griggs, Chair of South of Scotland Economic Partnership (SoSEP) was present at the meeting and gave a presentation on the work carried out to date. He highlighted the major impact that Brexit would have on the area, the demographic challenges and the need for 800 new workers every year. The purpose of the Agency was to grow all types of enterprises which would result in sustainable businesses. He commented on a current pilot in Langholm to make the whole community sustainable and the importance of good transport links. The purpose of phasing the Agency in over a three year period was to allow knowledge to be gained during this time, an approach which had the support of both the Board and the Cabinet Secretary.

- 3.4 Professor Griggs, Mr Dickson and Mr McGrath responded fully to Members' questions covering a number of areas including links with the Borderlands Project, the need for cross-border working, the importance of public transport and the provision of affordable housing.

DECISION

(a) NOTED the:-

- (i) progress made to date in securing funding for key South of Scotland and Scottish Borders projects, as set out in Appendix 1 to the report; and**
- (ii) successful completion of Stage 1 of the South of Scotland Enterprise Bill**

(b) AGREED:-

- (i) to monitor further stages of the South of Scotland Enterprise Bill and input as appropriate;**
- (ii) that officers continue to work jointly with Dumfries & Galloway Council, and other partners, to develop projects and to deliver key actions through South of Scotland Economic Partnership; and**
- (ii) to receive further reports on the South of Scotland Economic Partnership and SOSE Bill as work progresses**

4. HAWICK CONSERVATION AREA REGENERATION SCHEME - UPDATE

With reference to paragraph 4 of the Minute of 6 November 2018, there had been circulated copies of a report by the Executive Director providing an update on the progress of the development of the Hawick Conservation Area Regeneration Scheme (CARS) and to seek approval for the Council's revised funding contribution to the proposal. Ms J. Hogg, Principal Officer Regeneration advised that Council officers presented a report on the Hawick Conservation Area Regeneration Scheme (CARS) proposal to Elected Members in November 2018. An application was submitted to Historic Environment Scotland (HES) by the November 2018 deadline. The initial grant request was for £1,419,300. Officers from Historic Environment Scotland highlighted that they were supportive of the proposal but that the grant request was considered high given the scale and impact of the proposed scheme. Following a process of discussion and negotiation with HES, alternative match funding was sought from within the Council and from the South of Scotland Economic Partnership (SoSEP). The Council's contribution had been increased to £200,000 over the five year period from within existing revenue budgets. An application for funding for £60,000 had been submitted to SoSEP. An updated financial profile was submitted to HES in February 2019 with a revised grant request of £1,314,800. Historic Environment Scotland had recently confirmed their grant offer of £1,314,800. SoSEP had advised that the outcome of the grant application was due shortly. The total programme budget was now £1,935,000, which also included private sector contributions. Members welcomed the scheme and noted the successful bid to Historic Environment Scotland and agreed to the Council's contribution of up to £200,000 of revenue funding over the five year programme.

DECISION

AGREED:-

- (a) to note the successful funding bid to Historic Environment Scotland, with funding of £1,314,800 confirmed;**

- (b) to note the funding application to the South of Scotland Economic Partnership for £60,000; and
- (c) the Council's contribution of up to £200,000 of revenue funding over the five year programme, allocated from existing Economic Development budgets, and up to £50,000 from the existing Town Centre Regeneration block allocation in the Council's Capital Plan.

5. **PRIVATE BUSINESS**

AGREED that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 7A to the aforementioned Act.

6. **STRATEGIC EVENTS OPPORTUNITIES**

The Committee approved a report by the Executive Director regarding future events in the Scottish Borders.

OTHER PUBLIC BUSINESS

7. **MINUTE**

The Minute of the Meeting held on 12 March 2019 had been circulated.

DECISION

AGREED that the Minute be approved and signed by the Chairman.

8. **CONTROL OF CONTRACTORS POLICY**

With reference to paragraph 15 of the Minute of 18 August 2015, there had been circulated copies of a report by the Service Director Regulatory Services providing an update on the Control of Contractors Policy (Construction, Maintenance & Repair). The policy defined to move to the in-house approval of Contractors using SHE ASSURE (Lexi) instead of external approval by ConstructionLine and defined how the Council would uphold its Health and Safety responsibilities by ensuring a standard of safety from those employed to undertake contracted works for and on behalf of the Council. The policy was managed by the Health and Safety Team and Mr Stuart Ford, the Health & Safety Team Leader reported that the policy contained a requirement that Scottish Borders Council (SBC) only employed contractors who were fully accredited SSIP (Safety Schemes in Procurement) members. It removed the additional requirement to be a member of ConstructionLine but retained the requirement to provide SSIP Assessment Certification, Public Liability Insurance etc, which would now be recorded and managed on the SHE ASSURE (Lexi) platform. The revised policy also introduced the "Alternative works" category which was for Construction, Repair or Maintenance works not involving SBC owned or occupied buildings or sites or any fixed plant, equipment, fixtures or fittings therein. This required contractors involved in these works to provide suitable information to allow the Health and Safety Team to assess their suitability. These works had not previously been suitably covered by the policy. The Service Director Regulatory Services highlighted that the reliance on a third party to undertake background checks created a potential risk to the Council, if the third party failed to ensure suitable background checks had been carried out and using SHE ASSURE would allow this to be managed in-house and remove this risk. Mr Frater and Mr Ford responded to members questions and confirmed that the use of sub-contractors was covered by SSIP. If any issues were raised in this regard they would be investigated.

DECISION

AGREED to approve:-

- (a) **the updated requirement for approval using SHE ASSURE instead of ConstructionLine as part of the Control of Contractors Policy (Construction, Maintenance & Repair); and**
- (b) **the new mechanism for approval of Contractors involved in “Alternative Works”**

9. **ANNUAL TAXI FARES REVIEW 2019/20**

With reference to paragraph 3 of the Minute of 4 December 2018, there had been circulated copies of a report by the Service Director Regulatory Services advising Members of the recent consultation undertaken in connection with the statutory review of the current scale of charges for taxi fares. The Council, as licensing authority, was required in terms of Section 17 of the Civic Government (Scotland) Act 1982 (“the Act”) to review the scales for fares and other charges in connection with the hire of a taxi at intervals not exceeding 18 months of the last review. For 2019, the formula which the Council used to review taxi rates delivered a variation percentage of +3.7% on the usual indicators over the previous 12 months. The Passenger Transport Manager, Mr Timothy Stephenson gave further information about the consultation process and the individual questions as set out in the Appendices to the report. The Service Director Regulatory Services advised that once Members agreed the proposed taxi rates, public notices would be placed in newspapers circulated within the Scottish Borders area and representations in writing would be invited by a specified date. Councillor Jardine commented on the impact of the increase on the more vulnerable members of society and moved that fares not be increased. However, there was no seconder so the motion fell. The outcome of the consultation would be reported back to a future meeting of the Committee.

DECISION

AGREED that:-

- (a) **the taxi fare rates increase by 3.7% in line with the outcome of the Council’s established formula; and**
- (b) **a further review of the taxi fare settings be undertaken and implemented within 18 months of this review.**

10. **CCTV IN THE SCOTTISH BORDERS**

There had been circulated copies of a report by the Service Director Regulatory Services detailing the current Public Space CCTV provision in the Scottish Borders and providing a further update to the previous report issued in 2015. The report explained that questions had arisen as to the viability of the Council continuing to provide and fund public space CCTV. There were currently seventy Public Space CCTV cameras located within eight towns within the Scottish Borders. Generally, the systems were analogue and with recent technological advances they were out of date and life expired. The Council was not currently in a position to fund the installation and maintenance of new public space CCTV systems throughout the Region. The Street Lighting Team Leader, Mr Alex Young reported that the Council had met all ongoing revenue costs, including energy consumption, telecoms charges, consumable items and annual charges from contractors who provided maintenance support for each system and Police Scotland did not make any financial contribution to the town centre schemes. The Police were supportive of CCTV provision within the local communities but had indicated that they were not in a position to fund or to contribute to the funding of public space CCTV in the Borders. It was further reported that there was revenue budget provision of £40,000 available for the maintenance of all eight systems, of which around £33,000 was within the maintenance contract and the remainder spent on repairs. After a full discussion referencing the desire of communities to have CCTV, the availability of cheaper systems and the need for the Police to contribute to funding, Councillor Turnbull, seconded by Councillor Tatler proposed that a further recommendation be added requesting that the Service Director Assets and Infrastructure use the 5 Area Partnerships as a vehicle to consult the public

and the strategic Community Planning partners on the future provision of CCTV within communities and how this could be funded and this was unanimously agreed.

**DECISION
AGREED:-**

- (a) to note that the current Public Space CCTV provision in the Scottish Borders was no longer fit for purpose;**
- (b) to note that the Council was not in a position to fund the installation and ongoing maintenance of public space CCTV systems within the current available budget;**
- (c) to support the Police and communities that wished to install, extend or replace CCTV systems to help them find a solution fully funded by those communities. Funding would include the cost of installation and subsequent maintenance and monitoring. The protocols around the use, management and monitoring of any CCTV system would be agreed by the community with the Police; and**
- (d) that the Director of Assets & Infrastructure use the 5 Area Partnerships as a vehicle to consult the public and the strategic Community Planning partners on the future provision of CCTV within communities and how this could be funded**

11. REVIEW OF PARKING ISSUES

With reference to paragraph of the Minute of 17 November 2017, there had been circulated copies of a report by the Service Director Assets and Infrastructure which provided details of the findings of the Parking Issues Working Group which had been set up following a recommendation by Committee. The Working Group had been established to explore innovative solutions to parking issues in the Scottish Borders. The Working Group had now concluded their investigations and a report on their findings, with recommendations, was attached as an Appendix to the report. The Corporate Management Team considered the Report of the Working Group and endorsed the findings, subject to sufficient resources being available, apart from Recommendation Five. The Infrastructure Manager, Mr Brian Young reported that there were significant financial implications associated with the other recommendations in the Working Group Report. He further advised that Police Scotland had previously indicated that they would not utilise a Disc Parking system as it was not deemed sufficient evidentiary proof for a criminal prosecution. Members commended the Working Group for their work and discussed the proposals in detail. It was agreed to support the recommendations on the basis that a full evaluation of the introduction of the second CAT Team and their impact on parking issues would be carried out after one year. The lack of uniformity across towns in the Borders with regard to the time limit for parking was highlighted and it was noted that this would be considered as part of the review of Traffic Regulation Orders.

DECISION

(a) NOTED:-

- (i) the findings of the Parking Issues Working Group;**
- (ii) that Corporate Management Team endorsed the following recommendations of the Working Group:**
 - (1) Recommendation One (Review of TROs) – Estimated cost £205k in-house or £225k external;**

- (2) **Recommendation Two (Car parking directional signage) – Estimated cost £28,500;**
- (3) **Recommendation Three (Updating single and double yellow lining; parking bay review; dropped kerbs) – Estimated cost from £28,250 to £278,250;**
- (4) **Recommendation Four (media campaign to “park fair”) – Estimated cost £10k;**
- (5) **Recommendation Six (Feasibility study) – Estimated cost £35k;**

(b) AGREED:-

- (i) **not to proceed at this time with Recommendation Five of the Working Group Report (Potential Enforcement regimes) with parking issues continuing to be addressed through the work of the 2 Police Community Action Teams in the interim;**
- (ii) **that a further report be brought to Executive Committee after one full year of operation to review the effectiveness of those teams; and**
- (iii) **that, given that the estimated cost of implementing Recommendations One to Four and Recommendation Six of the Working Group Report was within a range of £306,750 and £576,570, Officers would proceed to implement these as and when funding was available within current resources, but noted that works would commence during 2019/20 and continue in future years as part of normal business activities**

12. PRIMARY SCHOOL ESTATE UPDATE REPORT - EYEMOUTH PRIMARY SCHOOL & EARLSTON PRIMARY SCHOOL

With reference to paragraph 5 of the Minute of 7 November 2017, there had been circulated copies of a joint report by the Interim Service Director Children and Young People and the Service Director Assets and Infrastructure which provided an update of the community consultations that had been undertaken at Eyemouth Primary School and Earlston Primary School. The report also provided a summary of the work undertaken to date and further recommended that approval was given to the next stage of the detailed design and costings process in respect of both schools. The Lead Education Officer – School Estates, Lesley Munro was in attendance to present the report. Ms Munro reported that the recommendations set out in the School Estate Review Next Steps 2017/18 report presented on 7 November 2017 approved to progress the next steps with regard to investment at Earlston and Eyemouth Primary Schools, which included informal consultations with stakeholders. Ms Munro went on to advise that both schools were situated in old high school buildings and there was a need to provide new buildings for schools with both schools showing an increase in capacity for pupils. The Service Director of Assets and Infrastructure explained that all investment models for the School Estate were delivered in partnership with Scottish Government with the establishment of the Scottish Futures Trust to take forward infrastructure projects and innovative schemes were more likely to be funded. He explained that other opportunities were being looked at through the new South of Scotland agency and the direction of travel was to bring together complementary services in the one building.

**DECISION
AGREED:-**

- (a) **to note the contents of this update report;**

- (b) to progress to the next stages in the detail design and costing process for both Eyemouth Primary School and Earlston Primary School;
- (c) that further updates would be provided to Members as more detailed information and clarity around potential future funding support from Scottish Government becomes available;
- (d) that Eyemouth, would be treated as a priority, and further considers that if sufficient funding support were to be provided by Scottish Government, that Eyemouth Primary School and Earlston Primary School would be progressed and procured in parallel (subject to any revised profiling of the capital programme); and
- (e) in accordance with the principle of 'Fit for 2024', request that officers consider all potential options for property asset consolidation within each of the respective school clusters as part of the proposed capital investment

13. **PRIVATE BUSINESS**

AGREED that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 7A to the aforementioned Act.

SUMMARY OF PRIVATE BUSINESS

DECLARATIONS OF INTEREST

Councillor Jardine 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.

14. **NETHERDALE SPECTATOR STAND - REQUEST FOR FINANCIAL CONTRIBUTION**

The Committee approved a report by the Service Director Assets and Infrastructure on the Netherdale Spectator Stand in Galashiels.

15. **UNION CHAIN BRIDGE - PROJECT UPDATE**

The Committee approved a report by the Service Director Assets and Infrastructure the Union Chain Bridge Project.

The meeting concluded at 1.00 pm