

# Public Document Pack



## SCOTTISH BORDERS COUNCIL THURSDAY, 28 MARCH, 2019

A MEETING of the SCOTTISH BORDERS COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS on THURSDAY, 28 MARCH, 2019 at 10.15 AM

J. J. WILKINSON,  
Clerk to the Council,  
21 March 2019

<b>BUSINESS</b>																																		
1.	<b>Convener's Remarks.</b>																																	
2.	<b>Apologies for Absence.</b>																																	
3.	<b>Order of Business.</b>																																	
4.	<b>Declarations of Interest.</b>																																	
5.	<p><b>Minutes</b> (Pages 5 - 28)</p> <p>Consider Minutes of Scottish Borders Council held on 31 January and 28 February 2019 for approval and signing by the Convener. (Copies attached.)</p>	2 mins																																
6.	<p><b>Committee Minutes</b></p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td>(a) Standards</td><td style="text-align: right;">17 January 2019</td></tr> <tr><td>(b) Civic Government Licensing</td><td style="text-align: right;">18 January 2019</td></tr> <tr><td>(c) Local Review Body</td><td style="text-align: right;">21 January 2019</td></tr> <tr><td>(d) Eildon Area Partnership</td><td style="text-align: right;">24 January 2019</td></tr> <tr><td>(e) Executive</td><td style="text-align: right;">29 January 2019</td></tr> <tr><td>(f) Kelso Common Good Fund</td><td style="text-align: right;">31 January 2019</td></tr> <tr><td>(g) Planning and Building Standards</td><td style="text-align: right;">4 February 2019</td></tr> <tr><td>(h) Tweeddale Area Partnership</td><td style="text-align: right;">6 February 2019</td></tr> <tr><td>(i) Police, Fire &amp; Rescue and Safer Communities</td><td style="text-align: right;">8 February 2019</td></tr> <tr><td>(j) Executive</td><td style="text-align: right;">12 February 2019</td></tr> <tr><td>(k) Selkirk Common Good Fund</td><td style="text-align: right;">13 February 2019</td></tr> <tr><td>(l) Local Review Body</td><td style="text-align: right;">18 February 2019</td></tr> <tr><td>(m) Lauder Common Good Fund</td><td style="text-align: right;">19 February 2019</td></tr> <tr><td>(n) Civic Government Licensing</td><td style="text-align: right;">22 February 2019</td></tr> <tr><td>(o) Executive</td><td style="text-align: right;">26 February 2019</td></tr> <tr><td>(p) Peebles Common Good Fund</td><td style="text-align: right;">27 February 2019</td></tr> </tbody> </table>	(a) Standards	17 January 2019	(b) Civic Government Licensing	18 January 2019	(c) Local Review Body	21 January 2019	(d) Eildon Area Partnership	24 January 2019	(e) Executive	29 January 2019	(f) Kelso Common Good Fund	31 January 2019	(g) Planning and Building Standards	4 February 2019	(h) Tweeddale Area Partnership	6 February 2019	(i) Police, Fire & Rescue and Safer Communities	8 February 2019	(j) Executive	12 February 2019	(k) Selkirk Common Good Fund	13 February 2019	(l) Local Review Body	18 February 2019	(m) Lauder Common Good Fund	19 February 2019	(n) Civic Government Licensing	22 February 2019	(o) Executive	26 February 2019	(p) Peebles Common Good Fund	27 February 2019	5 mins
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	<p>(q) Planning and Building Standards 4 March 2019  (r) Jedburgh Common Good Fund 5 March 2019  (s) Major Contracts Governance Group 5 March 2019  (t) Tweeddale Area Partnership (Special) 6 March 2019  (u) Pension Fund 7 March 2019  (v) Audit &amp; Scrutiny 11 March 2019  (w) Kelso Common Good Fund 11 March 2019  (x) Executive 12 March 2019</p> <p>(Please see separate Supplement containing the public Committee Minutes.)</p>	
7.	<p><b>Brexit Presentation</b></p> <p>Update on preparations by Executive Director (Philip Barr).</p>	
8.	<p><b>Community Fund - Interim Proposals</b> (Pages 29 - 54)</p> <p>Consider report by Service Director Customer and Communities. (Copy attached.)</p>	15 mins
9.	<p><b>Rapid Rehousing Transition Plan</b> (Pages 55 - 98)</p> <p>Consider report by Service Director Customer and Communities. (Copy attached.)</p>	10 mins
10.	<p><b>Local Development Plan: Development Plan Scheme 2019</b> (Pages 99 - 116)</p> <p>Consider report by Service Director Regulatory Services. (Copy attached.)</p>	10 mins
11.	<p><b>Licensing of Residential Caravan Sites</b> (Pages 117 - 122)</p> <p>Consider report by Service Director Regulatory Services. (Copy attached.)</p>	10 mins
12.	<p><b>SESPlan Budget 2019/20 Ratification</b> (Pages 123 - 132)</p> <p>Consider report by Service Director Regulatory Services. (Copy attached.)</p>	5 mins
13.	<p><b>Adult Protection Committee Annual Report</b> (Pages 133 - 164)</p> <p>Consider report by Chief Social Work and Public Protection Officer. (Copy attached.)</p>	10 mins
14.	<p><b>Review of Polling Districts, Polling Places and Polling Stations</b> (Pages 165 - 168)</p> <p>Consider report by Chief Executive. (Copy attached.)</p>	5 mins
15.	<p><b>Open Questions</b></p>	15 mins
16.	<p><b>Any Other Items Previously Circulated</b></p>	
17.	<p><b>Any Other Items Which the Convener Decides Are Urgent</b></p>	
18.	<p><b>Private Business</b></p> <p>Before proceeding with the private business, the following motion should be approved:-</p> <p>“That under Section 50A(4) of the Local Government (Scotland) Act 1973</p>	

	the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act.”																						
19.	<b>Minute</b> (Pages 169 - 170)  Consider private Section of Minute of Scottish Borders Council held on 31 January 2019. (Copy attached.)	1 mins																					
20.	<b>Committee Minutes</b>  Consider private Sections of the Minutes of the following Committees:-  <table border="0"> <tr> <td>(a)</td> <td>Civic Government Licensing</td> <td>18 January 2019</td> </tr> <tr> <td>(b)</td> <td>Executive</td> <td>12 February 2019</td> </tr> <tr> <td>(c)</td> <td>Selkirk Common Good Fund</td> <td>13 February 2019</td> </tr> <tr> <td>(d)</td> <td>Civic Government Licensing</td> <td>22 February 2019</td> </tr> <tr> <td>(e)</td> <td>Executive</td> <td>26 February 2019</td> </tr> <tr> <td>(f)</td> <td>Major Contracts Governance Group</td> <td>5 March 2019</td> </tr> <tr> <td>(g)</td> <td>Pension Fund</td> <td>7 March 2019</td> </tr> </table> (Please see separate Supplement containing private Committee Minutes.)	(a)	Civic Government Licensing	18 January 2019	(b)	Executive	12 February 2019	(c)	Selkirk Common Good Fund	13 February 2019	(d)	Civic Government Licensing	22 February 2019	(e)	Executive	26 February 2019	(f)	Major Contracts Governance Group	5 March 2019	(g)	Pension Fund	7 March 2019	
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21.	<b>Hawick Common Good Fund Sub-Committee</b> (Pages 171 - 172)  Consider extract of the Minute of the Hawick Common Good Fund Sub-Committee held on 19 March 2019. (Copy attached.)	5 mins																					

#### NOTES

1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**
2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

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Please direct any enquiries to Louise McGeoch Tel 01835 825005  
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**SCOTTISH BORDERS COUNCIL**

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 31 January 2019 at 10.00 a.m.

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Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, H. Anderson, J. Brown, S. Bell, K. Chapman, K. Drum. G. Edgar, J. A. Fullarton, J. Greenwell, C. Hamilton, S. Hamilton, S. Haslam, E. Jardine, H. Laing, S. Marshall, T. Miers, D. Moffat, S. Mountford, D. Paterson, C. Penman, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston

Apology:- Councillor W. McAteer.

In Attendance:- Chief Executive, Executive Director (P. Barr), Executive Director (R. Dickson), Service Director Assets and Infrastructure, Service Director Regulatory Services, Chief Financial Officer, Principal Solicitor (H. MacLeod), Clerk to the Council.

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1. **CONVENER'S REMARKS**

The Convener advised that the following had received awards in the Queen's New Year Honours:-

MBE

John Davidson – Tourette's syndrome sufferers support

OBE

Doddie Weir – Charity work for MND

Dr Stephen Lee – programme manager from Peebles, Services to forestry

Professor Anna Meredith – Tweeddale, services to animal welfare and vet profession (Dick Vet)

Annette Brunton – West Linton, services to education (former principal of Edinburgh College)

BEM

Barbara Elborn - Newcastle and District Community Trust, services to community (local petrol pumps)

Allan Beveridge – Peebles, voluntary services to the community (rugby club, former Callant and secretary of the Beltane Festival)

David Turnbull – Peebles, voluntary services to the community (Beltane Festival)

George Brownlie Prentice – Eyemouth, welfare officer for Royal Air Force Association, for voluntary service to ex-service personnel and Coldingham community.

**DECISION**

**AGREED that congratulations be passed to those concerned.**

2. **ORDER OF BUSINESS**

The Convener intimated that he proposed to withdraw Item 9 from the agenda as there had been insufficient consultation with the various political groups. Councillor Bell queried this decision on the basis that all Group Leaders had been contacted and had been given the opportunity to discuss this issue prior to the meeting. The Clerk to the Council advised that the basis of the withdrawal was the lack of consensus by the political groups on the proposed response. Following a short discussion on the merit of considering the report at the meeting the Convener agreed that item 9 would not be withdrawn and would be considered at the meeting.

3. **MINUTE**

The Minute of the Meeting held on 20 December 2018 was considered.

## **DECISION**

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

### **4. COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

Eildon Area Partnership	22 November 2018
Jedburgh Common Good Fund	5 December 2018
Kelso Common Good Fund	5 December 2018
Cheviot Area Partnership	5 December 2018
Galashiels Common Good Fund	6 December 2018
Berwickshire Area Partnership	6 December 2018
Planning and Building Standards	10 December 2018
Hawick Common Good Fund	11 December 2018
Selkirk Common Good Fund	12 December 2018
Civic Government Licensing	14 December 2018
Local Review Body	17 December 2018
Coldstream Common Good Fund	20 December 2018
Planning and Building Standards	7 January 2019

## **DECISION**

**APPROVED the Minutes listed above.**

### **5. FLOOD RISK MANAGEMENT (SCOTLAND) ACT 2009 – SECTION 37 INTERIM REPORT**

With reference to paragraph 7 of the Minute of 19 May 2016, there had been circulated copies of a report by the Service Director Assets and Infrastructure seeking approval of the Section 37 Interim Reports for the Tweed, Solway and Forth Estuary Local Flood Risk Management Plans (LFRMP), as a true reflection of the progress made in the first 3 years of the 6 year Flood Risk Management (FRM) cycle 2016 - 2022 to mitigate flood risk in the Scottish Borders. The report explained that this approval was required to allow for the publication of the Section 37 Interim Reports for each Local Flood Risk Management Plan in Scotland by 22 June 2019. The inception of the Flood Risk Management (Scotland) Act 2009 (FRM Act) required the production of Local Flood Risk Management Plans covering each Local Plan District (LPD) in Scotland. Scottish Borders Council's area fell within 3 of the 14 Local Plan Districts in Scotland. These were: Forth Estuary LPD, Tweed LPD and Solway LPD. There were two sets of complementary plans; Flood Risk Management Strategies which were approved by Scottish Ministers and subsequently published by the Scottish Environment Protection Agency (SEPA) on 22 December 2015 and Local Flood Risk Management Plans produced by Lead Authorities and published 22 June 2016. Scottish Borders Council was the Lead Authority for Tweed Local Plan District. The Flood Risk Management Strategies and Local Flood Risk Management Plans had been developed through collaborative partnerships between Local Authorities, SEPA and Scottish Water and provided a framework for co-ordinating actions across catchments to deal with all sources of flooding. These Plans ensured long term planning around flooding and under Section 41(2) of the FRM Act, Scottish Ministers had to take them into account when allocating funding. This approach helped target investment to areas where there was the greatest risk of flooding and where communities could receive the greatest benefit. Section 37 of the Flood Risk Management (Scotland) Act 2009 required that the Lead Authority of each Local Plan District between years 2 & 3 of the FRM Cycle (2016 – 2022), review and publish an Interim Report on the progress made in implementing the measures to mitigate flood risk detailed in the relevant Local Flood Risk Management Plan and approval was required to allow for national publication by 22 June 2019. Members welcomed the report. In response to a query on natural flood management studies, the Flood and Coastal Management Team Leader advised that they were trying to model the whole catchment areas above both Hawick and Galashiels. This level of modelling had not been attempted before and would take some time but it was anticipated that a consultant would be appointed for the Hawick Area soon.

## **DECISION**

**AGREED to approve the:-**

- (a) S37 Interim Report for the Tweed Local Flood Risk Management Plan;**
- (b) S37 Interim Report for the Solway Local Flood Risk Management Plan; and**
- (c) S37 Interim Report for the Forth Estuary Local Flood Risk Management Plan.**

### **6. CITY REGION DEAL – FULL BUSINESS CASE FOR CENTRAL BORDERS INNOVATION PARK PROGRAMME**

With reference to paragraph 8 of the Minute of 20 December 2018, there had been circulated copies of a report by the Executive Director on progress with the Full Business Case for the Central Borders Innovation Park Programme at Tweedbank, which was required to draw down funding from the Edinburgh and South East Scotland City Region Deal. The report explained that within the City Region Deal, a 'core' of the Central Borders Innovation Park was being created, providing an opportunity to set the tone and standard of future development in the area. This programme of work would deliver commitments made within the Borders Railway Blueprint. A Full Business Case for the programme had been prepared for approval by the City Region Deal Joint Committee, which was required for formal approval from the Scottish Government to allow for the drawdown of funds. The timescales involved in this process had been outlined in the previous report. It had been agreed with the Scottish Government to submit a Full Business Case for the whole programme rather than taking an iterative approach, which would have required a Full Business Case for each of the programme's three phases. This approach therefore superseded that suggested in the report to Council of 28 June 2018. Members discussed the report and generally welcomed the proposals. The Chief Economic Development Officer answered Members' questions and emphasised that it had always been intended that the Lowood Estate land would be mixed use not only for housing. It was anticipated that there would be an announcement regarding the tenants for the various sites in the near future. The importance of the success of this project being critical in assisting with the aim of extending the railway onto Hawick was highlighted. The need to ensure that there was no duplication of effort by the various agencies was also noted.

## **DECISION**

**AGREED to:-**

- (a) submit to the City Region Deal Joint Committee the Full Business Case set out in Appendix 2 to the report, as the final stage of approval to allow the Council to draw down funding of £15m for the Central Borders Innovation Park Programme from the Edinburgh and South East Scotland City Region Deal;**
- (b) the drawdown of Scottish Government funding on a fixed basis of £1m per annum over 15 years and noted that there was sufficient flexibility in the delivery of the later phases of the programme to minimise the burden imposed on the Council by the cost of borrowing; and**
- (c) include the budget detailed in Table 3 of the report in the 2019/20 – 2028/29 Capital Financial Plan.**

### **7. REDUCING HEALTH HARMS OF FOOD HIGH IN FAT, SUGAR OR SALT CONSULTATION PAPER**

- 7.2 There had been circulated copies of a report by the Joint Director of Public Health on the proposed response to the Scottish Government's Consultation Paper, "Reducing Health Harms of Foods High in Fat, Sugar or Salt". The document set out proposed restrictions on the promotion and marketing of items termed "discretionary foods" which were foods high in fat, sugar or salt and which should not form a staple of an individual's diet. The draft response document, which was contained in Appendix A to the report, had been prepared

jointly by Borders Public Health and SBC Regulatory Services (Trading Standards). The report explained that no other country had yet implemented measures to limit the marketing and promotion of these foods in this way and so the policy would be ground breaking. There were clear potential health and inequality benefits to this proposal in terms of having an impact on rates of overweight and obesity in communities along with associated diseases such as heart disease, type 2 diabetes and some cancers. However, there were enforcement implications for local authorities as, for example, Scottish Government put forward its suggestion that local authorities be given the role of enforcing the proposed policy with Ministers given powers to issue guidance to local authorities. The Council had received an extension to submit its response to 31 January 2019.

- 7.2 The Convener agreed to a short adjournment to allow Members to consider their response to this paper given that notice had previously been given regarding the withdrawal of this item. Dr Keith Allan, Consultant in Public Health was present at the meeting and explained what he felt were the benefits of implementing such measures in terms of preventing obesity, type 2 diabetes and health inequality in the Borders. Councillor Laing spoke in support of the suggested response which she proposed should be submitted with some additional text. Councillor Haslam proposed that the response should be submitted by officers as their view and that each political group submit their own view if they so wished.

#### VOTE

*Councillor Laing, seconded by Councillor Moffat, moved that the Consultation response as detailed in the report be submitted from Scottish Borders Council subject to the addition of the following paragraph to question 12:-*

*"The success of these proposals will come about through actively promoting good practice and that must be the focus. The process of educating retail outlets on compliance with the legislation, and the processes of enforcement will take some time to develop. As a Council we are of the view that across all Local Authorities there will be benefits from sharing best practice on the implementation of the provisions of this legislation. Also, as there may be significant changes needed in some retail outlets it might be wise for there to be a phased roll-out of the requirements across the categories of foods; so local authorities and enforcement staff can learn what works."*

*Councillor Haslam, seconded by Councillor Heather Anderson, moved as an amendment that the Consultation response be submitted as an officer response, including the additional wording as detailed above in the response to question 12.*

*On a show of hands Members voted as follows:-*

<i>Motion</i>	<i>-</i>	<i>9 Votes</i>
<i>Amendment</i>	<i>-</i>	<i>21 Votes</i>

*The Amendment was accordingly carried.*

#### **DECISION**

**DECIDED that the Consultation response be submitted as an officer response, with the additional wording in the response to Question 12.**

#### **8. COMMON GOOD AND COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

There had been circulated copies of a report by the Service Director Regulatory Services on the duties placed on the Scottish Borders Council in respect of common good assets by Part 8 of the Community Empowerment (Scotland) Act 2015 (hereinafter referred to as "the 2015 Act") and to recommend actions to ensure compliance with such duties. The report explained that Section 102 of Part 8 of the Community Empowerment (Scotland) Act came into force in June 2018 and placed a duty on the Council to establish an asset register for each Common Good Fund. Section 104 of the same Act placed a duty on the Council to ensure that, prior to any disposal or change of use of common good assets, the Council publish details about the proposed disposal or change of use. In order to comply with Section 102, Legal Services



was currently completing the proposed list of common good assets, using the current heritable property registers together with information available regarding moveable items. Following approval of these lists by the individual Common Good Fund Sub-Committees, the Council would then publish the proposed lists of common good assets, followed by a 12 week public consultation period. Representations would need to be made by email or letter and could be on (i) whether a proposed asset should be included as part of the common good; or (ii) whether there should be other assets included in the common good asset list. As soon as practicable after expiry of the twelve week consultation period, the Council would publish its Common Good Asset Registers and in any case within six months of the end of the consultation period. Section 104 of the Act gave details of the consultation required around the disposal and use of common good property. When disposing or changing the use of a common good asset, details of the asset, what was being proposed and likely timescales, together with the same information detailed in the Common Good Asset Register relating to that asset must be published. In response to a question on the valuation of items it was noted that these had not been updated for around 10 years and it would be left to each Common Good Fund Sub-Committee to request for valuations to be updated.

#### **DECISION**

##### **AGREED:-**

- (a) **to approve the processes detailed in the report for compliance with Sections 102 and 104 of the Community Empowerment (Scotland) Act 2015;**
- (b) **to add to the Scheme of Administration as follows:**
  - (i) **Common Good Fund Sub-Committees - Functions Referred**
    - **“To approve the Common Good Fund Asset Register(s) as required in terms of Section 102 of the Community Empowerment (Scotland) Act 2015, reviewing these at least every 5 years”**
    - **“To approve the disposal or change of use of a Common Good asset up to the value of £20,000, following due process in terms of Section 104 of the Community Empowerment (Scotland) Act 2015”**
    - **“To make recommendations to Council regarding the disposal or change of use of a Common Good asset of a value greater than £20,000, following due process in terms of Section 104 of the Community Empowerment (Scotland) Act 2015”**
  - (ii) **Scottish Borders Council – Functions Referred – “To approve the disposal or change of use of a Common Good asset of a value greater than £20,000, following due process in terms of Section 104 of the Community Empowerment (Scotland) Act 2015.**

#### **9. DRAFT CALENDAR OF MEETINGS 2019/2020**

There had been circulated copies of the draft Calendar of Meetings for the period August 2019 to July 2020.

#### **DECISION**

**AGREED to approve the Calendar of Meeting for 2019/2020.**

#### **10. MOTION BY COUNCILLOR HASLAM**

Councillor Haslam, seconded by Councillor Turnbull, moved the Motion as detailed on the agenda in the following terms:-

“The Council acknowledges the importance of discouraging people from dropping litter; supports increasing the fixed penalty notice for littering from £80 to £100; agrees that a letter from the local authority will be sent to the Scottish Government making clear Scottish Borders

Council support for increasing the default on-the-spot litter fine from £80 to £100 and to request that Ministers implement this change as quickly as possible.”

Councillor Haslam and Councillor Turnbull spoke in support of the Motion which was unanimously approved.

#### **DECISION**

**AGREED to approve the Motion as detailed above.**

#### 11. **MOTION BY COUNCILLOR SMALL**

Councillor Small, seconded by Councillor Heather Anderson, moved the Motion as detailed on the agenda in the following terms:-

“To ask the Leader to write to the Leader of Midlothian Council requesting that they take action to improve road safety at Leadburn Junction and offering support of officers at Scottish Borders Council to work with them in developing an improvement plan for the junction.”

Councillor Small and Councillor Anderson spoke in support of the Motion. Members discussed the pros and cons of becoming involved in the improvement of a junction located outwith the Scottish Borders but used by numerous Scottish Borders residents. Councillor Edgar, seconded by Councillor Paterson, moved as an amendment that the motion be not approved.

#### VOTE

*On a show of hands Members voted as follows:-*

<i>Motion</i>	-	<i>27 votes</i>
<i>Amendment</i>	-	<i>4 votes</i>

*The Motion was accordingly carried.*

#### **DECISION**

**DECIDED to approve the Motion as detailed above.**

#### 12. **MOTION BY COUNCILLOR BELL**

Councillor Bell, seconded by Councillor Chapman, moved the Motion as detailed on the agenda in the following terms:-

“As the UK Parliament has been unable to agree upon terms for withdrawal from the EU and as the facts about, and implications of, withdrawal are now clear. Scottish Borders Council considers that the case for withdrawal should be directly decided by the British people on the basis of the actual facts.

Council resolves to communicate this opinion to the UK Government and to all local MPs and MSPs.”

Councillor Bell and Councillor Chapman spoke in support of the Motion. Members discussed the Motion and Councillor Haslam, seconded by Councillor Mountford, moved as an amendment that no action be taken.

#### VOTE

*On a show of hands Members voted as follows:-*

<i>Motion</i>	-	<i>12 votes</i>
<i>Amendment</i>	-	<i>18 votes</i>

*The Amendment was accordingly carried.*

**DECISION**

**DECIDED that no action be taken.**

**13. MOTION BY COUNCILLOR MARSHALL**

Councillor Marshall, seconded by Councillor Paterson, moved the Motion as detailed on the agenda in the following terms:-

“That this Council recognise the fantastic efforts of Hawick’s Julie Forrest in recently winning the Ladies World Indoor Singles Bowling Championship. A fantastic achievement for both Hawick and Indoor Bowling and a great reason why this authority continue to provide full support for those who make Indoor Bowling such a competitive sport in our region “

Councillors Marshall and Paterson spoke in support of the Motion which was unanimously approved. The Convener undertook to write to Ms Forrest conveying the Councils congratulations on her achievements.

**DECISION**

**AGREED to approve the Motion detailed above.**

**MEMBER**

Councillor Fullarton left the meeting.

**14. OPEN QUESTIONS**

The questions submitted by Councillor H. Scott were answered.

**DECISION**

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

**15. 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 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**

**16. Minute**

The private section of the Council Minute of 20 December 2018 was approved.

**17. Committee Minutes**

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

*The meeting concluded at 1.00 p.m.*

**SCOTTISH BORDERS COUNCIL**  
**31 JANUARY 2019**  
**APPENDIX II**

**Questions from Councillor Harry Scott**

1. To the Executive Member for Roads and Infrastructure

The B709 Heriot to Innerleithen road is listed on official Borders cycle touring routes with the aim of attracting touring cyclists to enjoy the scenery and spend money in the Borders. Several sections of the road, particularly towards Innerleithen are presently in a state of serious disrepair, and hazardous not only for cars, but particularly for cyclists. May I ask that at the least the most hazardous sections of the B709 be considered for inclusion as a matter of priority in the Roads Department's scheme of works and overlays for the year 2019/20.

Reply from Councillor Edgar

The B709 Heriot to Innerleithen Road is inspected every two months in accordance with the Councils Standards and Guidelines. Any defects noted during these inspections are recorded and instructions are issued to carry out Reactive Maintenance as required within the timescales of the guidelines.

Planned Maintenance on the Councils Adopted Road Network is programmed by our Asset Team. Some sections of the A709 Heriot to Innerleithen Road are listed to be considered for possible inclusion in future surface treatment programmes, unfortunately, the overall condition of our road network means that we are not in a position to treat all identified sections with a permanent form of treatment and must apply a prioritisation process to determine our annual programme which meets available budgets.

Supplementary

Councillor Scott asked for this road to be included in the work schedule and to be reassured it would not be forgotten. Councillor Edgar assured him that it would not be forgotten

2. To the Executive Member for Finance

Community centres in my constituency are run by committees of unpaid volunteers who give up many hours of their time to manage the lets, maintenance, and internal refurbishment of the centres. Last year the remittance paid for services provided by Live Borders was raised from circa £5k to £9k because of a reduction in the support grant paid to Live Borders by Scottish Borders Council. This has reduced by a substantial amount the support committees can provide to community groups, many of which do valuable work in an area where deprivation is recognised, and to the maintenance and refurbishment of the buildings they manage on behalf of Scottish Borders Council.

I ask that the Administration, when considering their forthcoming budget proposals, restore to Live Borders the funding which will enable it to reduce substantially the amount which these hard working management committees must remit so they are able to continue and enhance this essential community work.

Reply from Councillor Tatler

The Council and Live Borders fully appreciate the invaluable work undertaken by volunteer committees to support local community groups.

The contribution required from the community centres was increased prior to transfer to Live Borders in 2016, this increase was however not implemented until 2018.

Live Borders has been working closely with the Committees through Community Enterprise Ltd to review the current operational model and challenge some of the historical practices. The purpose of this review is to ensure that the centres continue to provide outstanding community impact in a sustainable way. What is clear is that the all the Centres operate to a generic model despite there

being significant differences in committee size, capacity and not least significantly different financial circumstances.

Live Borders is committed to working with the centres to develop new aspirations and financial plans fit for the future. Once this stage of the review is complete Live Borders will continue to work with community centres and the Council to develop resourcing plans that are appropriate to enable them to achieve their and the Councils locality objectives.

Live Borders have previously circulated a briefing note to Councillors and provided a further update in a briefing session held yesterday which articulates in greater detail some of the challenges and the aspirations of community centre management.

As you are aware there are a number of community funds which have been devolved to Area Partnerships which the Community Centre Committees should be encouraged to access. They are also in a position to apply for external funding, including any generic wind farm funds, and the Communities & Partnership team will be able to offer advice and support in accessing these.

#### Supplementary

Councillor Scott considered that volunteers were being punished for success and that if funding could not be found to help them they would give up. Any additional funding given to Live Borders must be directed to community centres. Councillor Tatler advised that volunteers were always appreciated. The Core Budget for Live Borders had not changed and the Council could not directly control their expenditure. Live Borders had set aside funding for community centres and it was up to Live Borders to allocate this.

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## **SCOTTISH BORDERS COUNCIL**

MINUTE of SPECIAL MEETING of the  
SCOTTISH BORDERS COUNCIL held in  
Council Headquarters, Newtown St. Boswells  
on 28 February 2019 at 10.00 a.m.

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Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, H. Anderson, J. Brown, S. Bell, K. Chapman, K. Drum, G. Edgar, J. Fullarton, J. Greenwell, C. Hamilton, S. Hamilton, S. Haslam, E. Jardine, H. Laing, S. Marshall, W. McAteer, D. Moffat, S. Mountford, D. Paterson, C. Penman, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston.

Apology:- Councillor T. Miers.

In Attendance:- Chief Executive, Executive Director (P. Barr), Executive Director (R. Dickson), Service Director Assets and Infrastructure, Interim Service Director Children and Young People, Service Director Customer and Communities, Joint Director of Public Health, Chief Financial Officer, Clerk to the Council.

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### 1. **FIT FOR 2024**

There had been circulated copies of a report by the Chief Executive proposing a new 5 year programme of transformation across the Council - called 'Fit for 2024' - with the aim of delivering a Council that was adaptable, efficient and effective, and one ultimately capable of not only meeting the challenges ahead, but of fully optimising outcomes for the citizens and communities for which it is responsible. The report noted the scale and breadth of the challenges the Council faced and the opportunities provided by the coalescence of a number of initiatives, including the South of Scotland Enterprise Agency and the Local Governance Review. It recognised changing citizen and customer expectations, both in terms of operational contacts with the Council, and in a desire for increased involvement in its decision-making processes. A template for Fit for 2024 was set out which built on the primary purposes for which the Council existed and guiding principles drawn from international, national and local commitments. This held that, through delivery of excellent leadership, and top class services, the Council would drive improvements in wellbeing guided by the Christie principles, by principles of Sustainable Development and the necessity of everyone playing 'our part' pursuant to the Corporate Plan. The Fit for 2024 Forward plan contained a range of projects and initiatives necessary to the delivery of Fit for 2024, highlighting the importance of a 'whole' Council approach, the cross-cutting nature of what was required, and the need for all elements of the programme to be driven corporately. As the first of a series of practical issues, which would emerge as a result of Fit for 2024, it was proposed that a range of Council community funds and grants to external bodies were consolidated in a single fund, and devolved across the Council's five Area Partnerships. The background to and rationale for this proposal and related proposals were set out in Annex A to the report. Members discussed the proposals in details and amendments were put forward. The Chief Executive and Service Director Customer and Communities answered Members' questions and highlighted that this was not about the Council stopping providing services but providing them in a different and more efficient way.

### VOTE

*Councillor Aitchison, seconded by Councillor Mountford, moved the recommendations in the report subject to amending recommendation 2.2 to read as follows:-*

2.2 *With reference to Annex A of this report, I recommend that Scottish Borders Council agrees to:-*

- (a) *establish a Community Fund for devolvement to the five Area Partnerships from 1 April 2019 by consolidating the Council’s existing Localities Bid Fund, Quality of Life Fund, Community Grant Scheme, Local Festival Grant, Federation of Village Halls Grant, Community Council Grant and the current contribution to the Third Sector for accommodation costs;*
- (b) *continue to fund Community Councils at the same level for 2019/20 to allow a review of these grants to take place at the same time as the forthcoming review of the Scheme for Community Councils;*
- (c) *receive a further report on options for the allocation of the Community Fund to each Area Partnership, including any required changes to governance, following further engagement with Elected Members;*
- (d) *offer in kind accommodation, in place of the current financial contribution, to the Third Sector; and*
- (e) *consider the allocation of a further £445,000 as part of the 2019/20 budget process to the Community Fund (referred to in paragraph 2.2(a) above) across the five Localities based upon head of population, to support communities in taking forward locally agreed community priorities and solutions.*

*Councillor H. Anderson, seconded by Councillor Bell, moved as an amendment:-*

*“Whilst agreeing with the principle of consolidating a number of community focussed budgets into one overarching Community Fund and distributing these funds through the 5 Area Partnerships, we consider that we have insufficient information in this report to make an informed decision about the future allocation of these funds.*

*We therefore propose that Recommendation 2.2 is amended as follows:*

- (1) *Delete the words “With reference to Annex A of this report,”*
- (2) *Replace recommendation 2.2 (c ) with the following:  
“ asks officers to bring back to the Council a report which clarifies current locality specific spend from these funds and identifies options for the future management and distribution of these funds between and within the 5 localities.”*
- (3) *Delete recommendation 2.2 (d)*

*On a show of hands Members voted as follows:-*

<i>Motion</i>	<i>-</i>	<i>17 Votes</i>
<i>Amendment</i>	<i>-</i>	<i>16 Votes</i>

*The Motion was accordingly carried.*

## **DECISION**

**(a) AGREED to:-**

- (i) approve the transformation programme Fit for 2024;**
- (ii) approve the proposed vision for Fit for 2024 and guiding principles to facilitate that transformation journey, namely:**
  - (1) A Council which through the delivery of excellent leadership and top class services drives improvements in wellbeing across and throughout the Scottish Borders;**



- (2) **A Fit for 2024 Transformation Programme that is guided by the Christie principles, by principles of Sustainable Development and the necessity of us all playing ‘our part’.**
- (iii) **note the significant strategic implications of Fit for 2024 for the Council, and the proposed elements of the programme as described in paragraph 4.3 of the report;**
- (iv) **approve the preparation of internal and external communications plans to support Fit for 2024; and**
- (v) **approve investment in resources to deliver Fit for 2024**
- (b) **DECIDED with reference to Annex A of the report:-**
  - (i) **establish a Community Fund for devolvement to the five Area Partnerships from 1 April 2019 by consolidating the Council’s existing Localities Bid Fund, Quality of Life Fund, Community Grant Scheme, Local Festival Grant, Federation of Village Halls Grant, Community Council Grant and the current contribution to the Third Sector for accommodation costs;**
  - (ii) **continue to fund Community Councils at the same level for 2019/20 to allow a review of these grants to take place at the same time as the forthcoming review of the Scheme for Community Councils;**
  - (iii) **receive a further report on options for the allocation of the Community Fund to each Area Partnership, including any required changes to governance, following further engagement with Elected Members;**
  - (iv) **offer in kind accommodation, in place of the current financial contribution, to the Third Sector; and**
  - (v) **consider the allocation of a further £445,000 as part of the 2019/20 budget process to the Community Fund (referred to in paragraph 2.2(a) above) across the five Localities based upon head of population, to support communities in taking forward locally agreed community priorities and solutions.**

## **2. INSPIRE LEARNING: A WORLD CLASS DIGITAL LEARNING ENVIRONMENT FOR THE SCOTTISH BORDERS**

- 2.1 There had been circulated copies of a joint report by the Interim Service Director Children and Young People and the Chief Financial Officer presenting an overview of the implications of Scottish Borders Council’s intent to create a world-class digital learning environment across the Scottish Borders that would reduce inequality and improve academic performance amongst young people. Approval was sought for the necessary capital and revenue funding provision to be made within the 2019/20 financial planning process and to secure a mandate to proceed with this ground-breaking and ambitious programme that would inspire learning, teaching and success Scottish Borders-wide. It was intended that the Digital Learning Transformation Programme would contribute significantly to the delivery of a range of strategic Council and Children and Young People Directorate objectives through factors including improving retention of teaching staff, reducing staff turnover, enabling a virtual learning environment, better connecting students with the wider school community and greatly improving connections between school leavers and local business. The financial model summarised within the report had been costed over an 11 year period (the remaining duration of the existing Scottish Borders Council contract with CGI) and was fully inclusive of all known component elements required. In particular, the proposed programme covered:

- All training and professional development over the life of the programme
- Full support to deliver the business change
- All supporting infrastructure subject to full site survey (on which assumptions have been made for the purposes of the model)
- The ability to deliver an iPad into the hands of every child from P6 to S6 and 1:5 ratio for P1 to P5
- A programme of maintenance through periodic refresh

2.2 Options for the required Capital and Revenue financial provisions were laid out separately in the draft Financial Plans of the Council's Administration and Opposition parties. The financial model had been regularly and rigorously re-modelled and since the inception of the initiative, a significant reduction in the overall projected cost of the programme of around £8.2m had been achieved through robust scrutiny, challenge and renegotiation with CGI, Apple and XMA reducing the total additional cost of ownership from £24.000m to £15.760m and a total net additional cost to the Council of £11.119m over the life of the project, including all borrowing costs. Two videos supporting the project were shown. While no Members were opposed to the project in principle there followed a lengthy discussion on the timing of the rollout, whether or not the project should be piloted in the first instance and possible issues caused by all teachers not being sufficiently IT literate to make this project work effectively in all schools.

#### **DECISION**

##### **AGREED to:-**

- note the report and in particular, the financial implications of the proposed Digital Learning Transformation Programme;**
- consider the required revenue and capital funding provisions as part of the 2019/20 Financial Plan; and**
- approve the Inspire Learning Transformation Programme enabling its formal initiation and delivery within the proposed timescales.**

#### **3. BUDGET COMMUNICATION STRATEGY**

There had been circulated copies of a report by the Chief Financial Officer on the steps taken to engage with stakeholders as part of a consultation exercise on the budget. The report highlighted the budget Communication Strategy used and provided feedback gathered from the Dialogue Community Engagement tool and Area Partnership meetings. This approach was being developed within the Council's new Corporate Plan (Our plan – and your part in it). The feedback had been considered as part of the 2019-2024 Financial Planning process. As part of the agreed budget consultation exercise on the Council's updated Financial Plan, the Dialogue Community Engagement tool was made available from 25 October 2018 to 31 January 2019 to members of the public on the Council website. This interactive tool allowed residents and other stakeholders to provide ideas and suggestions on how the Council could do things differently and improve services, in a challenging economic climate, as well as allowing them to comment on other contributions already made on the system. As at 31 January 2019, 30 differently themed discussion threads were recorded using the Dialogue Community Engagement tool, with further 48 comments. The budget was also discussed at all 5 Area Partnership meetings during November and December 2018. These meetings allowed attendees to bring forward proposed solutions to questions, issues and challenges faced by the community. A summary of the public feedback from the Dialogue tool was detailed in Appendix 1 to the report and a summary of the feedback from the Area Partnership meetings was detailed in Appendix 2 to the report.

#### **DECISION**

##### **NOTED:-**

- (a) the budget Communication Strategy used;
- (b) the feedback from the Dialogue Community Engagement tool and the feedback from the Area Partnership meetings contained in Appendices 1 and 2 of the report;
- (c) the actual responses from the Dialogue tool; all comments were available on the Council’s website and a hard copy was available in the Elected Member’s Library; and
- (d) the Council’s responses to the issues raised in the form of a ‘you said, we did’ analysis.

**4. MOTION BY COUNCILLOR HASLAM**

With reference to paragraph 5 of the Minute of 20 December 2018, and in terms of Standing Order 26, Councillor Haslam, seconded by Councillor Aitchison, moved the Motion as detailed on the agenda in the following terms:-

“The 2019/20 Local Government Settlement handed down from the Scottish Government has been one of the most challenging financial settlements in recent years, with inadequate funding to fully support the needs of local government.

Nevertheless, the Administration of Scottish Borders Council will continue to work hard to deliver a budget that meets the aspirations of Borders Council tax payers. Later today, the Administration will put forward spending proposals which will see investment in new services and many exciting new initiatives, benefiting the whole of the Scottish Borders. This, combined with sound financial management, has allowed the Administration to mitigate the worst of the poor financial settlement imposed by Scottish Government.

Following lobbying by Local Authorities and COSLA, the Scottish Government has changed its position and allowed Councils to consider raising the Council Tax rate by a maximum of 4.79% in 2019/20.

The Administration of Scottish Borders Council has said from the outset that it would do everything possible to deliver an affordable Council Tax policy, which properly ensures that the needs and aspirations of all Borderers are met. Consequently, the Council agreed on 20 December 2018 to set the Council Tax rate for 2019/20 at an increase of 3% in line with the limits imposed by Scottish Government in the Finance Circular 8/2018 published on the 17 December 2018.

As a result of this change, and after much debate and consideration, the Administration now proposes that the Council Tax should be increased by a further 1% to 4% for financial year 2019/20 to specifically deliver the following spending proposals:-

1. An additional £2.3m of revenue spending for roads, pavements and infrastructure over the next four years;
2. Accelerate our plans to replace four high schools in the Borders, and secure the delivery of the new Hawick High School commencing design and construction in 2022/23, with a match funding contribution of £20m funded through capital borrowing. It is envisaged this project will be match funded by the Scottish Government under the Schools for the Future programme.

The Council Tax rate that will therefore apply in the Scottish Borders across all Council Tax Bands in 2019/20 is shown in Table 1 below:-

Table 1

Council Tax Band	Proportion of the Band D Tax	Annual Charge Applicable from 1 April 2019

Band A	6/9	£ 797.35
Band B	7/9	£ 930.24
Band C	8/9	£ 1,063.13
Band D	9/9	£ 1,196.02
Band E	12/9	£ 1,571.44
Band F	15/9	£ 1,943.53
Band G	18/9	£ 2,342.21
Band H	22/9	£ 2,930.25

This spending will leave a significant and lasting legacy that is a clear investment in the future of the Borders.

The spend profile is shown in Table 2 below.

Table 2

	2019/20	2020/21	2021/22	2022/23	2023/24	Future Years
	£'000	£'000	£'000	£'000	£'000	£'000
Additional Roads and Pavements Revenue spend(1)	600	600	600	500	0	0
Loans Charges to fund capital borrowing (2)	0	0	0	100	600	600*
Annual revenue total raised by 1% increase in council tax to 4%(1+2)	600	600	600	600	600	600
One off Capital Investment	0	0	0	3,000	17,000	0

Council also agrees the following:-

- The establishment of a Member/Officer Schools Oversight Group to facilitate the delivery of the four new high schools in Galashiels, Hawick, Selkirk and Peebles and the new primary schools in Eyemouth and Earliston.

Proposer - Councillor Shona Haslam

Seconder - Councillor Sandy Aitchison

Signatory 3 - Councillor Robin Tatler

Signatory 4 - Councillor Carol Hamilton

Signatory 5 - Councillor Gordon Edgar

Signatory 6 - Councillor George Turnbull

Signatory 7 - Councillor Neil Richards”

Councillor Haslam spoke in support of the Motion. Members discussed the Motion and Councillor Bell, seconded by Councillor Drum, moved as an amendment that the Motion be not approved. Councillor Turnbull proposed that the vote be taken by “roll call” and this was unanimously approved.

### VOTE

#### *MOTION*

*Councillor Aitchison  
Councillor Edgar  
Councillor Fullarton  
Councillor Greenwell  
Councillor C. Hamilton  
Councillor S. Hamilton  
Councillor Haslam  
Councillor Jardine  
Councillor Mountford  
Councillor Parker  
Councillor Richards  
Councillor Rowley  
Councillor S. Scott  
Councillor Small  
Councillor Tatler  
Councillor Turnbull  
Councillor Weatherston*

#### *AMENDMENT*

*Councillor A Anderson  
Councillor H. Anderson  
Councillor Bell  
Councillor Brown  
Councillor Chapman  
Councillor Drum  
Councillor Laing  
Councillor Marshall  
Councillor McAteer  
Councillor Moffat  
Councillor Paterson  
Councillor Penman  
Councillor Ramage  
Councillor Robson  
Councillor H. Scott  
Councillor Thornton-Nicol*

*The Motion was accordingly carried by 17 votes to 16.*

### **DECISION**

**DECIDED to approve the Motion as detailed above.**

#### **5. FINANCIAL STRATEGY AND RESOURCES 2019/20**

There had been circulated copies of a report by the Chief Financial Officer on the estimated revenue and capital resources available for financial year 2019/20 following publication of the local government finance settlement on 17 December 2018 and subsequent funding notification from Scottish Government for 2019/20 on 31 January 2019. The report recommended the financial strategy to be followed by the Council the following year and identified the financial constraints and major risks to be addressed. The report also outlined the process supporting the construction of the draft revenue and capital Financial Plans for 2019/20 as well as draft plans for future years. The Corporate Management Team had worked with political groups to support Members set a corporate revenue and capital budget, meeting identified pressures facing the Council. These pressures had arisen from a variety of factors. The principle pressures identified were due to the anticipated continuing constraints on external revenue and capital funding from central government, the impact of national pay negotiations, the increasing pressures from demographics, particularly the increasing numbers of very elderly people requiring care services, as well as inflation. The budget development process had been conducted to ensure that the financial plans of the Council were aligned with its business and people planning objectives and the level of resources available. The report highlighted that total revenue resources of £283.238m were available assuming the Council accepted the 2019/20 settlement offer from Scottish Government along with a 3% increase in the Council Tax rate approved by Council on 20 December 2018 based on the parameters set out in the LGFS. Subsequently the Cabinet Secretary wrote to Council Leaders on 31 January 2019 explaining he was now willing to allow Councils to vary Council Tax by up to 4.79% in 2019/20. The impact of other potential variations in the Council Tax was shown in the tables in paragraph 7.2 and 9.1 of the report. The benefits, in terms of financial stability and effective change management, derived from adopting a longer term corporate approach to the revenue and capital planning process and were widely

accepted. Financial year 2019/20 represented the second year of the revenue 5 year financial plan for the Council agreed in February 2018. It was anticipated Members would continue to adopt a longer term approach to financial planning and consequently the estimated resources available over the following four financial years were also shown. These estimates would continue to be updated annually as the detail of the financial settlement from Scottish Government became known. It was anticipated from 2020/21 that a three year settlement would be provided from Scottish Government assisting long term financial planning. Regular monitoring reports submitted to the Executive Committee during 2018/19 had identified that there were significant savings which had not yet been delivered on a permanent basis. The Corporate Management Team had therefore considered a revised approach to organisational change under the banner of 'Fit for 2024' which would reshape the transformation programme ensuring individual projects were more cross-cutting and focused on joined up business process review as detailed at paragraph 1 above. In line with previous Audit Scotland recommendations scenario planning had once again been used to model a range of scenarios with regard to Scottish Government grant, Council Tax increases and estimated future inflation. This analysis was included at Appendix 2 to the report. Approval was also sought for the financial strategy for the Council covering the period 2019/20 – 2023/24. The strategy provided the overall framework for the financial management of the Council and covered the revenue budget, capital investment plan, the Council's treasury management arrangements and the recommended policy on reserves. The approach to the development of the 2019/20 budget had been aligned with the financial planning process in the NHS reflecting the increasing maturity of the Integration Joint Board (IJB) and the requirement to deliver shifts in the balance of care across the partnership from acute to community settings. The financial plan was highly dependent on the delivery of savings and a risk based approach had once again been used to set the level of recommended balances. These were held both as contingency against unforeseen circumstances, to facilitate the delivery of savings and to smooth the financial plan in the event of non-realisation of the savings envisaged.

## **DECISION**

### **AGREED to:-**

- (a) note the estimated revenue resources for 2019/20 to 2023/24;**
- (b) note the estimated capital resources for 2019/20 to 2028/29 and the requirement to adhere to the prudential code for capital borrowing;**
- (c) note the flexibility provided by the Cabinet Secretary to allow Council Tax to be increased by up to 4.79% in 2019/20;**
- (d) approve the financial strategy set out in section 4.4 (a) to (h) of the report having considered the risk register highlighted in appendix 1 to the report;**
- (e) proceed to consider the Administration's proposed Financial Plan for 2019/20 including the council taxes to be paid in respect of all chargeable dwellings to fund these plans as part of the budget motion.**

## **6. CAPITAL INVESTMENT STRATEGY**

There had been circulated copies of a report by the Chief Financial Officer presenting Scottish Borders Council's first Capital Investment Strategy (CIS) supporting the 2019/20 financial planning process. The report explained that the Council recognised that the requirements of the Prudential Code were updated in December 2017 including the recommendation that Councils publish a Capital Investment Strategy for 2018/19. The Code recognised the short timescale available for the production of this document and therefore allowed deferral of this development to 2019/20. Consequently Scottish Borders Council had produced this document for 2019/20. The Capital Investment Strategy was designed to highlight the capital investment priorities and explained how these priorities would assist with the delivery of the Council's Strategic Corporate Plan 2018 -2023. As such the CIS was

structured to reflect the themes of this Corporate Plan. The document should be read in conjunction with the Council's 10 year capital investment plan 2019 – 2029 and the Treasury Strategy which provided detail of the Council's Prudential Indicators and set out how the Capital Investment plans (CIP) of the Council would be financed.

#### **DECISION**

**AGREED to approve the Capital Investment Strategy as part of the suite of 2019/20 budget papers.**

#### **7. TREASURY MANAGEMENT STRATEGY 2019/20**

There had been circulated copies of a report by the Chief Financial Officer seeking approval of the Treasury Management Strategy for 2019/20. The Treasury Management Strategy was the framework which ensured that the Council operated within prudent, affordable financial limits in compliance with the CIPFA Code. The Strategy for 2019/20 was appended to the report and reflected the impact of the Administration's Financial Plans for 2019/20 onwards on the prudential and treasury indicators for the Council. Councillor Bell, as Chairman of the Audit & Scrutiny Committee, advised that the Strategy had been reviewed by that Committee on 15 and 26 February 2019.

#### **DECISION**

**AGREED to:-**

- (a) approve the Treasury Management Strategy 2019/20 as set out in Appendix 1 to the report;**
- (b) note that the draft amended Treasury Management Strategy had been considered by the Audit & Scrutiny Committee on 15 and 26 February 2019;**
- (c) review capital expenditure plans going forward to ensure they remained realistic, affordable and sustainable; and**
- (d) ensure that the revenue consequences of all capital projects be fully reviewed in all investment decisions.**

#### **8. FINANCIAL PLAN EQUALITY IMPACT ASSESSMENTS**

There had been circulated copies of a report by the Service Director HR providing assurance that any potential equality impacts of the proposals brought forward within the Council's Financial Plan from 2019/20 had been identified and would be managed accordingly. The report explained that the Council had a legal obligation in terms of the Equality Act 2010, when exercising functions, to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Carrying out and considering the findings of an Equality Impact Assessment (EIA) provided evidence that as part of the decision making process there had been "due regard" to the effect of the relevant policy or practice on the Council's obligations under the Public Sector Equality. Initial Equality Impact Assessments on the 2019/20 Financial Plan proposals had been undertaken as an integral part of the revenue and capital budget planning processes in order to fully inform decisions proposed by officers and approved by members. While some of the assessed proposals indicated no impact, it was recommended that any potential impact continued to be monitored, given the nature of the proposals. These 90 proposals

might potentially impact in a positive or negative way on one or more of the Protected Characteristics and any potential negative impact would require ongoing management through their implementation stage, in terms of mitigating and alleviating these impacts. Any positive impacts identified at this stage should be maximised during the planning and implementation stage of the proposals.

## **DECISION AGREED:-**

- (a) to note the summary outcomes of the 90 Initial Equality Impact assessments undertaken in respect of the 2018/19 Financial Plan proposals;**
- (b) to undertake further and ongoing Equality Impact work in respect of these proposals with specific reference to the equality groups on whom there may be possible negative impact;**
- (c) that where there was an identified relevance to the Council's statutory duty and there was a possible positive impact on one or more equality characteristic group, actions to maximise this impact were identified and implemented as part of the project planning and delivery of each proposal or project; and**
- (d) that where there was an identified relevance to the Council's statutory duty and where there was a possible negative impact on one or more equality characteristic group, actions to mitigate and alleviate this impact were identified and implemented as part of the project planning and delivery of each proposal or project.**

## **ADJOURNMENT**

The Convener adjourned the meeting at 1.20 pm for lunch and reconvened at 1.50 pm.

### **9. DRAFT 5 YEAR REVENUE AND 10 YEAR CAPITAL FINANCIAL PLAN**

9.1 There had been detailed on the agenda Motions by both the Administration and the Opposition Groups and supporting papers had been circulated relating to each.

9.2 Councillor Haslam, seconded by Councillor Tatler, moved:-

"The Conservative/Independent Alliance Administration recommend approval of the 5 year revenue budget and 10 year capital plan set out in document 12(a) and in doing so ask the Council to note:

Despite being faced with significant financial challenges as a result of reductions in funding from the Scottish Government, this Administration is presenting a really exciting budget for the Borders, packed with huge investment plans at a truly vital time for our economy.

Millions of pounds will be invested in new and improved schools as part of our 10 year capital plan, £16m being provided for a new Eyemouth Primary School, £9m for a new Earlston Primary School, and funding for a new Galashiels Academy.

The Conservative and Independent Administration has taken the difficult decision to raise council tax to 4% next year. This will provide match funding for a new Hawick High school and provide an extra £2.3m investment in our roads and pavements over the next 4 years. This administration also plans to transform Education in the Borders with a £16 million investment over a ten year period in a new 'Inspire Learning' programme across all primary and secondary schools in order to make sure children learn in the best possible environments with the latest technology at their fingertips. This will include iPads being provided to all P6-S6 pupils, and at a ratio of one per every five P1-P5 pupils from 2019/20. The rollout will be completed within just two years.

This Administration is committed to protecting the most vulnerable individuals, families and communities of the Borders. An additional £3million will be invested in new extra care



housing for projects in Hawick, Kelso, Eyemouth and Peebles in addition to those already committed to at Todlaw, Duns and Langhaugh, Galashiels.

We aim to make the Borders one of the best areas in Scotland to live, work and visit, and this proposal, alongside our other investment plans confirms our commitment to that.”

As part of these budget proposals:

- Frontline services such as waste and recycling collections will remain unchanged.
- There will be no change to public toilet provision in 2019/20.
- A second Community Action Team (CAT) for the Borders will be permanently funded.
- A new recycling awareness campaign will be funded to encourage people to recycle properly in order to reduce landfill tax costs and pollution.
- More money than ever before will be available for communities to allocate as they see fit through a new £1.167m consolidated Community Fund. This will make it easier than ever before for communities to access funding and to have a say in how it is used in their area.
- An extra £2.3m will also be spent on roads and pavements with £86m investment for road/transport infrastructure over 10 years being planned.
- We will continue to invest in outdoor education to provide destination parks in all our major towns and provide facilities to encourage people of all ages to be active and stay healthy.
- £58m for flood protection including Hawick.

The council is also constructing the foundations of a more efficient council which can drive ever better outcomes for the people we serve. Fit for 2024 is a major new strategy forming a key part of our budget plans to improve wellbeing, drive out inefficiency and to do so on the basis of sustainable development.

The budget provides the funding for major projects that will regenerate our high streets, create new and high quality jobs and increase the number of tourists coming to the Borders as well as attracting people to come and live and work here.

This budget is bold, brave and builds the future prosperity of the Borders, placing us at the cutting edge of new developments in education, technology and care. It’s a budget we can be proud of and members across the political spectrum can support our plans knowing they are voting for a budget that benefits the whole region.”

### 9.3 Councillor Bell, seconded by Councillor Robson, moved:-

“1. The Opposition Parties on Scottish Borders Council – the Scottish National Party and the Liberal Democrat Party - recommend approval of an alternative 5 year revenue plan of £1.4bn for the Scottish Borders and a 10 year capital plan of £347m; both as set out in document 12(b) and in doing so ask Council to note the following principles and proposals:

- This budget builds on opportunities and improves the lives of Borderers whatever their age. It focuses on delivering quality services, opportunities for all in a thriving economy, empowering communities and enabling people to live independently and achieve their goals.
- This budget rebuilds educational support, protecting teacher numbers, library services, school mental health services and frontline Council services; whilst also recognising that we must modernise service delivery and make efficiencies.
- The Opposition budget specifically proposes :-
  - £34m investment over ten years into new or refurbished Primary schools
  - To add to Government support in order to build 2 new High Schools over the capital period

- £11.4m investment in a carefully introduced Digital Learning programme in schools
- Investing £2.8m capital and £6.4m revenue in 2019/20 into Early Learning & Childcare
- To continue investment to a total of £58m in Flood & Coastal Protection over the capital period
- To continue the £0.282m funding for a community policing team to prevent low level criminal activity, and proposes that the Council starts a new initiative to control on-street parking
- To earmark £2.4m contribution to re-establish Reston Station at a time that is in phase with the Transport Scotland investment

2. The Opposition Parties also recommend that:

Scottish Borders Council mainstreams funding – initially £1m - from September 2019 into Borders Decides. This will devolve decisions about road maintenance, traffic management and the environment to local level. Prioritisation of spend will be decided by the community through participative budgeting, and based on officer recommendations.”

In response to the decision at paragraph 4 above to increase the Council Tax to 4%, Councillor H. Anderson, seconded by Councillor Bell moved that the following be added to the Opposition Motion:-

“(a) Following the decision by the Administration to propose a revised 4% Council Tax increase in financial year 2019/20, it is with regret that the following amendment is proposed to the Opposition Parties’ budget at item 12b) to allocate the resources deriving from the additional council tax increase as set out in table 1 below.

Table 1

2019/20	£600k to be applied to Roads
2020/21	£600k to be applied to Roads
2021/22	£600k to be applied to Roads
2022/23	£500k to be applied to Roads and £100k to be applied to Loans Charges to fund 50% of new Hawick High School capital expenditure
2023/24	£600k to be applied to Loans Charges to fund 50% of new Hawick High School capital expenditure

- (b) £600k will be transferred from the £1m increase identified in the opposition budget for roads expenditure in 2019/20 revenue, to be used for new investment in Education for teachers and support services.
- (c) Amend the Capital programme to include assumed expenditure of £40m supported by Loans Charges and an assumed 50% contribution from Scottish Government to the costs of a new Hawick School.
- (d) Amend years 8, 9 and 10 of the Capital Investment Plan to re - allocate £3m from Hawick High School to provide enabling funding for a further High School to be rebuilt.”

9.5 Councillors spoke in support of their respective Motions and unanimously agreed that the vote be taken by “roll call”.

Roll Call Vote

Motion by Councillor Haslam

Councillor Aitchison  
Councillor Edgar  
Councillor Fullarton  
Councillor Greenwell  
Councillor C. Hamilton  
Councillor S. Hamilton  
Councillor Haslam  
Councillor Jardine  
Councillor Mountford  
Councillor Parker  
Councillor Richards  
Councillor Rowley  
Councillor S. Scott  
Councillor Small  
Councillor Tatler  
Councillor Turnbull  
Councillor Weatherston

Motion by Councillor Bell

Councillor A. Anderson  
Councillor H. Anderson  
Councillor Bell  
Councillor Brown  
Councillor Chapman  
Councillor Drum  
Councillor Laing  
Councillor Marshall  
Councillor McAteer  
Councillor Moffat  
Councillor Paterson  
Councillor Penman  
Councillor Ramage  
Councillor Robson  
Councillor Thornton-Nicol

Abstention

Councillor H. Scott

*There being 17 votes for Councillor Haslam's Motion and 15 votes for Councillor Bell's Motion, as amended, and 1 abstention, Councillor Haslam's Motion was accordingly carried.*

**DECISION**

**DECIDED to approve the Motion as detailed in paragraph 9.2 above including the Administration's Budget as contained in the Appendix to this Minute.**

*The meeting concluded at 15.20 p.m.*

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## **COMMUNITY FUND INTERIM ALLOCATION AND GOVERNANCE ARRANGEMENTS**

**Report by Service Director Customer & Communities**

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### **SCOTTISH BORDERS COUNCIL**

**28 March 2019**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 **This report proposes interim allocation and governance arrangements for the Community Fund for Area Partnerships and a proposed review and consultation on the way forward.**
- 1.2 At its meeting on 28 February 2019, the Council considered a report "Fit for 2024", which proposed a new 5 year programme of transformation across the Council. While recognising the leadership role of the Council, to maximise the impact of limited collective resources, there must be a greater focus on supporting communities to participate in the shaping and enhancing of community resilience and quality of life in their own areas.
- 1.3 As part of the Fit for 2024 proposals, Members decided to consolidate a number of existing Council funds into a single Scottish Borders Council Community Fund to be devolved to the five Area Partnerships from 1 April 2019. The total Community Fund available for 2019/20 is £1,166,433. Community Councils' funding will continue to be allocated at the same level for 2019/20 to allow a review of these grants to take place. Given the short time scale in introducing the Community Fund, it is now proposed that, in order to give financial security and continuity to Village Halls and Local Festivals in the coming year, that – as with grants to Community Councils - these grants are also allocated in 2019/20 on the same basis and with the same criteria as in 2018/19. The additional Fit for 2024 funding of £445,000 to the Community Fund agreed as part of the budget is allocated to Area Partnerships based on a per head of population. This is the same allocation basis for the £288,670 which is the remaining balance of available funds after deduction of the Community Action Team (CAT) and financial plan savings.
- 1.4 This leaves a balance of funding in the Community Fund of £234,900 from the residual Community Grant Scheme and Quality of Life Funding for devolvement to Area Partnerships for 2019/20. A number of options are given in the Appendices to this report on methodology for the allocation of this to Area Partnerships, including current allocation, per head of population and by Scottish Index Multiple Deprivation (SIMD) or a

combination of these methods. It is proposed that this funding is allocated to each Area Partnership on the basis of: Community Grant Scheme – current allocation (population base) less £35k for Borders Wide applications; and Quality of Life – current allocation basis i.e. £20k per Area Partnership.

- 1.5 In order to ensure there is no gap in the provision of grants to communities and local organisations, it is suggested that interim arrangements are put in place for Area Partnerships disbursing their Community Fund to operate from 1 April 2019. It is therefore proposed that the current criteria for applications to the existing Community Grant Scheme is used for community groups to apply for funding and a new application form is made available. While the limit on the current Community Grant is £5k it is proposed to extend this to £10k, or in exceptional cases up to £30k. The applications meeting the required criteria for Community Fund money will be presented to Area Partnerships for decision, with no decision making devolved to officers.
- 1.6 No change is proposed at the moment in membership of Area Partnerships. However, it is proposed that a public consultation is carried out to include all stakeholders (Community Councils, community organisations, Community Planning Partners, other interested parties, etc.) as part of a review to assess Area Partnerships as a model of community level governance. This review would include input to the design of the future governance arrangements of Area Partnerships and the disbursement of the Community Fund. It is proposed that a report is brought to Council with details of this Review.

## **2 RECOMMENDATIONS**

### **2.1 I recommend that the Council agrees:-**

- (a) to note that funding for Community Councils, as part of the new Community Fund allocated to Area Partnerships, shall be allocated in 2019/20 on the same basis as in 2018/19;**
- (b) that the previous Third Sector accommodation funding of £19,955 is used to contribute to the permanent effect of the financial plan saving 2018/19;**
- (c) to note that funding from “Fit for 2024 Communities Fund” and the Localities Bid Fund has been previously agreed on a per head of population basis;**
- (d) that Area Partnerships shall allocate funding to Village Halls and Local Festivals in 2019/20 on the same basis and to the same criteria as in 2018/19;**
- (e) that the allocation of the remaining budget of the Community Fund per Area Partnership shall be on the following basis:**

- (i) Community Grant Scheme – current allocation (population base) less £35k for Borders-wide applications; and,**
  - (ii) Quality of Life – current allocation basis ie £20k per Area Partnership;**
- (f) that the grants available from the new Community Fund on an interim basis shall have the same criteria as that for the existing Community Grant Scheme for a grant of up to £10k, but in exceptional cases up to £30k;**
- (g) that for an interim period, the decisions of Area Partnerships on the distribution of the remainder of the Community Fund shall be by consensus (i.e. widespread agreement) and where consensus is not possible, then SBC Elected Members shall make the final decision, with the Chairman of the Area Partnership having a casting vote if required should there be an even split amongst the SBC Elected Members;**
- (h) that the Clerk to the Council shall make the necessary amendments to the Scheme of Administration and Scheme of Delegation following the decisions around the interim arrangements for allocation and governance of the Community Fund to Area Partnerships; and**
- (i) that a further report is brought to Council as soon as practicable detailing the proposed review, including public consultation, on the future governance arrangements for Area Partnerships, including the allocation and disbursement of the Community Fund.**

### 3 BACKGROUND

- 3.1 In its report in 2011, the Christie Commission advocated a joined up approach in which public services are viewed as a whole system, which in turn would allow poverty, poor health and educational attainment to be tackled. The Report further recommended that public services should: prioritise prevention, involve people and communities, promote partnership working, and increase the efficiency of public services. Above all, it contended the focus should be on outcomes rather than process and inputs.
- 3.2 The Community Empowerment (Scotland) Act 2015 was created to strengthen community empowerment, engagement and participation, and how this can be supported and embedded within communities. As a response to this Act, the Council at its meeting on 2 November 2017, established Area Partnerships, part of their remit being to inform the development of Locality Plans by involving communities in establishing a shared understanding of need in the area; the outcomes and priorities for the area; and the proposed outcomes to be achieved.
- 3.2 At its meeting on 28 February 2019, the Council considered a report "Fit for 2024", which proposed a new 5 year programme of transformation across the Council with the aim of delivering a Council that is adaptable, efficient and effective, and one ultimately capable of not only meeting the challenges ahead, but of fully optimising outcomes for its citizens and communities. This report recognises the growing appetite for strengthened community empowerment, engagement and participation in the Scottish Borders. While recognising the leadership role of the Council, and to maximise the impact of limited collective resources, there must be a greater focus on supporting communities to participate in the shaping and enhancing of community resilience and quality of life in their own areas.
- 3.3 Fit for 2024 will require Elected Members and Officers to work collectively and collaboratively with communities and partners to:
- Reflect current and future legislative and policy requirements that call on greater community engagement and involvement (including the outcomes of the Planning Review and Local Governance Review)
  - Better understanding of communities' capacity to participate in local decision making and take forward actions/projects which meet the identified local priorities, as per each Locality Plan
  - Provide the appropriate level of support, tools and resource to those communities that wish to use it.
- 3.4 As part of the Fit for 2024 proposals, Members decided to consolidate a number of existing Council funds into a single Scottish Borders Council Community Fund to be devolved to the five Area Partnerships. By creating a Community Fund with a single point of entry, this allows for a more effective and efficient processing of funding applications. It was decided at the Council meeting on 28 February 2019 that the Community Fund would be established from 1 April 2019, but Community Councils would continue to be funded at the same level for 2019/20 to allow a review of these grants to take place at the same time as the forthcoming review of the Scheme for Community Councils. It was also decided that a further report would be



brought to Council on options for the allocation of the Community Fund to each Area Partnership, including any required changes to governance, following further engagement with Elected Members.

## 4 THE COMMUNITY FUND

4.1 Fit for 2024 will drive innovation and creativity in how investment is used to best effect. The Council will need to be bolder and braver in its estate decisions, engaging communities and partners in dialogue about how, together, we meet changing customer needs and community demands. Part of this work will be to build on community fund arrangements to create fluidity and flexibility. This will support and facilitate communities to come up with creative solutions to meet local priorities within their Locality Plans and also build community capacity to take these solutions forward.

4.2 The total Community Fund available for 2019/20 is £1,166,433 and consolidates the following existing Council budgets, along with savings requirements and new funding:



*(\*£2,565 from Community Grant Scheme subsidises Festival Grants, hence the difference in amounts from those in the Fit for 2024 report annex)*

LESS



PLUS



4.3 With reference to the original Localities Bid Fund pilot of £500k, it should be noted that the funding for Phase 1 was allocated in 2017/18 and the funding for Phase 2 is currently in process for distribution and this funding is contained in the current 2018/19 budget. The £500k listed in paragraph 4.1 above is not the funding for the pilot.

4.4 While the funding for Community Councils is being moved in to the Community Fund, it was decided at the Council meeting on 28 February 2019 that the Community Councils funding would be continued at the same level for 2019/20 to allow a review of these grants to take place. Given the short time scale in introducing the Community Fund, it is now proposed that, in order to give security and continuity to Village Halls and Local Festivals in the coming year, that – as with grants to Community Councils -

these grants are also allocated in 2019/20 on the same basis and with the same criteria as in 2018/19. The additional Fit for 2024 funding of £445,000 to the Community Fund agreed as part of the budget is allocated to Area Partnerships based on a per head of population. It is suggested that the previous Contribution to the Third Sector accommodation funding amount of £19,955 is used to contribute to the permanent effect of the financial plan saving 2018/19 with in-kind accommodation being offered.

- (a) Therefore, the agreed/proposed allocations per Area Partnership detailed above for 2019/20 (comprising Community Council Funding, Local Festival Grants, and Federation of Village Halls) which are effectively ring-fenced are as follows:
- Berwickshire Area Partnership - £40,702
  - Cheviot Area Partnership - £35,025.50
  - Eildon Area Partnership - £53,395
  - Teviot & Liddesdale Area Partnership - £24,279
  - Tweeddale Area Partnership - £30,263.50
  - Community Councils Borders-wide fund (incl. insurance, hall hire, etc.) - £14,198
- (b) Fit for 2024 Communities Fund funding of £445,000 was agreed on a per head of population basis, which would give each Area Partnership:
- Berwickshire Area Partnership - £81,033.95
  - Cheviot Area Partnership - £75,354.42
  - Eildon Area Partnership - £136,687.96
  - Teviot & Liddesdale Area Partnership - £69,415.67
  - Tweeddale Area Partnership - £82,508.00
- (c) Localities Bid Fund pilot funding was previously agreed on a per head of population basis, which would give each Area Partnership:
- Berwickshire Area Partnership - £52,566.45
  - Cheviot Area Partnership - £48,882.16
  - Eildon Area Partnership - £88,669.02
  - Teviot & Liddesdale Area Partnership - £45,029.71
  - Tweeddale Area Partnership - £53,522.66

4.5 Taking all this into account and should the proposals around Village Halls and Local Festivals be agreed, then this will leave a balance of £234,900 - comprising the balance of the Community Grant Scheme (less £2,565 subsidy to Local Festivals) and Quality of Life funding - in the Community Fund where the methodology for devolvement to Area Partnerships in 2019/20 is to be agreed. A number of options are given in Appendix 1 to this report to the allocation of this £234,900 to Area Partnerships, either by current allocation (A); per head of population (B), or by Scottish Index of Multiple Deprivation (C).

4.6 The existing Community Grant Scheme has a Borders-wide element of £10,000 and it is suggested going forward that an additional £25,000 is taken from the total to bring this amount up to £35,000. Such Border-wide funds would be considered by the Executive Committee, and should there be no/insufficient applications to utilise this funding then it would be

returned to Area Partnerships for use in each locality. It is further suggested that the Community Grant Scheme funding is allocated per head of population. It is suggested that for Quality of Life Funding, this continues to be allocated as per the current method i.e. £20,000 per Area Partnership. This would give each Area Partnership (from Quality of Life and Community Grant Scheme):

- Berwickshire Area Partnership - £38,191.67
- Cheviot Area Partnership - £36,916.64
- Eildon Area Partnership - £50,685.68
- Teviot & Liddesdale Area Partnership - £35,583.43
- Tweeddale Area Partnership - £38,522.58
- Borders wide allocation - £35,000.00

4.7 Assuming that all of the above proposals are approved, then the total allocation to each Area Partnership would be as follows:

<b>AREA</b>	<b>TOTAL COMMUNITY FUND</b>	<b>RING-FENCED (CCS, Village Halls, Local Festivals)</b>	<b>AVAILABLE FOR GRANTS</b>
Berwickshire Area Partnership	£212,494.07	£40,702	£171,792.07
Cheviot Area Partnership	£196,178.72	£35,025.50	£161,153.22
Eildon Area Partnership	£329,437.66	£53,395	£276,042.66
Teviot & Liddesdale Area Partnership	£174,307.81	£24,279	£150,028.81
Tweeddale Area Partnership	£204,816.74	£30,263.50	£174,553.24
Borders-wide funding	£49,198	£14,198	£35,000

4.8 At the previous Council meeting on 28 February 2019, Members asked for details of the current allocation per Area Partnership locality of funding for the Community Grant Scheme, Community Councils, Local Festivals, and Federation of Village Halls. These details are contained in Appendices 2 - 5 to this report.

## **5 INTERIM GOVERNANCE ARRANGEMENTS**

5.1 In order to ensure there is no gap in the provision of grants to communities and local organisations, it is suggested that interim arrangements are put in place for Area Partnerships disbursing their Community Fund to operate from 1 April 2019. It is therefore proposed that the current criteria for applications to the existing Community Grant Scheme is used for community groups to apply for funding and a new application form is made available. The criteria for the Community Grant Scheme are detailed in

Appendix 6 to this report. It is further proposed that all decisions about the Grants will be made at Area Partnerships, with no delegation of decisions to Officers (as happens presently). While the limit on the current Community Grant is £5k it is further proposed to extend this to £10k, or in exceptional cases up to £30k. An exceptional project could include:

- A robust and well-considered business case which addresses a special or particular need
- A very high level of skills and expertise to deliver the project are in place and can be demonstrated
- A secured funding package is in place (if appropriate)
- The project attracts significant external match funding i.e. non-Council (if appropriate)
- A high proportion of community engagement has taken place and significant community support is evidenced
- Outcomes are clearly defined including significant, sustainable community benefit

5.2 Each application for a grant from the Community Fund will be checked by officers to ensure the required criteria has been met and will then be presented to the relevant Area Partnership along with officer recommendations. It is preferable that decisions on these applications will be reached on a consensus basis (i.e. widespread agreement) by Area Partnerships, but if that is not possible then it will be for SBC Elected Members to make the decision. Should an equal number of SBC Elected Members vote for and against a particular application (i.e. there is not a majority in favour), then the Chair would have a casting vote.

5.3 No change is proposed at the moment in membership of Area Partnerships. Moving forward however, it is proposed that a public consultation is carried out to include all stakeholders (Community Councils, community organisations, Community Planning Partners, Third Sector, other interested parties) as part of a review to assess Area Partnerships as a model of community level governance.

5.4 This review would include input to the design of the future governance arrangements of Area Partnerships and the disbursement of the Community Fund. It is intended that the review will also cover how best Area Partnerships can provide an enhanced role for communities to engage with the wider Community Planning Partnership, and build community capacity to take forward actions/projects which meet the local priorities identified within the Locality Plans. A further report will be brought forward for Council consideration as soon as practicable on the content and timeline for the proposed review.

## **6 IMPLICATIONS**

### **6.1 Financial**

The funding for the Community Fund for disbursement by Area Partnerships was approved as part of the wider Council budget at its meeting on 28 February 2019.

### **6.2 Risk and Mitigations**

Should no agreement be reached on the allocation of the Community Fund to Area Partnerships and an application process not put in place, there is a risk that community projects will not receive adequate funding to progress. The interim allocation and governance arrangements being proposed to come into effect from 1 April 2019 should mitigate this risk. A review, including public consultation, assessing Area Partnerships as a model for community level governance is also proposed. This review would include input by stakeholders to the design of the future governance arrangements of Area Partnerships and the disbursement of the Community Fund.

### 6.3 **Equalities**

The recommendations in this report do not discriminate on the basis of age, disability, gender, race, sexual orientation, pregnancy and maternity or religion and belief and where possible promote equality and good relations with equality groups.

### 6.4 **Acting Sustainably**

It is anticipated that the Community Fund should act as a catalyst for community organisations to enhance the economic, social or environmental well-being of their area.

### 6.5 **Carbon Management**

It is not anticipated that the proposals in this report will have any impact on the Council's carbon emissions.

### 6.6 **Rural Proofing**

Applications for the Community Fund are welcomed from groups across each Area Partnership. Meetings of Area Partnerships are open to all and are held in venues across each locality.

### 6.7 **Changes to Scheme of Administration or Scheme of Delegation**

Depending on which proposals in the report are agreed, changes will be required to both the Scheme of Administration and the Scheme of Delegation. It is therefore proposed that authority is delegated to the Clerk to the Council to make the necessary changes based on the final decisions of Council.

## **7 CONSULTATION**

7.1 Consultation has taken place with Political Groups in the Council. The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Communications Manager and the Service Director HR have also been consulted and any comments received are incorporated into the final report.

**Approved by**

**Jenni Craig**

**Service Director Customer and Communities**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Shona Smith	Communities & Partnership Manager Tel: 01835 824000 ext 5504
Jenny Wilkinson	Clerk to the Council Tel: 01835 825004

**Background Papers:** N/A

**Previous Minute Reference:** Scottish Borders Council, 28 February 2019

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jenny Wilkinson can also give information on other language translations as well as providing additional copies.

Contact us at Jenny Wilkinson, Scottish Borders Council, Council HQ, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 825004  
Email: [jjwilkinson@scotborders.gov.uk](mailto:jjwilkinson@scotborders.gov.uk)

SBC Community Fund: Draft Consolidation and Allocation 2019/20

Grant/Fund	Available Budget 2019/20	Berwickshire			Cheviot			Eildon			Teviot & Liddesdale			Tweeddale			Borders Wide	Totals	Totals	Totals
		Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)	Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)	Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)	Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)	Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)	Current allocation (A)	Current allocation (A)	By head of population (B)	By SIMD Deciles 1-5 (C)
<b>Agreed</b>																				
Community Councils	£62,728	£13,140.00			£9,210.00			£10,525.00			£7,000.00			£8,655.00			£14,198.00	£62,728		
Fit for 2024 - Communities Fund	£445,000		£81,033.95			£75,354.42			£136,687.97			£69,415.67			£82,508.00				£445,000	
Localities Bid Fund (LBF)	£500,000																			
LBF earmarked balance from 2018/19	£250,000																			
Contribution to the Third Sector	£19,955																			
Community Action Team	-£281,285																			
Permanent effect of Financial Plan Saving (2018/19)	-£200,000																			
	£288,670	£52,566.45			£48,882.16			£88,669.02			£45,029.71			£53,522.66				£288,670		
<b>Proposed</b>																				
Local Festival Grants	£82,545	£14,060.00			£16,675.00			£28,400.00			£12,550.00			£13,425.00				£85,110		
Federation of Village Halls	£50,025	£13,502.00			£9,140.50			£14,470.00			£4,729.00			£8,183.50				£50,025		
<b>Allocation to be agreed ...</b>																				
Community Grant Scheme	£137,465	£18,191.67	£24,565.12	£26,412.48	£16,916.64	£22,843.40	£17,946.90	£30,685.68	£41,436.42	£44,341.66	£15,583.43	£21,043.09	£34,373.13	£18,522.58	£25,011.98	£11,825.82	£35,000.00	£134,900	£134,900	£134,900
Quality of Life	£100,000	£20,000.00	£18,209.88	£19,579.30	£20,000.00	£16,933.58	£13,303.86	£20,000.00	£30,716.40	£32,870.03	£20,000.00	£15,599.03	£25,480.45	£20,000.00	£18,541.12	£8,766.36		£100,000	£100,000	£100,000
<b>Total</b>	<b>£1,166,433</b>	<b>£212,494.07</b>	<b>£217,077.40</b>	<b>£220,294.18</b>	<b>£196,178.72</b>	<b>£199,039.04</b>	<b>£190,512.83</b>	<b>£329,437.67</b>	<b>£350,904.81</b>	<b>£355,963.68</b>	<b>£174,307.80</b>	<b>£175,366.49</b>	<b>£198,577.96</b>	<b>£204,816.74</b>	<b>£209,847.26</b>	<b>£186,886.34</b>	<b>£49,198.00</b>	<b>£1,166,433</b>	<b>£1,166,433</b>	<b>£1,166,433</b>

£2,565

£134,900 £99,900

Specified Use (Local Festivals, CCs, Village Halls)  
Unspecified Use

£40,702.00  
£171,792.07

£35,025.50  
£161,153.22

£53,395.00  
£276,042.67

£24,279.00  
£150,028.80

£30,263.50  
£174,553.24

Locality	Total Population 2017 (NRS)	Population in SIMD2016 Decile 1 to 5
Berwickshire	20,945	8,945
Cheviot	19,477	6,078
Eildon	35,330	15,017
Teviot & Liddesdale	17,942	11,641
Tweeddale	21,326	4,005
Scottish Borders	115,020	45,686

Notes

- \*Community Councils has a generic pot which covers insurance, hall hire and SBCNN.
- \*4 Federation of Village Halls are currently Roxburgh, Central Borders, Berwickshire & Peeblesshire. Therefore a calculation has been made to apportion the Roxburgh pot across Cheviot and Teviot & Liddesdale.
- \*Community Grant Scheme has been used to fund shortfall of Festival Grants to date.
- \*Community Grant Scheme currently has a £10k generic budget.

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Community Council budget allocation 2018 - Appendix 2														
Total budget: £62,728														
Annual support grant - level of annual support grant is fixed														
		Data Protection Renewal (GDPR) - fixed @ £40 per CC		Insurance - cost variable but expected to remain at 2018/19 level for 2019/20		Hall hire costs (reimbursements) - costs vary year on year								
Allocated by population:														
Population		Grant												
< 500		£540												
500-2,000		£630												
2,001 - 74000		£990												
4,001-10,000		£1,365												
10,001<		£1,780												
SBCCN (Borderswide)		£1,250												
Total grant allocation: £50,905			Total cost p/a: £2,760			Total cost p/a: £5681.73			Total cost p/a: £3,337			Total spend		
											Pro rata of total spend			
Berwickshire		£13,680		£840		£1,748.04		£934.36		£17,202.40		27.4%		
Cheviot		£10,470		£600		£1,230.28		£867.62		£13,167.90		21.0%		
Eildon		£10,525		£520		£1,084.41		£500.55		£12,629.96		20.1%		
Teviot & Liddesdale		£6,370		£320		£647.60		£400.44		£7,738.04		12.3%		
Tweeddale		£8,655		£480		£971.40		£634.03		£10,740.43		17.1%		
SBCCN (Borderswide)		£1,250		£0		£0.00		£0.00		£1,250.00		2%		
TOTALS		£50,950		£2,760		£5,681.73		£3,337.00		£62,728.73		100.0% Total budget spend: £62,728.73		

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## 2016 Population Estimates for Area Partnerships

## Appendix 3

Current as at March 2018

Source: 2016 MYE-SAPE, National Records of Scotland. Based on 2011 Datazones.

Area Partnership	Population All_ages
Berwickshire	20,878
Cheviot	19,493
Eildon	35,281
Teviot and Liddesdale	17,778
Tweeddale	21,100
Scottish Borders	114,530

CGS Budget = £132,715

Deduct £10,000 for Generic budget = £122,715

5 Area Partnership Allocations:-

Berwickshire	$\frac{20,878}{114,530} \times 100 =$	18.23% (of £122,715)	£22,371
Cheviot	$\frac{19,493}{114,530} \times 100 =$	17.02% (of £122,715)	£20,886
Eildon	$\frac{35,281}{114,530} \times 100 =$	30.81% (of £122,715)	£37,808
Teviot & Liddesdale	$\frac{17,778}{114,530} \times 100 =$	15.52% (of £122,715)	£19,046
Tweeddale	$\frac{21,100}{114,530} \times 100 =$	18.42% (of £122,715)	£22,604
		100%	£122,715

Normally £2,750 deducted from CGS budget to top up Festival budget to £85,110 to cover additional festivals since the budget was set. However enough carry forward of unclaimed Festival grants for 2017/18 to cover this in 2018/19

CGS c/f from 2017/18	Unclaimed Festival grants from 2017/18
Berwickshire - £3,257	Earlston - £2,750
Cheviot - £3,563	Cockburnspath - £375
Eildon - £3,485	Gordon - £375
Teviot & Liddesdale - £8,442	
Tweeddale - £656	
Generic - £11,176	

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## LOCAL FESTIVALS FUNDING

GRANTS AGREED BY THE COUNCIL  
EXECUTIVE ON 24th February 2015

	Population 2014	Grant 2015/16 to 2018/19
<b>Group 1. Population over 10,000</b>		
Hawick Common Riding Committee	13,833	£9,300
Galashiels Braw Lads Committee	12,365	£9,300
<b>Group 2. Population 3,500-10,000</b>		
Peebles Beltane Festival	7,853	£6,500
Kelso Laddies Association	6,192	£6,500
Selkirk Common Riding Trust	5,640	£6,500
Jethart Callants Festival	3,946	£6,500
<b>Group 3A. Population 1,000-3,500 which have horse cavalcades</b>		
Duns Summer Festival	2,479	£3,300
Melrose Festival Committee	2,007	£3,300
Presenting Coldstream Association	1,839	£3,300
West Linton Whipman Play Society	1,457	£3,300
Lauder Common Riding Committee	1,109	£3,300
<b>Group 3B. Population 1,000-3,500 without horse cavalcades</b>		
Eyemouth Herring Queen	3,155	£2,750
St Ronans Festival Week	3,004	£2,750
Earlston Civic Week	1,793	£2,750
Tweedbank Fair Committee	2,097	£2,750
Chirnside Civic Week	1,244	£2,750
St Boswells Village Committee	1,058	£2,750
Burnfoot Community Carnival	2,954	£2,750
<b>Group 4a. Population 500-1000 which have horse cavalcades</b>		
Yetholm Festival Week	552	£775
<b>Group 4b. Population 500-1,000 without horse cavalcades</b>		
Greenlaw Festival	639	£500
Newcastleton Music Festival	762	£500
Walkerburn Summer Festival	720	£500
Coldingham Gala Committee	572	£500
Stow Gala Day and Sports Committee	630	£500
<b>Group 5. Population 300-500</b>		
Cockburnspath Gala		£375
Gordon Civic Week		£375
Eddleston Summer Festival		£375
<b>Group 6. Population 100-300</b>		
Burnmouth Village Hall Committee		£210
<b>Group 7. Professional Games</b>		
Morebattle Games Committee		£150
<b>TOTALS</b>		<b>£85,110</b>

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## 2018 Festival Grants by Locality

Berwickshire total	£14,060.00
Burnmouth	£210.00
Chirmside	£2,750.00
Cockburnspath	£375.00
Coldstream	£3,300.00
Coldingham	£500.00
Duns	£3,300.00
Eyemouth	£2,750.00
Gordon	£375.00
Greenlaw	£500.00

Cheviot total	£16,675.00
Jedburgh	£6,500.00
Kelso	£6,500.00
Morebattle	£150.00
St Boswells	£2,750.00
Yetholm	£775.00

Eildon total	£28,400.00
Earlston	£2,750.00
Galashiels	£9,300.00
Lauder	£3,300.00
Melrose	£3,300.00
Selkirk	£6,500.00
Stow	£500.00
Tweedbank	£2,750.00

Teviot and Liddesdale total	£12,550.00
Burnfoot	£2,750.00
Hawick	£9,300.00
Newcastleton	£500.00

Tweeddale total	£13,425.00
Eddleston	£375.00
Innerleithen	£2,750.00
Peebles	£6,500.00
Walkerburn	£500.00
West Linton	£3,300.00

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Summary of Federation of Village Halls Accounts 2017/18 (Autumn 2018) –

APPENDIX 5

<b>BERWICKSHIRE</b>	Award administered by BAVS
Number of Halls	27 (25+2 associate)
Grant from SBC 2017-18	£13,504
<b>Total Receipts</b>	<b>£13,714</b>
<b>Total Payments</b>	<b>£7,839</b>
Of which:	
Village Hall payments	£6,959 to 6 halls
Admin Fee (BAVS)	£823 incl. VAT (6% of annual grant)
Contingency fund	£3,000 (restricted for emergencies)
<b>Opening balance</b>	<b>£10,878</b>
<b>Closing balance</b>	<b>£16,753</b>

<b>CENTRAL BORDERS</b>	Award administered by The Bridge
Number of Halls	23
Grant from SBC 2017-18	£14,125
<b>Total Receipts</b>	<b>£14,125</b>
<b>Total Payments</b>	<b>£13,281.36</b>
Of which:	
Village Hall payments	£11,700 to 9 halls
Admin Fee (The Bridge)	£706.25 (5% of SBC grant)
Contingency fund	None listed
<b>Opening balance</b>	<b>£16,424.26</b>
<b>Closing balance</b>	<b>£17,267.90</b>

<b>ROXBURGH</b>	Award administered by The Bridge
Number of Halls	32
Grant from SBC 2017-18	£14,167
<b>Total Receipts</b>	<b>£14,172.92</b>
<b>Total Payments</b>	<b>£12,764.28</b>
Of which:	
Village Hall payments	£12,022.17 to 27 halls
Admin Fee (The Bridge)	£565.32 (4%)
Contingency fund	£2,000 (operating reserve)
<b>Opening balance</b>	<b>£24,237.16</b>
<b>Closing balance</b>	<b>£25,645.80</b> (£10,180.75 restricted)

<b>PEEBLESHIRE</b>	Award administered by The Bridge
Number of Halls	14
Grant from SBC 2017-18	£8,229
<b>Total Receipts</b>	<b>£8,369</b>
<b>Total Payments</b>	<b>£8,051</b>
Of which:	
Village Hall payments	£7,648.40 to 14 halls
Admin Fee (The Bridge)	£402.60 (5%)
Contingency fund	None listed
<b>Opening balance</b>	<b>£458.30</b>
<b>Closing balance</b>	<b>£776.30</b>

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# SCOTTISH BORDERS COUNCIL COMMUNITY GRANT SCHEME

## GUIDANCE NOTES



**PLEASE READ THESE GUIDANCE NOTES CAREFULLY BEFORE COMPLETING THE APPLICATION FORM**

### What is the Scottish Borders Council Community Grant Scheme?

The Scottish Borders Council Community Grant Scheme has been designed to provide limited support to voluntary and community groups that are active within their communities, and to assist communities or interest groups with the development of community based projects.

The scheme is provided by Scottish Borders Council and is divided up annually between each of the 5 Area Forums (Berwickshire, Cheviot, Eildon, Teviot & Liddesdale and Tweeddale), with an amount set aside for Borders-wide and non Borders-based groups. The amounts provided are subject to periodic review by Scottish Borders Council.

### Who can apply?

You can apply for a grant if:-

- you are a voluntary or community group based in the Borders
- you are a non-Borders based voluntary or community group who can demonstrate direct benefits for identified groups in the Borders
- you have a constitution or set of rules or equivalent
- you have a bank or building society account
- you have independently approved annual accounts which are less than 15 months old (new organisations must be able to provide a 12 month estimate of income and expenditure)
- your activities benefit the well-being of the Borders people
- you are committed to equality for all and equality of opportunity
- your project meets one of the outcomes of the scheme (the outcomes are the changes or differences our funding will make):-
  - **Communities have more access to better quality local services or activities (including arts, music, heritage or sports activities)** – for example improvements to community buildings, development of community events, enabling more people to take part in arts and sporting activities
  - **Communities have more access to a better quality environment (including the built environment)** – for example by increasing access to the countryside, development of community gardens, improving open spaces, development of floral displays
  - **Communities have more pride in their community** – for example development of Christmas Lighting projects, participation in celebratory events
  - **Communities have more access to better quality advice and information** – for example provision of public noticeboards, promotional leaflets, development of websites
  - **More local groups or services are better supported to recover from financial difficulty**

**Note: Constitutions, annual accounts and bank accounts must all be in the same name**

### Who cannot apply?

- individuals
- organisations involved in party political activities
- companies who aim to make a profit
- statutory bodies
- religious organisations (excluding uniformed youth groups)

### What kind of grants are available?

The Scottish Borders Council Community Grants Scheme is the Council's main provider of financial support to voluntary and community groups. It combines the former Community Support Fund with a range of other small Council grants schemes including support for Town Twinning, Christmas Lights, Guides, Scouts, uniformed youth groups, youth clubs, pipe bands and brass bands. It is an application based grant scheme, based on need. It will mainly fund defined projects but will, in certain circumstances, be able to provide one-off support grants to help sustain groups themselves.

**Note: Support grants are intended to help groups that are experiencing temporary financial difficulties. They are not intended to be annual payments.**

### What cannot be funded?

Grants cannot pay for:-

- ordering or spending which has taken place prior to approval
- wages, salaries, or fees of sessional workers,
- alterations and improvements to licensed serving areas
- electricity costs for Christmas Lighting
- upkeep of hanging baskets
- trips abroad
- maintenance of private roadways
- used vehicles

### How will projects be assessed?

Grants will be assessed using the following criteria:-

- if you have received a grant before
- how you have made use of previous grants
- how your group is set up and managed
- your finances and the financial need for funding (see note below)
- what need/demand there is for your project/activity
- benefits to be gained and how well your project meets the outcomes of the scheme
- support and involvement of wider community
- efforts to secure other sources of funding
- your group's commitment to promoting equality for all and equality of opportunity

**Note : If your group has more savings than the income your group receives in a year, you should explain what you are planning to do with this money. If you have not set aside this money for anything in particular a grant is unlikely to be awarded**

Decisions on grants from £501 to £5,000 will be considered by the Chief Executive, subject to agreement of officer recommendations by at least 50% of Members in the relevant Ward areas. Decisions on grants of up to £500 will be delegated to relevant officers of the Council depending on the outcome of the project. Decisions on grants from Borders-wide and non-Borders based groups will be made by the Executive Committee.

### How much is available?

The Scheme can offer grants to a maximum of £5000. A maximum of £5,000 can be awarded to any single project with a maximum of £5,000 awarded to any single group in any one financial year. Applications of £500 and over will require 10% match-funding in cash or 'in-kind' support (ie this might take the form of volunteer's time or local skills that are a direct input to your project). Grants of up to £499 can be funded up to 100%. The grant requested should be the minimum required to enable the project to go ahead.

Because of the limited amount of money within the Scheme **it is essential that applicants can demonstrate that they have checked other sources of funding before applying to the scheme.** Applicants should note that they may be asked to apply to other funding sources. To meet this condition it is important that potential applicants contact the Council's Grants Co-ordinator, The Bridge or Berwickshire Council of Voluntary Service in the first instance - see contact details below.

- Grants Co-ordinator, Communities & Partnerships Team, Council Headquarters, Newtown St. Boswells TD6 0SA. Tel: 01835-826626
- The Bridge, Newby Court, High Street, Peebles EH45 8AL. Tel: 01721-723123
- The Bridge, 3 Roxburgh House Court, Roxburgh Street, Galashiels TD1 1NY Tel: 01896-755370
- The Bridge, Veitch's Close, Castlegate, Jedburgh TD8 6AY. Tel: 01835-863554
- Berwickshire Association of Voluntary Service, 55 Newtown Street, Duns TD11 3AU. Tel: 01361-883137

### What happens if I get a grant?

Grants can only be used for the purpose applied for. Projects receiving a grant will be expected to be realistic and achievable and **must be completed within 12 months from the date of acceptance of the grant.** A Grant Evaluation Form must be completed and receipts provided to show that the amount given has been used for the purpose intended. The conditions of any offer of grant, along with the project outcomes, will be closely monitored. Any amount not used must be repaid in full. **Failure to comply with any conditions attached to a grant may result in the grant being repaid to Scottish Borders Council or affect future grant awards.**

### What is the time-scale for grants?

Applications may be submitted at any time. **Applications for Christmas Lighting should normally be submitted by the end of September each year.** In general, you should receive a letter within 8 weeks from receipt of a fully completed application letting you know the result of the decision (incomplete applications may cause delays). If you have been successful you will receive a grant offer letter in duplicate specifying the terms and conditions. You must sign and return one full copy to us within 3 weeks. **Grants will not be paid until we have received a signed grant offer letter.** Following receipt of the signed grant offer letter and acceptance of the terms and conditions, grants will be paid directly into your bank or building society account.

Application Forms for Scottish Borders Council Community Grant Scheme are available on request from:-

**Grants Co-ordinator  
Scottish Borders Council  
Communities & Partnerships Team  
Customer & Communities  
Newtown St. Boswells  
Melrose TD6 0SA  
Tel: 01835-826626  
Email: [communitygrants@scotborders.gov.uk](mailto:communitygrants@scotborders.gov.uk)  
[www.scotborders.gov.uk](http://www.scotborders.gov.uk)**

Completed application forms should be returned to the above address.

**You can get this document on tape, in Braille, large print and various computer formats by contacting the above address**

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**SCOTTISH BORDERS RAPID REHOUSING TRANSITION PLAN  
2019/2020 – 2023/2024**

**Report by the Service Director – Customer and Communities**

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**SCOTTISH BORDERS COUNCIL**

**28 March 2019**

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**1 PURPOSE AND SUMMARY**

- 1.1 This report seeks approval for our initial Scottish Borders Rapid Rehousing Transition Plan (RRTP) for the period 2019/20 – 2023/24, which sets out how Scottish Borders Council and its partners will seek to address homelessness in the Scottish Borders by moving to a Rapid Rehousing and Housing First model over the next 5 years.**
- 1.2 The Scottish Government is committed to making “radical changes to end homelessness in Scotland” and sees “Rapid Rehousing by default” as a cornerstone of this commitment.
- 1.3 Rapid Rehousing is a key element of a whole-system approach whereby the responsibility for tackling homelessness lies not just with Local Authorities but with housing providers, Health and Social Care Partnerships and the broad range of organisations that provide support.
- 1.4 The Scottish Government requested that all Local Authorities submit a 5-year RRTP for the period 2019/20 – 2023/24. A ‘first iteration’ RRTP was required to be submitted to the Scottish Government by 31 December 2018 and a finalised RRTP completed and submitted by the end of March 2019, ready for commencing implementation from April 2019.
- 1.5 Development of the Scottish Borders RRTP has been led by the Borders Homelessness and Health Strategic Partnership and has included consultation with key partners including the Borders Housing Alliance and the Health and Social Care Integration Strategic Planning Group. As required, a ‘first iteration’ RRTP was submitted to the Scottish Government in December 2018’ and further work has since been done to complete our RRTP for submission to the Scottish Government this month.
- 1.6 The Scottish Borders Rapid Rehousing Transition Plan partners believe we can make significant progress towards achieving our vision for Rapid Rehousing from within existing resources. However, as described in the Resource Plan of the RRTP (Appendix 1) (section on pages 17 – 20), it is clear that without securing additional resources from, for example, the Scottish Government’s ‘Ending Homelessness Together Fund’, it will not be possible to achieve Rapid Rehousing in full.

- 1.7 The Scottish Borders Rehousing Transition Plan 2019/2020 – 2023/2024, along with the corresponding Action Plan and Equality Impact Assessment, are attached as Appendices 1,2 and 3 respectively.

## **2 RECOMMENDATIONS**

### **2.1 Scottish Borders Council is asked to:-**

- (a) Approve the Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24 and related Action Plan (Appendices 1 and 2).**
- (b) Note that delivery of the Rapid Rehousing Transition Plan in full will require securing significant additional resources from, for example, the Scottish Government's Ending Homelessness Together Fund.**



### **3 SCOTTISH BORDERS RAPID REHOUSING TRANSITION PLAN 2019/20 – 2023/24**

- 3.1 The Homelessness and Rough Sleeping Action Group (HARSAG) was set up by Scottish Government in October 2017 to develop solutions to alleviate homelessness and rough sleeping across Scotland. HARSAG produced 4 sets of recommendations, all of which the Scottish Government accepted in principle, and these informed the joint COSLA/Scottish Government publication of 'Ending Homelessness Together – A High Level Action Plan, in November 2018. The Scottish Government has created a £50 million 'Ending Homelessness Together' fund to support this commitment. A cornerstone of the recommendations is a transition to a 'Rapid Re-housing', incorporating 'Housing First', approach to tackling homelessness.
- 3.2 The vision from the recommendations is of a whole-system approach whereby prevention of homelessness is paramount and the responsibility lies not just with Local Authorities but with housing providers, Health and Social Care Partnerships and the broad range of organisations that provide support.
- 3.3 When homelessness cannot be prevented, Rapid Rehousing should be the default response. Rapid Rehousing means:
- (a) A settled, mainstream housing outcome as quickly as possible;
  - (b) Time spent in any form of temporary accommodation reduced to a minimum, with the fewer transitions the better;
  - (c) When temporary accommodation is needed, the optimum type is mainstream, furnished and integrated within a community.
- 3.4 And for people with multiple complex support needs beyond housing:
- (a) Housing First is the first response for people with complex needs and facing multiple disadvantages;
  - (b) Housing First provides general settled housing as a first response for people with complex needs;
  - (c) It recognises a safe and secure home as the best base for recovery and offers personalised, open-ended, flexible support for people to end their experience of homelessness and address wider needs;
  - (d) The model aligns the provision of housing and support, offers choice and control to tenants and works to the principles of harm reduction.
- 3.5 The Scottish Government has given Local Authorities and their partners a 5 year timescale for transformation to "Rapid Rehousing by default" and requested that all Local Authorities submit a 5-year RRTP for the period 2019/20 – 2023/24. A 'first iteration' RRTP was required to be submitted to the Scottish Government by 31 December 2018 and a finalised RRTP completed and submitted by the end of March 2019, ready for commencing implementation from April 2019.

- 3.6 The Scottish Government has indicated that it will use the RRTPs to assess progress towards the 5-year vision of Rapid Rehousing and inform the allocation of resources (eg from the 'Ending Homelessness Together Fund'). It is expected that RRTPs will be jointly developed, implemented and resourced by Local Authorities, Health & Social Care Partnerships, RSLs, and other relevant partners (although led by Local Authorities). RRTPs should sit within the Community Planning Partners wider strategic planning framework of the Local Outcome Improvement Framework and the Local Housing Strategy.
- 3.7 Development of the Scottish Borders RRTP has been led by the Borders Homelessness and Health Strategic Partnership and has included consultation with key partners, including the Borders Housing Alliance and the Health and Social Care Integration Strategic Planning Group.
- 3.8 The Scottish Borders RRTP vision for Rapid Rehousing in the Scottish Borders is:
- (a) Homelessness is prevented wherever possible but where homelessness cannot be prevented a settled, mainstream housing outcome is secured as quickly as possible.
  - (b) When temporary accommodation is needed it will be mainstream, furnished accommodation within a community, and time spent in it will be minimal, with as few transitions as possible.
  - (c) Housing First will be the first response for people with complex needs and facing multiple disadvantages. We will work in collaboration with Health and Social Care Partnership, and other relevant services, to ensure tenancies are supported and sustained.
- 3.9 As required, a 'first iteration' RRTP was submitted to the Scottish Government in December 2018. Since December, further development work has been carried out on our RRTP in order to prepare it for submission to the Scottish Government this month and implementation from April.
- 3.10 Resourcing the Scottish Borders Rapid Rehousing Transition Plan is critical to its successful delivery. All the partners in the development of the Scottish Borders Rapid Rehousing Transition Plan believe it offers opportunities to improve joint working and the quality of service for people who are threatened with homelessness or who become homeless, and that we can make significant progress towards achieving our vision for Rapid Rehousing from within existing resources. However, it is clear that without securing additional resources from, for example, the Scottish Government's 'Ending Homelessness Together Fund', it will not be possible to achieve Rapid Rehousing in full.
- 3.11 However, as described in the Resource Plan (section on pages 17 – 20 of the RRTP), it is clear that without securing additional resources from, for example, the Scottish Government's 'Ending Homelessness Together Fund', it will not be possible to achieve Rapid Rehousing in full. Scottish Government has awarded Scottish Borders £35,000 from the 'Ending Homelessness Together Fund' to assist with the development of the RRTP. However, Scottish Government is not expected to confirm the value of any further awards from the 'Ending Homelessness Together Fund' until the second quarter of 2019/20.

- 3.12 This first Scottish Borders RRTP is the start of our discussion about how to proceed with Rapid Rehousing in Scottish Borders. We will be reviewing, updating and amending the Plan on an ongoing basis in order to ensure that it serves as a focused and practical tool to help us to achieve our vision for Rapid Rehousing in the Scottish Borders.

## **4 IMPLICATIONS**

### **4.1 Financial**

The Scottish Borders RRTP has been costed as per the Scottish Government guidance. Significant elements of the RRTP can be achieved within the partners' existing resources. However, delivery of the RRTP in full will require securing significant additional resources from, for example, the Scottish Government's Ending Homelessness Together Fund.

### **4.2 Risk and Mitigations**

There is a risk that the Scottish Government will not provide the funding requested by our RRTP either in part or in full. This would lead to us being unable to provide the level of service identified to provide a transition to Rapid Rehousing for homeless households in the Scottish Borders within the 5 year target timescales.

### **4.3 Equalities**

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

### **4.4 Acting Sustainably**

There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

### **4.5 Carbon Management**

There are no significant effects on carbon emissions arising from the proposals contained in this report.

### **4.6 Rural Proofing**

Rural proofing applies to all areas of Scottish Borders classified by Scottish Government as 'remote rural' or 'accessible rural'. This applies to all areas of Scottish Borders out with the towns of Hawick, Galashiels/Tweedbank, Peebles, Selkirk, Eyemouth, Jedburgh and Kelso. The RRTP has been rural proofed and it is anticipated there will be no adverse impact on rural areas from the RRTP.

### **4.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

## 5 CONSULTATION

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy and Policy, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.
- 5.2 The RRTP was developed by Borders Homelessness and Health Strategic Partnership and included consultation with key partners, including the Borders Housing Alliance and the Health and Social Care Integration Strategic Planning Group.

### Approved by

**Jenni Craig** **Signature .....**  
**Service Director – Customer and Communities**

### Author(s)

Name	Designation and Contact Number
David Kemp	Homelessness and Financial Support Manager (01896 661387)

### Background Papers:

Homeless and Rough Sleeping Action Group Recommendations (June 2018):

<https://www.gov.scot/publications/homelessness-and-rough-sleeping-action-group-final-report/>

Rapid Rehousing Transition Plans: Guidance for Local Authorities and Partners (August 2018): [http://www.ghn.org.uk/wp-content/uploads/2018/06/Rapid\\_Rehousing\\_Guidance1.1.pdf](http://www.ghn.org.uk/wp-content/uploads/2018/06/Rapid_Rehousing_Guidance1.1.pdf)

Ending Homelessness and Rough Sleeping: Action Plan (November 2018):

<https://www.gov.scot/publications/ending-homelessness-together-high-level-action-plan/>

**Previous Minute Reference:** N/A

### Appendices:

Appendix 1 – Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24

Appendix 2 – Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24 – Action Plan

Appendix 3 – Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24 – Stage 1 Equality Impact Assessment

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. David Kemp can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

## Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24

### Introduction

The Homelessness & Rough Sleeping Action Group (HARSAG) was set up by the Scottish Government in October 2017 to produce short and long term solutions to end homelessness and rough sleeping. The cornerstone of recommendations is a transition to a Rapid Rehousing approach, of which Housing First is a component. Housing First provides general settled housing as a first response for people with complex needs, recognising that a safe and secure home is the best base for recovery, and offers personalised, open-ended, flexible support for people to end their experience of homelessness and address wider needs. The Scottish Government has given Local Authorities and their partners a 5 year timescale for transformation to “Rapid Rehousing by default” and requested that all Local Authorities submit a 5-year RRTP for the period 2019/20 – 2023/24. A ‘first iteration’ RRTP was required to be submitted to the Scottish Government by 31 December 2018 and a finalised RRTP completed and submitted by the end of March 2019, ready for commencing implementation from April 2019.

Development of the Scottish Borders RRTP has been led by the Borders Homelessness and Health Strategic Partnership (BHHSP). The BHHSP includes senior officers from the Scottish Borders Council and NHS Borders with responsibility in homelessness, health and social care, public health, social work, property management and housing strategy, and senior officers from the 4 locally based Registered Social Landlords (RSLs) who own the majority of the social rented housing stock in the Borders, Berwickshire Housing Association, Eildon Housing Association, Scottish Borders Housing Association (SBHA) and Waverley Housing. Development of the Plan has been further informed by workshops which have also involved officers with responsibility for frontline service delivery and officers with specific remits for, for example, housing support, and drug and alcohol services.

This first Scottish Borders Rapid Rehousing Transition Plan is the start of our discussion about how to proceed with Rapid Rehousing in Scottish Borders. We will be reviewing, updating and amending the Plan on an ongoing basis in order to ensure that it serves as a focused and practical tool to help us to achieve our vision for Rapid Rehousing in the Scottish Borders.

#### **Our vision for Rapid Rehousing in the Scottish Borders is:**

- **Homelessness is prevented wherever possible but where homelessness cannot be prevented a settled, mainstream housing outcome is secured as quickly as possible.**
- **When temporary accommodation is needed it will be mainstream, furnished accommodation within a community, and time spent in it will be minimal, with as few transitions as possible.**
- **Housing First will be the first response for people with complex needs and facing multiple disadvantages. We will work in collaboration with Health and Social Care Partnership, and other relevant services, to ensure tenancies are supported and sustained.**

All the partners in the development of the Scottish Borders Rapid Rehousing Transition Plan believe that Rapid Rehousing offers opportunities to improve joint working and the quality of service for people who are threatened with homelessness or who become homeless. We all acknowledge that achieving rapid rehousing will present some significant challenges but all of the partners are fully committed to participating actively and wholeheartedly to achieving our vision for Rapid Rehousing in the Scottish Borders.

RRTP will require a multi-agency review of the existing model, and development of a new joint model, of access to social housing across Scottish Borders, which will help homeless people to move directly into suitable mainstream housing as a normal default resolution to homelessness, reducing the need for temporary accommodation. This will include a review of RSLs' Allocations Policies, and will require the RSLs and the Council's Assets and Infrastructure Department to work together to reshape our model of temporary accommodation.

## **Background**

The Homelessness & Rough Sleeping Action Group (HARSAG) was set up by the Scottish Government in October 2017 to produce short and long term solutions to end homelessness and rough sleeping. Four sets of recommendations were made in December 2017 and in February, May and June 2018. The context for the 70 detailed recommendations is a vision of a whole-system approach whereby prevention of homelessness is paramount and the responsibility lies not just with local authorities but with housing providers, health and social care partnerships and the broad range of organisations that provide support.

When homelessness occurs, rapid rehousing should be the default position, as that will avoid the need for time in temporary accommodation. Recognising that some people need more than just a house and have multiple complex needs that must be addressed alongside their homelessness, the action group has made it clear that the Housing First model of intensive support should be available. For people who require the emergency safety net of temporary accommodation, their time there should be as short as possible. It should be spent in accommodation that is of a high standard and in a location that minimises disruption to their daily lives.

Where homelessness cannot be prevented, Rapid Rehousing means:

- A settled, mainstream housing outcome as quickly as possible;
- Time spent in any form of temporary accommodation reduced to a minimum, with the fewer transitions the better;
- When temporary accommodation is needed, the optimum type is mainstream, furnished and integrated within a community.

And for people with multiple complex support needs beyond housing:

- Housing First is the first response for people with complex needs and facing multiple disadvantages;
- Housing First provides general settled housing as a first response for people with complex needs;
- It recognises a safe and secure home as the best base for recovery and offers personalised, open-ended, flexible support for people to end their experience of homelessness and address wider needs;
- The model aligns the provision of housing and support, offers choice and control to tenants and works to the principles of harm reduction.

A rapid rehousing approach sees a shift away from a culture of 'tenancy readiness'. The majority of households experiencing homelessness have no, or low support needs. Some households may have higher support requirements, and for them rapid rehousing means supporting people in their own settled home rather than in temporary or supported accommodation for prolonged periods of time. Where independent living within the community is not possible or preferable for whatever reason (safety, risk to self or others, choice) and for whom residential or supported accommodation is the preferred housing option, we will work with relevant partners to secure specialist supported housing provision.

The Rapid Rehousing Transition Plan (RRTP) is a new planning framework for local authorities and their partners to transition to a rapid rehousing approach. Each Local Authority is required to develop their plans in collaboration over a planned and costed phase of 5 years (2019/20 to 2023/24) with a 'first iteration' RRTP being submitted to the Scottish Government by 31 December 2018 and a finalised RRTP completed and submitted by the end of March 2019, ready for commencing implementation from April 2019. RRTPs will then be an integral part of the Strategic Housing Investment Plan (SHIP) and be reviewed annually as part of the SHIP process. RRTPs will sit within the Community Planning Partners wider strategic planning framework of the Local Outcome Improvement Framework and the Local Housing Strategy, and the Strategic Plan for the delivery of objectives identified by the Health and Social Care Partnership

The Rapid Rehousing Transition Plan is designed to be a working tool which:

- Sets out the local housing market and homelessness context in the Scottish Borders;
- Provides the baseline position of temporary accommodation supply;
- Sets out Scottish Borders Council's and partners' 5-year vision for temporary accommodation supply;
- Identifies support needs to enable rapid rehousing and action required to deliver these;
- Details the actions required to achieve our vision for temporary accommodation supply and settled housing options for homeless households; and
- Provides a rapid rehousing resource plan required to deliver the plan and evidence the co-ownership and resourcing of the Plan with wider partners, particularly Health & Social Care Partnerships and Registered Social Landlords (RSLs).

## **Scottish Borders Housing Market**

The Scottish Borders area is 473,614 hectares (1,827 square miles) and is located in the South East of Scotland. It has Edinburgh and the Lothians to the North, Northumberland to the South and Dumfries and Galloway to the West. Scottish Borders Council area is the fourth most sparsely-populated mainland Local Authority area in Scotland after Highland, Argyll and Bute and Dumfries and Galloway.

There are four Housing Market Areas in the Scottish Borders; Berwickshire, Central Borders, Northern and Southern Borders. Northern Borders is a sub - market in the wider Edinburgh market. Central Borders contains the larger settlements in the Scottish Borders; Hawick and Galashiels. Southern Borders is quite rural with only one main settlement, Newcastleton and Berwickshire is also a very rural and sparsely populated area.

**Figure 1: Housing Market Area Maps**

The estimated 2017 population for Scottish Borders was 115,020: an increase of 0.9 per cent from 114,030 in 2014. The population of Scottish Borders accounts for 2 per cent of the total population of Scotland. Since 1988, Scottish Borders's total population has risen overall. Scotland's population has also risen over this period. The Scottish Borders is a rural local authority where 30% of the population lives in settlements of under 500 people or in isolated hamlets. The largest town is Hawick with a 2016 estimated population of 13,783, followed by Galashiels with 12,601 – although, if neighbouring Tweedbank were included, Galashiels would be the largest town in Scottish Borders. The only other towns with a population of over 5,000 people are Peebles, Kelso and Selkirk.



In the Scottish Borders, 13 per cent of the population are aged 16 to 29 years. This is smaller than Scotland, where 18 per cent are aged 16 to 29 years. Persons aged 65 and over make up 24 per cent of Scottish Borders. This is larger than Scotland where 18 per cent are aged 60 and over.

The overall population of Scotland is expected to increase by 5.3% between 2016 and 2041 but the overall population of the Scottish Borders is not expected to change significantly in the same period (increase of 2.4%). However, the constitution of the population by banded age group is expected to change significantly, with a drop in the proportions of children and working-age people and an increase in the proportion of pensioners. These changes are expected to be more marked in Scottish Borders than in Scotland as a whole. In particular, proportions of the 75+ age group in Scottish Borders are projected to increase by 80%, which is even higher than the projected Scottish increase.

Of the 52,498 households that were recorded in the 2011 Census, the most typical household structure was of the married couple with no dependent children, followed by the single, working-age householder. The Scottish Borders has a slightly higher proportion of 2-person households than the Scottish average, confirming that the married couple with no children living at home is the most typical household structure in the region. All other household sizes are correspondingly slightly below the national average.

The number of households is projected to increase by 8% in the Scottish Borders, compared to 14% nationally. Within the Scottish Borders, it is projected that there will be more single person households and 3+ adults home.

66% of households in the Scottish Borders are owner-occupiers; this is the most typical tenure type in the region which is higher than for Scotland (62%). 19% of households live in the social rented sector and 12% private rented sector. The Scottish Borders has a lower level of social rented accommodation and a lower level of private rented housing, than is the case nationally (although in some years the private rented sector has been much higher: 2012 it was 17% and 2015 it was 16%).



56,400 people work in Scottish Borders. Earnings are below the Scottish average, particularly so for those working within the Scottish Borders area: people who live and work in the Scottish Borders earn just over 81% of the Scottish average wage; those who live in the Scottish Borders and work outside the area earn on average 92% of the Scottish average. This reflects the value of the employment available in the Scottish Borders economy.

In the Scottish Borders, the public services sector (public admin, education and health) is the largest employment sector (28% in the Borders and 31% for Scotland). Hotels and restaurants (including distribution) accounts as a large employment sector (22%). Fishing and agricultural accounts for 8% of the employment sector compared with Scotland (2%). There is a large amount of seasonal and part time employment in the Scottish Borders.

The proportion of working age people claiming Job Seekers Allowance (JSA) and those unemployed people claiming or transferring on to Universal Credit (UC) in the Scottish Borders has consistently been below the level for Scotland. The unemployment rate in the Scottish Borders is 3.1%, below the national average of 4.1%.

The ratio of house prices compared with income levels is a key indicator of the relative affordability of owner occupation (6.3 in the Scottish Borders). Affordability varies across the Housing Market Areas, people who live and want to buy a property in the Scottish Borders will require on average over five times their income to be able to buy a home, in Southern Borders it is six times their income.

**Table 1: Income and House Price 2016**

Housing Market Area	Average Income*	Average House Price**	Housing affordability ratio
Berwickshire	£31,618	£184,202	5.8
Central Borders	£31,116	£157,544	5.1
Northern	£42,376	£218,586	5.2
Southern	£32,756	£206,131	6.3

\*CACA Paycheck Data 2016

\*\* Sasines data 2016

More detailed analysis of housing affordability was completed in 2016, in preparation for LHS development, using a modelling tool developed by Arneil Johnston. The model works by analysing a range of housing cost benchmarks and testing these against a range of assumptions, based on the proportion of income devoted to housing costs. The model then calculates the percentage of households that can/ cannot afford each housing tenure.

As can be seen from the housing cost profile, unsurprisingly, PRS rents are significantly higher than RSL rents, LHA rates and MMR benchmarks. Even at the LHA rate, PRS rents are unaffordable to households across all property sizes. Based on a two bedroom property households (assuming a 30% income to rent ratio) would require an annual income of £12,718 for a social rented property and £18,284 for a private rented property.

**Figure 2: Affordability Analysis**

1 bed housing costs	2 bed housing costs	3 bed housing costs	4 bed housing costs
RSL: £292 PRS: £352 LHA: £312 MMR: £265	RSL: £318 PRS: £457 LHA: £400 MMR: £340	RSL: £347 PRS: £559 LHA: £475 MMR: £404	RSL: £393 PRS: £790 LHA: £600 MMR: £510

Source: Arneil Johnston, 2016

The Local Housing Allowance levels for the Scottish Borders are as follows (2018/19):

**Table 2: LHA rate 2018/19**

Number of Bedrooms	2018/19 LHA rate per week
1 room - shared bathroom and kitchen	£56.96
1 bedroom	£72.00
2 bedrooms	£92.05
3 bedrooms	£109.62
4 bedrooms	£138.46

Recent national figures published on private sectors rents (Private Sector Rent Statistics, Scotland, 2010 to 2018) shows that the average rent in the Scottish Borders has increased for all sizes between 2017 and 2018. Increases ranged from 3.5% for one bedroom properties up to 25.6% for four bedroom properties, which compares to CPI inflation of 2.4% across this time period.

**Table 3: Broad Rental Market Area Profile: Scottish Borders, 2018 (monthly)**

	1 bed	2 bed	3 bed	4 bed	1 shared bed
Lower Quartile	£325	£425	£495	£738	£251
Median	£350	£450	£563	£875	£294
Mean	£357	£478	£591	£942	£357
Upper Quartile	£390	£525	£675	£1,050	£541

The second SESplan Housing Need and Demand Assessment (HNDA) was undertaken in 2013/14 and was assessed as robust and credible by Scottish Government in 2015. It was undertaken to support the preparation of SDP2, as well as to inform development of the member authorities' LHS and Local Development Plans. Table 5 below sets out the total future housing need (excluding existing need) for the SESplan area from 2012-2032.

**Table 4: Future Housing Need for Newly Arising Households, Excluding Net Existing Need (Constrained to SESplan Total) 2012-2032**

	City of Edinburgh	East Lothian	Fife SESplan	Midlothian	Scottish Borders	West Lothian	SESplan
Alternative Future: Steady Recovery 2	59,024	8,686	10,341	5,505	2,549	9,525	95,631
Alternative Future: Wealth Distribution 2	72,743	9,500	13,804	6,266	4,188	11,060	117,562
Alternative Future: Strong Economic Growth 2	87,452	10,563	17,006	6,617	5,863	12,412	139,913

Source: Core HMP Analysis of HNDA tool output, combined with core HMP analysis of existing need requirements, 2014

The SESplan Housing Supply Targets have been informed by a Housing Need and Demand Assessment (HNDA which identified three alternative futures based on different economic and demographic assumptions. Following analysis SESplan has concluded that the most likely outcome will fall

somewhere between the Steady Recovery and Wealth Distribution alternative futures. This means the Housing Supply Target for the Scottish Borders is 348, 128 for affordable housing and 220 for market housing.

The current SHIP (2019-2024) sets out how, when and where the Council and its partners could potentially deliver up to as many as 1,047 affordable homes over the period of SHIP and beyond. Table 5 below shows the breakdown of these proposed projects by year and Housing Market Area. If the SHIP delivers on these projects then this will meet the Housing Supply Target over the five years.

**Table 5: Proposed Development Projects for SHIP 2019-2024**

	2019/2020	2020/21	2021/22	2022/23	2023/24	Total
Berwickshire	47	114	70	12		243
Central	51	245	238	50	85	642
Northern	52	29	6	48		135
Southern						0
Scottish Borders	150	388	314	110	85	1,047

Scottish Borders Council is a stock transfer local authority, transferring all of its stock to Scottish Borders Housing Association in 2003. As of 2017/18 there were approximately 11,930 properties between nine different registered social landlords (RSLs) operating within the Borders. The four largest RSLs to operate in the Borders are; Waverley Housing Association, Berwickshire Housing Association, Scottish Borders Housing Association (SBHA) and Eildon Housing Association. The others include national housing associations with some properties in the Borders, some of which provide specialist as well as general needs housing.

On average there are approximately over 1,200 lets every year within these four RSLs, each of these RSLs operates their own choice based lettings scheme and allocations policies.

The number of long term empty properties in the Scottish Borders in 2017 was 1,419 this figure has remained consistent over the past six years when the number of empty homes in 2011 was 1,422. This does not follow the same trend for Scotland where empty homes have continued to increase each year since 2012. Long term empty properties can impact the built environment, quality of life for neighbours, on housing need and on the sustainable use of land and resources and on the economy. The only effective way to reduce the negative impact of an empty dwelling is to occupy it.

Key points from the local Housing Market Context that impact on our approach to RRTP include:

- The Scottish Borders is a predominately large rural area which creates challenges for service delivery
- Each Housing Market Area has its own challenges – Northern HMA has very strong links with the Edinburgh housing market which creates affordability issues
- An increase in households in the Scottish Borders, particularly an increase in single households will have an impact on the housing stock required to accommodate smaller households.
- The role of the private rented sector in the Scottish Borders is very important in providing housing options but there continues to be barriers experienced by homeless households accessing the sector, through lack of choice and affordability.

- Council and RSL led developments will make a significant contribution to the delivery of affordable housing, albeit the level of this development is constrained by the availability of opportunities and other variable factors
- For households requiring larger properties the cost of housing in the PRS is considerably higher than that of social housing and for those who depend on the LHA it is simply unaffordable as a result of wider welfare reform challenges.
- The demand for social housing is greater for those on lower incomes, single households under 35 years old due to LHA rates in the Scottish Borders and the cost of the private rented sector.

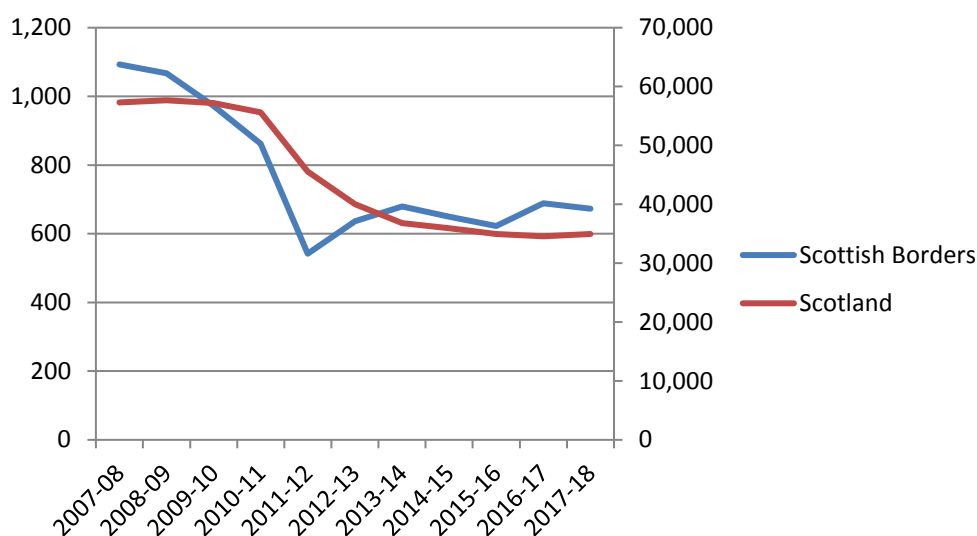
## Homelessness

Following the introduction in 2011 of a housing options approach to homelessness prevention, and an initial significant fall of 37% in 2011/2012, the number of homelessness applications in Scottish Borders has remained largely stable at around the 650 mark per year since 2012/2013. This has been in contrast with the national picture which has seen year on year decreases in the number of applications until 2017/2018 when a 1% increase in applications nationally contrasted with a 2% decrease in Scottish Borders. The 673 applications received in 2017/2018 were 38% fewer than in 2007/2008 when the number of applications peaked at 1093. The number of applications received in each of the most recent years accounts for about 1% of households in the Scottish Borders.

Table 6: Homeless applications in the Scottish Borders Year	07/08	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18
Total	1093	1067	972	862	542	637	679	650	623	689	673

Source: Scottish Government Homelessness in Scotland 2017-18

**Figure 3: Number of applications under the Homeless Persons legislation**



The relative stability of the number of homelessness applications in the Scottish Borders is set against a very challenging local landscape in terms of housing affordability, welfare reform and economic fragility. A shortage of some house types in the social rented sector places pressure on the private rental market, where high rents are driven by demand from the buy-to-let, second homes, holiday rentals and commuter market. Settled accommodation options for homeless people are in short supply and demand continually exceeds supply. This brings specific challenges to homelessness services, will continue to do so, and places an increasing emphasis on the private sector and alternative tenures to provide long term housing solutions.

While rough sleeping in the Scottish Borders is not necessarily as visible as it is in the cities, of the 673 homeless applications made in 2017/2018, 30 applicants advised that they had slept rough at least once during the last 3 months and 10 had slept rough the night before.

Single people make up the majority of applicants (62%) and those under 35. The number of statutory homelessness applications received from young people aged 24 or under fell by 8% in 2017/2018 and, as a proportion of the total number of applications received, has fallen from 30% in 2015/2016 to 27% in 2016/2017 and to 24% in 2017/2018.

The reasons that households become homeless in the Borders largely mirrors the national picture with housing crisis most commonly underpinned by households (i) asked to leave their current accommodation; (ii) experiencing a dispute within the household; or (iii) as a result of action by landlord

In 2017/18, 590 households were assessed as homeless or threatened with homelessness under the homelessness legislation, of which 578 households were assessed as unintentionally homeless or threatened with homelessness. These figures are slight increases of 1.7% and 0.5% respectively in comparison with 2016/2017 and on a par with the rate of increase nationally during the year.

The level of repeat homelessness applications in Scottish Borders remains low, with only 4.5% of new applications in 2017/2018 having already made an application within the previous year in comparison with the national average of 6%.

In 2017/18, 63% of households assessed as unintentionally homeless secured settled accommodation. This was a slight decrease in comparison with the previous year and remains lower than the national average of 69% in 2017/2018.

220 households entered temporary accommodation during 2017/2018. 7% (15) of these households contained children. This compares with the national average of 10% of households in temporary accommodation containing children. 90% of respondents expressed satisfaction with the quality of temporary accommodation provided. And the use of bed and breakfast as a temporary accommodation option in Scottish Borders remains minimal with only 2 households in bed and breakfast during the year.

The average length of stay in temporary accommodation in the Scottish Borders increased in 2017/2018 to 119 days from 115 days in 2016/2017. This compares with a national average of 97 days and a 'East HUB' average of 140 days.

The proportion of all social lets by RSLs to statutory homeless households in 2017/2018 was 22%, a decrease from the previous year at 24%.

### **Rapid Rehousing Baseline Position**

As a housing stock transfer authority, Scottish Borders Council has only a small number of properties available for its own use. Consequently, a strong partnership approach between the Council and Registered Social Landlords has been essential to ensure the provision of a sufficient supply of good quality temporary accommodation. The success of this partnership approach is reflected in the low level of reliance on bed and breakfast accommodation.

RRTP will require a multi-agency review of the existing model, and development of a new joint model, of access to social housing across Scottish Borders, which will help homeless people to move directly into suitable mainstream housing as a normal default resolution to homelessness, reducing the need for temporary accommodation. This will include a review of RSLs' Allocations Policies, and will require the RSLs and the Council's Assets and Infrastructure Department to work together to reshape our model of temporary accommodation.

There is clear evidence that particular groups are at high risk of homelessness. A HARSAG recommendation is that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including:

- People leaving public institutions or with previous experience of public institutions such as prison, mental health services, armed forces;
- Groups with particular needs such as women who have experienced domestic violence, migrants, asylum seekers, refugees, people experiencing relationship breakdown, LGBT groups and people with experience of the care system or on leaving the care system;
- People who have experienced or are experiencing poverty and/or adverse childhood experiences; and
- Those facing potential eviction from the private rented sector, or the social rented sector including particular approaches on rent arrears.

We will build on existing local joint pathway arrangements such as the SHORE (Sustainable Housing On Release for Everyone) standards for prisoners, the multi-agency 'Housing Options Protocol for Care Leavers in the Scottish Borders', and the Safer Housing Options Service, MARAC (Multi-Agency Risk

Assessment Conference arrangements), and CEDAR (Children Experiencing Domestic Abuse Recovery) services for victims of domestic abuse, to ensure that effective pathways are developed and implemented for all of the groups who are predictably at highest risk of homelessness. The Safer Housing Options Service, MARAC and CEDAR services already provide evidence for how strong local partnership connections at both a strategic and operational level across a wide range of agencies can produce positive outcomes for vulnerable people.

In addition, HARSAG recommends building on the above recommendation about high risk groups by offering additional recommendations in relation specifically to children and young people. As indicated in the Scottish Borders 2017-2022 Local Housing Strategy, the Scottish Borders has had a relatively high level of homelessness young people. This picture has been improving year on year since 2014/2016, however, addressing the needs of young people continues to be, and will continue to be, a priority for the RRTP partners in the Scottish Borders. We will build on the success of the specialist supported accommodation for care experienced young people at Albert Place in Galashiels and our multi-agency 'Housing Options Protocol for Care Leavers in the Scottish Borders'. During 2018/2019, the Council has started working with Aberlour to deliver a flexible, intensive and highly responsive support service to families at the edge of care. In 2018, the Council commissioned a study on the housing needs and aspirations of young people in the Scottish Borders which included face to face surveys with young people. The findings of the study will help us to shape pathways and interventions meet the particular needs of young people, prevent them from becoming homeless, and support them in sustaining accommodation

The majority of temporary accommodation stock in the Scottish Borders is in mainstream properties based within the community. The properties vary in type and size, are a mix of flatted and cottage type accommodation and are fully furnished. They are located within the main towns and villages across the Scottish Borders and so have access to shops, schools, GP practices, support providers and other services. Nevertheless, provision of temporary accommodation over such a wide rural area presents significant challenges, particularly to ensure that the right size and type of accommodation is available at the right time to meet the needs of each homeless household.

They provide temporary accommodation to single applicants, couples and families. The average stay in this type of accommodation in 2017/18 was 119 days at an average cost of £96.36 per week.

At 31 March 2018, this stock of temporary accommodation consisted of 108 properties. 18 of the properties were Council owned and 90 were leased by the Council from RSLs and sublet to homeless households.

4 of the properties are adapted, including 1 which is fully adapted for use by people with wheelchairs.

With the exception of the Council owned accommodation in Hawick, which includes a part-time concierge service, these properties do not have any integral support provision. Floating support is offered to every household who is assessed as having a need for it.

In addition, the Council continues to make occasional use of B+B. There is no stock of Bed and Breakfast places reserved for use by homeless households: the Council secures Bed and Breakfast on a spot-purchase basis when required. Action by the Council to continually improve the management of temporary accommodation has reduced the rate of use of B+B in the Scottish Borders year on year from 124 households in 2012/2013 to only 2 households in 2017/2018.

Exit surveys indicate a high level of satisfaction with 90% of those surveyed in 2017/2018 expressing satisfaction with the overall quality of the temporary accommodation with which they were provided.

At 31 March 2018, there were 83 households in the Scottish Borders living in temporary accommodation provided by the Council and its RSL partners. This included 21 households with pregnant women or dependant children. All of this temporary accommodation provision was in the form of mainstream, furnished properties. There were no households staying in B+B at 31 March 2018.

We have previously piloted “flipping” temporary accommodation into RSL permanent tenancies, which has produced successful results. It is a tool we are looking to develop and utilise further where this outcome would benefit the tenant and reduce disruption on the household.

**Table 7: Temporary Accommodation Provision and Voids in the Scottish Borders at 31 March 2018**

Accommodation	Provider	Capacity	Occupied	Vacant	Average weekly charge (incl. service charges)
Kelso	SBC	14	10	4	£249.97
Hawick	SBC	4	4	0	£233.36
Dispersed	SBHA	50	42	8	£175.87
Peebles	SBHA	4	2	2	£159.88
Dispersed	Berwickshire Housing Association	7	6	1	£198.03
Dispersed	Waverley Housing	14	10	4	£188.34
Dispersed	Eildon Housing Association	11	8	3	£195.56
Dispersed	Link Housing Association	4	3	1	£163.39
<b>Total</b>		<b>108</b>	<b>85</b>	<b>23</b>	

In addition, specialist supported accommodation at Albert Place in Galashiels, provides 4 self-contained flats for care experienced young people and includes a training flat. The accommodation is owned by SBHA and managed by the Council’s Throughcare and Aftercare team. The allocation of flats is agreed through a multi-disciplinary panel. High level intense support tailored to the individual is provided by the Throughcare and Aftercare team.

In addition, Border Women’s Aid manage a property which provides refuge accommodation and support for up to 4 women or families at risk of domestic abuse or fleeing domestic abuse. The cost per week in 2017/2018 was £287.25 and the average length of stay was 54 days.

To date, there is no Housing First provision in the Scottish Borders. However, we believe that the strong local partnership connections which we have at both a strategic and operational level in relation to, for example, the Scottish Borders Justice Service and MAPPA, and the Safer Housing



Options Service, MARAC and CEDAR services for victims of domestic abuse, provide us with a strong foundation upon which to develop a Housing First principles.

### Rapid Rehousing 5 Year Vision / Projections

Our vision for Rapid Rehousing in the Scottish Borders is:

- Homelessness is prevented wherever possible but where homelessness cannot be prevented a settled, mainstream housing outcome is secured as quickly as possible.
- When temporary accommodation is needed it will be mainstream, furnished accommodation within a community, and time spent in it will be minimal, with as few transitions as possible.
- Housing First will be the first response for people with complex needs and facing multiple disadvantages. We will work in collaboration with Health and Social Care Partnership, and other relevant services, to ensure tenancies are supported and sustained.

To achieve this vision over the period to March 2024 we aim to do the following:

- We will continue to improve the quality and integration of our housing, homelessness, social care and health and other support services to maximise housing sustainment, optimise housing options, and prevent homelessness occurring wherever possible.
- We will seek to do so in such a way that allows us to reduce our stock of temporary accommodation by 75% on a year by year basis to a maximum of 30 properties by 2024.
- When homelessness cannot be prevented time spent in temporary accommodation will aim to a maximum of 60 days by 2024
- Our temporary accommodation provision will continue to be high quality, mainstream, fully furnished accommodation within the community which meets the needs and choice of homeless households as far as is possible in a rural context.
- We will continue to make minimal use of B&B and, if possible, not use it at all.
- We will seek to develop and implement a Housing First model that meets the needs of people with multiple needs in the Scottish Borders and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First.

Below are initial projections for the change in temporary accommodation supply over the forthcoming 5 years:

**Table 8: Initial Projections of Temporary Accommodation Capacity (No. of Households) at 31 March**

Accommodation	Provider	2019	2020	2021	2022	2023	2024
Kelso	SBC	14	0	0	0	0	0
Hawick	SBC	4	4	0	0	0	0
Dispersed	SBHA	50	50	45	37	25	16

Peebles	SBHA	4	4	2	0	0	0
Dispersed	Berwickshire Housing Association	7	7	7	6	4	3
Dispersed	Waverley Housing	14	14	12	10	7	4
Dispersed	Eildon Housing Association	11	11	10	8	6	4
Dispersed	Link Housing Association	4	4	4	3	2	1
<b>Total</b>		108	94	80	64	44	28

The above are initial projections for our first Rapid Rehousing Transition Plan. It is important to stress that the aims, targets and projections described above will be subject to continual review and, therefore, possible amendment, as our Rapid Rehousing Transition Plan develops over the forthcoming years: this first Scottish Borders Rapid Rehousing Transition Plan is just the start of our discussion about how to proceed with Rapid Rehousing and achieve our vision for Rapid Rehousing in the Scottish Borders.

### Identifying Support Needs

The Guidance for Local Authorities and Partners on Rapid Rehousing Transition Plans emphasises that a critical part of the shift to a position of rapid rehousing will be to remove “tenancy readiness” culture and language. The evidence is clear that the majority of households experiencing homelessness have no, or low support needs and will easily move into mainstream housing with day to day housing management advice and assistance.

Our initial analysis of support needs in the Scottish Borders indicates the following:

**Table 9: Support Needs**

Estimated Support Needs	Estimated %age of current homeless cases	Estimated number of current homeless cases
<b>No/low support needs</b> - proportion of current homeless cases with no/low support requirements who will easily move into mainstream, settled housing with no need for specific support other than sign-posting and low level housing management support provided by housing providers. This also include concierge based services.	57%	143
<b>Medium support needs</b> - proportion of current homeless cases with medium support needs, whether visiting housing support, or multi-professional wrap-around support to enable people to live independently in mainstream	32%	80

housing. May include concierge <b>in addition</b> to visiting housing support and other professional support services.		
<b>SMD/Complex needs</b> - proportion of current homeless cases with severe and multiple disadvantage or complex needs who would benefit from intensive wrap-around support and a Housing First approach to re-housing	11%	28
<b>Residential/Supported Accommodation</b> - proportion of current homeless cases where independent living within the community is not possible or preferable for whatever reason (safety, risk to self or others, choice) and for whom shared and supported accommodation is the preferred housing option.	0%	0

Our initial analysis indicates that, in common with the national picture, the majority of households experiencing homelessness in the Scottish Borders, have no, or low support needs and will easily move into mainstream housing with day to day housing management advice and assistance.

Our initial analysis indicates that the proportion of homeless cases with severe and multiple disadvantages (SMD) or complex support needs who would benefit from a Housing First approach to rehousing is currently around 11%. Currently there is no Housing First provision in the Scottish Borders. Introducing this model of intensive support in the Scottish Borders will ensure households with complex needs can access personalised, open-ended, flexible support to minimise their risk of repeat homelessness and address their wider needs. Accordingly, we will be seeking to develop and implement a Housing First model that meets the needs of people with multiple needs in the Scottish Borders, which is responsive, joined-up, delivered locally and effective, and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First. We believe that the strong local partnership connections which we have at both a strategic and operational level in relation to, for example, the Safer Housing Options Service, MARAC and CEDAR services for victims of domestic abuse, already provide us with a strong foundation upon which to do so.

Our initial analysis of current homelessness cases has not identified any households who currently would require residential or supported accommodation, however, we know that this is a need for some households. Consequently, we will be looking demand for and availability of suitable supported accommodation for homeless households in the Scottish Borders for whom independent living within the community is not possible or preferable for whatever reason (safety, risk to self or others, choice) and for whom residential or supported accommodation is the preferred housing option. We shall aim to ensure that such accommodation is appropriate for the individual person including, where necessary, highly specialist provision in a psychologically informed environment.

We are conscious that our analysis of support needs at this point is just a first step to better understanding the need for support services and the impact of support services on homeless households in Scottish Borders. Consequently, we are doing work across partner agencies to map existing support services in order to better understand what works best, where there might be gaps in service provision, and project likely future support needs.

## Rapid Rehousing Plan

Using the analysis undertaken above, the Plan sets out how Scottish Borders Council and partners are going to move from the current position to the future vision of rapid rehousing. The *Scottish Borders Rapid Rehousing Transition Plan 2019/20-2023/24: Action Plan* identifies 6 high level actions with sub-actions detailed against each:

1. Develop, implement and monitor the Rapid Rehousing Transition Plan.
2. Increase focus on homelessness prevention to stop homelessness happening in the first place.
3. Ensure homeless households can access existing housing quickly.
4. Ensure homeless and potentially homeless households can access the right type of support.
5. Review Temporary Accommodation model.
6. Increase affordable housing supply to meet needs of homeless households.

Key actions include:

### Short Term - December 2018 to March 2019:

- Prepare of First iteration of RRTP and submit it to Scottish Government.
- Seek Scottish Borders Council Members approval of RRTP.
- Establish formal links for RRTP with all relevant partners and strategies and develop governance map of same including:
  - Local Housing Strategy (LHS)
  - Strategic Housing Investment Plan (SHIP)
  - Health and Social Care Strategic Plan
  - Integration Joint Board (IJB)
  - Borders Housing Alliance
  - Health and Social Care Integration Strategic Planning Group
  - Scottish Borders Community Planning Partnership
  - Public Protection
  - Adult Protection
  - Child Protection
  - Borders Drug and Alcohol Services
  - Scottish Borders Violence Against Women Partnership
- Complete Equality Impact Assessment.
- Develop resource plan which will assess the staffing and other costs required to develop and implement the Rapid Rehousing Transition Plan and how these staffing and other costs may be resourced.
- Undertake further local modelling to continue to better understand the whole picture of homelessness in the Scottish Borders including with regard to homelessness demand, housing supply, range and availability of housing options, housing options advice and assistance services, access to housing, homelessness prevention, housing sustainment, support services.

### Medium Term – April 2019 to March 2020:

- Implement Rapid Rehousing Transition Plan.
- Develop and implement an engagement and communications plan for Rapid Rehousing.
- Develop and implement comprehensive local modelling framework to build on existing evidence base and ensure that we continually improve our understanding of the whole picture of homelessness in the Scottish Borders including with regard to homelessness demand, housing supply, range and availability of housing options, housing options advice and assistance services, access to housing, homelessness prevention, housing sustainment, support services.
- Develop and implement a Housing First model that meets the needs of people with multiple needs in the Scottish Borders and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First:
- Review Rapid Rehousing Transition Plan including aims, targets and projections.

Long Term – April 2020 to March 2024:

- Review model of access to social housing across Scottish Borders, including RSLs' Allocations Policies review.
- Develop new model of access to social housing across Scottish Borders, including RSLs' Allocations Policies review.
- Conduct annual review Rapid Rehousing Transition Plan including aims, targets and projections and make adjustments to Plan as necessary.

**Resource Plan**

The *Scottish Borders Rapid Rehousing Transition Plan 2019/20-2023/24: Action Plan* describes in detail the 6 high level actions and sub-actions which Scottish Borders Council and its partners are going to take to achieve rapid rehousing over the forthcoming 5 years. Resourcing the Scottish Borders Rapid Rehousing Transition Plan is critical to its successful delivery. We can achieve much within existing resources, however, without securing additional resources from, for example, the Scottish Government's 'Ending Homelessness Together Fund', it will not be possible to achieve rapid rehousing in full.

All the partners in the development of the Scottish Borders Rapid Rehousing Transition Plan believe we can make significant progress towards achieving our vision for Rapid Rehousing from within existing resources.

We can do so by continuing to further strengthen already successful partnerships, continue to build on existing local joint pathway arrangements, and develop a new joint model of access to social housing across Scottish Borders which will help homeless people to move directly into suitable mainstream housing as a normal default resolution to homelessness thereby reducing the need for temporary accommodation.

Council and RSL led housing developments will make a significant contribution to the delivery of affordable housing and, accordingly, our ability to provide suitable housing for people who become homeless. The Strategic Housing Investment Plan 2018-2023 describes a very ambitious and aspirational 1177 new affordable homes over the life of the SHIP.

The positive impacts arising from implementation of rapid rehousing have the potential to reduce expenditure in crisis, emergency, and acute service delivery over the medium to long term. If these expenditure reductions can be realised and evidenced then it may be possible to use them to offset a proportion of ongoing rapid rehousing and Housing 1<sup>st</sup> operational costs in the long term.

Further, we are committed to developing rapid rehousing and Housing First in such a way that, in due course, Rapid Rehousing and Housing First become, as far as possible, a part of mainstream service delivery across all the partners.

Nevertheless, there are aspects of rapid rehousing resourcing which remain uncertain at this stage.

The reduction in the 'backlog' of homelessness cases which rapid rehousing aims to achieve and, correspondingly, in the number of units of temporary accommodation should lead to a reduction in direct temporary accommodation costs. However, the continuing ongoing changes in welfare reform, particularly in regard to Universal Credit, and the Scottish Government's current review of temporary accommodation financing mean that there remains considerable uncertainty over how the financial framework for temporary accommodation will develop over the forthcoming years.

There is a need for further assessment of how best to meet the need for residential or supported accommodation for homeless households for whom independent living within the community is not possible or preferable. It is important that this assessment is not conducted related to other ongoing assessment work that is being done under LHS Priority 4 'More People are Supported to Live Independently in Their Own Homes'.

In addition, it is clear that additional resources will be required in order to support the transformation and achieve in full our vision for rapid rehousing. Without this it will not be possible to achieve our vision for rapid rehousing in the Scottish Borders.

A critical need identified by the Scottish Borders RRTP partners is for dedicated staffing resources which can take forward the significant volume of developmental work which will be needed to achieve the transformation to rapid rehousing and Housing First across all the partner agencies. It is envisaged that this would include:

- 1 fte Rapid Rehousing Development Officer over the duration of the RRTP.
- 0.75 fte Housing 1<sup>st</sup> Development Officer over the duration of the RRTP.
- 0.5 fte Rapid Rehousing Private Sector / Empty Homes Officer for 18 months in years 1 and 2 of the RRTP.

In particular, however, it appears likely that significant additional resources will be needed, not just to develop a Housing 1<sup>st</sup> model, but to implement a Housing 1<sup>st</sup> model on an ongoing basis. At this very early stage in the development of the Housing 1<sup>st</sup> model nationally, it is very difficult to be sure how the demand for Housing 1<sup>st</sup> and the resourcing of it will develop. However, it appears reasonable to assume that (1) the demand for Housing 1<sup>st</sup> will include a 'backlog' of current cases which will reduce as Housing First develops, and (2) the cost of Housing 1<sup>st</sup> for each client is normally likely to reduce over the first 1 to 3 years. On the basis of these assumptions and of the existing research on Housing

1st, the following table describes initial estimated projections of numbers and costs for implementing Housing 1<sup>st</sup> in Scottish Borders:

(Period of Rapid Rehousing Transition Plan)					(Post RRTP)	
2019/20	2020/21 (H1st Yr 1)	2021/22 (H1st Yr 2)	2022/23 (H1st Yr 3)	2023/24 (H1st Yr 4)	2024/25 (H1st Yr 5)	2025/26 (H1st Yr 6)
	8 new H1st clients at £6.0k per client p.a. = £48,000	22 new H1st clients at £6.0k per client p.a. = £132,000	28 new H1st clients at £6.0k per client p.a. = £168,000	12 new H1st clients at £6.0k per client p.a. = £72,000	12 new H1st clients at £6.0k per client p.a. = £72,000	12 new H1st clients at £6.0k per client p.a. = £72,000
		7 yr 1 clients b/f at £3.5k per client p.a. = £24,500	6 yr 1 clients b/f at £2.0k per client p.a. = £12,000	5 yr 1 clients b/f at £1.5k per client p.a. = £7,500	4 yr 1 clients b/f at £1.5k per client p.a. = £6,000	3 yr 1 clients b/f at £1.5k per client p.a. = £4,500
			22 yr 2 clients b/f at £3.5k per client p.a. = £77,000	20 yr 2 clients b/f at £2.0k per client p.a. = £40,000	18 yr 2 clients b/f at £1.5k per client p.a. = £27,000	16 yr 2 clients b/f at £1.5k per client p.a. = £24,000
				22 yr 3 clients b/f at £3.5k per client p.a. = £77,000	20 yr 3 clients b/f at £2.0k per client p.a. = £40,000	18 yr 3 clients b/f at £1.5k per client p.a. = £27,000
					22 yr 4 clients b/f at £3.5k per client p.a. = £77,000	20 yr 4 clients b/f at £2.0k per client p.a. = £40,000
						22 yr 5 clients b/f at £3.5k per client p.a. = £77,000
Total Annual Cost of Housing 1st	£48,000	£156,500	£257,000	£196,500	£222,000	£244,500
Cumulative Cost of Housing 1 <sup>st</sup> Over Period of RRTP	£48,000	£204,500	£461,500	£658,000	-	-

A further additional resource would be the creation of a Crisis Intervention Fund to allow the application of creative and immediate service responses to cases of homelessness risk which do not fit into established pathways in order to improve the chances of positive outcomes for individual households and to develop practical new solutions and new ways of working.

The following table summarises the estimated key additional resources required to support the required transformational change needed to develop and implement the RRTP:

	2019/20	2020/21	2021/22	2022/23	2023/24
Rapid Rehousing Development Officer from April 2019 (1.0 fte).	£39,073	£39,073	£39,073	£39,073	£39,073
Housing First Development Officer from September 2019 (0.75 fte)	£14,652	£29,305	£29,305	£29,305	£29,305
Rapid Rehousing Private Sector / Empty Homes Officer from September 2019 to March 2021 (0.5 fte)	£9,768	£19,537	Nil	Nil	Nil
Develop and implement a Crisis Intervention Fund from December 2019	£6,500	£25,000	£25,000	£25,000	£25,000
Implementation of Housing 1st	Nil	£48,000	£156,500	£257,000	£196,500
Total Annual Additional RRTP cost	£69,993	£160,915	£249,878	£350,378	£289,878

It must be emphasised that this resource plan will require to be subject to continual review and, therefore, possible amendment, as our Rapid Rehousing Transition Plan develops over the forthcoming years. We are confident that we can achieve a lot of our Rapid Rehousing Transition Plan within existing resources, however, it is clear that without securing additional resources we will not be able to complete the Plan in full.



# Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24: Action Plan

## Action 1: Develop, implement and monitor the Rapid Rehousing Transition Plan

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
1.1 Establish formal links for RRTP with relevant partners and strategies and develop governance map for RRTP <sup>1</sup>	31/03/2019		LHS	RRTP meeting minutes attendees		Formal links established	Existing Resources	
1.2 Finalise Equality Impact Assessment	31/03/2019		No	Equality Impact Assessment completed	N/A	EIA	Existing Resources	
1.3 Develop Resource Plan	31/03/2019		No	Resource plan		Resource Plan	Existing Resources	
1.4 Undertake further local modelling to continue to better understand the whole picture of homelessness in the Scottish Borders including with regard to homelessness demand, housing supply, range and availability of housing options, housing options advice and assistance services, access to housing, homelessness prevention, housing sustainment, support services.	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS, SHIP, H+SCSP			Comprehensive and Responsive model	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
1.5 Develop and implement comprehensive local modelling framework to build on existing evidence base and ensure that we continually improve our understanding of the whole picture of homelessness in the Scottish Borders including with regard to homelessness demand, housing supply, range and availability of housing options, housing options advice and assistance services, access to housing, homelessness prevention, housing sustainment, support services.	31/03/2020	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS, SHIP, H+SCSP			Comprehensive and Responsive model	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
1.6 Develop and Implement an engagement and communications plan for Rapid Rehousing	31/03/2020	SBC Homelessness / RSLs / H+SC Partnership	No	Engagement and Communication Plan		E+C Plan	Existing Resources	
1.7 Scope role/s and assess costs for dedicated officer/s to develop RRTP	31/03/2019		n/a	n/a	n/a	n/a	Existing Resources	
1.8 Appointment of dedicated officer/s to develop RRTP	30/06/2019		n/a	dedicated RRTP officer/s in post	0	1.5 / 2 (prov)	new resources need to be identified	Dependant on resources being identified to meet costs.
1.9 Appointment of dedicated Private Sector Officer/s	31/09/2019		No	dedicated Private Sector Officer/s in post	0	1.5 (prov)	new resources need to be identified	Dependant on resources being identified to meet costs.

<sup>1</sup>This including description of links with: Local Housing Strategy (LHS), Strategic Housing Investment Plan (SHIP), Health and Social Care Strategic Plan, Integration Joint Board (IJB), Borders Housing Alliance, Health and Social Care Integration Strategic Planning Group, Scottish Borders Community Planning Partnership, Public Protection, Adult Protection, Child Protection, Borders Drug and Alcohol Services, Scottish Borders Violence Against Women Partnership

What actions are underway/ planned?		When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
1.10	Undertake Customer Consultation on RRTP	31/12/2019	SBC Homelessness / RSLs / H+SC Partnership	No	No of customers consulted	N/A	tbc	Key task for new additional post of Rapid Rehousing Development Officer	
1.11	All relevant agencies to review data collections to reflect the aims of the Rapid Rehousing Transitions Plan	30/06/2019		LHS, SHIP, H+SCSP		N/A		Existing resources	
1.12	Undertake a Data Sharing impact Assessment in line with GDPR	31/12/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No	Data Sharing Impact Assessment completed	N/A	Impact Ass't	Key task for new additional post of Rapid Rehousing Development Officer	
1.13	Develop a Rapid Rehousing 'Performance monitoring Framework'	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS, SHIP, H+SCSP	Performance framework established	N/A	Perf Mon F'work	Dedicated officer/s time - existing resources + Key task for new additional post of Rapid Rehousing Development Officer	
1.14	Develop a Rapid Rehousing 'Impact Measurement Framework'	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS, SHIP, H+SCSP	Impact Frame work established	N/A	Imp M't F'work	Dedicated officer/s time - existing resources + Key task for new additional post of Rapid Rehousing Development Officer	
1.15	Inclusion of RRTP principles in the 4 locally based RSL's 5 yr. strategies.	31/03/2024		RSL strategies	Inclusion of RRTP principles within RSL 5 year strategies	N/A	4	Existing Resources	
Page 82 1.16	Review Housing Advice availability within Scottish Borders with the aim of creating a consistent response to people experiencing housing difficulties across all sectors.	31/03/2021	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS	Assessment and access to advice time scales. No of Services delivering housing options advice consistently			Dedicated officer/s time - existing resources + Key task for new additional post of Rapid Rehousing Development Officer	
1.17	Review the National Housing Options Training Toolkit, complete an impact assessment to establish required resources to deliver.	31/12/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No				Key task for new additional post of Rapid Rehousing Development Officer	
1.18	Roll out of the Housing Options Training toolkit across all relevant sectors. Aligning with RRTP communications plan.	31/03/2021	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of officers completing the Housing Options Training Toolkit	0		existing resources + Key task for new additional post of Rapid Rehousing Development Officer	

## Action 2: Increase focus on Homelessness Prevention

What actions are underway/ planned?		When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
2.1	Carry out an evaluation of prevention and early intervention activities.	31/03/2020	SBC Homelessness / RSLs / H+SC Partnership	LHS, H+SCSP	Homeless Prevention outcomes for prevention activities where homelessness was prevented	158 2	Evaluation	Dedicated officer/s time - existing resources + Key task for new additional posts of Rapid Rehousing Development Officer and	

What actions are underway/ planned?		When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
					Threatened with homelessness decision where outcome is returned to previous present			Housing First Development Officer	
2.2	Carry out an evaluation of current activities across SBC, RSLs, Health and Social Care Partnership aimed at improving tenancy sustainment in a consistent way	31/03/2020	SBC Homelessness / RSLs / H+SC Partnership	LHS, SHIP, H+SCSP	RSLs tenancy sustainability figures RSL Eviction figures Repeat Homeless Statistics Section 11 outcomes		Evaluation	Dedicated officer/s time - existing resources + Key task for new additional posts of Rapid Rehousing Development Officer and Housing First Development Officer	
2.3	Assess the feasibility of delivering a Mediation Service	31/12/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of Homeless Assessment where reason for homelessness is 'asked to leave' and the outcome in remained/returned (closed in period indicator) No of families receiving Mediation Support	5 0	Increase yr on year	Key task for new additional post of Rapid Rehousing Development Officer + potential training budget required	
2.4	Scope out availability of relationship counselling service	31/12/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of Homelessness Assessments where reason for homelessness is 'relationship breakdown, no violence/abuse'	150	128	Key task for new additional post of Rapid Rehousing Development Officer	
2.5	Review and evaluate the operation of SHORE within its first year of implementation	30/06/2019		No	Evaluation report	n/a	n/a	Dedicated officer/s time – existing resource	
2.6	Continue with implementation of a protocol for prisoners in line with the SHORE standards	31/03/2024		No	Prisoner tenancies sustained % of prisoners identified as homeless who had a pathway plan prior to release % of prisoners who are homeless on release that are housed directly into permanent accommodation on release No of homeless applicants where 'prison' was their last settled accommodation are entering temporary accommodation (closed in	N/A N/A 0 23 21%	Increase each year 100% 100% 0 Year on year increase	To Be identified Consider a dedicated officer for this area, requires development time and operational delivery	

	What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
					period indicator)  % of Homeless applicants where prison was the last settled accommodation achieving secure housing (closed in period indicator)				
2.7	Review the delivery of services aimed at preventing homelessness for; <ul style="list-style-type: none"> <li>• individuals with Mental health difficulties</li> <li>• Individuals with Addictions</li> <li>• Individuals being discharged from hospital or other institutions</li> <li>• Individuals receiving Social Care Support</li> <li>• Individuals up to the age of 26 who were previous looked after by the local authority</li> <li>• Individuals with an offending history</li> <li>• Victims of domestic abuse</li> <li>• Veterans</li> <li>• Migrants</li> <li>• Individuals experiencing poverty</li> <li>• Young People</li> <li>• Gypsy/travellers</li> </ul>	31/03/2020	SBC Homelessness / RSLs / H+SC Partnership	LHS, SHIP, H+SCSP	No of Homelessness presentations where reason for homelessness is 'relationship breakdown, abuse/violent' (opened in period indicator)  No of people able to maintain their tenancy as a result of 'Safer Housing Options Worker' intervention	84	Review	Existing Resources + Dedicated officer/s time - Key task for new additional posts of Rapid Rehousing Development Officer and Housing First Development Officer	
Page 84	Develop pathways to prevent homelessness for the groups who are predictably at highest risk of rough sleeping and homelessness, namely the following key groups; <ul style="list-style-type: none"> <li>• individuals with Mental health difficulties</li> <li>• Individuals with Addictions</li> <li>• Individuals being discharged from hospital or other institutions</li> <li>• Individuals receiving Social Care Support</li> <li>• Individuals up to the age of 26 who were previous looked after by the local authority</li> <li>• Individuals with an offending history</li> <li>• Victims of domestic abuse</li> <li>• Veterans</li> <li>• Migrants</li> <li>• Individuals experiencing poverty</li> <li>• Young People</li> <li>• Gypsy/travellers</li> </ul>	31/03/2022	SBC Homelessness / RSLs / H+SC Partnership	LHS, SHIP, H+SCSP	No of Homeless Applications where by applicants under the age of 26 was 'formerly looked after as a child by the local authority'	28	Pathways for all groups	Existing Resources + Dedicated officer/s time - Key task for new additional posts of Rapid Rehousing Development Officer and Housing First Development Officer	
2.9	Develop and implement a Crisis Intervention Fund to remove homelessness risk in specific cases that do not fit into established pathways and to test new solutions and new ways of working.	31/12/2019	SBC Homelessness / RSLs / H+SC Partnership	No			Positive outcomes in individual cases / new solutions and new ways of working	£25,000 pp	

What actions are underway/ planned?		When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
2.10	Review and improve the advice and support to people who are subject to a Section 11 notice	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No	% of households who were subject to a section 11 notification for whom homelessness was prevented?  No of RSL evictions  Improved communications for Private Sector tenants.		Ongoing year on year increase until 2024  Ongoing year on year reduction until 2024	Existing Resources + Dedicated officer/s time - Key task for new additional post of Rapid Rehousing Development Officer	
2.11	SBC and local RSLs continue to work together to review rehousing processes to ensure homeless households, or those in greatest housing need are being housed as quickly as possible.	Ongoing	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS	% of all applicants that are rehoused in permanent mainstream accommodation immediately  Average length of homeless application from decision to closure who receive social housing offer (closed in period indicator)  Reflected in RSL Allocation Policies	133	90%	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
2.12	Review and streamline Homelessness Operations and appointment procedures to ensure advice and assistance is provided as quickly as possible.	31/03/2020		No	Average length of time to assessment decision (Assessed in period indicator)  Monitoring of first contact to appointment timescales	14 days	10 days	Existing resources	
2.13	Explore feasibility of implementing an online housing need and homeless assessment form	31/03/2022			Feasibility Study completed with reviewed outcomes	N/A	N/A		
2.14	Increase use of Deposit Guarantee scheme, including expand as a wider options for households in housing need not just homelessness or potential homeless households.	Ongoing year on year improvement	SBC Homelessness / SBC Housing Strategy	No	No of DGS's set up out with the statutory homeless assessment process  Total Number of DGS set ups	11	Ongoing year on year increase until 2024  Ongoing year on year increase until 2024	Existing Resources + Key task for post of new additional post of Rapid Rehousing Private Sector Officer	Linked to General High Level Action of 'Appointment of dedicated Private Sector Officer/s'
2.15	Develop communications plan for improving awareness across private sector.	31/12/2019	SBC Homelessness / SBC Housing Strategy	LHS	Communications plan	N/A	N/A	Existing Resources + Key task for post of new additional post of Rapid Rehousing Private Sector Officer	

What actions are underway/ planned?		When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
2.16	Develop information and guidance materials for private tenants	31/03/2020	SBC Homelessness / SBC Housing Strategy	No	Good quality Information and guidance materials for private tenants		Info and Guid Materials	Existing Resources + Dedicated officer/s time - Key task for post of new additional post of Rapid Rehousing Private Sector Officer	
2.17	Enhance rehousing solutions in the private rented sector, including; development of social letting agencies ? <ul style="list-style-type: none"> <li>Increased awareness and promotion of Mortgage to Rent schemes</li> <li>Enhancing Private Landlord enforcement links with housing options/prevention activities.</li> <li>Improved house condition in the Private sector</li> <li>Strengthening relationships within the private sector</li> <li>Explore ways in which SBC can support private landlords.</li> <li>Explore services which can be offered to Private Landlord</li> </ul>	31/03/2022	SBC Homelessness / SBC Housing Strategy	LHS/ Currently under Development – New Private Sector House condition Strategy	Regular meetings between private sector liaison and enforcement officer and homelessness team.		Optimal range of solutions in place	Dedicated officer/s time - Key task for post of new additional post of Rapid Rehousing Private Sector Officer	
2.18	Create awareness of and make appropriate use of First-tier Tribunal referral powers, monitoring cases considered by the First-tier tribunal	31/03/2021	SBC Homelessness / SBC Housing Strategy	LHS	Communications Plan New Homelessness Team procedures PRS prevention outcomes			Existing Resources + Key task for post of new additional post of Rapid Rehousing Private Sector Officer	
2.19	Raise awareness according to need on new private tenancy regime and tenancy rights for relevant staff including; <ul style="list-style-type: none"> <li>Homelessness Staff</li> <li>Housing Support Providers</li> <li>Advocates</li> <li>Health and Social Care staff</li> <li>Domestic Abuse Pathway Staff</li> <li>RSLs</li> <li>Through Care After Care Officers</li> </ul>	31/03/2021	SBC Homelessness / SBC Housing Strategy	LHS	No of staff reached on the new private tenancy regime Communications	0		Existing Resources + Dedicated officer/s time - Key task for post of new additional post of Rapid Rehousing Private Sector Officer	1 <sup>st</sup> tranche of training completed December 2018
2.20	Review Financial Inclusion advice and Support availability within Scottish Borders	31/03/2022		No		N/A		Existing Resources	
2.21	Review existing processes to ensure applications for DHP are maximised to prevent homelessness and/or to achieve positive outcomes for people who are Homeless or threatened with homelessness	31/03/2021		No	DHP outcomes			Existing Resources	



What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
2.22	Review existing processes to ensure applications for SWF are maximised to prevent homelessness and/or to achieve positive outcomes for people who are homeless or threatened with homelessness		No	SWF outcomes			Existing Resources	
2.23	Review the existing processes for the provision of furniture and goods to homeless households		No		N/A		Existing Resources	

### Action 3: Ensure homeless households can access existing housing quickly

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
3.1	Complete current review of existing section 5 protocol and implement reviewed protocol		No	Completed Section 5 protocol	N/A	n/a	Existing Resources	
3.2	Conclude the Duty to Cooperate protocol for homelessness applicants subject to MAPPA, ensuring that it is aligned to the visions of R RTP		No	Completed Duty to Co Operate protocol	N/A	Protocol in place	Existing Resources	
3.3	Review model of access to social housing across Scottish Borders including across all providers, to minimise homelessness and achieve rapid rehousing as the default response as homelessness occurs.	SBC Homelessness / SBC Housing Strategy / RSLs.	No	% of people threatened with homelessness who are prevented from becoming homeless % of those who are homeless who achieve permanent rehousing outcome immediately  No of households entering temporary accommodation  Average length of time spent in temporary accommodation  % of lets to homeless households (data source ARC)  Reviewed RSL allocation Policies	EHA = 16% WH = 12% SBHA = 25% BHA= 30% Average % across all RSLs = 22%	New model	Dedicated officer/s time - existing resources + Key task for new additional post of Rapid Rehousing Development Officer	
3.4	Homelessness and RSL officers to regularly review all people who are currently in the statutory homeless system to ensure all options are explored to resolve their homelessness as quickly as possible		No	Open homeless applications of over 6 months	61 (as at 28/11/18)	Reduction by March 2019 on ongoing reduction thereafter	Existing resources	

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
<ul style="list-style-type: none"> <li>Review the circumstances and housing needs of all cases open over 6 months</li> <li>Considered temporary to permanent lets for all applicants that have been resident in temporary accommodation for over 6 months</li> </ul>								
3.5 Enhanced link between RSL Voids, Allocations and Homeless/Housing Options applicants so they are able to feed in to Personal Housing Plans	31/03/2021	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of households entering temporary accommodation  Average length of time spent in temporary accommodation  Average Homeless Case duration			Dedicated officer/s time - existing resources + Key task for new additional post of Rapid Rehousing Development Officer	
3.6 Re-examine the potential and feasibility of lodgings for young people project or other accommodation sharing projects.	31/03/2020	SBC Homelessness / SBC Housing Strategy / RSLs.	No		N/A		Dedicated officer/s time - Key task for new additional post of Rapid Rehousing Development Officer	
3.7 Examine the potential and feasibility of a project to match suitable private landlords with tenants.	31/03/2021	SBC Homelessness / SBC Housing Strategy	No		N/A		Dedicated officer/s time - Key task for post of new additional post of Rapid Rehousing Private Sector Officer	
3.8 Review empty homes initiatives to explore links between empty homeless and homeless.	31/03/2023		Housing Supply Strategy	No of Empty Homes	1419	Reduction	Existing Resources	
3.9 Explore ways in which to establish formal working relationships with all non-Borders based RSLs who have a presence in the Scottish Borders.	31/03/2020		No				Existing resources	
3.10 Review year 1 of Rapid Rehousing Transitions Plan	30/06/2020		No	Review report				

#### Action 4: Ensure homeless and potentially homeless households can access the right type of support

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
4.1 Map and analyse current housing support arrangements across all housing agencies, to inform further actions.	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	LHS, H+SCSP		N/A	N/A	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
4.2 Explore and define the requirements for the development and implement of a Housing First model that meets the needs of people with multiple needs in the Scottish Borders	31/03/2020	H+SC Partnership / SBC Homelessness / RSLs	LHS, H+SCSP	Housing First pilot undertaken and outcomes analysed	N/A		Dedicated officer/s time - Key task for new additional post of Housing First	



What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First.							Development Officer	
4.3 (a) Develop a pilot Housing First model that meets the needs of people with multiple needs in the Scottish Borders and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First.	30/09/2020	H+SC Partnership / SBC Homelessness / RSLs	LHS, H+SCSP	No of applicants receiving housing under a Housing First model  % of Housing First Tenancies sustained for 12 months  No of household in temporary  Average Homelessness Case duration (by case closed in period)	0  0  129	15 to 20 cases per year  100%  23	Key task for new additional post of Housing First Development Officer	The target is based on various piece of work regarding identification of SMD cases within the statutory homelessness system and will be subject to change as further analysis is undertaken
4.3 (b) Implement a pilot Housing First model that meets the needs of people with multiple needs in the Scottish Borders and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First.	30/09/2020	H+SC Partnership / SBC Homelessness / RSLs	LHS, H+SCSP	No of applicants receiving housing under a Housing First model  % of Housing First Tenancies sustained for 12 months  No of household in temporary  Average Homelessness Case duration (by case closed in period)	0  0  129	15 to 20 cases per year  100%  23	Key task for new additional post of Housing First Development Officer	The target is based on various piece of work regarding identification of SMD cases within the statutory homelessness system and will be subject to change as further analysis is undertaken
4.3 (c) Develop and implement a full Housing First model that meets the needs of people with multiple needs in the Scottish Borders and which, as far as is possible in a rural context, conforms with the 7 principles of Housing First.	31/03/2022	H+SC Partnership / SBC Homelessness / RSLs	LHS, H+SCSP	No of applicants receiving housing under a Housing First model  % of Housing First Tenancies sustained for 12 months  No of household in temporary  Average Homelessness Case duration (by case closed in period)	0  0  129	15 to 20 cases per year  100%  23	Key task for new additional post of Housing First Development Officer	The target is based on various piece of work regarding identification of SMD cases within the statutory homelessness system and will be subject to change as further analysis is undertaken

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
4.4 Ensure pathways are developed to provide support to groups who are predictably at highest risk of rough sleeping and homelessness, namely the following key groups; <ul style="list-style-type: none"> <li>• individuals with Mental health difficulties</li> <li>• Individuals with Addictions</li> <li>• Individuals being discharged from hospital or other institutions</li> <li>• Individuals receiving Social Care Support</li> <li>• Individuals up to the age of 26 who were previously looked after by the local authority</li> <li>• Individuals with an offending history</li> <li>• Victims of domestic abuse</li> <li>• Veterans</li> <li>• Migrants</li> <li>• Individuals experiencing poverty</li> <li>• Young People</li> <li>• Gypsy/travellers</li> </ul>	31/03/2024	SBC Homelessness / RSLs / H+SC Partnership	LHS, H+SCSP	Monitoring no of Homeless Applications for people within the key groups  Monitoring Prevention Outcomes for people within the key groups  No of pathways developed		Pathways for all groups	Dedicated officer/s time - Key task for new additional posts of Rapid Rehousing Development Officer and Housing First Development Officer	
4.5 Map the availability of Employment Support Services for household who are homeless or threatened with homelessness.	30/09/2019	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of referrals to Employment Support Services from Housing and Homelessness teams			Dedicated officer/s time - Key task for new additional post of Rapid Rehousing Development Officer	Liaise with ESS
4.6 Undertake an analysis of the need for highly specialised provision within small, shared, supported and trauma informed environments if mainstream housing, including housing first, is not possible or preferable. These units may be better aligned with the Border Health and Social Care strategy	31/03/2021	H+SC Partnership / SBC Homelessness / RSLs	LHS, SHIP, H+SCSP		N/A		Key task for new additional post of Housing First Development Officer	
4.7 Work in partnership with Job Centre Plus teams to ensure that employability, employment and housing support is provided in a collaborative way.	31/03/2024	SBC Homelessness / SBC Housing Strategy / RSLs.	No	TBC	N/A		Key task for new additional post of Rapid Rehousing Development Officer	
4.8 Map availability of voluntary and 3 <sup>rd</sup> sector organisations that offer opportunities for meaningful activities specifically to applicants who are not ready for employment or those who are socially isolated.	31/03/2021	SBC Homelessness / SBC Housing Strategy / RSLs.	No	Number of people receiving advice or support in this area from Homelessness Housing Support Team  Penumbra indicator to be added	33  TBC	40  TBC	Key task for new additional post of Rapid Rehousing Development Officer	
4.9 Revise existing Housing Support tender documents for re-tendering	01/08/2021		No	N/A	N/A	N/A	Existing Resources	
4.10 Examine the potential and feasibility of peer support networks throughout Scottish Borders	31/03/2020	SBC Homelessness /	No				Key task for new additional post of Rapid	

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
		SBC Housing Strategy / RSLs.					Rehousing Development Officer	
4.11	Improve access to Energy Efficiency advice.		Affordable Warmth & Home Energy Efficiency Strategy	No of staff undertaken training on Energy Efficiency Review Of AWHEE			Existing Resources	

### Action 5: Review Temporary accommodation model

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
5.1	Scope ways in which to reduce no of applicants being placed into bed and breakfast and length of time spent in temporary accommodation	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of applicants entering B&B in period Average Length of Stay in Bed and Breakfast	2 7.5 days	0	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
5.2	Scope ways in which to reduce the number of people placed into temporary accommodation	SBC Homelessness / SBC Housing Strategy / RSLs.	No	No of households entering temporary accommodation in period	257	116	Existing Resources + Key task for new additional post of Rapid Rehousing Development Officer	
5.3	Scope ways in which to reduce average length of time spent in temporary accommodation	SBC Homelessness / SBC Housing Strategy / RSLs.	No	Average length of time in temporary accommodation (by closed in period)	118 days	47	Dedicated officer/s time - Key task for new additional post of Rapid Rehousing Development Officer	
5.4	Reduced temporary accommodation void times		No	Average void times	Data recording to be established		Existing Resources	
5.5	Reduced temporary accommodation Units		No	No of temporary accommodation Units	As at 31/03/18 = 108	30	Existing Resources	Mid way targets; End of yr 1 = 94 End of yr 2 = 80 End of yr 3 =64 End of yr 4 = 44
5.6	Review temporary accommodation type and size need and align with customer need as RRTP develops		No	N/A	N/A	N/A	Existing resource	
5.7	Review temporary accommodation rental structure to increase accessibility to temporary accommodation when it is needed		No	Implementation of a new temporary accommodation rental structure	N/A	N/A	Existing resource	

### Action 6: Increase affordable housing supply to meet needs of homeless households

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
6.1	Deliver 128 new affordable homes per annum through the Affordable Housing Supply Programme and other non-grant funded		LHS, SHIP	Monitor delivery of affordable housing - No. of new affordable homes delivered		128 per year	As per SHIP	

What actions are underway/ planned?	When will this be completed?	Lead Partners	Existing strategy / action plan?	Indicators	Baseline 2017/18	2024 target	Resources Required	Comments/Risks
initiatives								
6.2	Analyse current and projected homeless need in Housing Market Areas to inform the SHIP	01/04/2023		LHS, SHIP			Existing Resources	
6.3	Set supply targets in LHS/ SHIP to meet identified homeless need	01/04/2023		LHS, SHIP			Existing Resources	
6.4	Assess current supply and demand for Mid-Market rents	01/04/2023		LHS, SHIP			Existing Resources	
6.5	Identify mismatch of supply and demand in social rented housing including need for re-provisioning	01/04/2023		LHS, SHIP			Existing Resources	
6.6	Assess findings of Housing Needs and Aspirations of Young People study	31/03/2020		LHS, SHIP			Existing Resources	

DRAFT

# Scottish Borders Council

## Stage 1 Equality Impact Assessment – Start Up

1.	<b>Title of Proposal:</b>	Scottish Borders Rapid Rehousing Transition Plan 2019/20 – 2023/24
2.	<b>Service Area:</b>  <b>Department:</b>	<p>Customer Advice and Support Service</p> <p>Customer and Communities</p> <p>While Scottish Borders Council has responsibility for leading the development of the Rapid Rehousing Transition Plan (RRTP), it is expected that RRTPs will be jointly developed, implemented and resourced by local authorities, health &amp; social care partnerships, RSLs, and other relevant partners, and that RRTPs should sit within the Community Planning Partners wider strategic planning framework of the Local Outcome Improvement Framework and the Local Housing Strategy.</p>
3.	<b>Description:</b>	<p>The Scottish Government is committed to making “radical changes to end homelessness in Scotland” and sees “Rapid Rehousing by default” as a cornerstone of this commitment.</p> <p>The Scottish Government has given Local Authorities and their partners a 5 year timescale for transformation to “Rapid Rehousing by default” and has requested that all Local Authorities submit a 5-year Rapid Rehousing Transition Plan (RRTP) for the period 2019/20 – 2023/24.</p> <p>Development and implementation of the Scottish Borders RRTP is being overseen by the Scottish Borders Homelessness and Health Strategic Partnership (BHHSPP).</p> <p>Our vision for Rapid Rehousing in the Scottish Borders is:</p>

	<ul style="list-style-type: none"> <li>• Homelessness is prevented wherever possible but where homelessness cannot be prevented a settled, mainstream housing outcome is secured as quickly as possible.</li> <li>• When temporary accommodation is needed it will be mainstream, furnished accommodation within a community, and time spent in it will be minimal, with as few transitions as possible.</li> <li>• Housing First will be the first response for people with complex needs and facing multiple disadvantages. We will work in collaboration with Health and Social Care Partnership, and other relevant services, to ensure tenancies are supported and sustained.</li> </ul>
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Page 94	4.	<b>Relevance to the Equality Duty.</b>	
		<b>Do you believe your proposal has any relevance to the following duties of the Council under the Equality Act 2010?</b>	
		<b>Duty</b>	<b>Yes/No</b>
		<b>Elimination of discrimination (both direct &amp; indirect), victimisation and harassment.</b>	Yes. The RRTP will directly affect any household who becomes threatened with homelessness or actually homeless. The RRTP improves the range of service options and availability of service provision, and minimises the time that households are likely to experience homelessness.
		<b>Promotion of equality of opportunity?</b>	Yes. The RRTP development and implementation of the RRTP will identify and promote equality of opportunity by improving service provision, availability and quality to prevent homelessness wherever possible and respond quickly with high quality services where homelessness is unavoidable.
	<b>Foster good relations?</b>	Yes. The development and implementation of the RRTP is dependent on successful partnership working and requires engagement with a wide range of stakeholders. Through implementation there is also the potential to engage further and to build new relationships	

5.	<b>Which groups of people may be impacted (both positively and negatively) if the proposal is advanced?</b>		
		<b>Impact</b>	<b>Description</b>

Equality Characteristic	No Impact	Possible Positive Impact	Possible Negative Impact	
<b>Age</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of age. The RRTP requires that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including people with experience of the care system, and stresses the importance of addressing the needs of children and young people. The RRTP seeks to build on existing local joint pathway arrangements including the multi-agency 'Housing Options Protocol for Care Leavers in the Scottish Borders' and on the success of the specialist supported accommodation for at Albert Place in Galashiels to improve outcomes for care experienced young people. It seeks to use the findings of the 2018 study of the housing needs and aspirations of young people in the Scottish Borders to help us shape pathways and interventions to meet the particular needs of young people, prevent them from becoming homeless, and support them in sustaining accommodation.
<b>Disability</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of disability. The RRTP will be an integral part of the Strategic Housing Investment Plan (SHIP) and will be reviewed annually as part of the SHIP process. It will sit within the Community Planning Partners wider strategic planning framework of the Local Outcome Improvement Framework and the Local Housing Strategy, and the Strategic Plan for the delivery of objectives identified by the Health and Social Care Partnership.
<b>Gender</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of gender. The RRTP requires that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including groups with particular needs such as women who have experienced domestic violence. The RRTP seeks to build on existing local joint pathway arrangements including the Safer Housing Options Service, MARAC (Multi-Agency Risk Assessment Conference arrangements), and CEDAR (Children Experiencing Domestic Abuse Recovery) services for victims of domestic abuse. There is a need to develop the evidence base for the incidence of homelessness amongst, and impact services on, transgender/transsexual people.
<b>Race Groups</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of race. The RRTP requires that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including groups with particular needs such as migrants, asylum seekers and refugees, and gypsy/travellers.

<b>People with Religious or other Beliefs</b>	X			The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of religion or other beliefs. Evidence regarding the religion or other beliefs of people who become threatened with homeless or who become homeless is not collected.
<b>Pregnancy and Maternity</b>	X			The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of pregnancy and maternity. The Unsuitable Accommodation Order 2014 already ensures that pregnant women cannot be accommodated in unsuitable accommodation for more than 14 days.
<b>Sexual Orientation</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of sexual orientation. The RRTP requires that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including groups with particular needs such as LGBT groups.
<b>Carers</b>	X			The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of whether or not they have caring responsibilities for someone with an equality characteristic.
<b>Poverty</b>		X		The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of poverty. The RRTP requires that pathway plans are always agreed (or agreed as quickly as possible) to prevent homelessness for the groups who are predictably at highest risk of homelessness including people who have experienced or are experiencing poverty and/or adverse childhood experiences.
<b>Employees</b>	X			The RRTP aims to improve services to all those who become threatened with homeless or who become homeless, regardless of whether or not they are employees.

6.	<b>How certain are you of the answers you have given?</b>	
	<b>Answer</b>	<b>Tick One</b>
	<b>Certain</b> - I have populated the evidence base to support my answers.	✓
	<b>Fairly Certain</b> – but don't have concrete evidence to support my answers so would recommend further assessment is conducted if the proposal is progressed.	
	<b>Not Certain</b> – further assessment is recommended if proposal is progressed.	



<b>Completed By</b>			
Name	David Kemp	Service Area.	Customer Advice and Support
Post	Homelessness and Financial Support Manager	Date	7 March 2019

<b>Completed By</b>			
Name		Service Area.	
Post		Date	

<b>Completed By</b>			
Name		Service Area.	
Post		Date	

<b>Signed Off (Sign off <u>must</u> be completed by Service Manager or Director)</b>			
Name:		Directorate:	
Post:		Date:	

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## **LOCAL DEVELOPMENT PLAN: DEVELOPMENT PLAN SCHEME 2019**

**Report by Service Director Regulatory Services**  
**SCOTTISH BORDERS COUNCIL**

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**28 March 2019**

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### **1 PURPOSE AND SUMMARY**

- 1.1 **This report proposes that Council approves the annual update of the Development Plan Scheme.**
- 1.2 Publishing a Development Plan Scheme at least annually is a statutory duty and it must include a participation statement setting out how, when and with whom the Council will consult on the various Local Development Plan stages.
- 1.3 The proposed Development Plan Scheme 2019 (Appendix 1) has been prepared to provide information on the development plan process. It sets out the latest position on the Council's development plans.
- 1.4 In summary, this report brings forward the annual update of the Development Plan Scheme (Development Plan Scheme 2019) for Council approval.

### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Council:-**
  - (a) **approves the proposed Development Plan Scheme 2019, as detailed in Appendix 1, for publication, deposit and copying to Scottish Ministers;**
  - (b) **agrees that the Development Plan Scheme be reviewed and published at least annually, and;**
  - (c) **authorises the Service Director Regulatory Services to make any necessary minor editing and design changes to the Development Plan Scheme prior to publishing it.**

### 3 BACKGROUND

- 3.1 The Planning etc. (Scotland) Act 2006 requires a Development Plan Scheme (DPS) to be prepared at least annually for the Local Development Plan (LDP). Its purpose is to set out the Council's programme for preparing, reviewing and consulting on its LDP.
- 3.2 After adopting a DPS, the Act requires the Authority to publish it (including electronically), send two copies to Scottish Ministers, and place copies in all public libraries. There is no requirement to consult on the content of development plan schemes and no provision for Ministers to approve them.
- 3.3 The DPS must include a Participation Statement (PS) which should indicate when, how and with whom consultation on the LDP is likely to take place. It should also set out the authority's proposals for public involvement in plan-making. Development Planning Regulations (2008) also require the DPS to contain a timetable.
- 3.4 The Scottish Planning Policy (SPP), published June 2014, states that the Planning Service should be plan-led with plans being up-to-date and relevant.
- 3.5 The SPP states that throughout the planning system "*... opportunities are available for everyone to engage in the development decisions which affect them. Such engagement between stakeholders should be early, meaningful and proportionate*".
- 3.6 Best practice in consultation and engagement is set out in Planning Advice Note (PAN) 3/2010 Community Engagement. The aim is to make plan-making more open, inclusive and accessible. People are expected to be engaged early in the LDP process and PAN 3/2010 identifies a number of actions as the means of meeting this requirement.
- 3.7 The formal requirements aside, there is also an expectation in the wider stakeholder community that the DPS should contain the activities for consulting stakeholders, tailored to local circumstances and to the issues being dealt within the plan.
- 3.8 In mid-2016, the Scottish Government commenced the review of the planning system and at the end of 2017 a new Planning Bill was published. It is anticipated that the Bill will gain Royal Assent and become an Act in Summer 2019. Notable changes to the Development Plan process will include:
  - The Local Development Plan will be reviewed every 10 years or when required
  - The review process will start with the preparation of an Evidence Report, and a "Gatecheck" with the Scottish Government to ensure there is justification for the review and there is adequate evidence for the policy approach to be taken
  - The Main Issues Report will be replaced with a Draft Plan that will be consulted on
  - Delivery Programmes will replace Action Programmes that will focus on delivering development allocations
  - Communities will be able to produce their own plans known as Local Place Plans.

- 3.9 The preparation of LDP2 is well underway. The Main Issues Report was subject to a 12 week consultation period that closed on 31 January. In excess of 300 consultation responses were received. It is therefore important that the Council now moves swiftly in the preparation of the Proposed Plan to ensure the Scottish Borders maintains an up-to date Development Plan. It must also be ensured that the details of the DPS are reasonable but also sufficiently flexible and deliverable to take account of any material timeline changes from a potential range of sources.

#### **4 PROPOSED DEVELOPMENT PLAN SCHEME**

4.1 The DPS which is attached as Appendix 1 to this report makes reference to the following component parts :

- Confirmation of the purpose of the DPS including reference to relevant national planning legislation
- Identification of the component parts which make up the development plan including reference to the National Planning Framework for Scotland, Strategic Development Plan and the Local Development Plan
- The current status of development plan documents. This includes likely dates of adoption where relevant
- The process for preparing the LDP2 including reference to key documents. This includes reference to preparation of the Main Issues Report, the proposed LDP 2, Examination of the Plan and required neighbour notification and public consultation
- Confirm of where SBC is within the LDP2 production process
- A participation statement. This gives an indication as to when and how public engagement will take place at different production stages of the process.
- Confirmation as to how any interested parties can get involved in the process. This includes reference to opportunities available to raise awareness and view relevant documents, attend public events and how representations can be submitted.

#### **5 IMPLICATIONS**

##### **5.1 Financial**

The programme set out in the Development Plan Scheme 2019 can be funded by the existing budget allocated to cover anticipated costs.

##### **5.2 Risk and Mitigations**

The DPS is required under the terms of the Planning Act. The contents of the DPS set out current and potential future activities aimed at keeping the Development Plan for the Borders up to date to mitigate the risk of non compliance with legislation, thus the need to bring this report to Council to approve a DPS at this time.

##### **5.3 Equalities**

There are no direct equality implications arising from this report. There will be a requirement for consultation to be accessible by all sections of the community.

5.4 **Acting Sustainably**

There are no direct environmental implications arising from this report.

5.5 **Carbon Management**

There are no direct environmental implications arising from this report.

5.6 **Rural Proofing**

It is anticipated there will be a neutral impact on the rural environment from the DPS.

5.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

**6 CONSULTATION**

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director Human Resources, Communications and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

**Approved by**

**Brian Frater**  
**Service Director Regulatory Services**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
T. Connolly	Planning Officer, 01835 825255

**Background Papers:** Nil

**Previous Minute Reference:** Scottish Borders Council, 02 November 2017

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [eitranslationrequest@scotborders.gov.uk](mailto:eitranslationrequest@scotborders.gov.uk).

# Development Plan Scheme March 2019

- Community Engagement must happen at an early stage to influence the shape of plans and proposals
- It is essential for people or interest groups to get involved in the preparation of Development Plans as this is where decisions on the Strategy, for Growth or Protection, are made.







# Contents

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# 1 What is the Development Plan Scheme?

- 1.1 This is the Development Plan Scheme (DPS) for Scottish Borders Council. The Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006) and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, require planning authorities to prepare a Development Plan Scheme each year.
- 1.2 In line with the current planning system the Council adopted its first Local Development Plan (LDP) in May 2016 - The Scottish Borders Local Development Plan 2016. That new plan replaced the Consolidated Local Plan 2011.
- 1.3 This DPS has been prepared to provide information on our progress in updating our LDP (adopted May 2016). The DPS includes a timetable of when we intend to reach key stages in the process of preparing our new Local Development Plan 2 (LDP2), which will eventually replace our current adopted LDP, and also includes a Participation Statement explaining how we will engage with our communities and stakeholders.

## 2 What are Development Plans?

- 2.1 The planning system provides the basis for land use management and affects everyone. Development plans contain the strategy for the future development of an area and set out policies and proposals to guide the future development and use of land. The plans are expected to cover topics on the environment, housing, transport and infrastructure, economic development and retailing.
- 2.2 Under the planning system, decisions on where and how development will take place in Scotland will be influenced by three statutory documents:

**National Planning Framework for Scotland:** this is produced by the Scottish Government and sets out, at the national level, the Scottish Government's long term vision for development and investment across Scotland over the next 20 to 30 years. NPF3 was published in June 2014.

<http://www.gov.scot/Resource/0045/00453683.pdf>

**Strategic Development Plan:** these are produced by the Strategic Development Planning Authorities (SDPAs) which are set up for Scotland's four largest city regions. The Scottish Borders lies within the SESplan Strategic Development Plan (SDP) area that also includes the council areas of East Lothian, Edinburgh, Fife (south), Midlothian and West Lothian. SDPs set out a long term (20 years or more) spatial planning strategy indicating in broad terms where future development will be located and what is needed to deliver it. The DPS for SESplan can be found at [www.sesplan.gov.uk](http://www.sesplan.gov.uk)

**Local Development Plan:** these are produced by the local planning authorities and set out more detailed policies and proposals to guide development. These plans, which are adopted by the local planning authority, must accord with the approved SDP (in the case of the city regions) and seek to implement its requirements on a site-specific basis.

- 2.3 The Strategic Development Plan and the Local Development Plan form the statutory Development Plan for the Scottish Borders area. In addition, Supplementary Guidance on a specific planning topic may be prepared and form part of the statutory development plan but only where it has been specifically trailed as needed in an SDP or LDP.

# 3 What Development Plans do we have in the Interim?

- 3.1 The Strategic Development Plan (SDP) was formally approved in June 2013. Therefore, the development plans for the Scottish Borders area are as follows:

## **SESplan Strategic Development Plan 2013-2032:**

The Strategic Development Plan for Edinburgh and South East Scotland was approved in June 2013. The approval included the requirement to produce Supplementary Guidance on Housing Land. The Supplementary Guidance on Housing Land was adopted on 28 October 2014.


## **Scottish Borders Local Development Plan 2016:**

The Local Development Plan for the Scottish Borders was adopted in May 2016. The adoption included the requirement to produce Supplementary Guidance on Housing Land and on Renewables.

3.2 The Supplementary Guidance on Housing Land has been informed by a 'call for sites' in which developers and house builders were able to put forward proposals for consideration by the Council in order to meet the additional requirement of 916 houses. The Council approved the Finalised Supplementary Guidance in August 2017, and the document was formally Adopted in November 2017 following submission to Scottish Ministers for scrutiny.

## 4 What is involved in the process of preparing a Local Development Plan?

- 4.1 The Local Development Plan (LDP) process is a lengthy and detailed process. The process is commenced by **gathering evidence** - this includes reviewing current LDP policies through a Monitoring Report. This will form the basis for a period of pre-consultation.
- 4.2 The first formal consultation takes place following the production of the **Main Issues Report** (MIR). This document focuses on the key areas of change from the last LDP, and will present a range of options for comment. This stage is a key stage in terms of public consultation as it will be from this consultation that the Council comes to a view on what should be in the new LDP.
- 4.3 Following the consideration of the consultation responses to the MIR, the Council will prepare the **Proposed Local Development Plan 2**. The Proposed Plan will represent the settled view of the Council. The type of consultation at this stage of the process is different to that what came before, in that this stage the Proposed Plan will be subject to a period of representation. Neighbour Notification letters are also sent out at this stage informing immediate neighbours of new development proposals. The Proposed Plan will also be accompanied by a draft Action Programme.
- 4.4 Should the Council receive objections to the Proposed Local Development Plan 2 that are not resolved they will be sent to the Planning and Environmental Appeals Division (DPEA) of the Scottish Government. An **Examination** would then be conducted by an appointed Scottish Government Reporter into the unresolved objections to the Proposed Plan. A Report including recommendations will be produced by the Reporter.

- 
- 4.5 On receipt of the Examination Report the Council will then move towards **Adoption of the Local Development Plan 2**. As the reporters recommendations from the Examination are largely binding on the Council, the Council may be required to modify the Proposed Plan. Once that is undertaken, the Council is required to submit the Proposed Plan as modified to the Scottish Ministers and advertise its intention to Adopt the plan.
- 4.6 Further information on the above key stages is set out in Planning Circular 6/2013: Development Planning. That document contains guidance on the legislative procedural requirements relating to the preparation of development plan in Scotland.

# 5 Where we are now

- 5.1 We are currently at the Main Issues Report stage and have completed a 12 week public consultation that ended on 31 January 2019. As part of the Main Issues Report (MIR) engagement process the document was posted on the Councils website. Paper copies of the MIR were also available to view at all Council libraries and Council offices. In addition to the formal advert that was required, a press release was also issued in advance of the consultation period.



- 5.2 To inform all those interested in the publication of the MIR letters and emails were sent out to everyone on our contacts list. An events page was also created on the Council's website and the link was also included in Facebook and Twitter notifications.
- 5.3 As part of the consultation period a series of drop-in sessions and workshops were organised across the Scottish Borders. A presentation was included in the evening workshop sessions outlining the main issues and proposals within that area. This provided a basis for further more in depth discussions and more focused questions after the presentation.
- 5.4 The Council also published the Main Issues Report on Citizens Space, a software for managing public involvement activity and 172 responses were submitted in this format. In addition to Citizen Space, consultation responses were also submitted electronically via

email and also in paper format. In excess of 300 responses were received in total, and all of these submissions will inform the production of the Proposed Local Development Plan 2.

- 5.5 A report will be presented to the Council summarising the representations received as part of the Main Issues Report consultation. It is anticipated this will be done in May 2019.
- 5.6 We are also currently building up a contacts database of all those who would like to be engaged in the LDP2 process. If you would like to be added to this database please let us know by contacting us (details of how you can contact us are in section 7).



# 6 Participation Statement

- 6.1 LDP Authorities must include a Participation Statement (PS) in their Development Plan Schemes. It should set out when consultation is likely to take place, with whom, its form and the steps that we will take to involve the public in the LDP's preparation or review stages.
- 6.2 The Scottish Government sets out guidance on how the community can effectively engage in the planning process in Planning Advice Note 3/2010: Community Engagement. Early engagement is defined as being the LDP Main Issues Report (MIR) stage. However, proposals have been developed to extend engagement proposals beyond the PAN's minimum requirement.
- 6.3 Scottish Borders Council has in the past extensively consulted throughout the Local Development Plan Process and intend to do this again within the Local Development Plan 2 process.

## Potential Consultation Programme (subject to review)

### **1 Proposed LDP2 published and formal representation phase (Winter 2019/20)**

*Purpose:* to give stakeholders and consultees the opportunity to submit formal representations to the plan. Any unresolved representations not withdrawn, will be considered in a subsequent Examination.

### **1 Examination of Proposed LDP2 (Summer 2020)**

*Purpose:* to allow unresolved representations to be considered by an independent reporter.

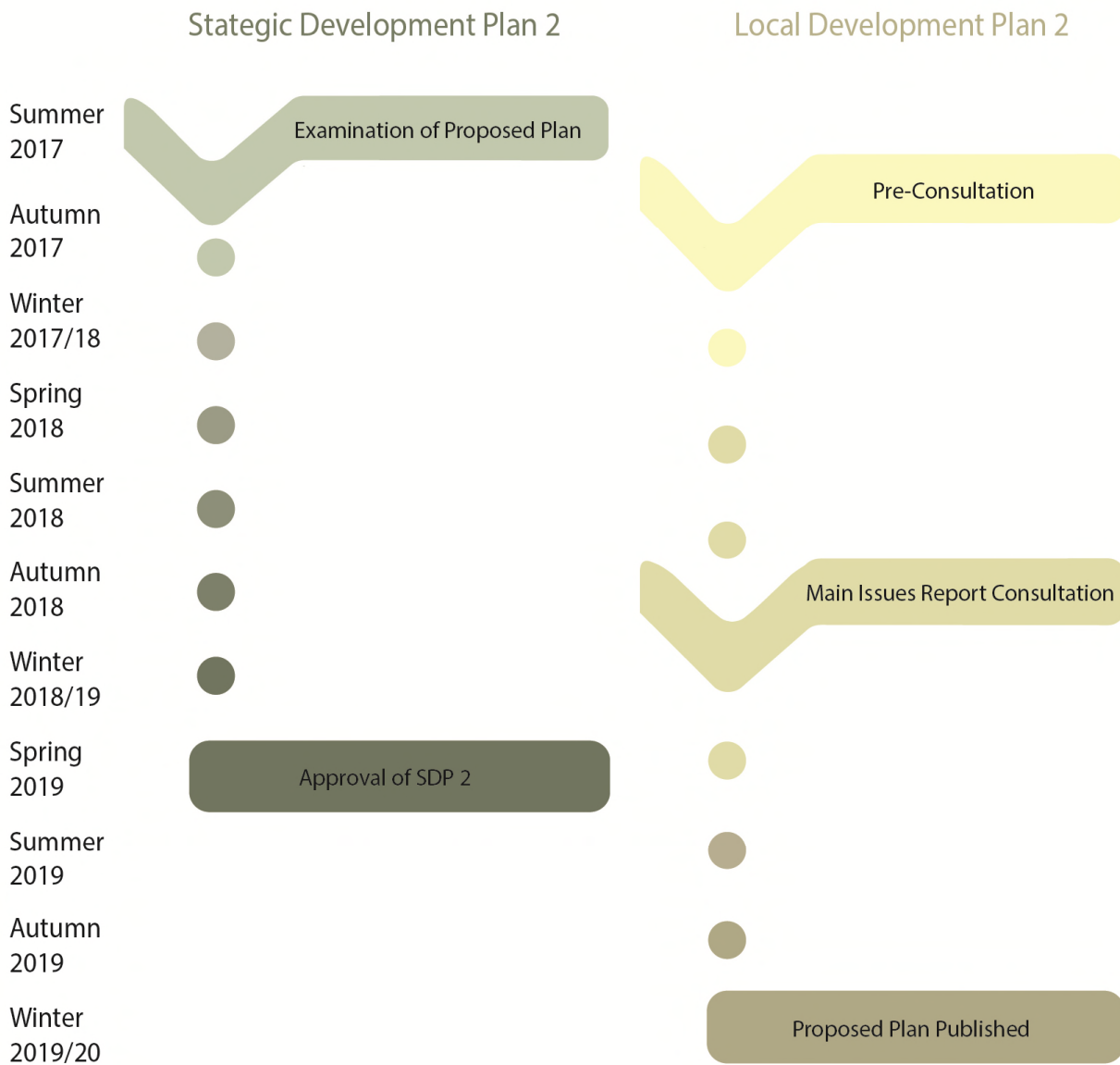
### **3 Proposed Modifications to LDP2 (Early 2021)**

*Purpose:* to give stakeholders and consultees the opportunity to be informed on the proposed modifications by the Council to the LDP2 following public examination.

### **4 Adoption of LDP2 (Spring 2021)**

- 6.4 This reflects our current thinking but the timing and content of planned consultation stages are approximate at this stage given the time horizon involved, and the requirement for the SESplan strategic development plan to receive formal approval. Subsequent annual reviews of the DPS will allow increased precision in the timetable. The diagram below shows the current timeframe of the Strategic Development Plan and the Local Development Plan coming forward.

## Strategic Development Plan / Local Development Plan Timeframe (subject to review)



### Keeping you informed

- 6.5 We will notify interested parties and stakeholders at periodic stages throughout the LDP2 process, but we want to do more than that and maintain a flow of project information. The main home for this real time information will be our web site at [www.scotborders.gov.uk](http://www.scotborders.gov.uk)
- 6.6 We will try to accommodate the range of consultees and interests with an interest in the future of the Borders, including agencies and organisations, community councils, businesses and the general public.

# 7 Getting involved

In the past some people have, for various reasons, not been able to, or have chosen not to get involved in the planning process. But it's vital we hear from a wide range of interests. So we want to make it as easy as we can to get people involved in the LDP project by making access to information and communication with us as straightforward as possible. There will be opportunities for people to comment on our process and main plan stage outputs.

We plan to use a range of techniques, including:

- publicising an e-mail address where you can ask questions about the LDP process and get a personal response
- keeping a record of everyone who responds in a database for newsletters or up and coming events
- publishing key documents on our website
- providing paper copies of key plan stage documents at libraries and council area offices
- press releases and awareness-raising publicity at each key stage of the LDP process
- making translations of key documents into the main community languages available on request.

If you want to be involved in the LDP process you can contact us by:

Emailing us at:

[localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)

or,

Writing to us at:

Forward Planning Team  
Scottish Borders Council  
Newtown St Boswells  
Melrose  
TD6 0SA

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## **LICENSING OF RESIDENTIAL CARAVAN SITES**

**Report by Service Director Regulatory Services**

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### **SCOTTISH BORDERS COUNCIL**

**28 March 2019**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 **The purpose of this report is to consider fees for caravan sites following changes to legislation with respect to a licensing system for mobile home sites with permanent residents.**

#### **2 RECOMMENDATIONS**

- 2.1 **It is recommended that the Council in respect of caravan sites with permanent residents agrees the fee to be charged for processing first site licence applications and for a licence renewal be set at £600 with immediate effect.**

### **3 BACKGROUND**

- 3.1 The Caravan Site and Control of Development Act 1960 ("the 1960 Act") requires those wishing to use land as a caravan site to be licensed. It is a function of the Council's Civic Government Licensing Committee to licence such sites. There are a number of exceptions including the following:-
- (a) The use of the land as a caravan site if the use of the caravan is incidental to the enjoyment of a dwellinghouse within the curtilage of which the land is situated.
  - (b) Use as a caravan site of agricultural land for the accommodation during a particular season of a person or persons employed in farming operations on land in the same occupation.
  - (c) Use as a caravan site of land which forms part of or adjoins land on which building or engineering operations are being carried out if that use is for the accommodation of a person or persons employed in connection with the operation.
  - (d) If the occupier of the land is the local authority within whose area the site is located.
- 3.2 Part 5 of the Housing (Scotland) Act 2014 ("the 2014 Act") inserts a new Part 1A in the 1960 Act.
- 3.3 Previous caravan site licences were granted in perpetuity. Under the new system a site licence for sites with permanent residents runs for five years from the date the licence comes into operation. The local authority must renew the licence if planning permission is in place and the licence holder passes the fit and proper person test. Holiday sites are unaffected and remain in perpetuity or until planning permission expires.
- 3.4 Scottish Government research found residents and local authorities had experienced problems with maintenance, security and safety standards on sites and issues around intimidation, abusive behaviour, vandalism and violence or damage to property. A new licensing system for mobile homes in terms of the 2014 Act commenced on 1 May 2017. Holders of a current licence under the 1960 Act must apply for a new licence by 1 May 2019.

### **4 NEW LICENSING SYSTEM**

- 4.1 On 1 May 2017 a new licensing scheme came into force for caravan sites that have permanent residents. "Resident" refers to people who live on a permanent basis in a mobile home where the mobile home is usually owned by the resident and it is situated on a site that is licensed for year round occupation. A "mobile home" or caravan is any structure designed or adapted for human habitation which is capable of being moved from one place to another either by towing or by its own power.
- 4.2 The key measures of the new scheme are as follows:-
- (a) Gives local authorities a range of powers in relation to the granting, management and revocation of licences.
  - (b) Introduces a 5 year licence period.

- (c) Introduces the requirement that a site licence holder (and anyone directly managing a site) is a fit and proper person.
  - (d) Introduces a process for site owners and site licence applicants to appeal against decisions by the local authority.
- 4.3 Under the new licensing system the local authority is able to charge a fee for both first site licences and licence renewals.
- 4.4 Holiday sites do not require to be licenced to have permanent residents and are not affected by the changes.
- 4.5 Those who already have a licence under Part 1 of the 1960 Act have until 1 May 2019 to apply for a new site licence. At present there are two licenced residential caravan sites in the Scottish Borders area.
- 4.6 The determination of applications for caravan site licences is delegated to the Council's Civic Government Licensing Committee.

## **5 FEES**

- 5.1 Under the new licensing system a local authority is able to charge a fee for handling a first site licence application and for a licence renewal. It cannot charge a fee for handling a site licence transfer application or for transmission of a site licence.
- 5.2 Under Section 32C(2) of the 1960 Act as amended, the fee "must not exceed an amount which ii considers represents the reasonable costs of an authority in deciding a relevant permanent site application".
- 5.3 A local authority can charge a different fee for a first site licence application and for a renewal. A Local Authority can also choose to charge different fee levels for different sizes of sites.
- 5.4 The matters which a local authority is to take into account when fixing a fee for a relevant permanent site application are set out in the amended 1960 Act. The Local authority can take into account expenses that it reasonably expects to incur in relation to the following:-
- (a) Receiving, logging and storing an application and any further information given to the authority.
  - (b) Checking an application.
  - (c) Requesting further information and checking that information once received.
  - (d) Arranging any appointments and attending any meetings required in relation to an application.
  - (e) Checking that an applicant is entitled to the benefit of planning permission for the use of the land as a relevant permanent site otherwise than by a development order.
  - (f) Satisfying itself that the persons mentioned in paragraphs' (1)(b) or (2)(b) of Section 32D to the 1960 Act as amended are fit and proper persons.
  - (g) Carrying out any risk assessment of the site that the authority considers necessary.
  - (h) Carrying out one inspection of the site including the cost of travelling to and from a site.

- (i) Drafting, revising and finalising a licence.
  - (j) Deciding whether to issue or refuse a licence and informing an applicant of a decision.
  - (k) Considering any representations made by the applicant following the local authority informing the applicant that it is considering refusing an application in accordance with Section 32D(4)(b) of the 1960 Act as amended.
- 5.5 Scottish Government Guidance issued in April 2017 advises that the basis upon which a local authority has calculated the fees it charges in the licensing system should be made available on request and authorities should be open and transparent about the factors they have taken into account and how they have calculated the fees charged.
- 5.6 In preparing the proposals for the new licensing system the Scottish Government carried out research and discussions to establish the potential level of fees. Based on research and interviews undertaken the Scottish Government estimated that the fee associated with granting a first site licence to a residential mobile home park would be £600.
- 5.7 It is considered that an application fee for a first site licence and for a licence renewal should be £600 in accordance with the estimate provided by the Scottish Government.

## **6 IMPLICATIONS**

### **6.1 Financial**

The financial aspects are contained within the body of this report.

### **6.2 Risk and Mitigations**

The information provided within this report ensures transparency and helps to mitigate reputational risk to the Council by allowing further scrutiny of its Income and Expenditure.

### **6.3 Equalities**

It is anticipated that there will be no adverse impact due to race, disability, gender, age, sexual orientation or religious belief arising from the proposals contained within this report.

### **6.4 Acting Sustainably**

There are no economic, social or environmental effects as a result of the proposals contained in this report.

### **6.5 Carbon Management**

There is no impact on the Council's carbon emissions as a result of the proposals contained in this report.

### **6.6 Rural Proofing**

Not applicable as although this is a legislative requirement it is not a new policy.

### **6.7 Changes to Scheme of Administration or Scheme of Delegation**

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report.



## 7 CONSULTATION

- 7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, Service Director Human Resources, Communications and the Clerk to the Council are being consulted and any comments received will be incorporated into the final report.

### Approved by

**Brian Frater**

**Service Director Regulatory Services Signature .....**

### Author(s)

Name	Designation and Contact Number
Ron Kirk	Managing Solicitor, Property and Licensing, 01835 826764

### Background Papers:

None

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Contact us at Legal & Licensing, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. 01835 825225.

[Legal@scotborders.gcsx.gov.uk](mailto:Legal@scotborders.gcsx.gov.uk)

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## **SESPLAN: FINANCE RATIFICATION**

**Report by Service Director Regulatory Services**

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### **SCOTTISH BORDERS COUNCIL**

**28 March 2019**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report seeks ratification of SESplan budget proposals for 2019/20.**
- 1.2 The SESplan operating budget for 2019/20 is proposed to be set at £108,100 which would be taken entirely from existing SESplan reserves. This will result in nil contribution from each authority for the year 2019/10.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Council agrees to ratify the SESplan budget proposals for 2019/20.**

### **3 BACKGROUND**

3.1 At its meeting on 26 November 2018 the SESplan Joint Committee discussed the operating budget for 2019/20 (SESplan report attached as **Annex 1**). The Committee agreed recommendations 1 to 5 of that report as stated.

#### **SESplan Budget Proposals 2019/20**

3.2 The 2019/20 budget for SESplan has been set at £108,100 (see **Annex 1**). Total member contributions are set at nil. This can be achieved as a result of a combination of a significant reduction in operating costs pending the outcome of the ongoing planning review and the use of reserves which have remained at a level that is higher than is necessary.

3.3 The SESplan budget for 2019/20 includes fixed costs (staffing, rent, administration) at £34,400 and variable costs (technical support, project work, examination costs and contingency) of £73,700.

### **4 IMPLICATIONS**

#### **4.1 Financial**

The Council will not be required to make any financial contribution in 2019/20. Member contributions towards the continued operation of SESplan will only become clear once further clarity is available regarding the progress of the Planning Bill and the future of Strategic Development Planning.

#### **4.2 Risk and Mitigations**

SESplan is the strategic development authority for Edinburgh and the South East of Scotland set up by the Scottish Government. The Council therefore has a duty to contribute to its effective operation. It is likely that contributions will increase in future years if a decision is taken to continue with Strategic Development Planning in some form.

#### **4.3 Equalities**

There are no direct adverse equality implications arising from this report.

#### **4.4 Acting Sustainably**

There are no direct economic, social or environmental effects arising from this report.

#### **4.5 Carbon Management**

There are no effects on carbon emissions arising from this report.

#### 4.6 Rural Proofing

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

#### 4.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to the Council's Scheme of Administration or Scheme of Delegation as a result of this report.

### 5 CONSULTATION

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, Communications and the Clerk to the Council have been consulted and their comments incorporated into this report.

#### Approved by

**Brian Frater**

**Service Director Regulatory Services**

**Signature .....**

#### Author(s)

Name	Designation and Contact Number
B Frater	Service Director Regulatory Services Ext 5067

**Background Papers:** None

**Previous Minute Reference:** None

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at: Jacqueline Whitelaw, Council Headquarters, Newtown St Boswells. Tel: 01835 825431

## ITEM 8 – FINANCE

Report By: Alice Miles, Acting SDP Manager

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### Purpose

This report presents an update on the SESplan Operating Budget for 2018 / 2019 and sets out the SESplan Operating Budget for 2019 / 2020 for Joint Committee approval.

### Recommendations

It is recommended that the SESplan Joint Committee:

1. Note the updated forecast expenditure against the approved Operating Budget for 2018 / 2019 set out within Appendix 1 to this Report;
2. Approve the updated Operating Budget for 2019 / 2020 set out within Appendix 1 to this Report;
3. Note that member contributions for financial year 2019 / 2020 are nil;
4. Note that member authorities will be required to ratify the decisions above;
5. Note that an Operating Budget for 2020 / 2021 will be brought to a meeting of the SESplan Joint Committee in late 2019.

### 1. Background

- 1.1 The SESplan Financial Rules set out that Operating Budgets for the next financial year should be proposed by the SDP Manager, approved by the SESplan Joint Committee and that decision ratified by the member authorities by the end of December.
- 1.2 In compliance with these rules, the SESplan Joint Committee at its meeting on the 27 November 2017 agreed to approve the Operating Budget for 2018 / 2019.

### 2. SESplan Operating Budget 2018 / 2019

- 2.1 The latest position on the SESplan Operating Budget for 2018 / 2019 as at November 2018 is included as Appendix 1.
-

- 2.2 The largest spend by SESplan is on staffing. As set out in Appendix 1, the approved Operating Budget 2018 / 2019 includes a total staffing budget of £75,000. There is a saving in staffing of around £20,100. This primarily relates to the part time SDP Manager / Lead Officer position and vacant posts. The post of graduate planner was vacated in May 2018 and the SDP Manager and Lead Officer positions will be vacant from the 4 January 2019.
- 2.3 The Operating Budget for 2018 / 2019 also includes other fixed costs relating to training, rent and accommodation, travel, IT hardware, software and maintenance and audit / professional fees. The forecast sets out underspend in these areas of around £2,200. This is related in particular to rent and accommodation. The Core Team from May 2018 has been made up of one member of staff, the rental agreement with West Lothian has therefore been updated to reflect the requirement for one desk. This has resulted in an underspend of around £2,500.
- 2.4 The approved 2018 / 2019 Operating Budget also includes an allowance of £73,500 for variable costs. This includes for spend on the examination, technical support, printing and advertising.
- 2.5 The largest spend in 2017 / 2018 was related to the Examination. Costs for the Examination accrued in 2017 / 2018 totalled £14,700. Further costs in 2018 / 2019 were £8,600, making a total spend on the SDP2 Examination of £23,300.
- 2.6 A total of £65,000 was included within the Budget for technical support. A sum of £60,000 was included within this for further transport modelling / appraisal work to be undertaken in support of the Supplementary Guidance on Cross Boundary Developer Contributions. A working group made up of officers from within the Member Authorities and Transport Scotland has been convened. The modifications to the Plan recommended by the reporter have changed the scope of this work, therefore the spend will likely fall into the 2019 / 2020 financial year. There will be a continuous review of additional work required in this area with an assessment of resources available in-house undertaken first to ensure best value and minimal spend where possible. Partnership funding will also be sought.
- 2.7 A sum of £5,000 has also been allocated within the technical support budget to the provision of technical GIS and mapping support from the City of Edinburgh. SESplan does not have any mapping or GIS capability / expertise and mapping has been required in support of the Supplementary Guidance on Green Networks and in finalising the graphics within the Plan itself to pick up on modifications required by the Reporter.

2.8 Across the entire Operating Budget for 2018 / 2019, the updated position as at November 2018 is a forecast underspend of £79,686. This represents a 43% saving on the approved Operating Budget for 2018 / 2019.

### **3. SESplan Operating Budget 2019 / 2020**

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- 3.1 Over the first few months of the 2019 / 2020 financial year, the SESplan work programme will be focussed on finalising the Supplementary Guidance on Green Network Priority Areas for submission to Ministers, preparation of draft Supplementary Guidance on Transport and Developer Contributions and preparation of post approval documents such as the post adoption SEA statement, Habitats Regulation Appraisal and the Action Programme. The latter are required to be prepared within three months of the approval of the second Strategic Development Plan (SDP) (the report of the examination was submitted to Ministers on the 24 July 2018, with a decision on the approval of SDP2 to be made within two months, a decision is currently awaited).
- 3.2 The staffing assumptions for 2019 / 2020 include SDP Manager (0.2FTE). The work of SESplan will be resourced via the member authorities, project managed by the Project Board.
- 3.3 For other fixed costs within 2019 / 2020, costs related to rents payable, travel and mobile line rental will be zero as there will be no dedicated SESplan Core Team based within Civic Centre in Livingston. The largest spend is IT which includes the running and maintenance of Objective Connect and the online SESplan Consultation Portal at £12,500 and the operation and running of the SESplan email and website (£2,900). These costs together with the Audit costs incurred by Audit Scotland will remain the same as 2018 / 2019.
- 3.4 The technical support budget of £65,000 has been rolled forward into the 2019 / 2020 financial year. The largest spend within this area will be on transport assessment and modelling. A sum of £5,000 has been allocated for other technical spend on GIS and graphics should it be required.
- 3.5 A sum of £1,000 has been allocated for printing and photocopying which will include the printing and publication of supplementary guidance, post approval documents and the development plan scheme. Copies are required to be provided to every library in the SESplan area, neighbouring authorities and planning receptions. A sum of £1,000 has also been allocated to advertising and marketing should any further advertising of the Plan and / or any supporting documents including the supplementary guidance be required.



3.6 As detailed in Appendix 1, the Budget for 2019 / 2020 sets out total expenditure of £108,100. Using the reserves built up in 2018 / 2019 and on the savings and staffing assumptions outlined above, it is proposed that nil contributions are made by the SESplan member authorities in 2019 / 2020. This will result in a usable reserve balance going into 2020 / 2021 of £12,718 which is in excess of the £9,008 one month's operating costs target reserve.

#### **4. SESplan Operating Budget Going Forward**

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4.1 The consultation on the future of the Scottish planning system (Places, People and Planning) was published in January 2017. This sets out that strategic development plans should be removed from the system so that strategic planners can support more proactive regional partnership working.

4.2 The amended [Planning Bill](#) following Stage 2 of the parliamentary process was published on the 16 November 2018. For the purposes of assisting Scottish Ministers in the preparation of the National Planning Framework (NPF), Ministers may direct a planning authority, or two or more planning authorities, to provide information on the housing needs of the population of the area, the capacity of education and health services, health needs, housing needs of older and disabled people and infrastructure amongst other matters including the principal physical, cultural, economic, social, built heritage and environmental characteristics of the area.

4.3 For SDPs, the amended Bill refers to the preparation of an evidence report instead of a main issues report prior to the preparation of an SDP. The Bill also refers to the Strategic Development Planning Authority (SDPA) being able to request that an adjoining local authority that is not part of the strategic authority provides relevant information to the evidence report for the SDP for their area.

4.4 NPF and LDP will cover a 10 year timeframe whilst no change to the 5 year SDP cycle has been made.

4.5 Whilst the Bill has progressed, more detail on the work, role and remit of SESplan and the requirement for strategic planning beyond 2019 / 2020 other than the work programme referred to above and statutory requirements around audit, finance and governance is not clear. Timescales for Stage 3 of the Bill are not yet known. On that basis indicative Operating Budgets beyond 2019 / 2020 are not shown in Appendix 1.

4.6 Future Operating Budgets will be required to be reviewed against the outcome of the ongoing planning review. This will continue to be reviewed as the Planning Bill is published and further details are known.

4.7 It should be noted that following a year of nil contributions, unless SESplan as an authority is formally wound down over the next year, member contributions will be required into 2020 / 2021, as the reserves built up will have been used in 2019 / 2020. Work into 2020 / 2021 may be limited solely relating to statutory requirements around finance and audit or resources may be required to take forward the preparation of the evidence report for the next SDP. More will be known as the Bill progresses over the next year.

### **Appendices**

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Appendix 1	2018 / 2019 Operating Budget, Forecast and Variance and 2019 / 2020 Operating Budget
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### **Report Contact**

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**Appendix 1            2018 / 2019 Operating Budget, Forecast and Variance and 2019 / 2020 Operating Budget**

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Description	2018 / 2019 Operating Budget Approved at Joint Committee November 2017	2018 / 2019 Forecast at November 2018	2018 / 2019 Variance - Approved Operating Budget vs. Forecast	2019 / 2020 Operating Budget
Staff	75,000	54,055	20,945	15,500
Training	1,000	0	1,000	0
Rents Payable (including Service Charge)	4,292	1,787	2,505	0
Travel	1,500	1,885	-385	0
IT Hardware, Software and Maintenance	15,500	15,500	0	15,500
Mobile Line Rental	206	415	-209	0
Audit / Professional Fees	3,400	3,400	0	3,400
Miscellaneous	1,500	2,210	-710	0
<b>Total Fixed Costs</b>	<b>102,398</b>	<b>79,252</b>	<b>23,146</b>	<b>34,400</b>
Examination	0	8,600	-8,600	0
Technical Support	65,000	5,000	60,000	65,000
Printing / Photocopying	4,000	4,000	0	1,000
Postages / Franking	500	500	0	0
Advertising / Marketing	4,000	4,000	0	1,000
Contingency 10%	7,350	2,210	5,140	6,700
<b>Total Variable Costs</b>	<b>80,850</b>	<b>24,310</b>	<b>56,540</b>	<b>73,700</b>
<b>Total Expenditure</b>	<b>183,248</b>	<b>103,562</b>	<b>79,686</b>	<b>108,100</b>
Member Authority Contributions	60,000	60,000	0	0
Income / Interest on Revenue Balance	0	0	0	0
<b>Total Income</b>	<b>60,000</b>	<b>60,000</b>	<b>0</b>	<b>0</b>
<b>Net</b>	<b>-123,248</b>	<b>-43,562</b>	<b>-79,686</b>	<b>-108,100</b>
Take From / Add to Reserves	-123,248	-43,562		-108,100
Usable Reserve Balance (Reserves at 31 March 2018 £164,380)	41,132	120,818		12,718
Usable Reserves as % of Expenditure	22.4%	116.7%		11.8%
Target Reserve (1 Month's Operating Costs)	15,271	8,630		9,008
Shortfall / Surplus on Target Reserve	25,861	112,188		3,710



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## **SCOTTISH BORDERS ADULT PROTECTION COMMITTEE ANNUAL REPORT 2017-2018**

### **Report by Chief Social Work and Public Protection Officer**

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## **SCOTTISH BORDERS COUNCIL**

**28 March 2019**

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### **1 PURPOSE AND SUMMARY**

- 1.1 **This report updates Members of the continuing progress in Scottish Borders in the development of an interagency approach to the support and protection of adults who are at risk of harm (as defined in the Adult Support & Protection (Scotland) Act 2007).**
- 1.2 The Annual Report (in Appendix 1) covers the activities of the Scottish Borders Adult Protection Committee during the period 1 April 2017 – 31 March 2018. The report highlights the continuing work being undertaken in the Scottish Borders in regard to meeting the Council's statutory duties to support and protect adults at risk of harm in the area. This includes information on the Adult Protection Committee and its sub-committees; statistical information collated by the Adult Protection Unit; the operational work undertaken in order to meet the statutory requirements of the Adult Support & Protection (Scotland) Act 2007 Act; and the Learning & Development Programme adopted by the Scottish Borders.

### **2 RECOMMENDATIONS**

- 2.1 **It is recommended that Scottish Borders Council:-**
- (a) Endorse the Annual Report of the Scottish Borders Adult Protection Committee 2017/18;**
  - (b) Agree that it be published on the Council's website and distributed.**

### **3 BACKGROUND**

- 3.1 The interagency Scottish Borders Adult Protection Committee and the Adult Protection Unit were established in 2005. This is the thirteenth Annual Report published, on behalf of the Adult Protection Committee.
- 3.2 The Adult Support & Protection (Scotland) Act 2007 was passed by the Scottish Government in February 2007 and received Royal Assent on 22 March 2007. Part 1 of the Act deals with the protection of adults at risk of harm and was implemented in October 2008. It introduced new measures to protect individuals who fall into the category of 'adults at risk'.

### **4 ANNUAL REPORT 2017 - 2018**

- 4.1 The Annual Report details the range and variety of activity undertaken by the Adult Protection Committee in working together to protect adults at risk in the Scottish Borders, and implement fully the Adult Support & Protection (Scotland) Act 2007.
- 4.2 In order to achieve its objectives, the Adult Protection Committee agreed an Interagency Business Plan for the Protection of Adults at Risk in order to meet the statutory requirements of the Adult Support & Protection (Scotland) Act 2007. There are three sub-committees established in order to help the Adult Protection Committee and the Adult Protection Unit achieve the priorities in the current Interagency Strategy. The current interagency strategy and business plan for 2018–2020 is in place.
- 4.3 (a) The number of cases progressing from Referral to Adult Protection concerns (AP Referrals), as defined by the Act, displays an increased pattern with 265 cases in 2017-2018 compared to 204 cases in 2016-2017 and 171 cases the previous period. Adult Protection concerns were investigated where it was known or believed that an adult was at risk.
- (b) 'Adults at risk' are adults who:
- (i) Are unable to safeguard their own wellbeing, property, rights or other interests;
  - (ii) Are at risk of harm, and
  - (iii) Because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.
- (c) For those referrals that did not meet the above criteria, they did not progress to an Adult Protection concern, as defined above, a significant number were signposted to other services for support.
- 4.4 Under the Adult Support & Protection (Scotland) Act 2007, the Council has a duty to inquire and investigate situations where harm is suspected. The majority of inquiries and investigations are managed through the use of supportive interventions without resorting to the use of Protective Orders available via this Act, or other appropriate interventions via the Mental Health (Care & Treatment) (Scotland) Act 2003, or the Adults with Incapacity (Scotland) Act 2000. This is in line with the principles of these Acts and in line with what would be the least restrictive, most beneficial and proportionate response. Most situations are progressed by negotiation

and co-operation, and consideration is given to other legal avenues where appropriate. The sharing of appropriate information between partner agencies has ensured that individuals are suitably protected from harm without unnecessary intervention.

- 4.5 The Learning & Development programme adopted by the Scottish Borders delivers a bespoke approach to learning. In 2017-2018, a focus has been to review and renew the Scottish Borders ASP L&D Matrix, which includes multi-agency (statutory, independent and third sector) training at 4 levels from induction through to specialist and advanced knowledge, including bespoke training. Adult Support and Protection E-learning continues to be mandatory for Scottish Borders Council and NHS Borders. It is acknowledged that it is important for all partners to work together in supporting and protecting adults at risk of harm, and multi-agency training helps to deliver this message to people who may have contact with adults at risk.
- 4.6 Activity – Financial and physical harm continue to be the most prominent types of harm in the Scottish Borders. Work with Trading Standards last year to tackle financial harm and scams has seen a positive impact on adult protection referrals, particularly in the age range 65–79 years of age, as figures are down by a third. Most cases of physical harm happen in the adult’s own home, usually by someone known to them. Reports of physical harm and neglect are also reported in private care home settings. Scottish Borders investigate all incidents of harm in these settings and have now delivered bespoke adult protection training into all 22 care homes within the Scottish Borders. Within the under 65 year age range, social media and smart phone technology is particularly impacting on relationships. Many adults are introduced to a wider group of friends/acquaintances through this technology. However, this technology can also be used in some situations, to target and harm our most vulnerable adults.
- 4.7 Priorities for 2018–2019  
There are a number of priorities for the Adult Protection Committee:
- (a) Quality Assurance – Following an inspection of Older Adult Services in Scottish Borders, including Adult Protection, further work is being done around risk assessments, chronologies and risk management plans. To ensure ongoing improvement, there is increased focus on quality assurance through the monitoring of Key Performance Indicators and through scrutiny groups. We recognise the challenge to further develop quality assurance systems to demonstrate performance and outcomes.
  - (b) Multi-agency Public Protection Unit – Planning is underway to set up a multi-assessment screening hub with co-location of agencies, to improve efficiency and risk management.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no costs attached to any of the recommendations contained in this report.

## 5.2 Risk and Mitigations

This report makes an important contribution to the overall management of risks of the Council and the governance of this important area of activity. The Adult Protection Committee Risk Register has been developed in line with the Council's approach to risk management and assesses risks to the achievement of the Committee's objectives using a risk score based on likelihood and impact; this is regularly reviewed and new mitigation actions agreed as appropriate.

## 5.3 Equalities

It is anticipated there will be no adverse equality implications due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals contained in this report.

## 5.4 Acting Sustainably

There are no known effects on economic, social or environmental implications arising from this report.

## 5.5 Carbon Management

There are no known effects on carbon emissions arising from this report.

## 5.6 Changes to Scheme of Administration or Scheme of Delegation

There are no known changes required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

## 6 CONSULTATION

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, Communications and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.

6.2 The Adult Protection Committee and relevant sub-groups were consulted.

### Approved by

**Stuart Easingwood**  
**Chief Social Work Officer**

Signature .....

### Author(s)

Name	Designation and Contact Number
Jim Wilson	Independent Chair of the Adult Protection Committee Tel: 01896 664159

**Background Papers: Nil**



**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Linsey McGillivray can also give information on other language translations as well as providing additional copies.

Contact Linsey McGillivray, Social Work, Scottish Borders Council, Council Headquarters, Newtown St. Boswells, Melrose, TD6 0SA.

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# Scottish Borders Adult Protection Committee

## Annual Report 2017 - 2018



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# 1. Executive Summary

This is the thirteenth annual report of the Scottish Borders Adult Protection Committee covering the period from 1<sup>st</sup> April 2017 - 31<sup>st</sup> March 2018. The report provides a summary of the work undertaken during this period by the Committee, its Sub Committees and the Adult Protection Unit, with particular reference to the implementation of the Interagency Strategy for the protection of Adults at Risk in the Scottish Borders.

Adults at Risk as defined by the Adult Support and Protection (Scotland) Act 2007, are individuals aged 16 or over who:-

1. Are unable to safeguard their own well-being, property, rights or other interests;
2. Are at risk of harm;
3. Because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

Where adults meet all of the above criteria, often referred to as the Three Point Test, then they can be considered Adults at Risk as defined by the Act. For those cases that do not meet the above criteria a significant number will be provided with support or referred to other services for support and guidance.

The number of cases progressing from Referral to Adult Protection concerns (AP Referrals), as defined by the Act, displays an increased pattern with 265 cases in 2017-2018 compared to 204 cases in 2016-2017 and 171 cases the previous period.

The Adult Support and Protection (Scotland) Act 2007 defines harm as:

1. Conduct which causes physical harm.
2. Conduct which causes psychological harm.
3. Unlawful conduct which appropriates or adversely affects property, rights or interests (for example theft, fraud, embezzlement, or extortion).
4. Conduct which causes self-harm.

Importantly the term "conduct" includes neglect and others failure to act.

A review of Adult Protection activity during the period shows that, as in previous years, the majority of concerns relate to older people and those adults with a learning disability. As previously, the majority of referrals relate to females as opposed to males. Financial and physical harm continue to be the most prevalent type of harm reported. Of note is the increasing number of financial scams which are ongoing, complex and sophisticated. We are also witnessing increased evidence of people with addiction issues targeting and befriending residents with a learning disability and those with mental health issues, for financial gain.

During the course of this period bespoke training has been undertaken with private home care managers and front line staff to address the level of referrals from this sector. Training has focussed on dementia awareness, recognition of abuse and reporting responsibilities.

CSOG commissioned a Public Protection Executive Group to develop a public protection model, as a means of managing risk to vulnerable children, young people and adults. This group are progressing a public protection model which will promote a shared understanding of risk with shared expectations of roles and responsibilities across agencies and professionals.

Key structures and processes are in place to support Adults at Risk in Scottish Borders. A number of audits have been undertaken with the findings reported through the Audit Subgroup to the APC and CSOG. These audits have identified areas of good practice as well as areas requiring to be addressed for improvement. We recognise the challenge to further develop quality assurance systems, to demonstrate performance and outcomes.

I am grateful to all members of the Adult Protection Committee and sub committees for the professionalism and commitment to protecting Adults at Risk in the Scottish Borders. Once again I would like to thank the Adult Protection Co-ordinator and the administrative team who provide invaluable support to Committee and Adult Protection activity.

Jim Wilson

Independent Chair, Scottish Borders Adult Protection Committee

## 2. The Adult Protection Committees and Adult Protection Unit

### The Adult Protection Committee

In order to meet the statutory requirements of the Adult Support & Protection (Scotland) Act 2007 (ASPA) the Adult Protection Committee (APC) implemented its agreed 'Inter-agency Strategy' and Plan for Protection of Adults at Risk (2015-2017 and now 2018-2020). This annual report spans the previous and current interagency business strategy plans. Inter-agency Strategies are informed by the legislative requirements that were made on Adult Protection Committees under the Act (Sections 42 - 46), as well as local issues that the Committee is aware need to be actioned in order to maximise the safeguarding measures for Adults at Risk in the Scottish Borders.

The Inter-agency Strategies are regularly reviewed and updated at the Committee's bi-monthly meeting in order to make sure that there is progress towards achieving the objectives.

The Inter-agency Strategy for 2018-2020 aims to focus on four specific areas of work:

1. To keep under review the procedures and practices relating to the safeguarding of adults at risk;
2. To promote the highest standard of inter-agency prevention or dealing with the causes and effects of harm to adults at risk;
3. To give information and advice to any public body or office holder on the exercise of functions which relate to safeguarding of adults;
4. To ensure appropriate co-operation between agencies.

Our Vision - All adults at risk in Scottish Borders are supported and protected from harm and are enabled to live their lives. How do we know we've done it? Adults in Scottish Borders feel safer and better supported.

Within Scottish Borders there is a clear multi-agency Training Programme and Training Strategy. Specialist development sessions and forums are in place to disseminate knowledge, share good practice, and enhance practitioner's skills. In Scottish Borders the Adult Protection Unit (APU) has a good interface between Criminal Justice, Multi-Agency Public Protection Arrangements (MAPPA), Domestic Violence and Children's Services. Adult Protection Committee also link into the Critical Services Oversight Group (CSOG) where there is senior corporate oversight and scrutiny of a range of public protection issues including multi-agency public protection arrangements and Child / Adult Protection.

Following on from 2016 where the APC made closer links with trading standards, local banks, and building societies, and participated in a national and local media campaign. There was then a financial harm event for professionals in May of 2017. This event involved the Scottish Resilience Centre, the Office of the Public Guardian, Trading Standards and the Royal Bank of Scotland representing the banking / building society perspective. The event covered financial harm, scams and internet harm, and the office of the public guardian highlighted use of power of attorney and

guardianship, and how complaints and harm was investigated. The event was well attended by professionals and staff evaluated the conference very well.

Adult Protection in care homes continues to need training and support as some settings have a natural turnover of staff. These training sessions are well received by care homes and managers and the case examples used are specific to their care home settings. It is hoped within time that this training will build better communication between care homes and social work practice teams and that Large Scale Investigations (LSIs) are reduced through earlier communication and appropriate multi-agency intervention.

In 2017 the Care Inspectorate carried out a planned older adult's inspection in Scottish Borders and the report was published in September of 2017. People generally valued the services they received, and it was of good quality, and made a positive difference to their lives. In terms of adult protection and general risk further evidence and improvement is required around risk assessment, chronologies and risk management plans. To ensure these issues remain on track the Care Inspectorate also advised Scottish Borders to review their quality assurance tools. Improvement work began in 2017 and continues through 2018 to improve practice across all teams.

One initiative coming from the Chief Officers Group, post inspection was the possible move to an interagency public protection unit. This model is currently being explored and may allow Police Scotland, Child Protection, Adult Protection, NHS Borders, Violence against Women and Girls and other key partners to be onsite in one location and working in a more co-ordinated way with families rather than stand-alone specialist input. This is a very exciting prospect and one which will lead to better outcomes for service users. The benefit to professionals will be more joined up working, improved communication and more effective and efficient use of resources.

The Committee has three standing sub committees set up in order to achieve priorities of the Inter-agency Strategy.

### **The Adult Protection Audit Subgroup**

The Audit Subgroup continues to meet every two months. Some of the key areas of work currently being addressed by the group are as follows:-

2017 - 2018 has seen more focus on specific audits and quality assurance. Within the Adult Protection Unit we have designed a specific Adult Protection audit tool. This tool meets the needs of the Inter-agency business plan and helps report on the key performance indicators set out in the business plan. Regular audits of adult protection work will be a regular feature of quality assurance and have been introduced to ensure strong standards across all areas of Scottish Borders.

Potential Large Scale Investigation cases and cases which come into the LSI process are monitored by the Adult Protection Audit Subgroup. Regular updates on developments and progress are discussed and tracked by the multi-agency partners. We have had 1 provider and 5 meetings held under the LSI process. In order to support the LSI process the Community Care Reviewing Team (CCRT) have a well-established process which highlights early indicators of harm / concern at an early stage. The CCRT team will work in partnership with professionals and the care provider to



maintain quality and standards within registered care homes. Here in Scottish Borders a nominated Reviewing Officer is attached to each and all of the care homes.

Significant Case and Incident Review (SCIR). We have had 1 SCIR conclude in this period and one new case. Just under (SCIR) level there has been 2 Incident Case Reviews (ICR). The learning has led to a better understanding of reporting and responding to harm where this is responsibility and crossover between partner agencies.

## **The Adult Protection Inter-agency Operational Group**

The Adult Protection Inter-agency Operational Group acts as the operational arm of Adult Protection Committee. This is a multi-agency group with good cross representation across service delivery areas, the key partners, SBC contracting and the third sector. As well as taking on work on behalf of the AP Committee, each partner agency can bring a range of issues around support or protection to this group for discussion. Once issues have been discussed or addressed these can be sent back to AP Committee for approval and then the information can be shared more widely. Scottish Borders have good information sharing arrangements through organisations such as Borders Voluntary Care Voice and third sector partners.

The focus of the Operational Group has changed within the last year and this has seen an opportunity to review the work of the Operational Group. The group have moved to a more inclusive agenda: all multi-agency partners now have much more opportunity to contribute, update and be more actively involved in the groups work. This has been a positive more inclusive change by the group.

Much of the focus of the Operational group this year has been taken up by the Inter-agency business plan and key performance indicators. These Key Performance Indicators (KPIs) are areas where practice can be measured, audited and benchmarked. These KPIs will be built into the AP process as part of quality assurance and audit, and should measure progress in some of the areas highlighted for improvement through self-evaluation.

Scottish Borders have been through an Older Adults Inspection and many of the findings which link to Adult Protection will be overseen and taken forward by this group. This will include oversight and input into any improvement plans.

## **The Adult Protection Learning and Development Subgroup**

Adult Support and Protection Learning and Development Group have responsibility for training and the Learning and Development (ASP L&D) Strategy. This provides a framework for multi-agency training at 4 levels, from induction through to specialist and advanced knowledge. Additionally bespoke training is delivered throughout the multi-agency partnership as required. A focus of the work of the L&D group has been to review and renew Scottish Borders ASP L&D Training Matrix, and looking ahead to January 2018, the following approach will be adopted for ASP training programmes, as outlined below:

The approach for e-Learning in relation to Adult Support and Protection (ASP) has been further enhanced and it is now mandatory for all staff employed by Scottish Borders Council and NHS Borders to complete Scottish Borders ASP e-Learning module and pass the required assessment every two years.

In addition, there have been three well-attended ASP training sessions delivered in relation to the complex interface and implementation of public protection legislation, including the Adult Support and Protection (Scotland) Act 2007, the Adults with Incapacity (Scotland) Act 2000 and Section 13za of the Social Work (Scotland) Act.

The Learning & Development group facilitated the Financial Harm Seminar in May 2017, which was attended by multi-agency representatives, and raised professional awareness around Financial Harm affecting Adults at Risk. This event included informative presentations from the Scottish Business Resilience Centre, Public Guardian, Scottish Borders Council Trading Standards, and the Royal Bank of Scotland.

## **The Scottish Borders Adult Protection Unit**

The Scottish Borders Adult Protection Unit currently sits within a co-located building in Galashiels. Police Scotland, Child Protection and Adult Protection are all on site. This particular model is seen as a major strength as it encourages closer working relationships, partnership and communication between agencies. A good example of multi-agency co-operation is the Inter-agency Referral Discussion (IRD) process. This is a formal conversation which is built into the Adult Protection process to share information and to agree and co-ordinate a response. Having Police and Child Protection on site means that cases with cross-over can be discussed quickly and appropriately by suitably skilled and experienced colleagues.

The Adult Protection Unit consists of the Adult Protection Co-ordinator who line manages two Adult Protection Officers, and a joint NHS/SBC Training and Development Officer. In addition to these employees we have the dedicated support of three skilled administration staff.

The Adult Protection Officers (APOs) are experienced practitioners who have a wealth of knowledge, skills and experience to draw upon. The Officers offer independent support and advice to practice teams and partner agencies. The APOs offer independent chairing of Adult Protection Case Conferences to practice teams, undertake the chairing and co-ordination of Large Scale Investigation (LSI) and have a quality assurance role as part of their remit.

### 3. Adult Protection Activity (2017 - 2018)

The APU continue to monitor the statistics from the social work information management system (Mosaic) The Adult Support & Protection Act was implemented on 31 October 2008 and from this time the APU has been collecting the Adult Protection data sets requested by the Scottish Government. Unless otherwise stated, the figures below were collected in the period 1st April 2017 - 31st March 2018.

#### Initial referrals & screening of harm in Scottish Borders Council

Referrals to Scottish Borders Council occur where any person suspects an adult is at risk of harm. Referrals come from a large variety of sources; they come into SBC either through the customer services team within office hours (Tel 0300 100 1800) or through the Emergency Duty Team out-with office hours (Tel 01896 752111).

Police Adult Concern Forms and Fire Service Referrals are referred in directly through the Adult Protection Unit, uploaded to the information system then passed to the locality social work teams for response. During the course of 2017 - 2018 the following numbers of harm referrals were thought to be Adult Protection by referring agencies and partners.

Table 1

Total number of referrals around harm thought to be Adult Protection
Annual figure 500

There are differing levels of knowledge, training and experience of adult protection across partner agencies in Scottish Borders. This often happens because adult protection is a small part of what an agency may do and their levels of experience vary. The responsibility for screening all referrals lies with Social Work practice or specialist teams (Learning Disability & Mental Health). Every referral about harm is screened and assessed into welfare or protection. Welfare issues are signposted to a Social Work response or referred to specialist teams such as Alcohol or Substance Misuse where a case is appropriate or requires a particular skill set.

Of the 500 referrals reported by external agencies to be adult protection, 235 were graded as welfare concerns and dealt with accordingly.

Of the 500 referrals assessed to be possible protection cases (265) proceeded as AP Referrals and were overseen by the Team leader / Team manager of the locality or specialist team. The Team Leader / Team Manager will allocate, direct, oversee and sign off all work under the Adult Support and Protection (Scotland) 2007 Act, 204 cases proceeded as Protection work and therefore AP Referrals.

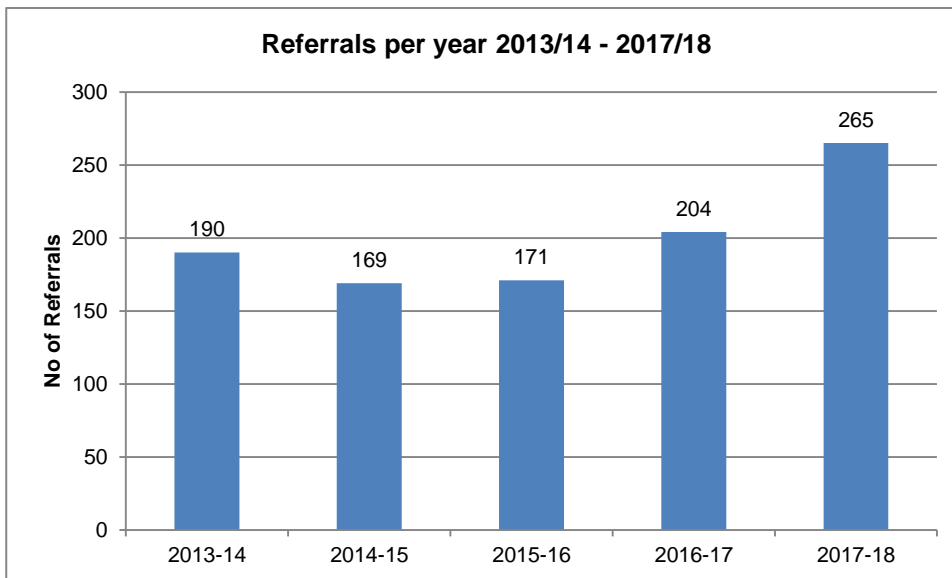
## Adult Protection Referrals

Table 2 below - lay out the number and source of protection referrals which required AP intervention.

Total number of actual AP Referrals
Annual 265

Table 3 below - The number of 265 AP Referrals over the last year is broken down into quarters. When we break down this year's annual figures into quarters we see that quarter 2 of 2016 / 2017 is showing the biggest increase. Further investigation into quarter 2 demonstrated that there was no specific incident which caused numbers to increase. The period of July, Aug and Sept of 2016 saw a spike in harm across all teams. There are 7 area or specialist teams inputting into this figures, so a small increase in every team leads to quarterly spikes out-with the mean average.

Table 4 - The Number of AP Referrals over last 5 years for comparison



From table 4 above we can see an increase in AP Referrals from the previous year, the 2017 / 2018 figures demonstrate a 25 % increase in referrals, where it is known or believed an adult is an adult at risk of harm under the Adult Support and Protection Act. The increase in referrals evidence greater partnership detection and reporting of harm. The local authority has a legal duty to inquire and investigate harm and to work with partners to reduce or remove harm and to ensure effective supports are in place. The increase in referrals doesn't necessarily mean more adults are at risk, it means we are concerned enough to look into the matter and confirm or rule out protection concerns.

## Percentage of Adult Protection Referrals by Gender

Table 5

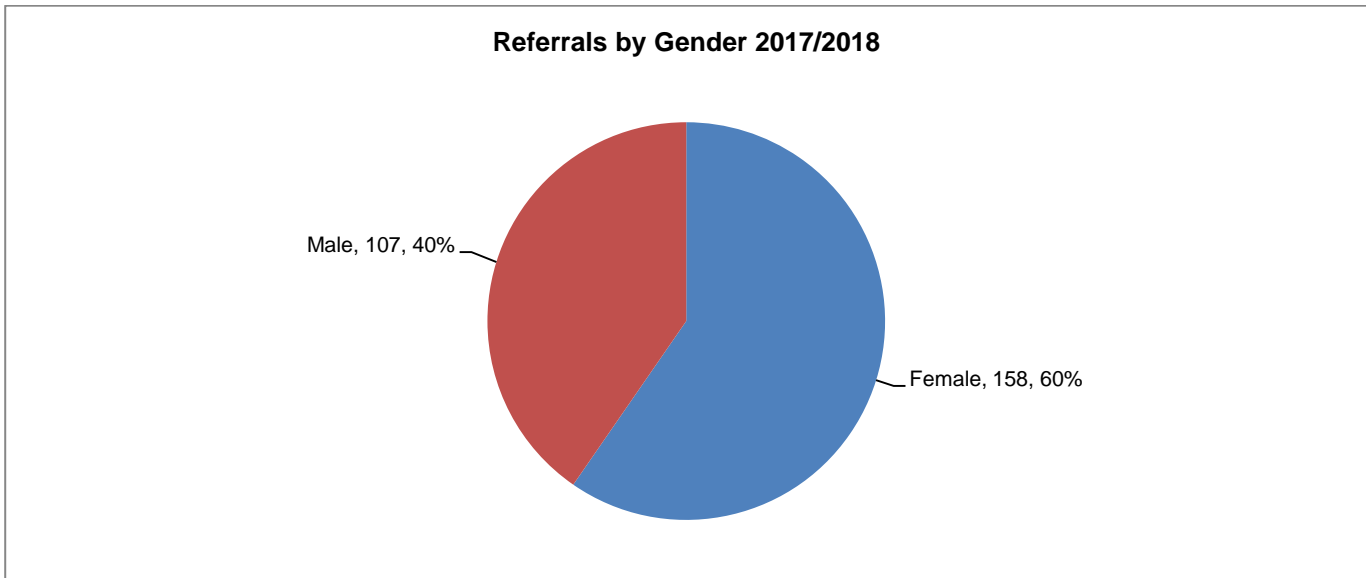


Table 5 above enables us to see Adult Protection Referrals and gender. This year's figures are a modest 10 % increase on last year's figures and if we look at AP Referrals over a 5 year timeframe there is little fluctuation out-with a 10 % range over 5 years. Females beyond the age of 71 years become more at risk of harm than males. This is a pattern repeated over the national AP landscape. Females often live longer or are more likely to be living on their own and when illness, dementia or disability is present, this increases their risk.

## Number of Adult Protection Referrals by Age Range

Table 6

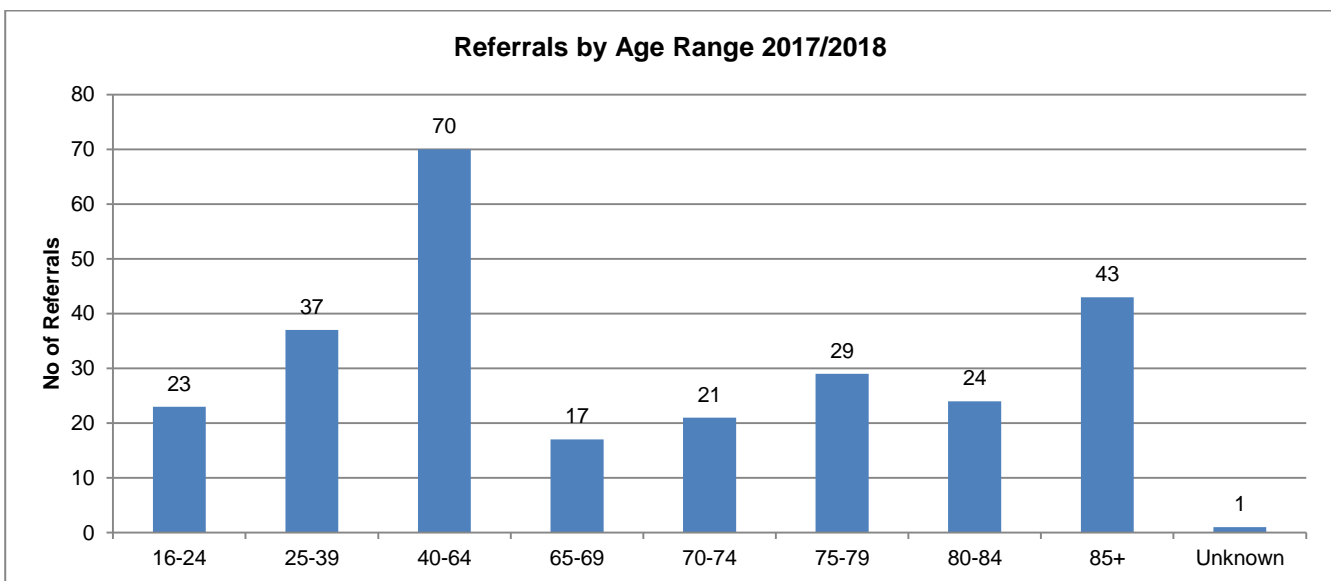


Table 6 above highlights the age range of AP Referrals from 2017/2018.

From the data supplied we can demonstrate that numbers in the 16-24 age range are fairly stable and consistent over the timeframe. The age range 25 to 64 tends to fluctuate when it comes to victims of harm. The Learning Disability, Mental Health Service users are particularly vulnerable to harm through perceived friends or through associations with adults who become harmers. Financial and material harm can often occur through opportunity or deliberate targeting of adults in the 25-64 age range. This year in particular has seen a rise in adults in the 25 to 64 age range being targeted, befriended and harmed by harmers with alcohol or drug addiction.

For older adults over the age of 75 years, the numbers have slightly increased from 76 last year to 86 this year. Reviewing this information over a longer timeframe helps us to see a growth trend in harm to adults over the age of 75. Adults are generally living longer and financial and physical harm are the two areas mostly affecting the over 75 age range. This group is less likely to keep pace with rapid changes in technology and the sophisticated ways harmers use to illegally access our money. Internet phishing of emails, bogus bank calls and convincing scams are all used to access our money. When these adults have substantial savings or pensions and then develop illness, dementia or physical infirmity this leaves them even more vulnerable to financial harm.

## Referrals by Type of Harm Reported

Table 7

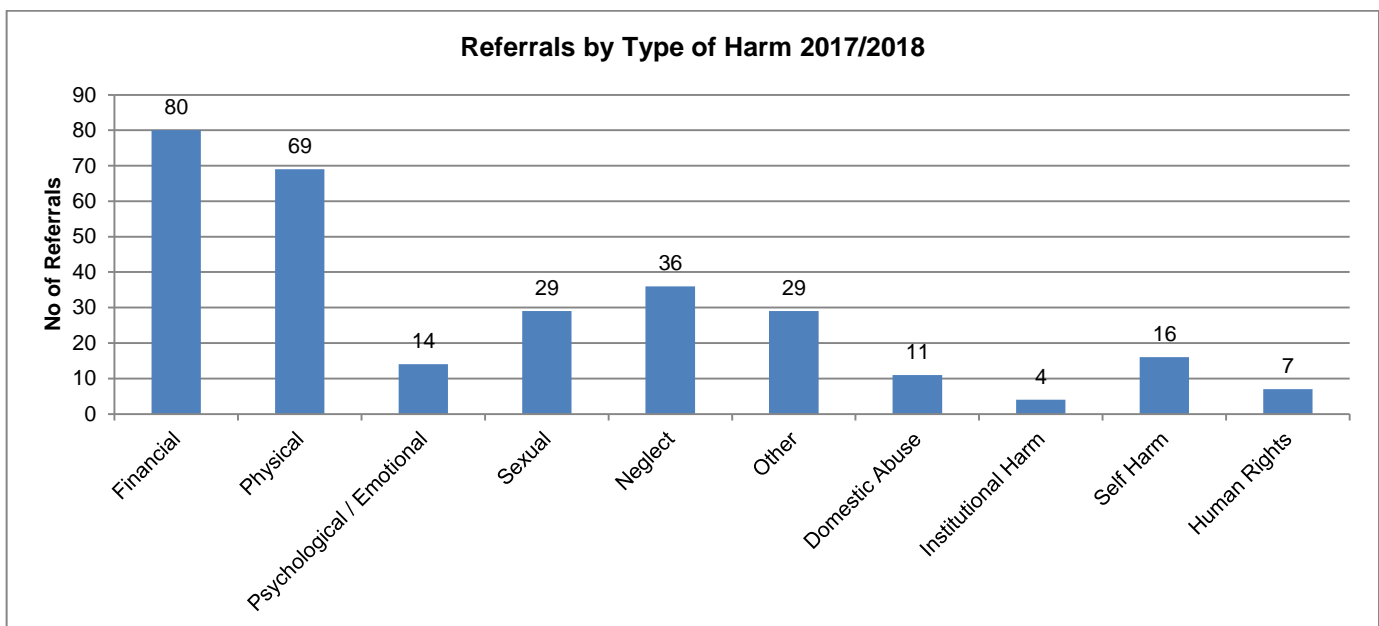


Table 7 above - Types of harm and specific trends

Financial harm continues to be a challenge both in Scottish Borders and nationally. Scottish Borders continue to be proactive working with local banks, building societies and trading standards in order to highlight and prevent harm.

Physical and psychological, emotional harm often go along with each other and we are required By Scottish Government to report the primary type of harm.

The Multi-Agency Risk Assessment Conference (MARAC) has been proactive in managing the highest risk cases of domestic abuse in the Scottish Borders. As a result of effective information sharing and action planning, many victims are protected from the sustained and repeated violent behaviour by mostly male offenders.

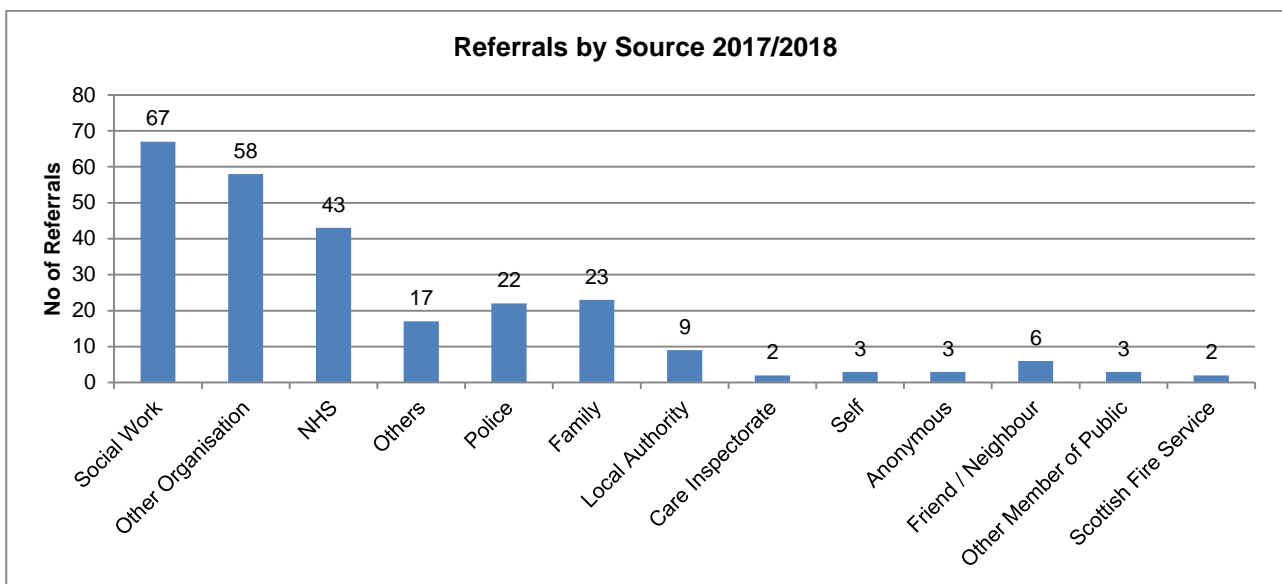


Alleged physical harm mostly occurs from paid professionals, family members and people usually known to the adult or through perceived friendship or acquaintance. These friendships are not always supportive, respectful or balanced. Where physical assault is highlighted to Scottish Borders Council about adults at risk of harm, we work very closely with Police Scotland, NHS Borders and our partners to address and track harm.

Alleged sexual harm figures have fallen slightly from last year, and although this type of harm can be serious and often traumatic to the victim, not all alleged harm can be substantiated. Scottish Borders Council and partners can work closely with victims around safety planning and risk management to help the individual make positive choices to avoid further harm.

## Source of AP Referral

(Table 8)



As can be seen from table 8 above we receive AP referrals from many sources, including multi-agency partners, clients, carers, family members, and agencies in the third sector.

The figures listed above are made of concerns which have been reviewed and were known or believed to be Adult at Risk concerns. It is important to note that Scottish Borders review all referrals and the ones listed above are from the 265 believed to be protection concerns. Welfare concerns which don't make this list are dealt with through Social Work Services or signposted to key partners for specialised services or support.

Independent agencies and the category of "Other", which includes the voluntary sector, banks and addiction services, are the highest reported of Adult Protection referrals. Many staff working in the voluntary sector attend our Scottish Borders Adult Protection training. These staff go on to work in frontline service delivery with service users and it is reassuring that this group are reporting harm.

NHS Borders and Police Scotland continue to make referrals and be involved operationally and strategically in adult protection. We have a co-located Public Protection Unit in Scottish Borders

and a particular key strength of co-location is that communication and cooperation happen quickly, particularly around child and adult protection cases which have crossover.

Adult Protection referrals from concerned family members continue to be well reported in Scottish Borders. These can be incidents of financial harm or physical harm particularly where an Adult at Risk is unable to report harm, or where a friend or acquaintance exerts undue pressure over an adult not to report an incident.

## Referrals by Locality Team / Area of Scottish Borders

Table 9

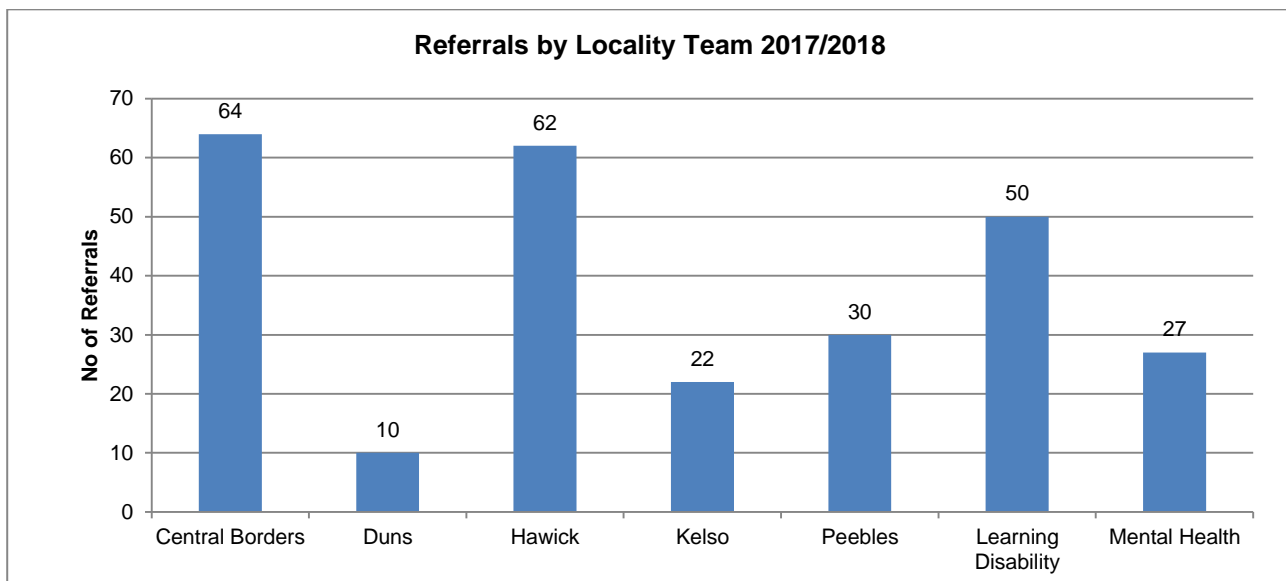


Table 9 above helps us understand levels of harm across Scottish Borders, we have 5 locality teams which cover Scottish Borders geographically and 2 specialised teams: Learning Disability and Mental Health. Learning Disability covers all of Scottish Borders and this group of adults have complex needs and risks. Central team covers the urban areas of Galashiels, Melrose, Selkirk, Earlston, Newtown and St Boswells and many smaller villages. The catchment area population in relation to other areas means there are more people and more referrals of alleged harm. Every Adult Protection Referral will go through an investigation and/or investigation process to assess the extent of harm and formulate the most appropriate response.

AP Referrals from Central Borders have increased from 44 to 64 some of which can be attributed to a marked rise in financial harm across Central area. In Hawick there was a particularly complex Large Scale Investigation which contributed significantly from 27 the previous year to 62 this year.

Peebles also saw an increase in referrals from last year from 20 to 30 and Kelso saw a decrease from 34 to 22 this year. Mental health, Learning disability and Duns figures all appear similar to last year's figures.



## 4. Adult Protection Intervention

All Adult Protection referrals received in Scottish Borders receive an intervention. This intervention process involves three distinct steps ; Duty to Inquire, Inter-agency Referral Discussion, and Adult Protection Investigation. These three steps are used to share information with the key agencies involved and to assess whether the adult is in need of further support or protection. For the purpose of this annual report we will report on Inter-agency Referral Discussion (IRD) which is a formal conversation and AP Investigation which is the stage after initial Investigation and where a visit or interview is required. Scottish Government now requires AP Investigation information only as part of their national data collection information. Collecting information from AP Investigation only, enables Local Authorities and Scottish Government to compare like for like information across Scotland in order to inform a National Adult Protection landscape.

**Table 10 - Information screened and processed - refer to page 21 for further chart**

Number of Adult Protection Referrals	265
Number of cases which required AP Intervention(Inquiry/IRD/Investigation)	265
Specific Intervention which required AP IRD	89
Specific Intervention which required an AP Investigation (visit / interview)	143

### Adult Protection Inter-agency Referral Discussions (IRD)

(Table 11)

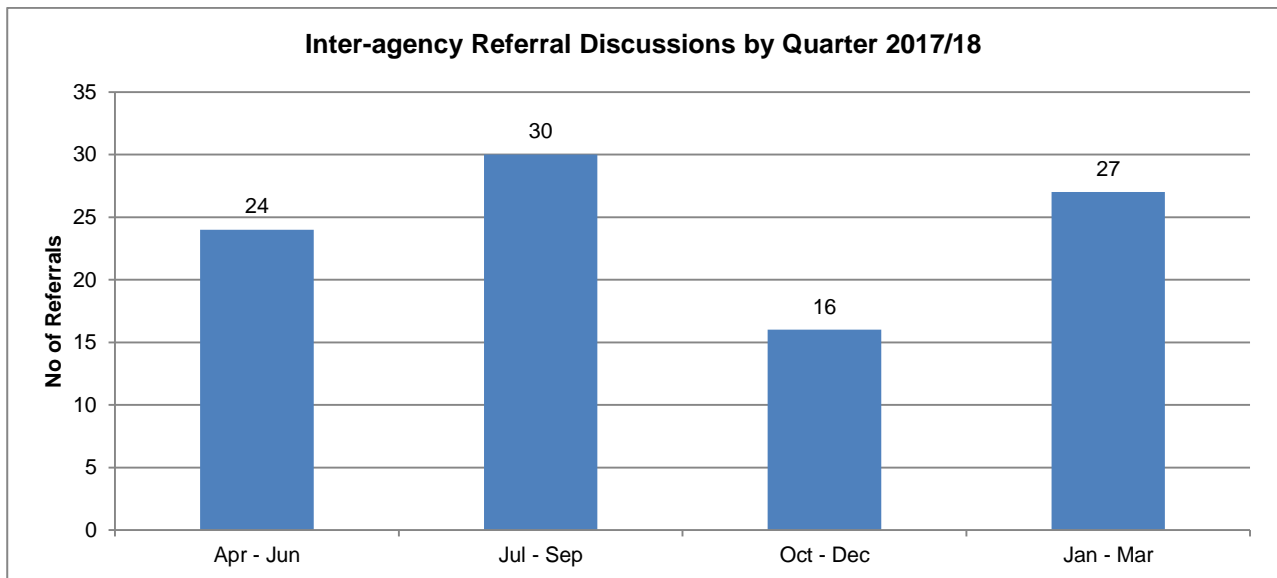


Table 11 above - The Inter-agency Referral Discussion is a formal discussion between Social Work, Police and NHS Borders where there has been a crime or a significant event and/or harm that requires multi-agency discussion and a response. The table above highlights the number of Inter-agency Referral Discussions (IRD) held each quarter; the total number of adult IRDs for the year

is 97. This is an increase from 79 to 97 on last year's figures. The rationale for this is an increase in alleged adult protection cases which have an element of possible crime and particularly due to the increase in financial harm.

The IRD involves the multi-agency sharing of information and a clear recorded record of risk. The partner agencies involved will agree which agency leads on which component of an investigation and agree lines of feedback to an IRD conclusion. IRD numbers are similar to last year and most IRDs involve a conversation between Social Work and Police Scotland, but an IRD can involve NHS Borders, the Care Inspectorate and a senior manager of any independent agency. All IRDs in Scottish Borders are subject to external scrutiny by an IRD Review group. This IRD Review group consists of the Adult Protection Co-ordinator, Police Inspector and the Associate Director for Nursing Mental Health NHS Borders.

## **Adult Protection Investigation**

(Table 12 )

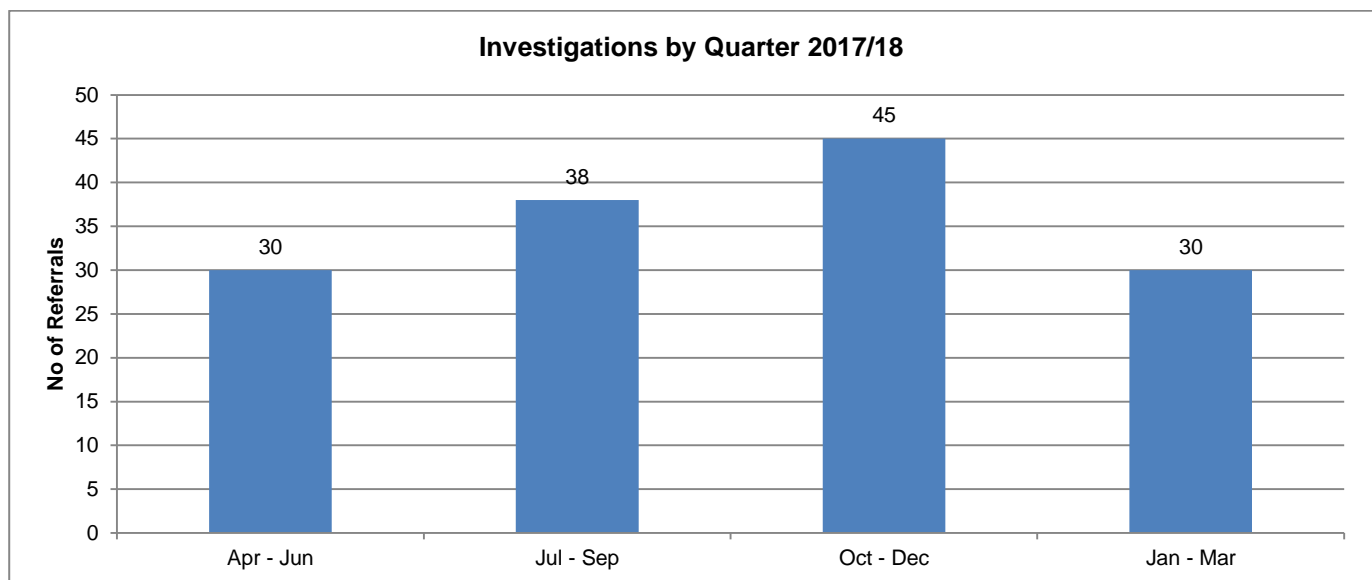


Table 12 above highlights the number of cases per quarter which required a visit, interview or access to records such as bank statements. The AP Investigation phase follows on from AP Investigation and tends to be at the end of an AP intervention process. This investigation helps us finally determine whether an adult is still an adult at risk of harm and in need of an AP Case Conference or whether the intervention and steps taken have been enough to support the adult and that the risk is reduced or can be managed by an alternative means where the adult is deemed not to meet all three points of the Adults at Risk test.

There have been 143 cases over the last year which required a Council Officer visit or interview to establish whether someone was an Adult at Risk of harm or not. This is also an increase on last year and partially relates to more IRD's, and partially to cases which required a visit or interview.

All Adult Protection investigations must be undertaken by a trained Council Officer under The Adult Support & Protection (Scotland) 2007 Act and the process is directed and overseen by the

Team Leader or Team Manager in that locality or specialist team. Investigations are further broken down into the information and charts listed below.

## Type of Principle Harm at Investigation

(Table 13)

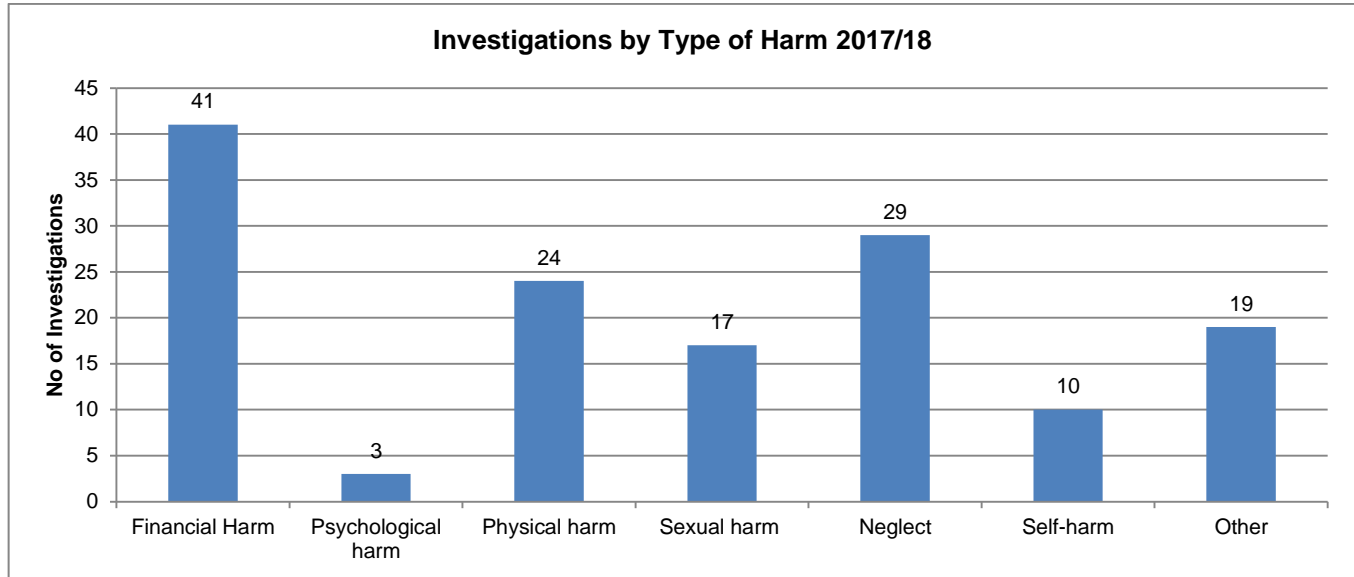


Table 13 above - Scottish Government request the principle type of harm from a specified list. Emotional or psychological harm often happen alongside principle harm such as physical harm but it's the principle or primary harm that is counted for national and local purposes. Financial harm and physical harm continue to be the two highest types of harm in Scottish Borders. This is a recurring trend over a 5 year timeframe and is mirrored in national figures.

Alleged neglect figures have gone up from 14 last year to 29 this year, these figures include self-neglect and institutional neglect were previously reported separately but Scottish Government want these combined under one grouping. The Large Scale Investigation in Hawick has contributed to this rise.

The area called "other" includes domestic abuse, emotional harm, human rights or information harm. Domestic abuse figures have increased around Adults at Risk of harm, as there is a better understanding of the issue and more reporting to MARAC (Multi-agency Risk Assessment Conference) which is the multi-agency domestic abuse forum, which supports victims of this type of harm.

## Investigation By Service User Group

(Table 14)

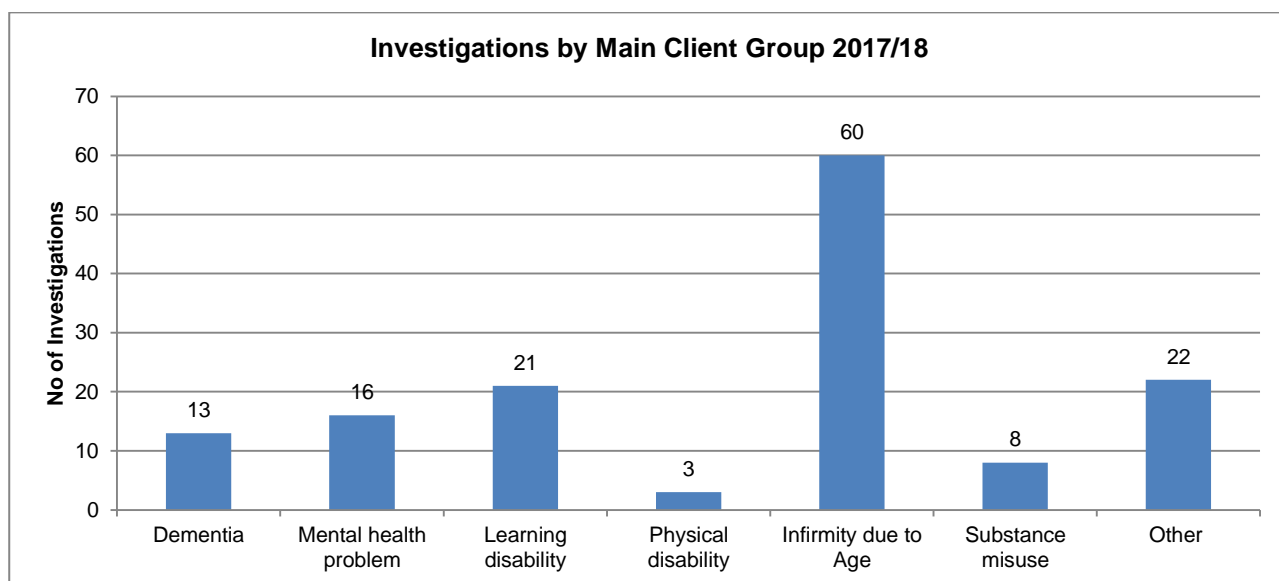


Table 14 above - this graph lays out the service user numbers and groups which required a visit or interview under AP Investigation. Infirmity due to age is a new term from Scottish Government which covers older adults with mobility issues and who may be at greater risk of falls. Visits and interviews to this group have doubled from 33 last year to 60 this year. This group often need a visit and sometimes specialised Occupational Therapy assessment and input. Infirmity due to age as a primary concern is still a new term, it may take a few years' worth of data to bench mark and analyse the context of any increase.

Older adults or over 65s continue to be the largest grouping of Adults at Risk of harm followed by Learning Disability. Adult Protection investigations around mental health have increased this year due to this group being targets of financial or material harm and from some female service users being victims of reported sexual harm. The area of Other covers acquired head injury, emotional disturbance, mobility issues not defined as physical disability and this accounts for 16 Investigations.

## Location of Harm at Investigation

(Table 15)

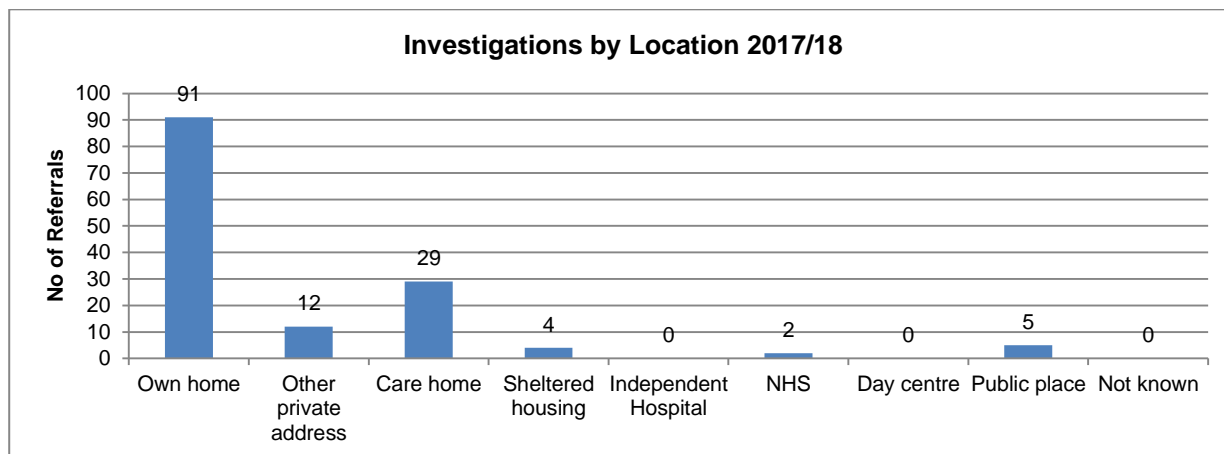
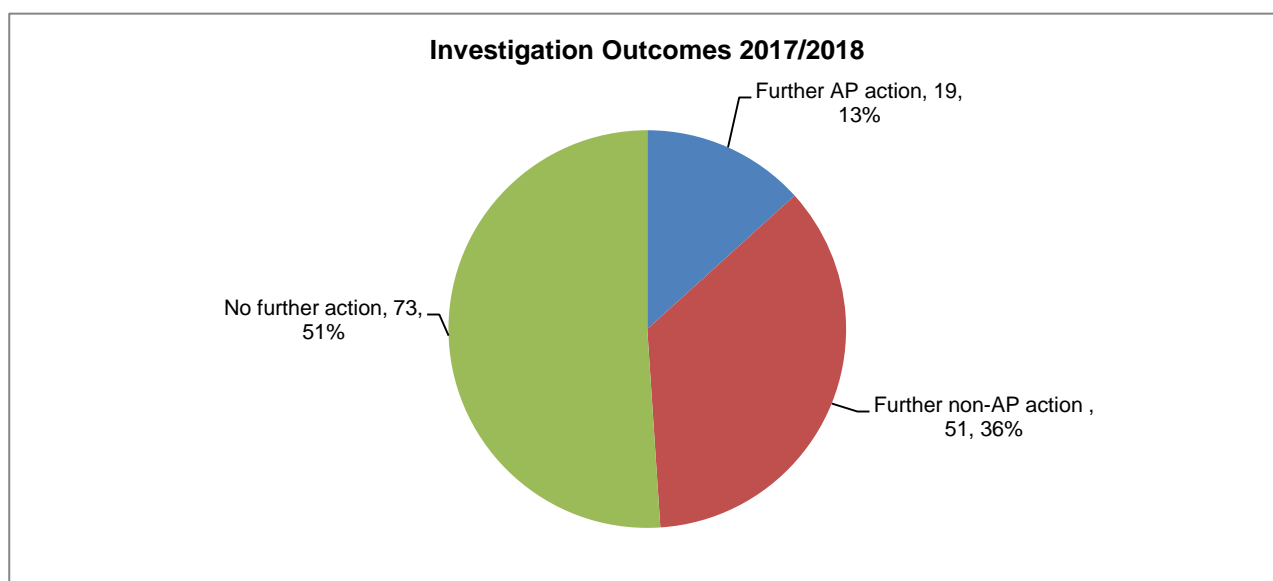


Table 15 above - The majority of harm occurs in an adults own home, usually by someone known to them. The second highest setting of harm comes from private care homes. Adults in care homes are a particularly vulnerable group of people and these include adults with dementia and adults who may be physically frail or who have a nursing need through illness. The range of harm in care homes varies and does not always involve allegations against paid care staff. Sometimes a resident will have an incident with another resident; dementia can lead to changes in personality and in some service users challenging behaviours. How client groups are mixed and managed takes a skilled staff team. There continues to be ongoing training into care homes around dementia, care home standards and Adult Protection. All concerns in care homes are reviewed, but any themes or patterns which arise are overseen by a link Social Worker from the Community Care Review Team and care home performance is monitored by a care home quality group and the regulator the Care Inspectorate.



## Outcome of the Adult Protection Investigation

(Table 16)

Table 16 above - The Adult Protection Investigation is often the final stage in the intervention process; allegations of harm are weighed and measured in terms of facts, evidence and corroboration. From the 265 actual adult protection referrals, 143 cases required investigation. Not all allegations of harm result in further adult protection action, 73 cases were deemed not to meet the Adult at Risk, 3 point test, following investigation. These cases left the adult protection process with a risk assessment, risk management plan and chronology of significant events to track progress.

A further 51 cases did not meet the adult protection criteria for Case Conference, but did require access to Social Work or multi-agency support. These cases progressed under a case management approach and again had a risk assessment / risk management plan and chronology. 19 cases were recorded on the information system as requiring further AP Action; however 35 cases were brought to initial adult protection case conference. All these cases have risk assessment and risk management plans and multiagency overview at conference.

## 5. Case Conferences and Meetings

### Adult Protection Case Conference and Review

(Table 17)

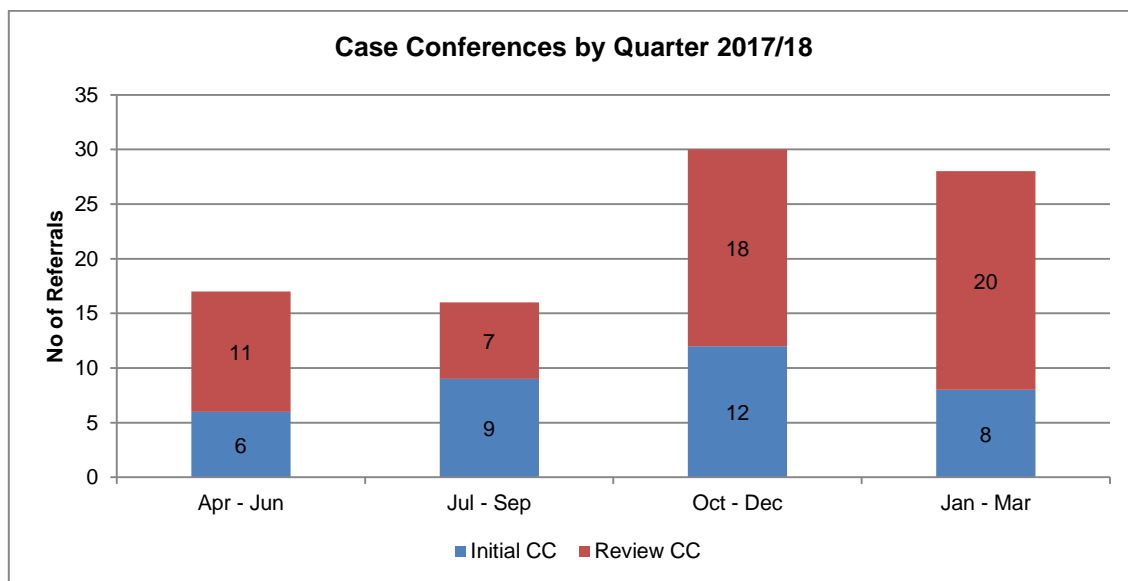


Table 17 above- the majority of cases in Scottish Borders which come into the AP process do not reach AP Case Conference. The process has been designed to be proportionate and responsive to risk. On many occasions following intervention or supportive measures we see the risk addressed or managed. There were however, 35 cases which required an AP Case Conference and a further 56 cases proceeded to AP Case Conference Reviews. This is a significant increase on the previous year and demonstrates that complex cases often require multiagency attendance and input, the case conference is the way to facilitate this.

Here in Scottish Borders we introduced a Vulnerable Young Persons Protocol for children and young people at significant risk of harm but who may not have a formal mental health diagnosis. This has been a proactive approach to supporting young people at risk of harm. In 2017 / 2018 we had 7 Adult VYP cases which may not have met Adult Protection thresholds but required a multi-agency response to risk and harm.

## Large Scale Investigations

The Large Scale Investigation (LSI) process is designed to meet larger issues of harm in any care settings. Within this reporting period this type of harm has been specific to Care Home settings. The important figure is the number of Full LSIs. There have been no full new LSIs in this period. However we have had 3 subsequent meetings in this timeframe around cases which were potential LSIs but were managed through communication and agreed actions with the provider.

The refreshed LSI process now ensures that all information and assessment is gathered as part of a Professional Concerns meeting and this information is passed to the Chief Social Work Officer to enter or manage the risk by LSI or alternative means. This process is more balanced and proportionate and ensures that only genuine risk around large groups of adults qualifies for an LSI approach.

(Table 18)

Full LSI	2
LSI Reviews from existing cases	0

## Significant Case & Incident Reviews (Table )

(Table 19)

ICR / SCRs in this period	3 ICRs & 1 SCR
Practice Reviews in this period	1

Adult Incident Case Reviews (ICRs) happen where there has been a death or a near miss of an adult with support needs or vulnerability. The outcome of an ICR should determine if a Significant Case Review (SCR) is warranted or whether the case has learning for all agencies. There were 3 Adult ICRs in 2017 / 2018 and one proceeded to full SCR.

One practice review was carried out within this period around a Self-Directed Support case. Practice reviews are reflective incidents where issues of unmet need provide learning as to how services can respond in more effective ways to risk.

## Warrants and Protection Orders under Adult Support and Protection Act

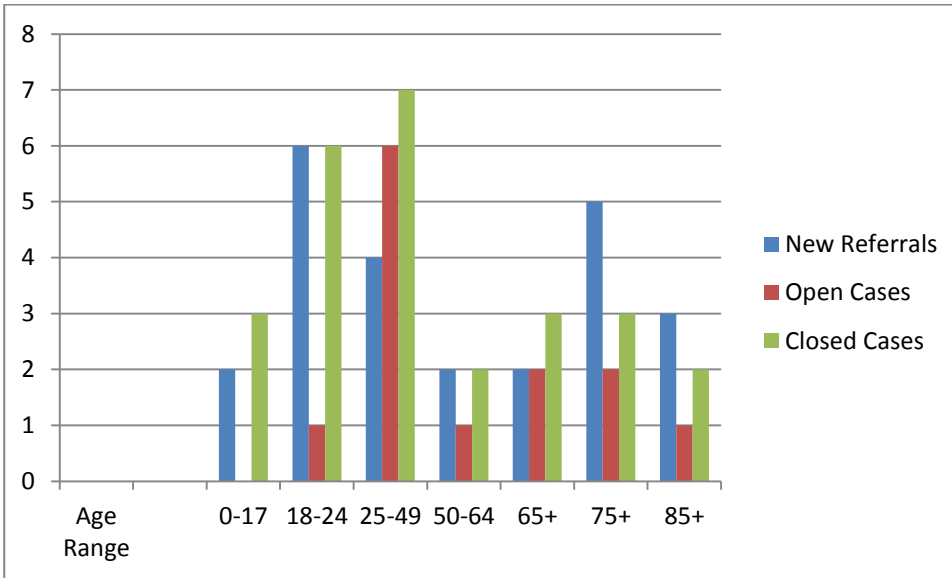
(Table 20)

Removal Order	0
Assessment Order	0
Banning Order	2

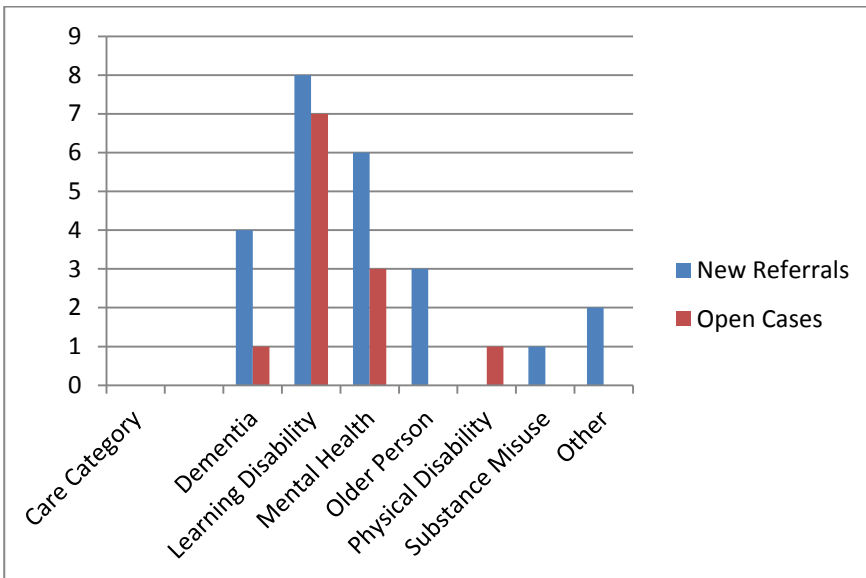
There were 2 Protection Orders granted in this annual year end of April 2016 to March 2017 under The Adult Support and Protection (Scotland) 2007 Act both were banning orders.

## 6. Advocacy and Client and Carer feedback

### i) Referrals to Borders Independent Advocacy Service (BIAS) by age range

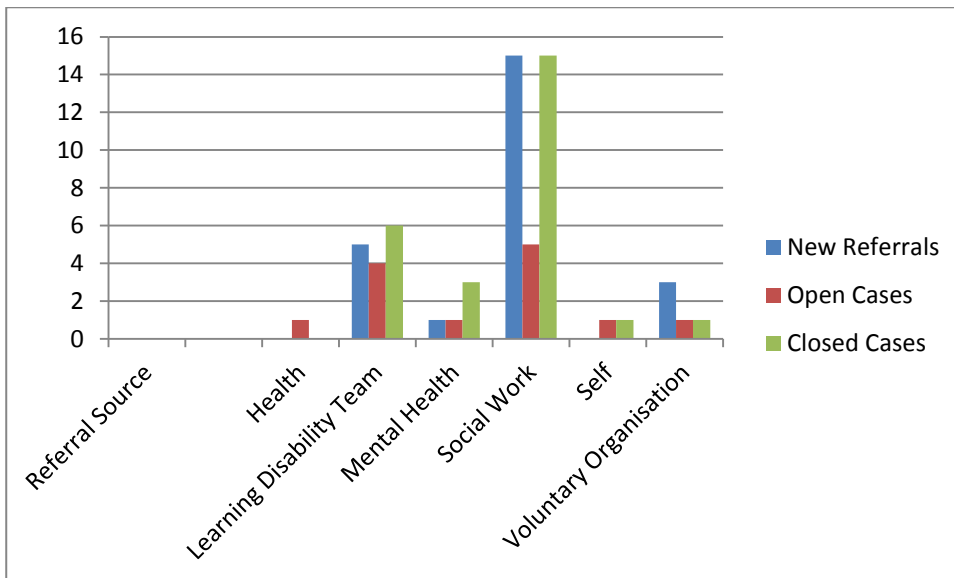


### ii) Referrals to BIAS by Care Category





iii) Source of Referrals to BIAS



Tables 21 i), ii) and iii) above - Borders Independent Advocacy Service (BIAS) reports to APC on a quarterly basis regarding service users involved in the AP process referred to them for support. During this period BIAS received a small number of new referrals, and continued to work with an existing client base.

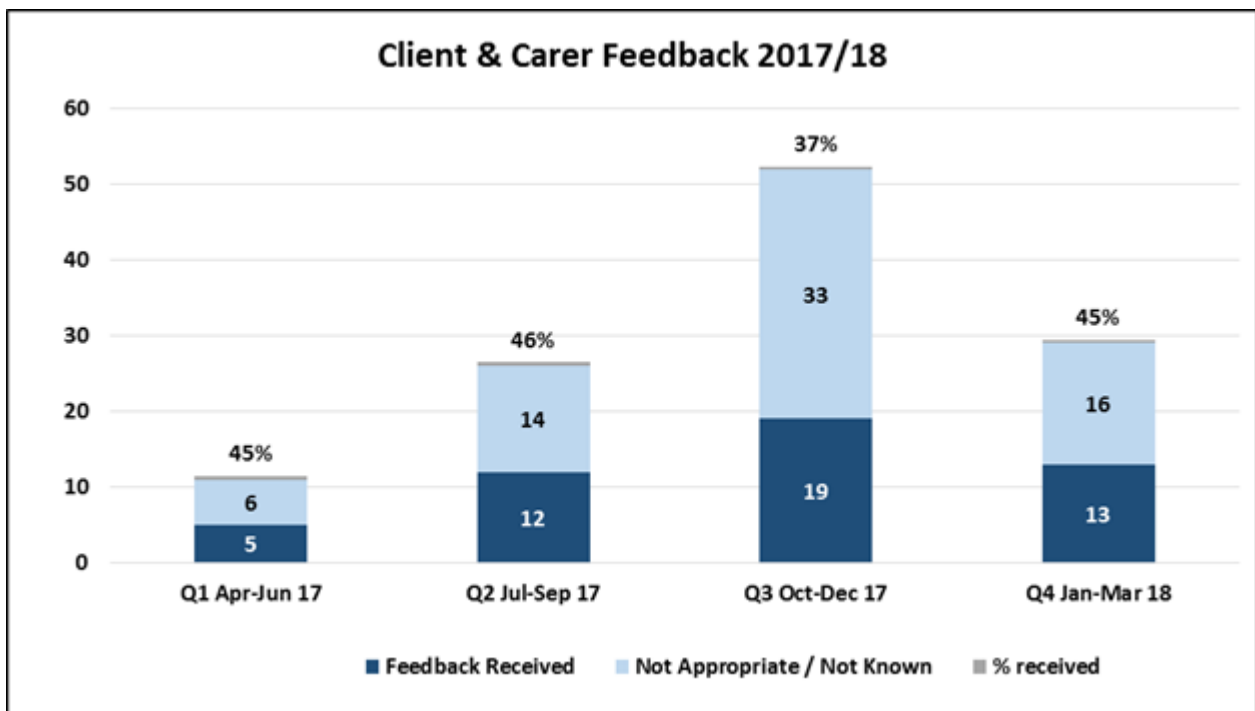
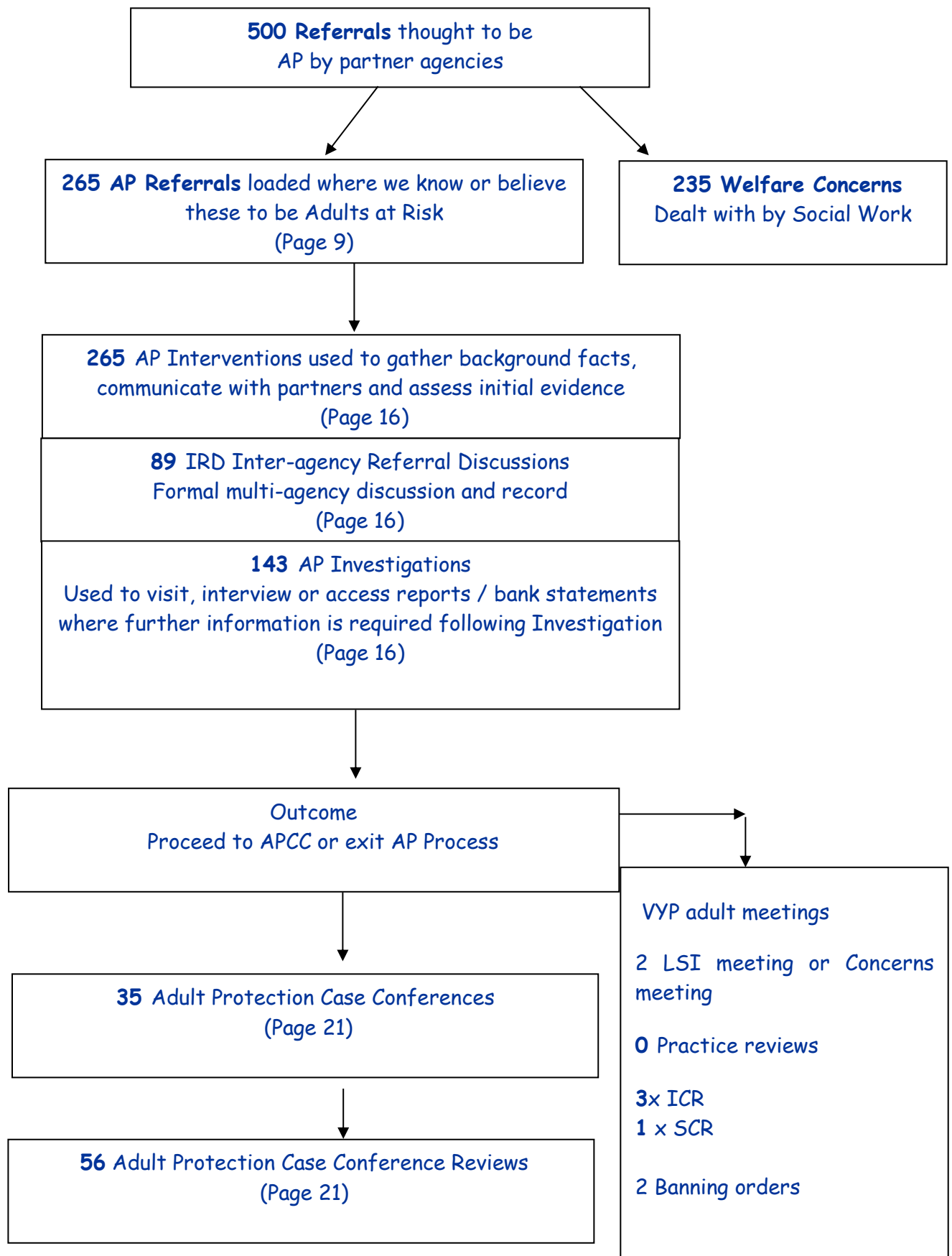


Table 22 above - A new addition to this report is the use of client and carer feedback at the end of investigations. Where any adult has been interviewed or had a visit under Adult Protection, the visiting Council Officer will seek permission from the adult, legal appointee or carer for feedback on their experience of the Adult Protection process. In future annual reports we aim to improve this feedback and use this to inform our Adult Protection practice.

## 7. Schematic Diagram demonstrating Adult Protection activity through the process (Table 23 )



## 8. Commentary on Annual Activity

Scottish Borders continue to see a gradual increase in concerns year on year. Police Scotland in particular continues to be the largest source of welfare and protection concerns. Last year we had over 2000 concern forms about adults who Police have come into contact with through their role. NHS Borders and the Third sector (care agencies and the voluntary sector) are just as critical to recognising and reporting harm as they come into contact with adults at risk. Although Adult Protection Referrals have been relatively stable over the last 4 years, last year saw referrals increase by 25 % on previous years. However an increase in AP Referrals doesn't necessarily mean more adults are actually at risk of harm. The context is important, as in Adult Protection, we only need to believe someone might be an adult at risk of harm, to initiate the AP process. Generally this means that we are making more use of the Adult Protection process to carry out more inquiries and investigations about possible harm. In addition partners are communicating concerns more frequently which is a strength. All concerns coming to Scottish Borders are carefully screened and dealt with appropriately. Importantly there is an additional layer of scrutiny of Police Concern Forms to ensure the most critical cases are not missed.

Financial and physical harm continue to be the two most prominent types of harm reported in Scottish Borders. We are a large rural location with a large population of adults over the age of 65 years. Many of these adults may have retirement packages or savings accrued in preparation of retirement. As technology continues to change and progress some older adults find it difficult to keep safe from sophisticated scams and phishing emails.

Adults under the age of 65 face similar challenges from financial and physical harm, however there has been a marked increase in adults with addiction issues ( alcohol or drugs) gravitating towards adults with vulnerability and exploiting them. Some service users use drugs or alcohol and come in. We already know that most harm occurs by someone known to the victim, these friends and associations often start through low level petty crime and continue until their behaviour is challenged.

Drugs deaths continue to increase in Scottish Borders and Nationally. Every drug death is a personal and family tragedy. What professionals highlight is the importance of keeping this vulnerable group linked and engaged in treatment and specialist support. This remains the strongest protective factors and more likely to reduce risk.

Allegations of physical harm continue to be reported across service user groups and trends and patterns are monitored through chronologies and inter-agency communication. The Multi-agency Risk Assessment Conference (MARAC) and Violence Against Women Partnerships continue to do great work to highlight and tackle domestic abuse from a public protection approach. This process is part of Safer Communities and has cross over into Adult Support & Protection in applicable cases.

The Vulnerable Young Persons Protocol (VYP) was a process which was created to span children and young people and to address significant risk of harm. This process does not take priority over Child or Adult Protection, but gives agencies a new process to address risk and harm, particularly where harm is serious but the criteria for Child or Adult protection is not met. The uptake of VYP meetings has increased significantly on last year: this is an encouraging uptake of a very creative support mechanism specifically for young people and risk.

Harm in care home settings continues to be both a local and national issue. We have a specialised Community Care Review Team and contracts department who work specifically with these challenges. In addition to this the Adult Protection Learning and Development group in Scottish Borders continues to be proactive in meeting the training and staff development needs across all agencies and the third sector. The bespoke Adult Protection in Care Home training is a good example of adapting training to address the level of reported harm in private care home settings. This bespoke training was tailored to meet the needs of staff and managers separately and should help care providers to record and report more swiftly and work alongside the local authority and partners to deliver good safe outcomes for this client group.

## 9. Closing Statement

2017 saw the Care Inspectorate undertake an inspection of older adult services in Scottish Borders including Adult Protection. The Care Inspectorate recommended further work around risk assessment, chronologies, and risk management plans. To ensure improvement stays on track there will be increased focus on quality assurance, support to Team Leaders and progress will be tracked and monitored through a set of key performance indicators and scrutiny groups.

The decision in Scottish Borders to explore a multiagency Public Protection Unit is an exciting prospect. Key partners could be colocated and multiagency screening, communication and working could be far more effective and efficient. Instead of sole focus on the adult, there may be a move to an integrated multi-agency Public Protection Unit. This Unit will be colocated and manage risk from a family approach. Some complex cases have children, adults, substance misuse, domestic violence and mental health. By better use of services and more integrated approaches we can tackle multiple strands of harm more efficiently and more effectively. Multi-assessment screening hubs have been popular in England and Wales, and this may be one of the first operational Public Protection hubs in Scotland.

Keeping children, young people and adults safe is everyone's responsibility and I would encourage our communities to be vigilant and to report signs of harm. As a collective we can achieve safer outcomes for our residents and in our communities.

David Powell  
Adult Protection Co-ordinator



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## **REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

**Report by Chief Executive**

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### **SCOTTISH BORDERS COUNCIL**

**28 MARCH 2019**

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#### **1 PURPOSE AND SUMMARY**

**1.1 This report seeks approval for a review of the current Polling Districts and Polling Places within the Scottish Borders Council Area to seek to ensure that:-**

- (a) all electors in a constituency in the local authority area have such reasonable facilities for voting as practical in the circumstances; and**
- (b) so far as is reasonable and practicable, every polling place for which the Council is responsible, is accessible to electors who are disabled.**

1.2 The Electoral Registration and Administration Act 2013 sets out the timing of reviews of UK Parliamentary polling districts and polling places. The next compulsory review must be completed by 31 January 2020. Although there are no scheduled elections or referendums until 2021 it is important to keep our polling districts and polling places up-to-date in preparation for any unexpected electoral events. The timescale is set to allow any changes to Polling Districts in the Register of Electors due to be published on 1 December 2019. This report sets out how the review will be undertaken and the timescales for achieving Council approval.

#### **2 RECOMMENDATIONS**

**2.1 I recommend that the Council agrees:-**

- (a) the proposals and timescales for carrying out the review of Polling Districts and Polling Places, as detailed in this report; and**
- (b) that a report on the outcome of the review be submitted to the meeting on 31 October 2019 to allow any proposed amendments to be incorporated in the Register of Electors to be published on 1 December 2019.**

## **2 BACKGROUND**

- 2.1 Section 17 of the Electoral Registration and Administration Act 2013 amended Section 18(c) of the Representation of the People Act 1983 which sets out the provisions for reviewing polling districts and polling places and requires that our next review must be completed by 31 January 2020. The Electoral Commission publishes guidance on how these reviews should be conducted and we follow this guidance and use their checklists.
- 2.2 The legislation states that the review is a function of the Council and not the Returning Officer although she is required to be asked for her comments as part of the review process. Polling Districts and Polling Places for both parliamentary and local government elections should always be the same.
- 2.3 The current Polling Districts and Polling Places were approved by the Council in March 2014 following our last review, with some minor amendments having been made since then to take account of local circumstances.
- 2.4 The identification of suitable venues for polling places includes a number of important factors and there needs to be a degree of certainty that the venue will be made available for all elections, including any which are called at relatively short notice. In the past, a large number of schools were used but in recent years every opportunity has been taken to move a polling place out of a school where a suitable alternative venue could be identified. Given the rural nature of the area a large number of the designated polling places we use are in the only suitable venue for many miles and this will reduce the options for change to the existing list of polling places.

## **3 THE REVIEW PROCESS**

- 3.1 The review will be carried out by the Democratic Services Team in accordance with the process detailed below.
- 3.2 The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within it. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit. The Council are also asked to have regard to their own guidelines on public consultation when carrying out the review. The main matters to consider when setting the timescale for the review are the date for publishing the new Register of Electors and any scheduled polls.
- 3.3 It is proposed that the timescale for the review be set to allow for any amendments to be incorporated in the register of Electors to be published on 1 December 2019. The final report must include the proposals for the new polling district and polling place arrangements. There is no requirement to make any changes to existing arrangements. However, any change or decision to make no change must be supported by a reason.
- 3.4 When carrying out the review the Council must:-
  - Publish a notice of the holding of a review
  - Consult the UK Parliamentary Returning Officer for each constituency which is wholly or partly in its area
  - Publish all representations made by the Returning Officer within 30 days of receipt by posting a copy of them at the Council's office and in

at least one conspicuous place in their area and by placing a copy on the authority's website

- Seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the Returning Officer(s).
- On completion of a review, give reasons for its decisions and publish:
  - (a) All correspondence sent to the Returning Officer in connection with the review;
  - (b) All correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability;
  - (c) All representations made by any person in connection with the review;
  - (d) The minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review;
  - (e) Details of the designation of polling districts or polling places within its area as a result of the review; and
  - (f) Details of the places where the results of the review have been published

3.5 The Council is also required to send a copy of the notice to interested parties such as elected representatives (Councillors, MPs, MSPs etc.), Community Councils, political parties, disability groups and any other stakeholders. A press release will be issued and social media feeds will be used to draw attention to the review and the process. A form will also be published on the Council's website to allow any interested party to submit their comments on the review.

3.6 Following the publication of the review conclusions, individuals have a right to make representations to the Electoral Commission within 6 weeks of the publication date. There are only two grounds on which a representation may be made. These are:

- (a) the local authority has failed to meet the reasonable requirements of the electors in the constituency
- (b) the local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.

## **4 IMPLICATIONS**

### **4.1 Financial**

There are not expected to be any costs attached to any of the recommendations contained in this report. The review will be conducted using existing staff resources.

### **4.2 Risk and Mitigations**

If the Council does not approve the carrying out of this review it will be failing to meet its legislative requirements.

### **4.3 Equalities**

No adverse equality implications are anticipated as all stakeholders will be consulted as part of this review and their needs met wherever possible.

**4.4 Acting Sustainably**

There are not any anticipated economic, social or environmental effects of carrying out this review.

**4.5 Carbon Management**

There should be little impact on the Council’s carbon emissions by carrying out this review.

**4.6 Rural Proofing**

A Rural Proofing check is not required.

**4.7 Changes to Scheme of Administration or Scheme of Delegation**

No changes are required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in your report.

**5 CONSULTATION**

5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR, Communications and the Clerk to the Council have been consulted and any comments received incorporated into this report.

**Approved by**

**Chief Executive**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Louise McGeoch	Democratic Services Team Leader Ext 5005

**Background Papers:** Nil

**Previous Minute Reference:** Scottish Borders Council, 27 March 2014

**Note** – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Louise McGeoch can also give information on other language translations as well as providing additional copies.

Contact us at Council Headquarters, Newtown St. Boswells, Melrose, TD6 0SA or telephone 01835 825005



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