

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held remotely by Microsoft Team on Thursday, 27 August, 2020 at 10.00 am

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

Apologies:- Councillors D. Paterson and G. Turnbull

In Attendance:- Chief Executive, Executive Director - Corporate Improvement & Economy, Executive Director (Finance & Regulatory), Service Director Customer and Communities, Service Director HR & Communications, Chief Social Work and Public Protection Officer, Chief Operating Officer (SB Cares) and Chief Legal Officer

1. **CONVENER'S REMARKS.**

The Convener reminded Members of the meeting protocols.

DECISION NOTED.

2. **ORDER OF BUSINESS.**

The Convener advised of an additional item of business which would be considered in private.

DECISION NOTED.

3. **MINUTES**

The Minutes of the Meetings held on 25 June and 30 July 2020 were considered.

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

4. **COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

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|-----|-----------------------------|--------------|
| (a) | Local Review Body | 25 May 2020 |
| (b) | Local Review Body | 1 June 2020 |
| (c) | Pension Fund Committee | 22 June 2020 |
| (d) | Pension Fund Board | 22 June 2020 |
| (e) | Audit & Scrutiny | 23 June 2020 |
| (f) | Hawick Common Good Fund | 24 June 2020 |
| (g) | Civic Government Licensing | 26 June 2020 |
| (h) | Coldstream Common Good Fund | 30 June 2020 |
| (i) | Peebles Common Good Fund | 1 July 2020 |
| (j) | Selkirk Common Good Fund | 2 July 2020 |
| (k) | Local Review Body | 13 July 2020 |
| (l) | Local Review Body | 15 July 2020 |
| (m) | Hawick Common Good Fund | 17 July 2020 |

DECISION**APPROVED the Minutes listed above subject to paragraph 4 below.****5. COMMITTEE MINUTE RECOMMENDATIONS**

There had been circulated copies of a recommendation from the meeting of the Selkirk Common Good Fund Sub-Committee held on 2 July 2020. This required Council approval as all three Elected Members of the Sub-Committee had declared an interest in the funding application. The recommendation was to award a grant of £2,250 to Selkirk Common Riding Trust, towards the cost of a new platform system at the Victoria Hall, subject to certain conditions.

DECISION**AGREED to approve the recommendation to award a grant of £2,250 to Selkirk Common Riding Trust, towards the cost of a new platform system at the Victoria Hall subject to the following:-**

- (a) that the arrangements and cost of storage of the platform be the responsibility of the Trust; and**
- (b) the work associated with the construction of the platform be carried out in accordance with current guidelines relating to the Covid-19 restrictions.**

6. IN-YEAR BUDGET REVIEW 2020/21

With reference to paragraph 5 of the Minute of 25 June 2020, there had been circulated copies of a report by the Executive Director, Finance & Regulatory, providing an update on the current financial position of the 2020/21 budget and proposing a re-alignment of resources to amend the budget approved by Council on the 26 February 2020 budget in response to the COVID-19 pandemic. The report explained that an in-year budget exercise to review both revenue and capital budgets had been undertaken by the Corporate Management Team (CMT) based on the first quarter (June 2020 month end) position and recommendations to revise these budgets were now submitted for approval. The COVID-19 emergency situation, currently affecting the UK, had caused unprecedented pressure on society and the economy with significant financial challenges that were continuing to change and emerge. The pandemic had caused a major impact on delivery of public services, with the Council having a key role to play in supporting Borders communities, businesses and residents during this time. As well as directly dealing with the impact of the virus and protecting communities, the Council was now re-opening key public services across the region, in line with the Scottish Government's Route Map. In June, an initial assessment of the revenue impact of COVID-19 on the Council's finances projected pressures of £15m excluding any impact on Council Tax at that point. The Corporate Management Team had since undertaken an exercise to re-plan the Council's 2020/21 revenue and capital budgets based on the June 2020 month-end position and this was summarised in Appendix 1 to the report. The analysis of the revenue budget, now including a projected impact on Council Tax, had highlighted estimated revenue budget pressures of £20.449m and available resources of £19.056m from a combination of in-year savings and additional grant support leaving a residual budget pressure, based on current forecasts, of £1.393m. The approach to the review of the capital budget had focussed on assessing the impact of the national "lockdown" of the construction industry and the associated inevitable delays in current and planned programmes of work. The overall impact on the capital plan was that net £26.855m of budget within the Capital Plan had moved as a timing movement to future years with a movement from base budget of £96.953m to a revised plan of £70.098m. This revised plan was based on a review of deliverability of the Plan with revised budgets now representing what project managers were forecasting would be spent and delivered during the remainder of 2020/21. Members congratulated Mr Robertson and his team for their work to date but acknowledged that there were still a number of challenges ahead.

DECISION

AGREED to:-

- (a) approve the revisions to the revenue and capital budgets for 2020/21 as set out in Appendix 1 to the report and note that these would be included as virements within the Executive monitoring report in September;**
- (b) note the ongoing management action being undertaken to aim to bring the revenue budget to a balanced position, if possible, by 31 March 2021;**
- (c) note that any budget shortfall at 31 March 2021 would require to be funded from Reserves; and**
- (d) note that future monitoring reports would be presented to the Executive Committee as part of the revenue and capital monitoring processes.**

7. FIT FOR 2024 - REVIEW OF AREA PARTNERSHIPS

With reference to paragraph 8 of the Minute of 25 June 2020, there had been circulated copies of a report by the Service Director Customer & Communities outlining the next steps in evolving the Area Partnerships and community capacity building arrangements, taking into account the recommendations of the report which was commissioned from the Scottish Community Development Centre (SCDC). It was proposed that the arrangements in each locality were developed at a grass roots level using a bottom-up approach. Therefore the report did not propose how the next steps, to the further development of the Area Partnerships, would take place but supported the empowerment of each Area Partnership to discuss, agree and implement improvement mechanisms for this in each locality. The Council was continuing to respond to the current Covid-19 pandemic and there had been a great deal of learning and experience of working with our communities through the Community Assistance Hubs. This ongoing learning would be taken into account in these next steps and how ongoing arrangements evolve. Members supported the approach being taken and emphasised the need to broaden engagement with Area Partnerships.

DECISION

AGREED:-

- (a) that the findings of the report by the Scottish Community Development Centre would continue to be fed back, via a range of stakeholders, to the wider community for their consideration;**
- (b) to approve the Action Plan outlined in Appendix 1 to the report;**
- (c) to request that each Area Partnership establish, at their next meeting, a mechanism to review the findings and make recommendations for further public consultation within each locality; and**
- (d) to receive a further report from the Service Director Customer & Communities on the outcome and next steps.**

8. COMMUNITY FUND 2019/20 - OUTSTANDING APPLICATIONS

There had been circulated copies of a report by the Service Director Customer & Communities presenting the current position regarding outstanding Community Fund applications carried forward from 2019/20, due to the Covid-19 pandemic, and requesting that authority was delegated to the Service Director Customer & Communities to allow these to progress. The report explained that due to the Covid-19 pandemic, the Community Fund was suspended on 20 March 2020 and staff were deployed to the

Community Assistance Hubs (CAH's). As at 20 March 2020, a total of twenty Community Fund Fast Track (under £1.5k) applications had been received which totalled £20.5k. These applications were now being progressed in line with the Scheme of Delegation under powers delegated to the Service Director for Customer & Communities. There were currently twenty two outstanding Community Fund applications (over £1.5k), which had been received before the suspension, totalling £203,752. Assessments for these were prepared by Officers with decisions normally made at Area Partnerships and a detailed breakdown of these was provided at Appendix 1 to the report. Due to the Covid-19 pandemic, there were no Area Partnership meetings scheduled until November 2020. To avoid further delays it was recommended that authority be delegated to the Service Director Customer & Communities, to approve or decline the outstanding Community Fund applications, subject to the agreement of at least 50% of the Members in the relevant Ward(s). Members agreed this was the best process to deal with these applications.

DECISION

AGREED to delegate authority to the Service Director Customer & Communities to approve the outstanding Community Fund applications from 2019/20 subject to the agreement of at least 50% of the Members in the relevant Wards.

9. REVIEW OF LOCALITY BID FUND, COMMUNITY FUND AND PARTICIPATORY BUDGETING

- 9.1 There had been circulated copies of a report by the Service Director Customer & Communities presenting the analysis and evaluation of versions 1 and 2 of the Localities Bid Fund, Community Fund and participatory budgeting. The analysis and survey feedback of Localities Bid Fund 1 (181 responses) and Localities Bid Fund 2 (135 responses) were detailed in Appendices 1 and 2 to the report. Overall, there was a high level of dissatisfaction within communities and projects regarding the Localities Bid Fund 1 and 2 processes. The report therefore proposed a number of immediate changes to the Community Fund to take effect from 1 September 2020, as well as outlining the next steps for further engagement with communities to develop the Community Fund and participatory budgeting. The Council was continuing to respond to the current Covid-19 pandemic and working with our communities through the Community Assistance Hubs. The learning from this work would be taken into account in these next steps and how ongoing arrangements evolved. There was a lengthy discussion and Councillor H. Scott proposed an amendment to change the application criteria.
- 9.2 The Convener adjourned the meeting to allow officers to agree the wording of the amendment with Councillor Scott. However, following the adjournment there was still some confusion regarding what the amendment was seeking to achieve so the Convener proposed that the matter be deferred until the end of public business to allow any issues to be resolved.

DECISION

AGREED to defer consideration of this item until later in the meeting.

10. ROMANNOBRIDGE FLOOD PROTECTION SCHEME 2020

There had been circulated copies of a report by the Service Director Assets & Infrastructure proposing that the Council approved the recommendation to confirm the proposed Romannobridge Flood Protection Scheme 2020. Authorisation was also sought to allow the Council to commence the construction stages of the project. The report explained that as part of the Scheme approval process it was required to give notice of the Scheme in accordance with paragraph 1 of schedule 2 of the Flood Risk Management (Scotland) 2009 Act. The Notice was first published on 7 February 2020. Any person was entitled to object to the Scheme in accordance with paragraph 3 of schedule 2 of the 2009 Act. The formal 28 day objection period began on the date the Notice was first published and concluded on 6 March 2020. There were no objections to the proposed Scheme therefore the Council had to make a decision to confirm or reject the Scheme in

accordance with paragraph 4 (1) of schedule 2 of the 2009 Act. Once the decision had been made, the Council would publish notice of that decision in accordance with the paragraph 10 of the 2009 Act. The Scheme would then become operative 6 weeks after notice was published unless an appeal was made. Members highlighted that although this was a relatively modest scheme it was welcomed by the residents in the area.

DECISION

AGREED to:-

- (a) confirm the proposed Romannobridge Flood Protection Scheme 2020; and**
- (b) authorise the Service Director Assets & Infrastructure to commence with the construction stages of the project**

11. UNITED KINGDOM (SYRIAN) VULNERABLE PERSONS RESETTLEMENT SCHEME

There had been circulated copies of a report by the Chief Social Work and Public Protection Officer providing an update on the Council's participation in the United Kingdom (Syrian) Resettlement Scheme, and Home Office proposals to continue accepting refugees under a new Resettlement Scheme commencing in 2020/21. The report explained that up to February 2020 the Scottish Borders received 9 Syrian families. It should be noted that this was a long term (60 month) commitment from the date of arrival. After 60 months, an application would be made for settled status. The agreed pro-rata distribution of Syrian refugees (New Scots) arriving under this Scheme had meant that Scottish Borders Council made an original commitment to receive 10 families. It was anticipated that this number would be reached during 2020/21. The availability of suitable housing to match families into was the main challenge and regulated arrivals. Registered Social Landlords had been supportive throughout the process. On 17 June 2019 and again on 20 December 2019, the Home Office wrote to Local Authorities advising that a new Resettlement Scheme was to be established broadening the geographical focus beyond the Middle East and North Africa region. This was followed by a request from COSLA that Councils should state whether they would continue to support the Scheme under the revised arrangements and provide a sense of scale of that commitment. In addition to normal state benefits, the Home Office provided funding for each refugee (£20,520) over the 60 months they were registered on the Scheme. This was to support integration and language development. Costs could vary depending upon the composition of families and their individual needs. The children of refugees born in the United Kingdom did not qualify for this funding. The Home Office had only confirmed that existing funding would be maintained for those refugees entering during the first year of the new Scheme across the 60 months, commencing in 2020/21. While exact numbers were not yet known, it was expected that circa 5,000 refugees would be allocated across the United Kingdom in that initial year. This was in addition to the 20,000 who had entered under the existing Scheme. The basis of recommendation was that an additional 10 families was considered necessary to ensure the Scheme remained economically viable in that there was no additional cost incurred by Scottish Borders Council. Following the Covid-19 restrictions, the Scheme had been temporarily suspended and was expected to resume once travel and associated quarantine controls were lifted. Members welcomed the Council's continued involvement in this Scheme and commented on the success of the project to date.

DECISION

AGREED to:-

- (a) note the progress regarding the original commitment to take 10 families; and**
- (b) continue to engage in the Resettlement Scheme with a view to taking an additional 10 families subject to appropriate Home Office funding and local resourcing.**

MEMBER

Councillor Cochrane left the meeting during consideration of the following item.

12. SPACES FOR PEOPLE FUND SUSTRANS FULLY FUNDED ACTIVE TRAVEL PROGRAMME

There had been circulated copies of a report by the Service Director Assets & Infrastructure proposing, as part of the fully funded Spaces for People programme, the roll out of an experimental trial of 20mph schemes in 80 settlements where the existing speed limit was 30mph. The report explained that the Council had successfully bid for £1,200,000 from the Scottish Government's £30,000,000 Covid-19 related Spaces for People fund which was a, '*temporary infrastructure programme in Scotland which offers funding and support to make it safer for people who choose to walk, cycle or wheel for essential trips and exercise during Covid-19*' administered by Sustrans. A number of temporary measures were planned using Temporary Traffic Regulation Orders, such as temporarily reducing speed limits to 40mph on selected national speed limit roads; reviewing a number of town centres to improve cycling opportunities; temporary closure of certain roads; and the most significant measure being the proposal to change all Council adopted 30mph roads to 20mph as a trial for a temporary period of up to 18 months. Officers had identified a total of 80 settlements, as listed in Appendix 1 to the report, with Council adopted roads with existing 30mph speed limits and the proposal was to convert all of these to 20mph for a trial period of up to 18 months. At the time of writing the report this had been with the exception of Trunk Roads as Transport Scotland had been carrying out its own research into the introduction of 20mph schemes on trunk routes. However, it was noted that Transport Scotland had now indicated their willingness to become involved. During the trial period, the Council would invite further comment and feedback from Elected Members, the public, and other partners such as Police Scotland, Borders Buses, Community Councils, Access Groups, etc. To gauge driver compliance with the 20mph pilot it was the intention to appoint Edinburgh Napier University's Transport Research Department to carry out an independent, rigorous, academic evaluation of the pilot scheme, ensuring a consistent and impartial approach to the evaluation. The trial would be rolled out in a systematic manner with an incremental approach to the implementation of traffic calming measures; initially baseline data would be collected and signing erected, followed by post survey data collection and analysis and then, where necessary, the introduction of traffic calming interventions, followed by further surveys and analysis. All surveys and traffic calming would be carried out as part of the pilot and funded by the programme. A further report would be brought back to Council 12 months from the commencement of the pilot with suggestions on which, if any, schemes were to be retained and which to be removed. The remainder of the trial would be used to implement any permanent changes. Ms. Gilhooly, Team Leader – Policy/Road User Management, was present at the meeting and answered Members' questions. Members generally welcomed the proposals but Councillor Bell suggested an amendment to the recommendation.

VOTE

Councillor Edgar, seconded by Councillor Tatler, moved the recommendation as set out in the report.

Councillor Bell, seconded by Councillor H. Anderson, moved as an amendment that the recommendation be reworded to read "agree to implement the fully funded Spaces for People programme, and agrees to the experimental trial of 20mph schemes of signage and appropriate infrastructure in up to 80 settlements; on the understanding that some settlements may specifically benefit from infrastructure over and above signage. Periodic reports to members will be submitted on progress of the programme, in addition to those to the full Council."

Members voted as follows:-

Motion - 21 votes

Amendment - 9 votes

The Motion was accordingly carried.

DECISION

DECIDED that, as part of the fully funded Spaces for People programme, the Council implement the experimental trial of 20mph schemes in 80 settlements, as detailed in the report.

ADJOURNMENT

The Convener adjourned the meeting at 1.40 p.m. for lunch and reconvened at 2.10 p.m.

13. UPDATE ON THE PUBLIC PLAY FACILITIES STRATEGY

With reference to paragraph 7 of the Minute of 19 December 2020, there had been circulated copies of a report by the Service Director Assets & Infrastructure setting out the process and outcomes of engagement with Ward Members on proposals for the decommissioning of some play equipment in some play parks within the Scottish Borders as previously agreed. The report explained that the strategic review of Play facilities was integral to the planned future investment in Outdoor Community Spaces including Public Play parks, agreed as part of the 2018/19 Capital Investment Plan and updated within the Capital Investment Plan 2019-20 and 2020/21. The current 2020/21 capital budget included funding of £4.809m into Outdoor Community Spaces over a 10-year period. This investment aimed to unlock community aspirations in this area creating high quality destination play parks, as well as facilities for skating and small wheels, youth shelters and opportunities for people of all ages to take part in physical activity. Investment in these destination play parks had already completed in Galashiels (2018), Harestanes (2019), Selkirk (2016), Hawick (2017), Coldstream (2019) and Kelso (2019), with Peebles currently being procured and expected to be delivered in 2020. This new investment created a financial revenue burden and, in order to ensure a cost neutral impact of the investment to the Council, a programme of decommissioning of aged and underutilised play equipment was required. It was agreed in May 2018 to review the distribution of play equipment provision across play parks in the Borders, to firstly inform decision making around future investment in communities, and secondly, guide the rationalisation of play facilities which were deemed no longer fit for purpose, ensuring a cost neutral impact on established budgets. This review resulted in proposals to decommission equipment in 74 play parks, based on assessment criteria that included location and context, play value (quality) and usage – thereby ensuring cost neutrality and the continuity of maintenance and investment across the remaining play parks. Officers consulted on these proposals at the five Area Partnerships, with a period of public consultation inviting people's comment on the proposals, which ended on 19 August 2019. Two petitions were received opposing these proposals in Kelso and Hawick respectively, which were both heard at the Audit & Scrutiny Committee on 24 October 2019. The Committee decided to recommend to Council the following:

“that Scottish Borders Council re-assesses its original decision made on 31 May 2018 in relation to the capital programme 18/19 and investment in play areas and outdoor community spaces to ‘delegate authority to the Service Director Assets and Infrastructure, after consultation with local Members, the Chief Financial Officer and the Chief Legal Officer, to declare play parks obsolete or those surplus to requirements and arrange for the removal of equipment and disposal, if appropriate. The Service Director should be requested to prepare a fully costed report on options for future and existing play park provision for consideration at the next meeting of Council.”

Following a subsequent Members' Sounding Board meeting to agree a way forward, this was then taken to Scottish Borders Council on 19th December 2019, where it was agreed to;

'undertake a series of meetings, on a Ward by Ward basis, with all Members of that Ward, with detailed proposals indicating which play equipment is intended to be removed and which will be retained as part of a future programme of planned investment and upgrades' and 'following these meetings, the Service Director Assets & Infrastructure brings a further report initially to the Members Sounding Board on the way forward for play parks.'

These meetings had now been held and the recommendations for the 74 play parks, following those discussions with Members were detailed in the report. Councillor McAteer proposed an amendment to the recommendations on the basis that he felt that there were still a number of issues to resolve before he could agree to the proposed closures in his Ward.

Vote

Councillor Aitchison, seconded by Councillor Edgar, moved approval of the recommendations as set out in the report.

Councillor McAteer, seconded by Councillor Marshall, moved as an amendment that recommendation 2(b) (iii) be reworded to read "that the 2 playparks in the Hawick and Hermitage Ward at Leaburn Drive and Green Terrace be retained."

Members voted as follows:-

| | | |
|------------------|----------|-----------------|
| <i>Motion</i> | <i>-</i> | <i>25 votes</i> |
| <i>Amendment</i> | <i>-</i> | <i>5 votes</i> |

The Motion was accordingly carried.

DECISION

DECIDED:-

- (a) to note the outcome of the Ward meetings requested by the Sounding Board;**
- (b) the following;**
 - (i) 18 play parks, as detailed in the Appendix to the report, would be retained as agreed at the Ward meetings, and would now be opened at the earliest opportunity;**
 - (ii) 54 play parks, as detailed in the Appendix to the report, would be decommissioned as agreed at the Ward meetings; and**
 - (iii) 2 playparks would be decommissioned in the Hawick and Hermitage Ward (Leaburn Drive & Green Terrace) noting that Ward Members were unable to agree to the proposal.**

14. EYEMOUTH PRIMARY SCHOOL - NEXT STAGES

There had been circulated copies of a joint report by the Service Director for Young People Engagement & Inclusion and Service Director Assets and Infrastructure, seeking approval to undertake an options appraisal and detailed feasibility study regarding the replacement of Eyemouth Primary School and Early Learning and Childcare provision as part of the Council's Learning Estate. The report explained that in April 2019 approval was given to carry out detailed costing and design work for the construction of a new Primary, Early Learning and Childcare (ELC) setting and Community Campus on the site of the former High School in Eyemouth. However, since that date cost pressures regarding delivery of the project had arisen, along with local community opposition to some elements of the proposal. It was therefore proposed to undertake a detailed feasibility of all of the options potentially available to replace the primary school, including the consideration of campus or hybrid models, alongside the option that was currently

under development. A further report would be brought to Council once this further community consultation was undertaken. The local Members welcomed this proposal.

DECISION

AGREED:-

- (a) **the carrying out a detailed feasibility study to consider the following options:-**
 - (i) **continue with the planned ELC and Primary School Community Campus on the former Eyemouth High School site;**
 - (ii) **creation of a 3-18 Campus located at the current Eyemouth High School; and**
 - (iii) **creation of a 2 Campus model within Eyemouth comprising ELC, Primary 1-4 and community facilities, as a direct replacement to the current Primary School and a Senior Campus located at the current Eyemouth High School, comprising P5-7 and Secondary pupils.**

- (b) **to note that a further report would be brought back to Council in December 2020.**

15. **SEX ENTERTAINMENT VENUES LICENSING**

There had been circulated copies of a report by the Executive Director, Finance and Regulatory, advising and updating Council on changes to legislation which introduced a discretionary licensing scheme for sexual entertainment venues in Scotland and to seek to commence the first part of a possible two-stage public consultation. The outcome of this would inform a decision on whether to adopt a Resolution to licence sexual entertainment venues in the Scottish Borders. The report explained that the Air Weapons and Licensing (Scotland) Act 2015 introduced a discretionary power for Local Authorities in Scotland to decide if they wished to licence sexual entertainment venues (“SEVs”) within their individual areas. If Council decided to licence this activity any person wishing to operate a SEV within the Scottish Borders would require to apply for a licence. If Council did not decide to licence the activity, any person could operate a SEV without any regulation from the Local Authority. If Council considered it should explore the option of licensing SEVs, it must firstly carry out a public consultation on whether it was considered necessary to licence this type of activity. If, following an initial consultation, it was felt that Council should decide to licence it, then it would proceed by adopting a Resolution to do so. It would then need to produce a SEV Policy and a further public consultation would be required on the content of that Policy. Councillor Greenwell and Councillor Thornton-Nicol as Members of the Civic Government Licensing Committee emphasised the importance of having such licensing in place.

DECISION

AGREED to instruct the Executive Director, Finance and Regulatory, to conduct a stage 1 public consultation on whether the Council should resolve to licence SEVs and to thereafter report back to Council on those findings before determining whether to adopt a Resolution.

16. **APPOINTMENTS**

It was noted that appointments were required to the following:-

- (a) Wellbeing and Safety Champion; and
- (b) Tweedbank Community Centre Management Committee.

Councillor Bell, seconded by Councillor H Anderson, moved that Councillor Andy Anderson be appointed as Wellbeing and Safety Champion and that Councillor Parker be

appointed to the Tweedbank Community Centre Management Committee. These appointments were unanimously approved.

DECISION

AGREED the following appointments:-

(a) Wellbeing and Safety Champion – Councillor Andy Anderson

(b) Tweedbank Community Centre Management Committee – Councillor Parker

17. MOTION BY COUNCILLOR HASLAM

Councillor Haslam, seconded by Councillor Edgar, moved the Motion as appended to the agenda in the following terms:-

“That Scottish Borders Council:

- (1) approves the following changes in title and responsibilities of the undernoted level “A” Senior Councillor Roles (in compliance with the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007):

| | New Position | Responsibilities | Proposed Appointment |
|---|--|---|-------------------------|
| a | Wellbeing, Sport and Culture <i>(replaces Culture & Sport)</i> | <ul style="list-style-type: none"> • Partnership working culture and sport • Relationship development • Promotion of sport and cultural heritage nationally • Reducing inequalities and access to culture and sport | Councillor E. Jardine |
| b | Enhancing the Built Environment and Natural Heritage <i>(replaces Planning & Environment)</i> | <ul style="list-style-type: none"> • Oversees Local Development Plan • Built environment and natural heritage | Councillor S. Mountford |
| c | Community Development and Localities <i>(replaces Neighbourhoods & Locality Services)</i> | <ul style="list-style-type: none"> • Area partnership development and strategy • Community capacity building • Community planning • Community asset transfer and partnership building • Public space maintenance and development • Parks and outdoor spaces | Councillor R. Tatler |
| d | Public Protection <i>(replaces Community Safety)</i> | <ul style="list-style-type: none"> • Police, Fire & Rescue services oversight • Youth Justice • Crime prevention • Child/Adult Protection • Safer communities • Community Action Teams | Councillor G. Turnbull |

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| e | Adult Wellbeing (<i>replaces Adult Social Care</i>) | <ul style="list-style-type: none"> • Adult social care • Health & Social Care integration • SB Cares • Day Services • Homecare • Independent living • Developing care fit for the future • Combatting poverty • Tackling homelessness | Councillor T. Weatherston |
| f | Children and Young People | <ul style="list-style-type: none"> • Early years, schools and further education services • Developing our young workforce • Child social work services • Child health and mental health • Statutory inspections • Transition services • CYP equality and diversity promotion | Councillor C. Hamilton |
| g | Economic Regeneration and Finance (<i>replaces Finance and Business & Economic Development</i>) | <ul style="list-style-type: none"> • Budget oversight and development • Economic development • Regeneration • Tourism • Inward investment • Strategic housing • Broadband and digital connectivity | Councillor M. Rowley |
| h | Transformation and Service Improvement (<i>replaces Transformation & HR</i>) | <ul style="list-style-type: none"> • Transformation programme • Communications • Promoting equalities • Customer services • Improving the Council service delivery and customer engagement | Councillor S. Hamilton |
| i | Infrastructure, Travel and Transport (<i>replaces Roads & Infrastructure</i>) | <ul style="list-style-type: none"> • Roads • Strategic planning for roads improvement • Passenger transport • Broadband infrastructure development • Public transport improvement, integration and investment • Winter maintenance • Fleet management • Community recycling | Councillor G. Edgar |
| j | Sustainable Development (NEW) | <ul style="list-style-type: none"> • Strategic oversight of sustainable development throughout the Council • Ensure climate change is at the heart of our policy | Councillor S. Aitchison |

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| | | and political thinking <ul style="list-style-type: none"> • Work across the Executive roles to be a lead in sustainable development • Oversee the delivery of net zero carbon emissions to zero by 2035 | |
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- (2) agrees to the appointment of Members to the above roles (names proposed above);
- (3) agrees that the responsibility for HR rests with the Convener;
- (4) agrees that the Clerk to the Council, in consultation with the Chief Executive, amends the Scheme of Administration accordingly to incorporate these changes;
- (5) notes that the senior allowances paid to the above Councillors are unaffected by these changes to the titles and responsibilities;
- (6) notes that the remaining Councillors detailed in the Scheme of Remuneration are unaffected by these changes.”

Councillor Haslam spoke in support of her Motion. Councillor Bell asked that the role of the Executive Member for Public Protection have the word “oversight” added after “Community Action Team” and this was accepted. The Convener advised that any required amendments to Committee Membership as a result of these changes would be dealt with at the next Council Meeting in September. Councillor Robson, seconded by Councillor Chapman, moved as an amendment that Councillor Miers should retain his current responsibilities until the Local Development Plan work was completed.

Vote

The Convener advised that in terms of Standing Order 43(b) Members were required to email their preference for this appointment to the Clerk to the Council and he adjourned the meeting to allow the vote to be carried out. On return from the adjournment the Convener announced the outcome of the vote as follows:-

*Councillor Mount ford - 22 votes
Councillor Miers - 8 votes*

Councillor Mountford was accordingly appointed.

DECISION

DECIDED to approve the Motion by Councillor Haslam as detailed above subject to the addition of the word “oversight” after “Community Action Team” under the role of the Executive Member for Public Protection.

18. MOTION BY COUNCILLOR THORNTON-NICOL

Councillor Thornton-Nicol, seconded by Councillor Edgar, moved the Motion as detailed on the agenda in the following terms:-

“Scottish Borders Council recognises that several areas of the Scottish Borders are being adversely affected by the huge increase in visitors and in uncontrolled overnight camping. The upper Yarrow Valley has been particularly affected with high numbers of overnight campers on The Green, along the shores of St Mary’s Loch and in many parts of the Megget Valley.

Some uncontrolled campers are leaving rubbish and human waste behind, lighting fires which adversely impact on the local environment and ecosystems, parking haphazardly and often dangerously along the roadsides and making a noise late into the night.

The presence of these visitors, without the necessary infrastructure or management approaches in place is having a detrimental impact on the local environment, the local community and local businesses. Scottish Borders Council commits to continue to work in partnership with the appropriate local Community Councils and Landowners and allocate resources, where practicable and affordable, to help to reduce the negative impact of this huge increase of visitors for the remainder of this year's tourism season.

Recognising that this new pattern is likely to continue in future years, Scottish Borders Council commits to working pro-actively with all local partners, including statutory bodies to put in place and support appropriate long-term measures and approaches to address and manage these issues for future years.

Scottish Borders Council recognises that the Scottish Government has asked people to abide by the Scottish Outdoor Access Code, respect the environment and the destination that they are visiting. However, having the necessary measures and infrastructure in place to manage the huge increase in visitors to the Scottish countryside is vital. SBC calls on the Scottish Government to work in partnership with the rural Local Authorities of Scotland to ensure that this year's challenges offer future benefits and where possible, make resources available to provide financial assistance to put the necessary infrastructure and management arrangements in place."

Councillor Thornton-Nicol spoke in support of her Motion, which was unanimously approved.

DECISION

AGREED to approve the Motion as detailed above.

19. **OPEN QUESTIONS**

20. No questions had been submitted.

DECISION

NOTED.

20. **REVIEW OF LOCALITY BID FUND, COMMUNITY FUND AND PARTICIPATORY BUDGETING**

With reference to paragraph 8 above consideration of this matter was continued.

Vote

Councillor Haslam, seconded by Councillor Edgar, moved the recommendations as detailed in the report

Councillor H. Scott, seconded by Councillor Aitchison, moved as an amendment that the wording in Recommendation C be replaced with the following:

"Agrees to the changes to the Community Fund highlighted in Section 6 of this report with the following amendments to Para 6.1 sub Para 2 of the report and Appendix 3 to say: include funding for exceptional projects over £30k, capacity building projects, wages, salaries and fees on a short term basis of 1 year and the facilitation of participatory budgeting. Funding can be used for a variety of purposes including the purchase of equipment, small capital works, hire and running costs, maintenance costs. All applications must be community driven, demonstrate sustainability and value for money.

These changes to come into effect on 1 September 2020, with a review after one year of operation.”

Members voted as follows:-

Motion - 8 votes
Amendment - 21 votes

The amendment was accordingly carried.

DECISION

DECIDED:-

- (a) to note the evaluation of versions 1 and 2 of the Localities Bid Fund as detailed in Appendices 1 and 2 and Section 4 of the report;
- (b) to continue to ring fence grants made to Community Councils, Village Halls and Festival Grants within the Community Fund for 2020/21, with payments for Festival Grants only made to cover actual expenditure on public liability and insurance expenditure;
- (c) to the changes to the Community Fund highlighted in Section 6 of the report, and detailed in Appendix 3 as amended above to remove reference to not being a like for like replacement for Council services which had been withdrawn due to efficiencies or Best Value concerns, to come into effect on 1 September 2020, with a review after one year of operation;
- (d) to request that each Area Partnership establish at its next meeting, a mechanism to review the findings of the Scottish Community Development Centre (SCDC) Report on the Community Fund and make recommendations for further public consultation within each locality;
- (e) that proposals were developed for mainstream Participatory Budgeting within core budgets, and that these proposals were considered at part of the wider budget discussions through the financial planning process for 2021/22; and
- (f) to receive a further report from the Service Director Customer & Communities on the outcome of the Area Partnerships findings and the next steps thereafter.

MEMBER

Councillor Marshall left the meeting.

21. **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 I 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

22. **MINUTE**

The private section of the Council Minute of 25 June 2020 was approved.

23. **COMMITTEE MINUTES**

The private sections of the Committee Minutes as detailed in paragraph 3 of this Minute were approved.

24. **CGI**
Members approved a report by the Executive Director, Finance and Regulatory, regarding the strategic partnership with CGI.

Member

Councillor Marshall rejoined the meeting during consideration of the following item.

25. **URGENT BUSINESS**
Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraphs should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.
26. **RECRUITMENT PROCESS FOR NEW CHIEF EXECUTIVE**
Members approved a report by the Service Director HR & Communications on the recruitment process for the post of Chief Executive.
27. **DATE OF NEXT MEETING**
It was agreed that the next Council meeting currently scheduled for 30 September would now be held on Friday, 25 September 2020.

The meeting concluded at 5.35 pm