

Public Document Pack



SCOTTISH BORDERS COUNCIL THURSDAY, 27 AUGUST, 2020

A MEETING of the SCOTTISH BORDERS COUNCIL will be held on THURSDAY, 27TH AUGUST, 2020 at 10.00 AM. The Convener has directed that this meeting will be conducted in accordance with Section 43 of the Local Government in Scotland Act 2003 and will be accessed remotely by all Members via MS TEAMS. The meeting will be live streamed to the public and a link will be on the Council website.

J. J. WILKINSON,
Clerk to the Council,
20 August 2020

BUSINESS																														
1.	Convener's Remarks.																													
2.	Apologies for Absence.																													
3.	Order of Business.																													
4.	Declarations of Interest.																													
5.	<p>Minutes (Pages 5 - 24)</p> <p>Consider Minutes of Scottish Borders Council held on 25 June and 30 July 2020 for approval and signing by the Convener. (Copy attached.)</p>	2 mins																												
6.	<p>Committee Minutes</p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td>(a) Local Review Body</td><td style="text-align: right;">25 May 2020</td></tr> <tr><td>(b) Local Review Body</td><td style="text-align: right;">1 June 2020</td></tr> <tr><td>(c) Pension Fund Committee</td><td style="text-align: right;">22 June 2020</td></tr> <tr><td>(d) Pension Fund Board</td><td style="text-align: right;">22 June 2020</td></tr> <tr><td>(e) Audit & Scrutiny</td><td style="text-align: right;">23 June 2020</td></tr> <tr><td>(f) Hawick Common Good Fund</td><td style="text-align: right;">24 June 2020</td></tr> <tr><td>(g) Civic Government Licensing</td><td style="text-align: right;">26 June 2020</td></tr> <tr><td>(h) Coldstream Common Good Fund</td><td style="text-align: right;">30 June 2020</td></tr> <tr><td>(i) Peebles Common Good Fund</td><td style="text-align: right;">1 July 2020</td></tr> <tr><td>(j) Selkirk Common Good Fund</td><td style="text-align: right;">2 July 2020</td></tr> <tr><td>(k) Local Review Body</td><td style="text-align: right;">13 July 2020</td></tr> <tr><td>(l) Local Review Body</td><td style="text-align: right;">15 July 2020</td></tr> <tr><td>(m) Hawick Common Good Fund</td><td style="text-align: right;">17 July 2020</td></tr> <tr><td>(n) Planning & Building Standards</td><td style="text-align: right;">3 August 2020</td></tr> </tbody> </table>	(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	(n) Planning & Building Standards	3 August 2020	5 mins
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	(Please see separate Supplement containing the public Committee Minutes.)	
7.	Committee Minute Recommendations (Pages 25 - 30) Consider the recommendations made by the Selkirk Common Good Fund Sub-Committee on 2 July 2020. (Copy attached.)	5 mins
8.	In-Year Budget Review 2020/21 (Pages 31 - 60) Consider report by Executive Director Finance & Regulatory. (Copy attached.)	20 mins
9.	Fit for 2024 - Review of Area Partnerships (Pages 61 - 74) Consider report by Service Director Customer and Communities. (Copy attached.)	15 mins
10.	Community Fund 2019/20 - Outstanding Applications (Pages 75 - 82) Consider report by Service Director Customer and Communities. (Copy attached.)	15 mins
11.	Review of Locality Bid Fund, Community Fund and Participatory Budgeting (Pages 83 - 170) Consider report by Service Director Customer and Communities. (Copy attached.)	15 mins
12.	Romannobridge Flood Protection Scheme 2020 (Pages 171 - 178) Consider report by Service Director Assets & Infrastructure. (Copy attached.)	10 mins
13.	United Kingdom (Syrian) Vulnerable Persons Resettlement Scheme (Pages 179 - 184) Consider report by Chief Social Work and Public Protection Officer. (Copy attached.)	15 mins
14.	Spaces For People Fund Sustrans Fully Funded Active Travel Programme (Pages 185 - 196) Consider report by Service Director Assets & Infrastructure. (Copy attached.)	15 mins
15.	Update on the Public Play Facilities Strategy (Pages 197 - 218) Consider report by Service Director Assets & Infrastructure. (Copy attached.)	15 mins
16.	Eyemouth Primary School - Next Stages (Pages 219 - 226) Consider joint report by Service Director Assets and Infrastructure and Service Director Young People, Engagement & Inclusion. (Copy attached.)	15 mins
17.	Sex Entertainment Venues Licensing (Pages 227 - 254) Consider report by Executive Director Finance and Regulatory. (Copy attached.)	10 mins
18.	Appointments	5 mins

	<p>Consider the following appointments:-</p> <p>(a) Wellbeing and Safety Champion; and</p> <p>(b) Tweedbank Community Centre Management Committee.</p>	
19.	<p>Motion by Councillor Haslam (Pages 255 - 256)</p> <p>Consider Motion by Councillor Haslam as detailed in the attached paper. (Paper attached.)</p>	5 mins
20.	<p>Motion by Councillor Thornton-Nicol</p> <p>Consider Motion by Councillor Thornton-Nicol in the following terms:-</p> <p>“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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.”</p>	5 mins
21.	Open Questions	15 mins
22.	Any Other Items Previously Circulated	
23.	Any Other Items Which the Convener Decides Are Urgent	
24.	Private Business	

	<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 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.”</p>																
25.	<p>Minute (Pages 257 - 258)</p> <p>Consider private Section of Minute of Scottish Borders Council held on 25 June 2020. (Copy attached.)</p>	1 mins															
26.	<p>Committee Minutes</p> <p>Consider private Sections of the Minutes of the following Committees:-</p> <table border="0"> <tr> <td>(a)</td> <td>Pension Fund Committee & Board</td> <td>22 June 2020</td> </tr> <tr> <td>(b)</td> <td>Hawick Common Good Fund</td> <td>24 June 2020</td> </tr> <tr> <td>(c)</td> <td>Civic Government Licensing</td> <td>26 June 2020</td> </tr> <tr> <td>(d)</td> <td>Peebles Common Good Fund</td> <td>1 July 2020</td> </tr> <tr> <td>(e)</td> <td>Selkirk Common Good Fund</td> <td>2 July 2020</td> </tr> </table> <p>(Please see separate Supplement containing private Committee Minutes.)</p>	(a)	Pension Fund Committee & Board	22 June 2020	(b)	Hawick Common Good Fund	24 June 2020	(c)	Civic Government Licensing	26 June 2020	(d)	Peebles Common Good Fund	1 July 2020	(e)	Selkirk Common Good Fund	2 July 2020	2 mins
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27.	<p>CGI (Pages 259 - 272)</p> <p>Consider report by Executive Director Finance & Regulatory. (Copy attached.)</p>	15 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.**

Please direct any enquiries to Louise McGeoch Tel 01835 825005
email lmcgeoch@scotborders.gov.uk

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held by Microsoft Teams on 25 June 2020 at 10.00 a.m.

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, D. Paterson, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston

In Attendance:- Executive Director, Corporate Improvement and Economy, Executive Director, Finance and Regulatory, Service Director Assets & Infrastructure, Service Director Customer & Communities, Service Director HR & Communications, Service Director Young People, Engagement & Inclusion, Chief Operating Officer Adult Social Work & Social Care, Chief Legal Officer, Clerk to the Council.

1. CONVENER'S REMARKS

1.1 The Convener mentioned that:-

- (a) arrangements had been made to fly the Armed Forces Flag at Council HQ to mark Armed forces week;
- (b) Peebles High School had won the "Donald Dewar Law Society" debate. This was a fiercely fought national competition, and the second time in 3 years that Peebles High School had won led by Mrs Hyatt, the debating teacher; and
- (c) Stow Primary School had won the "Total Better Energy School Awards for Excellence in Environmental Education". The Scottish leg duo would now go forward for the UK virtual awards at the end of this month. This was the second year they had won and all six of their projects received recognition.

DECISION

AGREED that congratulations be passed to those concerned.

1.2 Councillor Kevin Drum

The Convener commented on the sad passing of Councillor Drum on 7th March which the Council had been unable to formally mark until now. The Convener, Councillor Bell and Councillor Miers all paid tribute to Councillor Drum who had been well liked by all and had worked hard since his election in 2017. The Council observed a minute's silence in memory of Councillor Drum.

2. MINUTE

The Minutes of the Meetings held on 30 January, 26 February and 26 March 2020 were considered.

DECISION

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

3. COMMITTEE MINUTES

The Minutes of the following Committees had been circulated:-

- (a) Tweeddale Area Partnership 14 January 2020
- (b) Local Review Body 20 January 2020

(c)	Executive	21 January 2020
(d)	Cheviot Area Partnership	29 January 2020
(e)	Sustainable Development	31 January 2020
(f)	Planning & Building Standards	3 February 2020
(g)	Berwickshire Area Partnership	6 February 2020
(h)	Police, Fire & Rescue and Safer Communities Board	7 February 2020
(i)	Audit & Scrutiny	10 February 2020
(j)	Executive	11 February 2020
(k)	Local Review Body	17 February 2020
(l)	Lauder Common Good Fund	18 February 2020
(m)	Teviot & Liddesdale Area Partnership	18 February 2020
(n)	Selkirk Common Good Fund	19 February 2020
(o)	Civic Government Licensing	21 February 2020
(p)	Peebles Common Good Fund	26 February 2020
(q)	Planning & Building Standards	2 March 2020
(r)	Major Contracts	3 March 2020
(s)	Innerleithen Common Good Fund	4 March 2020
(t)	Pension Fund Committee	5 March 2020
(u)	Pension Fund Board	5 March 2020
(v)	Audit & Scrutiny	9 March 2020
(w)	Local Review Body	16 March 2020
(x)	Planning & Building Standards	18 May 2020

DECISION

APPROVED the Minutes listed above.

4. **COMMITTEE RECOMMENDATIONS**

There had been circulated copies of an extract from the Audit and Scrutiny Committee meeting held on 23 June 2020 seeking approval to amend the Scrutiny work programme. No items had been removed but the priority had been changed.

DECISION

AGREED to the following recommendations:-

- (a) **approval of the subjects to be included in the Scrutiny Work Programme, as detailed in the Appendix to the Minute of the Audit and Scrutiny Committee Minute of 23 June 2020; and**
- (b) **given the response/recovery work required for Covid-19, and its impact on officer resources/time, that the order of the Scrutiny Work Programme be prioritised by the Audit & Scrutiny Committee.**

5. **RESPONDING TO COVID-19**

There had been circulated copies of a briefing note by the Executive Director, Finance and Regulatory, on the Council's response to Covid-19. Members received a presentation detailing the work carried out by each Service and the plans for service recovery. Members paid tribute to the work carried out by staff during this difficult time. No update had been received in respect of Social Work maintaining contact with clients and it was agreed that this would be included as part of the next Members' briefing. Officers answered Members' questions on a number of subjects including the problems facing various businesses and potential redundancies. The Executive Director, Corporate Improvement and Economy, assured Members that the Council would be working closely with South of Scotland Enterprise. The plans to rationalise the Council estate as part of the Fit for 2024 project were also highlighted. Mr Robertson gave a detailed presentation of the financial impact of Covid-19 on the Council's budget. Although significant additional funding had been provided by Government it had not been sufficient to fund the full financial impact of COVID-19 and there had also been a significant impact on the level of income which funded local services. COSLA continued to lobby the Scottish Government for additional support. The briefing

paper detailed the funding received and the estimated budget impact which was in the region of £15m which could be broken down into £6m on Health and Social Care and £9m on other Services. The Executive Member for Finance emphasised that there could be difficult decisions to be taken in the future if further funding was not forthcoming. Mr Robertson answered Members' questions and provided further detail regarding expenditure on areas such as business grants, the Food Fund and the use of reserves. He confirmed that a report to Council in August would provide more detail of the impact on both the revenue and capital budgets.

DECISION

NOTED the current position.

MEMBER

Councillor Edgar left the meeting during consideration of the above item.

6. CAPITAL PROGRAMME – COMMUNITY ENGAGEMENT AND CONSULTATION

There had been circulated copies of a briefing note by the Service Director Assets and Infrastructure on the proposal to undertake a series of community and public consultations/ engagement activities to help inform the continuing design development of a variety of capital projects, with a particular focus on the Learning Estate, particularly Eyemouth, Galashiels and Peebles. It was explained that during the COVID-19 response phase, the capital projects team had endeavoured to maintain momentum on the delivery of most of the underlying capital programme. This has been done against a backdrop of disruption within the various consultancies as they too had required to adopt new working practices during this period. The forms of communication for consultation including MS Teams and Citizen Space were highlighted. The Capital Projects team would coordinate this activity with the Customer & Communities team, Education or other internal stakeholders as required. A template, a copy of which was appended to the paper, had been drawn up to identify all pertinent consultees as part of any capital project proposal and for records to be kept as part of the Project Execution Plan. Paper copies of Citizen Space consultations could be provided for any individuals who did not have access to online technology. Members welcomed the proposals and asked that such consultations be advertised as widely as possible. Mr Joyce encouraged Members to provide local intelligence about any groups which should be included. In response to a question on Peebles High School, Mr Joyce advised that design was progressing well and that there would be a briefing for the local Members before public input was sought. In response to a query on works at Deanfield, Mr Joyce advised that it was proposed that a new facility be constructed at Stirches. Some improvement works would be carried out to Deanfield but it was hoped that the new facility would be open by the end of 2022. A full consultation with all stakeholders and the general public would be undertaken.

DECISION

NOTED the proposals.

7. TWEED VALLEY TOURISM BUSINESS IMPROVEMENT DISTRICT UPDATE

There had been circulated copies of a report by the Executive Director, Corporate Improvement and Economy, providing an update on the Tweed Valley Tourism Business Improvement District (BID), outlining the support provided by the Council for the BID and recommending appropriate governance support. The report explained that the Tweed Valley BID Steering Group had developed an exciting vision for the future of tourism in the Tweed Valley. The BID business plan had a clear objective of growing a stronger, more sustainable tourism industry in the Tweed Valley. The BID levy would provide an estimated income of £350,000 over 5 years to deliver a range of tourism development and marketing activity, potentially supplemented by other external funding opportunities. The Steering Group had engaged with a wide range of businesses during the consultation process and understood the ambitions of local businesses to develop and grow tourism in the area. With the formal agreement of the Scottish Government and Scottish Borders Council, the Tweed Valley Tourism BID Steering Group progressed to a formal ballot on 14 November 2019. The

outcome of the ballot was successful with the BID due to become operational in April 2020. However, due to the COVID19 pandemic and with the current business restrictions and challenges for the local tourism and hospitality sector, the Tweed Valley BID company agreed to suspend the collection of BID levies for one year until April 2021. The group had developed an initial COVID19 recovery response plan focusing on supporting businesses with digital advice and guidance as well as further development of their marketing activities to increase the profile of the Tweed Valley as a safe outdoor destination for visitors. It was important that governance processes and procedures were established to ensure appropriate transparency of funding and resources. In order to monitor the Council's financial input and contribution to the project, the Council agreed that an Elected Member representative be nominated on to the Tweed Valley Tourism BID Board and it was recommended that this should be a Tweeddale Ward member. Councillor Haslam, seconded by Councillor Chapman, moved that Councillor Bell be appointed as the Council's representative and this was unanimously approved.

DECISION

AGREED to:-

- (a) note the successful Tweed Valley Tourism BID ballot on 14 November 2019;**
- (b) note the positive steps, Tweed Valley Tourism BID Company was progressing in terms of their initial COVID19 recovery response to support local tourism and hospitality businesses; and**
- (c) appoint Councillor Bell to represent the Council on the Tweed Valley Tourism BID Board.**

8. SCOTTISH COMMUNITY DEVELOPMENT CENTRE ON AREA PARTNERSHIPS AND COMMUNITY FUND

With reference to paragraph 7 of the Minute of 26 June 2019, there had been circulated copies of a report by the Service Director, Customer and Communities, presenting the findings of the review which was commissioned by Scottish Borders Council of the Area Partnerships and the Community Fund. At its meeting on 26 June 2019, the Council decided the scope, approach and timeline for the Area Partnership review consultation, including the future allocation and governance of the Community Fund. The consultation was to be undertaken by an external organisation in order to ensure impartiality and this was carried out by the Scottish Community Development Centre (SCDC) and they employed a range of methods in order to ensure that as many people as possible, who wished to do so, were able to participate. A total of 199 individuals responded to the consultation. Of these, 121 responded to the survey, 59 took part in a focus group, nine participated in one-to-one stakeholder interviews and ten Elected Members attended a seminar. Due to the low number of respondents the results were to be read as indicative rather than statistically significant. Responses to the consultation were mixed but the overriding message was that people wanted to be involved in shaping the Area Partnerships to ensure that they were fully inclusive, met the needs of all stakeholders and achieved meaningful involvement and community engagement. It was now proposed that the findings of the review were shared with stakeholders and that a further report be brought to Council in August 2020 outlining the next steps in evolving the Area Partnerships and Community Fund. The SCDC report was appended to the report. Since this report was received, the Council had been responding to the current Covid-19 pandemic, and there had been a great deal of further learning and experience of working with our communities through the Community Assistance Hubs. This learning would also be considered in evolving the Area Partnerships, the Community Fund and the wider Community Planning Partnership arrangements. Members agreed that recent events had encouraged community involvement and it was hoped that this could be sustained going forward. The need to share good practice between areas was highlighted.

DECISION

AGREED:-

- (a) to note the results, findings and subsequent recommendations of the report produced by the Scottish Community Development Centre, as contained in Appendix 1 to the report;
- (b) that the report was shared with stakeholders; and
- (c) that a further report be brought to Council in August 2020 outlining the next steps in evolving the Area Partnerships and Community Fund arrangements.

9. **STANDING ORDERS – PROPOSED AMENDMENTS**

With reference to paragraph 2 of the Minute of 26 March 2020, there had been circulated copies of a report by the Chief Executive proposing amendments to the Council’s Standing Orders to take further account of remote meetings. Members were advised that In order to allow one of these amendments, Standing Orders required to be suspended, as changes had already been made in March 2020, therefore within 6 months. This suspension was unanimously agreed. The report explained that at its meeting on 26 March 2020, Scottish Borders Council recognised the need to take steps to reduce risks for its Members, staff and citizens arising from the Coronavirus (Covid-19), and to ensure the Council was still able to exercise its essential functions, some additions were made to Standing Orders. These additions to Standing Orders were made very early in lockdown and did not take into account the availability of software which gave remote access for all to participate in formal committee meetings, which could also be live streamed and were thus available to public and press. With the experience gained in the operation of remote committees, further amendments were proposed to Standing Orders to match the actual operation of committees. It was proposed that Standing Orders were further amended to allow all Members and officers to access meetings remotely. Any references in Standing Orders to “place” and “venues” were to be omitted when a meeting was being held remotely in terms of Section 43 of the Local Government in Scotland Act 2003. An alternative indication was to be put in place to voting by a show of hands when a meeting was being held remotely. When a secret ballot was being held, Members would email the Clerk(s) their preference in confidence. At its meeting held on 30 August 2018, Council agreed to amend the deadline for the submission of Open Questions for Council from the second to the fourth working day prior to the Council meeting for a trial period of 3 months. It was now proposed that Standing Orders were changed on a permanent basis to reflect that timing. The Convener had the authority to accept questions submitted beyond this timescale.

**DECISION
AGREED:-**

- (a) to approve an amendment to Standing Order No. 49(a)(iii), “As a result of the Coronavirus outbreak, where an essential decision of Council or one of its committees is required in respect of a matter which cannot legally be delegated, the following procedure shall be adopted until 30 September 2020:
 - The Chair or Convener of the meeting (whom failing their Deputy) shall direct that the meeting will take place in accordance with Section 43 of the 2003 Act.
 - Elected Members who are to join the meeting will do so using video or audio functionality;
 - The meeting will otherwise be called in the usual manner, with the agenda and papers published on the Council website;
 - The meeting will be available to view via a livestream
 - A minute of the meeting will be taken and published on the Council website;
- (b) that when meetings were held under Section 43 of the Local Government in Scotland Act 2003, any references to “place” or “venue” be omitted in Standing Orders No. 5, 8, 10, 11(a), 15(d) and 23;

- (c) that Standing Order No. 41 be amended to include “or by an alternative indication when a meeting is being held remotely” after the wording “voting shall be by show of hands”;
- (d) to note that no changes were required to the wording of Standing Order No. 43 but where a meeting was being held remotely, and voting was being carried out by secret ballot, Members shall email the Committee clerk(s) with their preference; and
- (e) to approve the changes to Standing Order Nos. 38(a) and 39(a) to reflect that Open Questions were to be submitted by 10 a.m. on the fourth working day prior to the Council meeting.

10. APPOINTMENT OF MEMBERS

- 10.1 Councillor Weatherston, seconded by Councillor Bell, moved that Councillor Thornton-Nicol be appointed to the new role of Dementia Champion and this was unanimously agreed.
- 10.2 Councillor Haslam, seconded by Councillor Aitchison, moved that Councillor Tatler be appointed to replace Councillor Edgar as the substitute member of Scotland Excel and this was unanimously approved.

DECISION

AGREED that:-

- (a) Councillor Thornton-Nicol be appointed to the new role of Dementia Champion; and
- (b) Councillor Tatler be appointed to replace Councillor Edgar as the substitute member of Scotland Excel.

11. CALENDAR OF MEETINGS 2020-2021

There had been circulated copies of the proposed calendar of meetings for the period August 2020 to July 2021. It was noted that additional meetings could be added if there were urgent items of business to consider.

DECISION

AGREED to approve the calendar of meetings for the period August 2020 to July 2021, as contained in Appendix 1 to this Minute.

12. 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

13. Minute

The private sections of the Council Minutes of 30 January and 26 February 2020 were approved.

14. Committee Minutes

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

The meeting concluded at 12.40 p.m.

**SCOTTISH BORDERS COUNCIL
APPENDIX I**

**CALENDAR OF MEETINGS
AUGUST 2020 - JULY 2021**

Aug-20	DATE	MONTH	COMMITTEE	TIME
SAT	1	AUG		
SUN	2	AUG		
MON (SH)	3	AUG	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES (SH)	4	AUG		
WED (SH)	5	AUG		
THUR (SH)	6	AUG		
FRI (SH)	7	AUG		
SAT	8	AUG		
SUN	9	AUG		
MON (SH)	10	AUG		
TUES (SH)	11	AUG	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED (SH)	12	AUG		
THUR (SH)	13	AUG		
FRI (SH)	14	AUG		
SAT	15	AUG		
SUN	16	AUG		
MON (SH)	17	AUG	LOCAL REVIEW BODY	10.00 a.m.
TUES	18	AUG		
TUES	18	AUG		
WED	19	AUG		
WED	19	AUG		
THUR	20	AUG		
THUR	20	AUG		
FRI	21	AUG		
FRI	21	AUG		
SAT	22	AUG		
SUN	23	AUG		
MON	24	AUG		
TUES	25	AUG		
TUES	26	AUG		
WED	26	AUG		
THUR	27	AUG	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	28	AUG	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	29	AUG		
SUN	30	SEP		
MON	31	AUG		
Sep-20				
TUES	1	SEP		
WED	2	SEP	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	3	SEP	DUNS CGF SUB-COMMITTEE	5.00 p.m.
FRI	4	SEP	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	5	SEP		

SUN	6	SEP		
MON	7	SEP	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	8	SEP	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED	9	SEP		
THUR	10	SEP	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	10	SEP	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	11	SEP		
SAT	12	SEP		
SUN	13	SEP		
MON	14	SEP	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
TUES	15	SEP	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
TUES	15	SEP	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
TUES	15	SEP	KELSO CGF SUB-COMMITTEE	5.15 p.m.
WED	16	SEP	JCG: STAFF	2.00 p.m.
THUR	17	SEP	TRUST FUNDS	10.00 a.m.
FRI	18	SEP	LICENSING BOARD	10.00 a.m.
FRI	18	SEP	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	19	SEP		
SUN	20	SEP		
MON	21	SEP	LOCAL REVIEW BODY	10.00 a.m.
TUES	22	SEP		
WED	23	SEP		
THUR	24	SEP	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
FRI	25	SEP		
SAT	26	SEP		
SUN	27	SEP		
MON	28	SEP	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	29	SEP	PENSION FUND INVESTMENT & PERFORMANCE SUB	2.00 p.m.
WED	30	SEP	SCOTTISH BORDERS COUNCIL	10.00 a.m.
Oct-20				
THUR	1	OCT		
FRI	2	OCT		
SAT	3	OCT		
SUN	4	OCT		
MON	5	OCT	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	6	OCT	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.
TUES	6	OCT	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
WED	7	OCT	JCG: TEACHERS	2.00 p.m.
THUR	8	OCT		
FRI	9	OCT		
SAT	10	OCT		
SUN	11	OCT		
MON (SH)	12	OCT		
TUES (SH)	13	OCT		
WED (SH)	14	OCT		
THUR (SH)	15	OCT		
FRI (SH)	16	OCT	-	-

SAT	17	OCT		
SUN	18	OCT		
MON	19	OCT	LOCAL REVIEW BODY	10.00 a.m.
TUES	20	OCT	LOCAL LICENSING FORUM	4.00 p.m.
WED	21	OCT		
THUR	22	OCT	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
FRI	23	OCT	LICENSING BOARD	10.00 a.m.
FRI	23	OCT	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	24	OCT		
SUN	25	OCT		
MON	26	OCT		
TUES	27	OCT		
WED	28	OCT	-	-
THUR	29	OCT	LEADERDALE & MELROSE BY-ELECTION	
FRI	30	OCT		
SAT	31	OCT		
Nov-20				
SUN	1	NOV		
MON	2	NOV	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	3	NOV	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
TUES	3	NOV	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	4	NOV		
THUR	5	NOV	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	6	NOV	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	7	NOV		
SUN	8	NOV		
MON	9	NOV		
TUES	10	NOV	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	10	NOV	KELSO CGF SUB-COMMITTEE	5.15 p.m.
WED	11	NOV		
THUR (SH)	12	NOV	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI (SH)	13	NOV		
SAT	14	NOV		
SUN	15	NOV		
MON	16	NOV	LOCAL REVIEW BODY	10.00 a.m.
TUES	17	NOV	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	17	NOV	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	18	NOV	CHAMBERS INSTITUTION TRUST	3.00 p.m.
WED	18	NOV	PEEBLES CGF SUB-COMMITTEE	5.00 p.m.
THUR	19	NOV	EDUCATION PERFORMANCE SUB-COMMITTEE	10.00 a.m.
THUR	19	NOV	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	20	NOV	LICENSING BOARD	10.00 a.m.
FRI	20	NOV	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	21	NOV		
SUN	22	NOV		
MON	23	NOV	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
MON	23	NOV	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.

TUES	24	NOV		
WED	25	NOV	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	26	NOV	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	27	NOV		
SAT	28	NOV		
SUN	29	NOV		
MON	30	NOV	ST ANDREWS DAY HOLIDAY	
Dec-20				
TUES	1	DEC	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
WED	2	DEC	JOINT MEETING LICENSING BOARD/LLF	4.00 p.m.
THUR	3	DEC	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	3	DEC	EMPLOYEE FORUM	3.30 p.m.
THUR	3	DEC	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	4	DEC	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	5	DEC		
SUN	6	DEC		
MON	7	DEC	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	8	DEC	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	8	DEC	HAWICK CGF SUB-CTEE	4.00 p.m.
WED	9	DEC	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	10	DEC	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
THUR	10	DEC	INNERLEITHEN COMMON GOOD FUND SUB-COMMITTEE	3.00 p.m.
FRI	11	DEC	PENSION FUND COMMITTEE/PENSION BOARD	10.00 am
SAT	12	DEC		
SUN	13	DEC		
MON	14	DEC	LOCAL REVIEW BODY	10.00 a.m.
TUES	15	DEC	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	15	DEC	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
WED	16	DEC		
THUR	17	DEC	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	18	DEC	LICENSING BOARD	10.00 a.m.
FRI	18	DEC	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	19	DEC		
SUN	20	DEC		
MON (SH)	21	DEC		
TUES (SH)	22	DEC		
WED (SH)	23	DEC		
THUR (SH)	24	DEC		
FRI (SH)	25	DEC	HOLIDAY	
SAT	26	DEC		
SUN	27	DEC		
MON (SH)	28	DEC	HOLIDAY	
TUES (SH)	29	DEC	HOLIDAY	
WED (SH)	30	DEC	HOLIDAY	
THUR (SH)	31	DEC	HOLIDAY	
Jan-21				
FRI (SH)	1	JAN	HOLIDAY	

SAT	2	JAN		
SUN	3	JAN		
MON	4	JAN	HOLIDAY	
TUES	5	JAN		
WED	6	JAN		
THUR	7	JAN		
FRI	8	JAN		
SAT	9	JAN		
SUN	10	JAN		
MON	11	JAN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	12	JAN	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	12	JAN	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	13	JAN		
THUR	14	JAN	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
FRI	15	JAN		
SAT	16	JAN		
SUN	17	JAN		
MON	18	JAN	LOCAL REVIEW BODY	10.00 a.m.
TUES	19	JAN	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.
TUES	19	JAN	LOCAL LICENSING FORUM	4.00 p.m.
TUES	19	JAN	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	20	JAN	JCG: STAFF	10.00 a.m.
THUR	21	JAN	STANDARDS COMMITTEE	10:00 a.m.
FRI	22	JAN	LICENSING BOARD	10.00 a.m.
FRI	22	JAN	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	23	JAN		
SUN	24	JAN		
MON	25	JAN	-	-
TUES	26	JAN		
WED	27	JAN	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	28	JAN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
THUR	28	JAN	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	29	JAN		
SAT	30	JAN		
SUN	31	JAN		
Feb-21				
MON	1	FEB	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	2	FEB		
WED	3	FEB		
THUR	4	FEB		
FRI	5	FEB	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	6	FEB		
SUN	7	FEB		
MON	8	FEB	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	9	FEB	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	9	FEB	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
WED	10	FEB	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.

THUR	11	FEB		
FRI(SH)	12	FEB		
SAT	13	FEB		
SUN	14	FEB		
MON(SH)	15	FEB	LOCAL REVIEW BODY	10.00 a.m.
TUES (SH)	16	FEB	PENSION FUND INVESTMENT & PERFORMANCE SUB	1.00 p.m.
WED	17	FEB		
THUR	18	FEB		
FRI	19	FEB	LICENSING BOARD	10.00 a.m.
FRI	19	FEB	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	20	FEB		
SUN	21	FEB		
MON	22	FEB		
TUES	23	FEB	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	23	FEB	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
WED	24	FEB	CHAMBERS INSTITUTION TRUST	3.00 p.m.
WED	24	FEB	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.00 p.m.
WED	24	FEB	JCG: TEACHERS	2.00 p.m.
THUR	25	FEB	SCOTTISH BORDERS COUNCIL (SPECIAL BUDGET)	10.00 a.m.
FRI	26	FEB		
SAT	27	FEB		
SUN	28	FEB		
Mar-21				
MON	1	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	2	MAR	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
WED	3	MAR	INNERLEITHEN COMMON GOOD FUND SUB-CTEE	3.00 p.m.
THUR	4	MAR	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
THUR	4	MAR	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.
THUR	4	MAR	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
THUR	4	MAR	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	5	MAR		
SAT	6	MAR		
SUN	7	MAR		
MON	8	MAR	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	9	MAR	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	9	MAR	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 pm
WED	10	MAR		
THUR	11	MAR	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	11	MAR	EMPLOYEE FORUM	3.30 p.m.
FRI	12	MAR	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	13	MAR		
SUN	14	MAR		
MON	15	MAR	LOCAL REVIEW BODY	10.00 a.m.
TUES	16	MAR	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	16	MAR	LOCAL LICENSING FORUM	4.00 p.m.
TUES	16	MAR	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.

WED	17	MAR		
THUR	18	MAR	TRUST FUNDS	10.00 a.m.
FRI	19	MAR	LICENSING BOARD	10.00 a.m.
FRI	19	MAR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	20	MAR		
SUN	21	MAR		
MON	22	MAR	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
TUES	23	MAR	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
WED	24	MAR		
THUR	25	MAR	SCOTTISH BORDERS COUNCIL	10.00 a.m.
THUR	25	MAR	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	26	MAR		
SAT	27	MAR		
SUN	28	MAR		
MON	29	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	30	MAR	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	31	MAR		
Apr-21				
THUR	1	APR		
FRI (SH)	2	APR		
SAT	3	APR		
SUN	4	APR		
MON (SH)	5	APR		
TUES (SH)	6	APR		
WED (SH)	7	APR		
THUR (SH)	8	APR		
FRI (SH)	9	APR		
SAT	10	APR		
SUN	11	APR		
MON (SH)	12	APR		
TUES (SH)	13	APR		
WED (SH)	14	APR		
THUR (SH)	15	APR		
FRI (SH)	16	APR		
SAT	17	APR		
SUN	18	APR		
MON	19	APR	LOCAL REVIEW BODY	10.00 a.m.
TUES	20	APR	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
TUES	20	APR	KELSO CGF SUB-COMMITTEE	5.15 p.m.
WED	21	APR		
THUR	22	APR	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	23	APR	LICENSING BOARD	10.00 a.m.
FRI	23	APR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	24	APR		
SUN	25	APR		
MON	26	APR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	27	APR		
WED	28	APR		
THUR	29	APR		

FRI (SH)	30	APR		
May-21				
SAT	1	MAY		
SUN	2	MAY		
MON (SH)	3	MAY	PUBLIC HOLIDAY	
TUES	4	MAY		
WED	5	MAY		
THUR	6	MAY	SCOTTISH PARLIAMENT ELECTIONS	
FRI	7	MAY		
SAT	8	MAY		
SUN	9	MAY		
MON	10	MAY	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	11	MAY	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED	12	MAY		
THUR	13	MAY		
FRI	14	MAY	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	15	MAY		
SUN	16	MAY		
MON	17	MAY	LOCAL REVIEW BODY	10.00 a.m.
TUES	18	MAY	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.
WED	19	MAY		
THUR	20	MAY	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	20	MAY	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	21	MAY	LICENSING BOARD	10.00 a.m.
FRI	21	MAY	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	22	MAY		
SUN	23	MAY		
MON	24	MAY		
TUES	25	MAY	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
TUES	25	MAY		
WED	26	MAY	CHAMBERS INSTITUTION TRUST	3.00 p.m.
WED	26	MAY	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.00 p.m.
THUR	27	MAY	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	28	MAY		
SAT	29	MAY		
SUN	30	MAY		
MON	31	MAY	PLANNING AND BUILDING STANDARDS	10.00 a.m.
Jun-21				
TUES	1	JUN	MAJOR CONTRACTS GOVERNANCE GROUP	1.00 p.m.
WED	2	JUN	JCG: TEACHERS	2.00 p.m.
WED	2	JUN		
THUR	3	JUN	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
THUR	3	JUN	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.
THUR	3	JUN	INNERLEITHEN COMMON GOOD FUND SUB-CTEE	3.00 p.m.
FRI	4	JUN		
SAT	5	JUN		
SUN	6	JUN		
MON	7	JUN	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.

TUES	8	JUN	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	8	JUN	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
TUES	8	JUN	LOCAL LICENSING FORUM	4.00 p.m.
TUES	8	JUN	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	9	JUN	JCG: STAFF	10.00 a.m.
WED	9	JUN	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	10	JUN	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
THUR	10	JUN	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	11	JUN		
SAT	12	JUN		
SUN	13	JUN		
MON	14	JUN	LOCAL REVIEW BODY	10.00 a.m.
TUES	15	JUN	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	15	JUN	LAUDER COMMON GOOD FUND SUB- COMMITTEE	2.00 p.m.
TUES	15	JUN	KELSO CGF SUB-COMMITTEE	5.15 p.m.
TUES	15	JUN	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	16	JUN	COLDSTREAM COMMON GOOD FUND SUB- COMMITTEE	2.00 p.m.
THUR	17	JUN	EMPLOYEE FORUM	3.00 p.m.
FRI	18	JUN	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	19	JUN		
SUN	20	JUN		
MON	21	JUN	MELROSE COMMON GOOD FUND SUB- COMMITTEE	2.00 p.m.
TUES	22	JUN		
WED	23	JUN	EYEMOUTH COMMON GOOD FUND SUB- COMMITTEE	2.00 p.m.
THUR	24	JUN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
THUR	24	JUN	EILDON AREA PARTNERSHIP	6:00 p.m.
FRI	25	JUN	LICENSING BOARD	10.00 a.m.
FRI	25	JUN	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	26	JUN		
SUN	27	JUN		
MON	28	JUN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	29	JUN	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	29	JUN	PENSION FUND INVESTMENT & PERFORMANCE SUB	1.00 p.m.
WED	30	JUN	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
Jul-21				
THUR (SH)	1	JUL	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI (SH)	2	JUL		
SAT	3	JUN		
SUN	4	JUN		
MON (SH)	5	JUL		
TUES (SH)	6	JUL	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED (SH)	7	JUL		
THUR (SH)	8	JUL		
FRI (SH)	9	JUL		

SAT	10	JUL		
SUN	11	JUL		
MON (SH)	12	JUL	LOCAL REVIEW BODY	10.00 a.m.
TUES (SH)	13	JUL		
WED (SH)	14	JUL		
THUR (SH)	15	JUL		
FRI (SH)	16	JUL		
SAT	17	JUL		
SUN	18	JUL		
MON (SH)	19	JUL		
TUES (SH)	20	JUL		
WED (SH)	21	JUL		
THUR (SH)	22	JUL		
FRI (SH)	23	JUL	LICENSING BOARD	10.00 a.m.
FRI (SH)	23	JUL	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	24	JUL		
SUN	25	JUL		
MON (SH)	26	JUL		
TUES (SH)	27	JUL		
WED (SH)	28	JUL		
THUR (SH)	29	JUL		
FRI (SH)	30	JUL		
SAT	31	JUL		

(SH) - School Holiday

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SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH
BORDERS COUNCIL held remotely by
Microsoft Teams on 30 July 2020 at 10.05 a.m.

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, G. Turnbull, T. Weatherston

Apologies:- Councillor D. Paterson.

In Attendance:- Executive Director - Corporate Improvement and Economy, Executive Director - Finance and Regulatory, Service Director HR & Communications, Chief Legal Officer, Clerk to the Council.

1. STANDING ORDERS

- 1.1 With reference to paragraph 9 of the Minute of 25 June 2020, there had been circulated copies of a report by the Chief Executive proposing amendments to the Council's Standing Orders in light of changes to the impact of the Coronavirus outbreak. The report explained that on 26 March 2020 the Council had recognised the need to take steps to reduce the risk to its Members, staff and citizens of transmitting or contracting Coronavirus (Covid-19). It had therefore been agreed to suspend formal meetings of the Council whereby Members and officers previously gathered together in person, and to replace such formal face to face meetings with meetings held remotely to minimise the risk of infection. In order to ensure the Council was still able to effectively exercise its essential functions, an interim decision-making process was also introduced and, to implement that process, some additions were made to Standing Orders. This included specific emergency powers decisions for the Chief Executive, in light of the Covid outbreak. On 25 June 2020, a further report was approved by Council to amend Standing Orders to ensure they reflected the operational practice that had developed as a result of the experience gained in the operation of remote committees.
- 1.2 Scottish Borders Council had now been able to hold a variety of formal meetings of Council and committees remotely. In light of that positive experience, it was recognised that Council had the ability to perform its functions appropriately in this way, and consequently the additional interim emergency decision making powers which were added as Standing Order 49(a)(ii) on 26 March 2020 were no longer necessary. This report therefore sought to remove that Standing Order as of 10 August 2020, the day that schools were currently anticipated to return to full operation. It was recognised that the threat from Coronavirus, although diminished, still continued, and consequently that meetings would still have to be held remotely to comply with Covid legislation and guidance in Scotland. It was therefore proposed to vary Standing Order 49(a)(iii) to apply it to all formal meetings which took place while that continued to be the position, and, that this provision should also apply to any future meetings should there be a public health or safety reason to do so. Any remote meetings would also be live streamed to public and press. Officers would also look at the potential for holding "blended" meetings in future, whereby some Councillors would be able to join a meeting remotely and a further report would be brought to Council for consideration once an appropriate technical solution to facilitate blended meetings had been scoped and costed.
- 1.3 Councillor Haslam, in moving approval of the report, commented on how tough the last 5 months had been and paid tribute to both officers and the community for their support during this time and hoped that many of the new ways of working would continue. Councillor Bell seconded the Motion and also expressed his thanks to communities for their support and

while he was confident things would improve there was still a degree of uncertainty and he hoped that any decision making backlogs could be resolved. The Convener also thanked staff and reminded Members that a number of staff were still seconded to other areas so some services would still be impacted.

**DECISION
AGREED:-**

(a) that as of 10 August 2020 to:-

(i) revoke Standing Order Nos. 49(a)(ii) and (iv);

(ii) retain and amend Standing Order 49(a)(iii) to read:

“Where the Chief Executive, in consultation with the Convener or Chair of the Committee, considers it appropriate, and with the reason being recorded in the Minute, meetings of Council and its committees may be conducted in the following manner:

- The Chair or Convener of the meeting (whom failing their Deputy) shall direct that the meeting will take place in accordance with Section 43 of the 2003 Act;**
- Elected Members who are to join the meeting will do so using on line video or audio functionality;**
- The meeting will otherwise be called in the usual manner, with the agenda and papers published on the Council website;**
- The meeting will be available to view via a livestream;**
- A minute of the meeting will be taken and published on the Council website”**

(iii) re-number Standing Order 49(a) accordingly; and

(b) to receive a further report from the Chief Executive in due course on the feasibility of using technology for holding “blended” meetings, whereby some Councillors are able to join a meeting remotely, and the meeting itself can be live-streamed.

The meeting concluded at 10.15 a.m.

SCOTTISH BORDERS COUNCIL – 27 AUGUST 2020

STARRED ITEM FROM COMMITTEE MINUTES

SELKIRK COMMON GOOD FUND – 2 JULY 2020

3. APPLICATIONS FOR FINANCIAL ASSISTANCE

MEMBERS

All three elected Members of the Sub-Committee declared an interest in the funding application considered in 3.1 below, in terms of Section 5 of the Councillors Code of Conduct. With reference to paragraph 3 of the Minute of Scottish Borders Council of 30 January 2020, it was noted that, as the Sub Committee would otherwise be inquorate, the Members could consider the application but that their decision would be in the form of a recommendation to Council, where the application would be finally determined.

3.1 Selkirk Common Riding Trust

There had been circulated copies of an application on behalf of Selkirk Common Riding Trust for financial assistance towards the cost of a new platform system at the Victoria Hall. In the application it was explained that the platform would accommodate the annual ceremony of “Bussin” the Royal Burgh Flag on Common Riding Morning. The new system would, in the long term, save the Common Riding Trustees a considerable amount of money and serve to perpetuate the Common Riding tradition. In a discussion of the application a question was asked as to where the platform would be stored. After further consideration, Members agreed to recommend that the full amount requested of £2,250 be granted, subject to the arrangements and cost of storage being the responsibility of the Trust.

DECISION

* **AGREED to RECOMMEND to COUNCIL approval of 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:-**

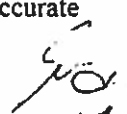
- (a) that the arrangements and cost of storage of the platform be the responsibility of the Trust; and**

- (b) the work associated with the construction of the platform be carried out in accordance with current guidelines relating to the Covid-19 restrictions.**

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**SELKIRK COMMON GOOD FUND
APPLICATION FOR FINANCIAL ASSISTANCE**

<u>Applicant Details</u>	
Name and Address of Applicant/Organisation:	SELKIRK COMMON RIDING TRUST. PRA → JOHN WILLIAM THOMSON (CLERK & TREASURER) 19 WEST PORT, SELKIRK, TD7 4DG
Telephone No:	MOBILE 0 7 5 5 5 5 5 5 5
E-mail address:	
Address to which payment should be made:	19 WEST PORT, SELKIRK, TD7 4DG
<u>Activities</u>	
Please supply a brief description of the activities of your organisation and the benefits it brings to the local community:	SELKIRK COMMON RIDING TRUST SERVES TO PERPETUATE THE CENTURIES OLD TRADITION OF RIDING THE BURGH MARCHES. THE BURGH MARCHES/LANDS WERE GRANTED BY SEVERAL & VARIOUS ROYAL CHARTERS IN PERPETUITY. THE EARLIEST LANDS GRANTED WERE SOME 904 YEARS AGO BY KING DAVID 1 ST OF SCOTLAND
<u>Assistance Requested</u>	
Please indicate the sum requested and the purpose for which it will be used:	£ 2,250 TO PURCHASE A NEW PLATFORM SYSTEM AT VICTORIA HALL, SELKIRK FOR THE ANNUAL CEREMONY OF BLESSING THE ROYAL BURGH FLAG EVERY COMMON RIDING MORNING.
When will the donation be required:	JUNE 2020
If this is a one-off project then please give the following details -	
Date (s):	12/6/2020
Estimated total cost:	→ AS PER PREVIOUSLY SUBMITTED TO SBC (SEE T.R. KEDDIE QUOTE.
Funds already raised by applicant's own efforts:	£ 2,250

<p>Funds raised or expected to be raised from other sources (please state sources):</p>	<p style="text-align: center;"><u>NONE</u></p>
<p><u>Other information</u> If you have other information which you feel is relevant to this application please provide details including details of any previous assistance given:</p>	<p>Please note that S.B.C. Councillors Edgry, Penman & Thornton - Nicol are all currently Serving Trustees on Selkirk Common Riding TRUST. They ought to be able to supply any further Verification Required.</p>
<p><u>Declaration</u> I hereby make application for assistance as set out above and certify that the information I have provided is accurate</p> <p>Signed: </p> <p>Position Held: <u>CLERK & TREASURER</u></p> <p>Date: <u>6th March 2020</u></p>	
<p>Note: All applications from organisations MUST be accompanied by a copy of the latest audited accounts</p>	
<p>This completed form, accounts and any supporting details should be submitted to Fiona Walling, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA. Telephone 01835 826504 email fwalling@scotborders.gov.uk</p>	

SELKIRK COMMON RIDING TRUST
Income and Expenditure Accounts for the year to 31st October 2019

<u>INCOME</u>		<u>EXPENDITURE</u>	
<u>2018</u>	<u>2019</u>	<u>2018</u>	<u>2019</u>
6500 Grants SBC	£6,600.00	710 Mail shot/Postages	£763.70
16 Bank Interest	£57.79	1750 Insurance	£1,749.98
7587 Annual Appeal	£12,217.36	720 Donation Bands and Crafts	£720.00
1000 Sale of brochure	£0.00	2200 Allowances SESB/Atts	2200
1000 Sale of Rosettes	£1,000.00	750 ex SBs	750
14764 Bequests/Donations	£0.00	250 Bur Offs	250
		865 Press Adverts	£3,200.00
		67 App Night Expenses	£720.68
		716 Printing/Stationery	£59.57
		1000 Clerk's Honorarium	£827.40
		215 Sundries	£1,000.00
		6327 Common Riding Day Expenses	£275.50
		160 Ball Tickets/Storage	£9,440.40
		500 Contrib. for Bunting	£0.00
		750 New Bunting	£0.00
		2723 Costs from prev year	£0.00
		19703	£0.00
			<u>£18,757.23</u>
<u>30867</u>	<u>£19,775.15</u>		
SURPLUS FOR YEAR	£1,017.92		

Balance Sheet

Opening Balances	as at 1 Nov 2018	Closing Balances	as at 30 Oct 2019
Cash	£4.57	Cash	£14.21
Cur A/c	£21,970.33	Cur A/c	£22,978.61
Inv A/c	£30,000.00	Inv A/c	<u>£30,000.00</u>
Plus surplus for current year	£51,974.90		
	<u>£1,017.92</u>		
	<u>£52,992.82</u>		<u>£52,992.82</u>

Selkirk 24th November 2019

I have examined the Books and vouchers of The Selkirk Common Riding Trust for the year under review and confirm in my opinion the Accounts give a fair view of the affairs of the Trust and of the Income and Expenditure of the year then ended.

(Signature)

Notes to Accounts In addition to the General Fund there are the following designated Accounts

Tom Henderson Memorial Trust Account	£550.96
Jack Cruickshanks Trust for SCRT	£25,149.87

Common Riding Day Expenses

1680 Platform costs	£2,873.10 **	5169 c/f	£7,137.50	<u>Sundries</u>	
280 Public Address	£280.00	89 Sundries	£111.00	Hall Hire	£50.50
85 Early Morning Teas etc	£85.00	1000 Road Closures ex police	£1,100.00	Wreath	£30.00
491 Receptions	£480.40	o Payment to stewards	£230.00	Book Keeping	£75.00
577 Provost's Breakfast	£647.50	88 Riding gear	£361.80	Digipac Photos	<u>£120.00</u>
o Road Closure signs	£249.60	o Bunting/Hammermen	<u>£500.00</u>		<u>£275.50</u>
1500 RedX, Sub Aq, Mou Res	£1,670.00	6326	<u>£9,440.30</u>	<u>Platform Costs **</u>	
182 Toilet Hire	£310.00			Cloth	£387.50
199 Safety fencing etc	£158.40			Licence	£100.00
o Webbing/Tape	£87.50			J Laidlaw	£1,680.00
60 Vet gratuity	£80.00			Dow	£288.00
o Road sweeping, gritting	£120.00			McKay/New design visit	£417.60
115 Radio Hire	£96.00				<u>£2,873.10</u>
5169 c/f	£7,137.50				

IN-YEAR BUDGET REVIEW 2020/21

Report by Executive Director, Finance & Regulatory

SCOTTISH BORDERS COUNCIL
27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report updates Council on the current financial position of the 2020/21 budget and proposes 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. Members will recall that the profound impact of the COVID 19 emergency and the pressing need to re-prioritise budgets was highlighted in a report to Council in June. An in-year budget exercise to review both revenue and capital budgets has been undertaken by the Corporate Management Team (CMT) based on the first quarter (June 2020 month end) position and recommendations to revise these budgets are now submitted for approval.**
- 1.2 The COVID-19 emergency situation, currently affecting the UK, has caused unprecedented pressure to society and the economy with significant financial challenges that are continuing to change and emerge. The pandemic has 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 is now re-opening key public services across the region, in line with the Scottish Government's Route Map.
- 1.3 The report presented to the Council meeting on 26 June 2020, highlighted an initial assessment of the revenue impact of COVID-19 on the Council's finances, and projected pressures of £15m excluding any impact on Council Tax at that point. CMT has since undertaken an exercise to re-plan the Council's 2020/21 revenue and capital budgets. This review was based on the June 2020 month end position and is summarised in appendix 1.
- Revenue
- 1.4 The analysis of the revenue budget, now including a projected impact on Council Tax, has 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.

Capital

- 1.6 The approach to the review of the capital budget has 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 is that net £26.855m of budget within the Capital Plan has 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 is based on a review of deliverability of the Plan with revised budgets now representing what project managers are forecasting will be spent and delivered during the remainder of 2020/21.

2 RECOMMENDATIONS

2.1 It is recommended that Council:

- a) approve the revisions to the revenue and capital budgets for 2020/21 as set out in Appendix 1 and note that these will 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 will require to be funded from reserves;**
- d) note that future monitoring reports will be presented to the Executive Committee as part of the revenue and capital monitoring processes.**

3 IN-YEAR BUDGET REVIEW

Revenue Budget Review

- 3.1 The analysis of the revenue budget, now including a projected impact on Council Tax, has highlighted estimated revenue budget pressures of £20.449m in 2020/21. These pressures can be broken down as follows and are detailed per service in Appendix 1:

Budget Pressure	£m	Comment
Additional costs	13.844	These additional costs are detailed per service in Appendix 1 and include additional costs such as PPE, cleaning materials and additional homecare costs.
Delays in delivery of financial plan savings	2.386	The emergency response has reduced management capacity to drive forward change in some cases along with the current operating models making change very challenging which has resulted in delays in delivery.
Loss of budgeted income	3.442	Income from fees & charges has been impacted over the first 3 months of 2020/21 in services such as planning fee income, schools meals and waste income.
Council Tax	0.777	The projected impact on Council Tax ultimate collection levels for 2020/21 including the impact of delays in house building.
Total Council COVID-19 pressures	20.449	

- 3.2 In order to support the Council's response to the COVID-19 pandemic funding has been made available by the Scottish Government. The level of support provided has not however been sufficient to fund the full financial impact of COVID-19 including the significant impact on the level of income which funds local services. Additional Scottish Government funding in the form of grant has addressed 33% of the total pressure identified, with the welcome easing of restrictions in the use of specific grants within Children & Young People taking this up to 49%. The remainder of funding has required to be found from within existing Council budgets and reserve balances.
- 3.3 The Scottish Government has taken a twin track approach to collecting the costs of COVID-19 and consequently has separated Health and Social Care activities delivered by the Integration Joint Board (IJB) out from impacts on other Council Services. All Councils have consequently submitted cost collection returns both through COSLA and the IJB to feed into a national process to assess the local government financial impact arising from COVID-19.

3.4 To supplement the Scottish Government funding and balance the revenue budget where possible, CMT has undertaken an in-year budget review to determine where existing Council budgets could be directed to fund the additional costs and loss of income initially in 2020/21.

3.5 CMT has undertaken a thorough review of all budgets across the Council with each service being reviewed to determine where service budgets could be redirected to support COVID-19 pressures. The following areas have been reviewed in all services to determine opportunities for redirection of budget to the COVID-19 reserve:

- Earmarked balances carried forward from 2019/20 into 2020/21
- Budget Growth provided as part of the 2020/21 budget process
- Uncommitted budgets through reprioritisation of budgets
- Uncommitted budgets through services not being delivered in the first quarter of 2020/21

3.6 The total available resources are shown below:

Funding	£m	Comment
Scottish Government funding (SG)	5.630	Including £1.1m hardship fund, £3.408m share of £155m Barnett consequentials, £0.013m Death Registration and £1.109m Food Fund phases 1 & 2
Share of £50m IJB fund (SG)	1.078	To support Social Care pressures
Specific Grant flexibility (SG)	3.486	SG are allowing Councils to be flexible in the use of grants such as PEF and Early Years expansion
Redirect earmarked balances (SBC)	0.740	Earmarked balance carried forward from 2019/20, now directed to COVID-19
Reduce previously agreed 2020/21 budget growth (SBC)	1.252	2020/21 budget growth, now directed to COVID-19
2020/21 resources identified by budget review exercise (SBC)	5.412	Removed from budgets (at month 3) based on uncommitted budget and reduced activity in 2020/21
Draw down from reserves (previously agreed use of 2019/20 underspend)	1.458	2019/20 underspend of £1.458m allocated to reserves at year end, now being drawn down
Total Council COVID-19 reserve	19.056	

3.7 Comparing the £19.056m identified funding from the budget review with £20.449m projected pressure results in a shortfall in the COVID-19 reserve of £1.393m, with all known commitments and impacts at this time being taken into account. This means the Council is projecting to spend more than has been provided for in the COVID-19 reserve. Due to arrangements with Scottish Government regarding specific grants in Children & Young People (CYP), where budget can be diverted to support pupils during this period, this does mean, however, that included within the forecast, £1.481m remains within the service to contribute towards funding financial implications of schools returning on 11 August 2020.

3.8 The current shortfall of £1.393 plus any further impacts, beyond the estimated shortfall of £1.393m, which are not yet identified will require further funding to be identified in order for the Council to successfully manage the financial impacts of COVID-19 by 31 March 2021. The financial projections and assumptions in this paper are based on an early assessment of the impact of COVID-19 after 3 months. While this assessment is based on quantitative information in the Council's ledger, further pressures may emerge as the year progresses. Should a second wave of the pandemic impact on the delivery of Council services this will have additional financial consequences. Even if a second wave does not transpire it is possible that further measures may have to be taken to address risks around COVID-19 and it is possible the full costs of responding to COVID-19 are not yet evident.

3.9 Key assumptions which have been made in arriving at these figures include:

- CYP grant can be redirected to support Education recovery, currently £1.481m remains uncommitted to support the service during the remainder of 2020/21;
- No further distribution of grant to support H&SC from Scottish Government has been reflected in the forecast at this stage pending further information and agreements with NHS Borders;
- Council Tax Reduction Scheme (CTRS) pressures will be funded from the nationally announced £50m;
- The Council will have to fund pressures in the ultimate level of Council Tax collection currently estimated at £0.777m (a national review is being undertaken by COSLA on the impact on Council Tax collection but no national funding has been attributed to this as yet);
- It is currently assumed that Live Borders will not require additional financial support from the Council over and above the agreed management fee. Uncertainties do, however, remain relating to transition of their services out of lockdown and the impact of revised opening arrangements on operating income. As such their financial position will continue to be monitored closely. COSLA are currently discussing an income scheme with Government which is understood will include ALEOs like Live Borders.

3.10 The following management action will be undertaken during the remainder of the financial year with the aim of closing the current £1.393m gap and containing any pressures yet to emerge. Updates on the progress of this management action will be presented to the Executive Committee as part of the monitoring process:

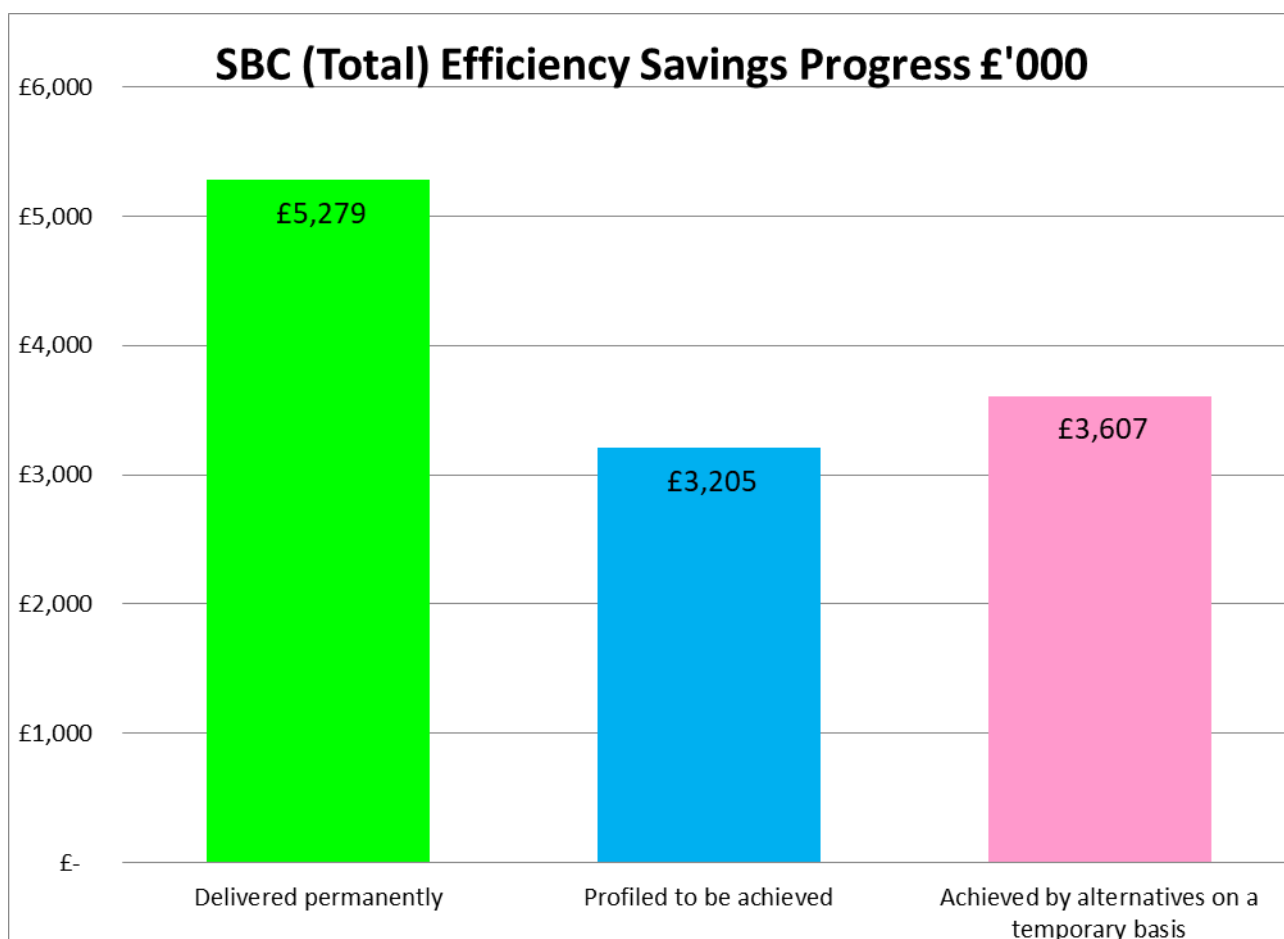
- Contain additional costs wherever possible;
- Maximise income opportunities for the Council;
- Continue the current freeze on discretionary spend to release further service budgets to contribute to the COVID-19 reserve;
- Consider wherever possible how savings can be accelerated from 2021/22 into 2020/21 to support the financial position in the current year;
- Continue engagement with COSLA to ensure the Council is fully aware and engaged in any discussions on any further Scottish Government funding.

3.11 The Council has been made aware of funding sources from Scottish Government which have not yet been confirmed and as such have not been included in this reported financial position of the Council. These will be reflected in the monitoring position when allocations are confirmed and will contribute towards closing the remaining gap in funding in 2020/21. These indicative national funding streams include:

- £20 million will be allocated to help Councils with additional costs associated with new health protection measures, school transport, enhanced cleaning and other essential logistical issues.
- Further Barnett consequential from the UK Government to be allocated to Scottish Councils of £49m.
- A new income loss scheme to partly compensate Councils for loss of income from fees and charges.
- Further IJB funding of £50m to support the Social Care Sector – this covers full IJB activities so may also include funding for NHS Borders.

Review of Deliverability of Savings

3.12 As previously reported, there is likely to be a significant impact on the delivery of planned Financial Plan savings during 2020/21 as a result of the emergency situation. Financial plan savings of £12.091m require to be delivered in 2020/21. An analysis of deliverability has been updated as shown in Appendix 2. Following the June month end £5.279m (44%) savings have been delivered permanently, £3.205m (26%) are profiled to be delivered by 31 March 2021 and £3.607m (30%) have been delivered on a temporary basis through alternative savings as shown in the graph below.



3.13 Delivery of £8.886m (74%) of savings in the first quarter of the financial year is a very positive position. By comparison, in the last 2 financial years, 56% and 54% of savings respectively were delivered at this stage in the financial year. CMT are placing significant emphasis on ensuring the £3.205m which are profiled to be delivered by 31 March 2021 are progressed and delivered as soon as possible. A piece of work has also commenced to ensure that permanent plans are in place for the £3.607m delivered temporarily in 2020/21 to ensure permanent full year delivery in 2021/22.

Capital Budget Review

3.14 The approach to the review of the capital budget has 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. Based on information at the June 2020 month end the revised Capital Plan is reflected in Appendix 1. This includes the following key points:

- As at the June month end £4.261m has been spent within the Capital Plan which represents 6.08% of the revised projected outturn spend of £70.098m for the year – this demonstrates the level of delay being experienced and indicates that the plans for delivery are still ambitious and that further timing movement into future years may be required as the year progresses.
- An initial estimate of net £26.855m required timing movement to carry forward budgets from 2020/21 into future years has been identified.
- The Hawick Flood programme has been re-profiled including budget for an additional £5.5m COVID-19 risk impact taking the overall programme up to £88m over the life of the project. This revised programme has been agreed with Scottish Government with 80% of the overall funding provided by Scottish Government and the remaining 20% SBC.
- Part of the review of the capital plan has allowed £0.360m to be added to the Emergency & Unplanned budget through reassessment of planned works in order to support additional COVID-19 costs which may emerge within projects elsewhere in the plan. The revised budget £0.572m is being held within Emergency & Unplanned while an assessment is made on whether projected COVID-19 pressures can be managed within projects.
- Officers are currently reviewing projects within the 2020/21 capital plan to ensure that the projects are still deliverable, remain top priorities for the Council and that the solutions proposed provide best value.
- It should be noted that work to replace Eyemouth Primary School has been paused to re-examine the options for education delivery in the town given the recent public concern with regard to the proposals to develop the former High School site to include education, early years,

housing and community use. A report on this issue is included elsewhere on the Council agenda.

- A review of deliverability of future years of the Capital Plan will also be undertaken ahead of the 2021/22 financial planning process to ensure the plan remains deliverable considering the scale of timing movement from 2020/21 into future years.

4 IMPLICATIONS

4.1 Financial

There are no further costs attached to any of the recommendations contained in this report other than those outlined in the body of the report.

4.2 Risk and Mitigations

There is a risk that the full service and financial implications of the current pandemic are not yet clear which may lead to further pressures being identified which as yet are unfunded. This is being mitigated through on-going monitoring processes which are reported to CMT on a monthly basis along with very close working relationships between finance and service managers to ensure any changes in assumptions are captured as soon as possible.

4.3 Integrated Impact Assessment (IIA)

Given the nature of the report summarising the financial implications of the activities of the Council in relation to COVID-19 an IIA is not required.

4.4 Acting Sustainably

There are no additional economic, social or environmental effects other than those covered specifically within the report.

4.5 Carbon Management

Impact on the Council's carbon emissions relating to the closure of many Council buildings for a prolonged period this financial year is being considered as part of the ongoing COVID-19 monitoring processes.

4.6 Changes to Scheme of Administration or Scheme of Delegation

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

5 CONSULTATION

- 5.1 The Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications has been consulted and any comments received have been incorporated into the final report.

Approved by

David Robertson

Executive Director – Finance & Regulatory Signature

Author(s)

Name	Designation and Contact Number
Suzy Douglas	Financial Services Manager X5881

Background Papers: Scottish Borders Council meeting - 25 June 2020

Previous Minute Reference:

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

Contact us at Suzanne Douglas, sdouglas@scotborders.gov.uk.

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Revenue & Capital Budget 2020/21
In-year budget review
In response to COVID-19 pandemic

Scottish Borders Council
2020/21 in-year budget review
Summary of Revenue Budget Movement

	2020/21 £'000
Base Budget (approved 26 February 2020)	295,757
Additional budget approved 26th March 2020	2,089
Earmarked balances carried forward into 2020/21	8,411
Allocation of specific funding to services	(20,858)
<u>Budget Pressures</u>	
Additional Costs	13,844
Delay in Delivery of Financial Plan Savings	2,386
Loss of budgeted income	3,442
Impact on Council Tax	777
Total Pressures	20,449
<u>Contributions to fund Pressures</u>	
Scottish Government (SG) funding	(5,630)
SG funding provided through NHS Borders for IJB	(1,078)
Free up of specific grant in Children & Young People	(3,486)
Earmarked Balances redirected to COVID-19	(740)
Reduce previously approved budget growth	(1,252)
Uncommitted budget in services	(5,412)
Draw down from reserves - 2019/20 budget underspend	(1,458)
Total Contributions to fund Pressures	(19,056)
	286,792
Funding	285,399
Budget Gap Remaining	1,393

Scottish Borders Council
 Draft Financial Plan 2020/21 to 2029/30
 Summary of Capital Budget Movement

	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s
Asset & Infrastructure	41,019	8,917	49,936	(4,221)	297	46,012
Economic Development & Corporate Services	17,609	2,524	20,133	(8,925)	(351)	10,857
Health & Social Care	4,992	(2,949)	2,043	0	0	2,043
Children & Young People	20,545	1,781	22,326	(15,086)	0	7,240
Customer & Communities	0	0	0	0	0	0
Finance and Regulatory Services	2,101	414	2,515	0	1,431	3,946
Human Resources	0	0	0	0	0	0
Total Capital Plan	86,266	10,687	96,953	(28,232)	1,377	70,098

Corporate

Overarching proposals covering the whole Council

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
N/A	0	0	0	0	0	0	
Total Investment	0	0	0	0	0	0	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	(1,040)
March Council meeting	0
Earmarked balances carried forward into 2020/21	0
Allocation of specific funding to services	1,040
Revised Base Budget	0

Transfer corporate savings targets to services for delivery during 2020/21

Budget Pressures	2020/21 £'000s	Category	Detail
Total Pressures	0		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Total Savings	0		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	0

Asset and Infrastructure

Property Management, Facilities, Roads & Infrastructure, Parks & Environment and Waste Management

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
Land & Property Infrastructure	9,898	481	10,379	(1,006)	(383)	8,990	Timing movement to 2021/22 for Asset Rationalisation to allow design work on agile working projects in Council HQ, Paton Street Galashiels and Town Hall Hawick (£320k); Contaminated Land (£35k); Jedburgh High Street Building (£551k) due to delays to securing ownership of site; Energy Efficiency Works (£100k) for LCITP Smart Grid project impacted by Covid-19. Review of planned works has identified budget which can be returned to Emergency & Unplanned within Building Upgrades (£98k); Energy Efficiency Works (£139k) from a review of planned works and reduction in estimated tender values. Budget movement from Health & Safety Works to Waste Services, Galashiels Community Recycling Centre (£146k)
Roads & Transport Infrastructure	8,809	720	9,529	(14)	517	10,032	Gross up of external funding from Strategic Timber Transport Scheme (STTS) (£586k). Budget transfer to Galashiels Town Centre Regeneration to fund Douglas Bridge and Channel Street works (£69k). Timing movement to 2021/22 for Minor Engineering Works (£14k)
Cycling, Walking & Safer Streets	189	318	507	0	38	545	Gross up of external income of £37.5k from Paths for All.
Pebbles Bridge	0	0	0	0	0	0	
Flood & Coastal Protection works	892	156	1,048	(246)	(83)	719	Flood Studies - Timing movement from Flood Studies to 2021/22 as an impact of Covid-19 (£246k). Review of planned works within the General Flood Protection Block has identified budget which can be returned to Emergency & Unplanned (£83k)
Hawick Flood Protection	18,603	6,156	24,759	(2,205)	0	22,554	Following initial delays, the main contract has been awarded, the project is being grossed up to reflect potential increased costs due to Covid-19 and a re-profiled programme with works now due to complete in Autumn 2023.
Waste Management	628	273	901	(150)	150	901	Budget transfer from Health & Safety works (£146k) and Emergency & Unplanned (£4k) for works at Galashiels Community Recycling Centre. Timing movement of £150k to 2021/22 for Easter Langlee Leachate Management Facility as an impact of Covid 19.
Non Plant & Vehicle Fund	0	213	213	0	58	271	Gross up external grant from Transport Scotland for electric vehicles.
Reston Station Contribution	0	600	600	(600)	0	0	
Plant & Vehicle Fund	2,000	0	2,000	0	0	2,000	
Total Investment	41,019	8,917	49,936	(4,221)	297	46,012	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	41,732
March Council meeting	0
Earmarked balances carried forward into 2020/21	200
Allocation of specific funding to services	(1,137)
Revised Base Budget	40,795

Asset and Infrastructure

Property Management, Facilities, Roads & Infrastructure, Parks & Environment and Waste Management

Budget Pressures	2020/21 £'000s	Category	Detail
Property Rationalisation Financial Plan Savings	150	Savings Delivery	Delays to implementation of the property asset rationalisation programme, both due to Covid restrictions and the requirement to re-assess plans in light of covid-19
Commercial Property Income	28	Loss of income	Anticipated pressure based on reduced occupancy levels as a result of economic downturn
School Meal Income	592	Loss of income	Loss of income from school meals during April-June as a result of schools being closed. This is partially offset by savings from cost of food
Provision of Free School Meals April to 10th August]	148	Additional Costs	Cost of food, materials and equipment for the provision of Free School Meals during Covid-19, this has been funded from Scottish Government Food Fund Grant
Catering Income (Excluding School Meals)	220	Loss of income	Loss of income including staff canteen and events which are unable to operate due to Covid-19
Additional staffing costs in Catering Services	47	Additional Costs	Additional staffing costs required for sickness cover
Personal Protective Equipment (PPE) & Materials within Cleaning and Facilities Management	1,053	Additional Costs	Additional requirements across the Council for Personal Protective Equipment (PPE) including face masks, gloves and aprons and cleaning materials as a result of Covid-19
Additional staffing costs within Cleaning & Facilities Management	210	Additional Costs	Additional staffing costs required for the enhanced cleaning provision within the Learning Estate including the cleaning of touch points throughout the ay
Cleaning & Facilities Management Financial Plan Savings	145	Savings Delivery	Unachievable financial plan savings relating to cleaning as enhanced Cleaning is required as a result of Covid-19
Public Toilet Income Pressure	51	Loss of income	Loss of income due to public conveniences being closed due to Covid-19. 15 facilities are now open, income will continue to be impacted by restrictions. Partially offset by reduces cash collection charges
Public Toilet Financial Plan saving	50	Savings Delivery	Delays in implementing changes to the provision of public conveniences due to Covid-19
Income (Sports), Parks & Environmental	2	Loss of income	Loss of income from open space and pavilion hire as an impact of Covid-19
Bus Subsidies Financial Plan saving within Passenger Transport	55	Savings Delivery	Delays in implementation of changes to bus services as a result of Covid-19 delaying the opportunity to consult with communities
Bus Subsidy Income, Passenger Transport	39	Loss of income	Lost income within Passenger Transport due to restrictions in travel during Covid-19 and reduced passenger footfall since restrictions have been lifted
Direct costs normally recoverable through works on roads network	1,050	Additional Costs	Cost of manpower and plant costs, which would normally have been recovered from jobs but were unable to be due to limited works being carried out April to June. These have been funded through a re-prioritisation of the works budget
Income Pressure, Fleet Management Services	114	Loss of income	Loss of income from internal dayworks charges to Departments as a result of Covid-19. Reduced number of vehicles/plant being used due to restrictions in the types of works that were carried out, which reduced the number of repairs required. This income pressure if offset by savings in vehicle repairs within other Council services
Material Pressure, Fleet Management Services	20	Additional Costs	Increase in cost of materials in relation to sourcing parts during restrictions
Waste Income Pressure	460	Loss of income	Loss of income from trade waste as businesses were closed as a consequence of Covid-19 and phased recovery mean that some remain closed. Additional income pressure from sale of waste materials. Partially offset by savings in residual waste costs
Discretionary spend Financial Plan savings within Major Projects	13	Savings Delivery	Unachievable financial plan savings which are being offset within the current year by staffing vacancies
Community Transport Grant	38	Additional Costs	Commitment to fund additional Community Transport project until December 2020
Income Pressure, Network & Infrastructure Asset Management	43	Loss of income	Forecast income pressures from car & lorry Park land rental (£10k), road closure income (£22k) and street lighting (£11k)

Asset and Infrastructure

Property Management, Facilities, Roads & Infrastructure, Parks & Environment and Waste Management

Operational costs Network & Infrastructure Asset Management	27	Additional Costs	Street lighting electricity pressure (£22k) and small pressures within transport and supplies & services (£5k)
Income Pressure and legal costs within Engineers	56	Loss of income	Unachievable external income (£35k) and additional legal costs (£21k)
Bridge Repairs	216	Additional Costs	Additional works required in relation to damage during Storm Dennis and Ciara in late 2019/20, this is being funded within the service by a re-programme of works
Total Pressures	4,827		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Utilities savings	(200)	Uncommitted budget	Reduction in electricity, gas and water charges as a result of building use being reduced during Covid-19
Rates Appeals	(122)	Uncommitted budget	Further successful rates appeals from a process of reviews which was initiated in 2019/20
Reduced staffing costs in Architects	(18)	Uncommitted budget	Manpower vacancies within Architects
Feasibility Budget, Major Projects	(33)	Uncommitted budget	Available feasibility budget within Major Projects due to delays in progressing works
Reduced staffing costs in Parks & Environmental	(124)	Uncommitted budget	Manpower vacancies within Parks & Environment
Reduced Premises costs in Parks & Environmental	(27)	Uncommitted budget	Available budget within property repairs and maintenance
Reduced Transport costs in Parks & Environmental	(40)	Uncommitted budget	Available budget including repairs and maintenance and fuel costs which have been lower as a result of Covid-19
Discretionary spend savings within Parks & Environment	(28)	Uncommitted budget	Available equipment purchase budget within Parks and Environment
Public Toilet Cash Collection	(6)	Uncommitted budget	Reduced cash collection costs for public toilets due to toilets being closed as a result of Covid-19 and a reduced number now being operational
Re-prioritisation of roads network budget	(1,077)	Uncommitted budget	Re-prioritisation of works budget to cover cost of manpower and plant costs which would have normally been recovered from jobs
Reduced residual waste contract charges, Waste Management	(156)	Uncommitted budget	Savings in residual waste costs as a result of a reduction in trade waste contracts due to businesses being closed due to Covid-19 restrictions, this is partially offsetting a loss in trade waste income
Reduced staffing costs within Major Projects	(13)	Uncommitted budget	Staffing vacancies being used to offset undeliverable financial plan savings within Major Projects
Reduced staffing costs within Network & Infrastructure Asset Management	(24)	Uncommitted budget	Manpower vacancies within Network & Infrastructure Asset Management
Re-prioritisation of Bridges works programme	(216)	Uncommitted budget	Re-programme of internal works within Bridges to allow for bridge repairs required as a result of Storm Ciara and Dennis in 2019/20
Reduced staffing costs in Waste Management Services	(4)	Uncommitted budget	Reduction in overtime within Waste Management Services as staff are being re-deployed from other services
Reduced Agency costs within Waste Management Services	(9)	Uncommitted budget	Reduction in agency costs within Waste Management Services as staff are being re-deployed from other services of the Council to allow social distancing
Reduced Transport costs in Waste Management Services	(16)	Uncommitted budget	Available budget including repairs and maintenance and fuel costs which have been lower as a result of Covid-19

Asset and Infrastructure
Property Management, Facilities, Roads & Infrastructure, Parks & Environment and Waste Management

Equipment Hire	(20)	Uncommitted budget	Available budget within equipment hire within Waste Management Services
Total Savings	(2,439)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	43,183

Economic Development & Corporate Services

Planning, Audit & Risk, Corporate Policy, Economic Development, Emergency Planning, Business Planning Performance & Policy Development

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
Great Tapestry of Scotland - Building	2,898	(53)	2,845	0	0	2,845	
Town Centre Regeneration	1,282	1,392	2,674		69	2,743	Budget transfer from Galashiels Developments to fund Douglas Bridge and Channel Street works
Borders Innovation Park	10,076	677	10,753	(7,787)	0	2,966	Timing movement to 2020/21 as a result of construction delays due to Covid-19
Hawick Regeneration	1,596	180	1,776	(1,023)	0	753	Timing movement to 2020/21 as a result of construction delays due to Covid-19
Newtown St Boswells Regeneration	55	1	56			56	
Sports Infrastructure	967	189	1,156	0	(420)	736	Returning remaining budget from Netherdale Spectator Stand to Emergency & Unplanned as original brief is complete (£44k). No planned pitch replacements this year so no funding required
Culture & Heritage	285	53	338	(115)	0	223	Timing movement to 2020/21 for Public Halls as a result of delays due to Covid-19 (£115k)
Private Sector Housing Grant	450	85	535	0	0	535	
Total Investment	17,609	2,524	20,133	(8,925)	(351)	10,857	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	8,583
March Council meeting	0
Earmarked balances carried forward into 2020/21	4,281
Allocation of specific funding to services	1,038
Revised Base Budget	13,902

Budget Pressures	2020/21 £'000s	Category	Detail
Planning and Building Standards Income	952	Loss of Income	There have been a reduced number of planning and building standards applications in the 1st quarter as a result of Covid-19. It is expected that applications will not return to previous levels in the current year due to impact of Covid-19 on the wider economy. Other small reductions in income in Access and Countryside for the sale of publications and ranger led walks
Contribution towards joint Covid-19 Officer	2	Additional Costs	Contribution toward joint Scottish Local Authorities Covid-19 Officer arranged through Dumfries and Galloway Council
Private Sector Housing Grants Administration Fee	1	Loss of Income	Income Pressure from anticipated reduction in Private Sector Housing Grants administration fees due to Covid-19.
Enforcement works at Jedburgh High Street Building	45	Additional Costs	Costs relating to enforcement works at Jedburgh High Street Building which the Council is in the process of securing ownership for (£70k) partly offset by savings in staffing costs and discretionary spend savings within the Planning service.
Shared Service for Risk	10	Additional Costs	Delays due to Covid-19 in the implementation of a shared service for Risk Management with a neighbouring Local Authority as the full time resource was required within the Council
Total Pressures	1,010		

Economic Development & Corporate Services

Planning, Audit & Risk, Corporate Policy, Economic Development, Emergency Planning, Business Planning Performance & Policy Development

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Reduced Staffing Costs	(68)	Uncommitted Budget	Saving in staffing costs within Economic Development due to vacancies
Business Planning Discretionary Spend Savings	(8)	Uncommitted Budget	Available budget from British Sign Language budget as a result of Covid and discretionary spend freeze.
Corporate Policy Discretionary Spend Savings	(1)	Uncommitted Budget	Available budget within conference expenses, hire of accommodation and catering
Emergency Planning Discretionary Spend Savings	(2)	Uncommitted Budget	Available budgets within travel expenses, accommodation and catering
Total Savings	(79)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	14,833

Health and Social Care

Child & Adult Protection, Emergency Duty, Quality Improvement, Criminal Justice, Safer Communities, Older People, Learning Disability, Mental Health, Physical Disability, Generic Services, Public Health

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
Care Inspectorate Requirements and Upgrades	54	0	54	0	0	54	
Technology Enabled Care	160	0	160	0	0	160	
Residential Care Accommodation Upgrades	755	10	765	0	0	765	
Residential Care Home - Hawick	500	64	564	0	0	564	
Residential Care Home - Tweedbank	500	0	500	0	0	500	
Extra Care Housing	3,023	(3,023)	0	0	0	0	Transfer delivery of Extra Care Housing to revenue budget
Total Investment	4,992	(2,949)	2,043	0	0	2,043	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	61,348
March Council meeting	1,389
Earmarked balances carried forward into 2020/21	32
Allocation of specific funding to services	(9,036)
Revised Base Budget	53,733

Budget Pressures	2020/21 £'000s	Category	Detail
Higher than anticipated staffing costs	42	Additional Costs	Higher than forecast staffing costs within Adult and Child Protection Services due to an urgent requirement for additional posts which exceed existing budget
Delay in delivery of Financial Plan savings	1,147	Savings Delivery	Covid related delays in the deliverability of savings within Older Peoples services relating to a move to focus on single handed homecare (£250k), also within Learning Disability Services relating to the review of Care Packages (£70k), the implementation of the Shared Lives initiative (£202k) and also savings generated through private provider efficiencies (£100k). Within Generic Services, delays in savings delivery relate to a review of the financial assessment policy (delayed 1 year for full consultation and a holistic review of the H&SC Charging Policy), a review of staffing structures within H&SC (£50k) and efficiencies sought in relation to performance reporting (£230k) and within SB Cares delays in the delivery of savings in relation to Care Home Sleepovers will cause a pressure of £51k - it should be noted that this represents 25% of Care Home Sleepover savings - 75% of anticipated savings are forecast to be fully delivered
Additional Homecare costs being incurred and forecast for the remainder of the year within Older People and Learning Disability services as a direct result of Covid-19.	1,954	Additional Costs	External homecare providers are experiencing situations where they are unable to provide care due to staff shielding and or self isolation reasons and therefore require to employ additional staff. Also, some homecare packages are now taking longer than the planned / commissioned duration due to the need for carers to increase the use of PPE and conduct care visits in line with social distancing guidelines as much as possible. A significant forecast increase in relation to homecare relates to Self Direct Support payments where a client has a need for increased care due to Covid-19 or that their Personal Assistant (carer) has Covid-19 shielding or self isolating requirements

Health and Social Care			
Child & Adult Protection, Emergency Duty, Quality Improvement, Criminal Justice, Safer Communities, Older People, Learning Disability, Mental Health, Physical Disability, Generic Services, Public Health			
Additional residential beds (Older People)	376	Additional Costs	Increased requirement for residential care home beds within Older People services reflecting a forecast pressure in relation increased hospital discharges. 14 additional beds within Deanfield Care Home were realised during peak months of May and June as well as a further 12 externally commissioned beds from April to September, forecast costs for these beds are £351k. Additional beds have also been commissioned for Learning Disability and Mental health clients estimated to cost £25k
Additional residential beds (Learning Disabilities)	20	Additional Costs	Additional residential beds have also been commissioned for Learning Disability clients in order to provide respite care which has been forecast to increase due to the self-isolating impact of Covid-19
Additional Equipment purchase	150	Additional Costs	Additional equipment purchases required within the Community Equipment Store operated by SB Cares as a result of increased hospital discharges
Additional cleaning costs	15	Additional Costs	Additional "deep clean" costs forecast within SB Cares care homes in order to increase protection for existing and new clients from Covid-19
Increased PPE for SBCares staff	179	Additional Costs	Increased Personal Protective Equipment (PPE) purchases required for staff and clients within all facilities operated by SB Cares
Additional IT equipment costs	45	Additional Costs	Additional IT equipment costs incurred due to Covid-19 and the requirement to deploy staff to other roles and also homeworking
Increased Carer support costs	23	Additional Costs	Increased Carer support costs due to Covid-19 incurred due to client / carer shielding and or self-isolating
Increased 24 hour permanent care costs	44	Additional Costs	Higher than anticipated 24 Hour residential care costs within Physical Disability services due to increased number of residential admissions
Increased care and accommodation costs	38	Additional Costs	Service pressure relating to increased void costs at Station Court due to hospital admissions and client turnover
Increased client care package costs	499	Additional Costs	Significantly higher than anticipated care costs within the Joint mental health service which is currently being investigated (£246k), increased package of care costs within the Physical Disability service including 2 new clients with significant care costs (£143k) and generally higher than anticipated client care costs across all localities within Generic Services (£110k)
Total Pressures	4,532		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Financial Plan budget not required	(352)	Budget Growth	Covid related delays in the development of 2 Extra care Housing developments has released £352k of revenue budget
Financial Plan budget not required	(150)	Budget Growth	Planned 'spend to save' budget growth relating to a focus on single handed homecare not required to do Covid related delay in implementing saving
Staff Savings	(347)	Uncommitted Budget	Unfilled vacancies within the Joint Learning Disability and also Joint Mental health Services amount to £92k and £170k respectively. Reduction in Agency staff spend within SB Cares as a result of Covid generates £85k saving
Savings in service operational costs	(34)	Uncommitted Budget	Training courses within the Safer Communities service not undertaken as well as lower than anticipated travel costs resulting on £34k saving
Increased Funding	(79)	Uncommitted Budget	Higher than anticipated Social Care Funding from Scottish Government amounts to £79k
Additional Income	(29)	Uncommitted Budget	Higher than anticipated Self Directed Support - Direct Payment clawback within Older People services forecast for 2020-21
IJB Delegated Services	(568)	IJB funding	Scottish Borders Council share of £50m national distribution of funding to support initial Covid pressures faced by Integrated Joint Boards (£1.078m funding split over H&SC £0.568m and corporate COVID-19 code £0.510m)
Total Savings	(1,559)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	56,706

Children & Young People

Early Years, Primary Schools, Secondary Schools, Additional Support Needs, Children & Families Social Work, Educational Psychology, Central Schools, School Meals, Transport, Community Learning & Development (CLD)

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
Eyemouth Primary School	7,600	(33)	7,567	(7,102)	0	465	Work has been paused on any further design development while the Council re-examines the options for education delivery in the town given the recent public concern with regard to the proposals to develop the former High School site to include education, early years, housing and community use. Timing movement to 2020/21 and 2021/22 in line with adjusted project timelines.
Earlston Primary School	375	8	383	0	0	383	
Gala Academy	1,500	14	1,514	(1,114)	0	400	Design development has continued for the replacement of the secondary provision, swimming pool and community facilities in Galashiels. Consideration of how future early years, primary and residential care could also be incorporated as part of future development phases. It is expected SG funding applications will be issued around September 2020. Timing movement to 2020/21 in line with project timescales
Early Years Expansion	5,853	(13)	5,840	(2,690)	0	3,150	Timing movement to 2020/21 for Galashiels area
Jedburgh Learning Campus incorporating 3G Pitch	499	158	657		203	860	Additional costs funded from the School Estates Block
New Hawick High School	0	0	0	200	0	200	Accelerating limited early design work. No impact on overall project timelines
Peebles High School	2,000	54	2,054	(1,654)	0	400	Design work and preparation of feasibility study continue, timing movement to 2021/22 in line with project timescales
School Estate Block	2,718	1,593	4,311	(2,726)	(203)	1,382	Reallocation of block including allocation of budget to Jedburgh Campus and timing movement to 2021/22
Total Investment	20,545	1,781	22,326	(15,086)	0	7,240	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	122,859
March Council meeting	0
Earmarked balances carried forward into 2020/21	2,698
Allocation of specific funding to services	(12,654)
Revised Base Budget	112,903

Children & Young People

Early Years, Primary Schools, Secondary Schools, Additional Support Needs, Children & Families Social Work, Educational Psychology, Central Schools, School Meals, Transport, Community Learning & Development (CLD)

Budget Pressures	2020/21 £'000s	Category	Detail
Early Years - Key worker and vulnerable children childcare	1,313	Additional Costs	Additional costs of childcare for key workers and vulnerable children 23 March to 10th August 2020
Supply Teacher Retention Scheme	437	Additional Costs	3 months of national scheme to ensure supply teachers income is maintained at the estimated level they would have been earned had schools remained open
Lets income	30	Loss of income	Income pressure with schools closed due to Covid-19. No lets possible for 4 months and reduction expected for a further 4 months
Delay in delivery of Financial Plan savings	826	Savings Delivery	Covid-19 related delays in the deliverability of savings within Central Schools relating to Music Tuition (£75k), Grants (£42k) and FF24 review (£58k); transport provision within Additional Special Needs (£50k); review of School Transport provision and routes (£312); review of the Community Learning & Development service (£111k); and service review of £178k
Education Recovery	1,976	Additional Costs	Education recovery including the need to establish where children are with their learning as well as the need to reduce the attainment gap for disadvantaged children will require additional resources
Total Pressures	4,582		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Earmarked balance relating to Early Years and PEF	(1,870)	Free up specific grant	Earmarked balances utilised for additional cost of childcare for key workers and vulnerable children and the cost of the education recovery plan specifically to reduce the attainment gap for disadvantaged children
External Funding	(1,616)	Free up specific grant	External education and early years funding relating to 2020/21 not currently allocated. Will be used to cover the increased costs of reducing the attainment gap for disadvantaged children
School Meals	(344)	Uncommitted Budget	Loss of revenue due to Covid-19 is offset by reduction in recharge from catering due to school closures
Reduced Sickness	(190)	Uncommitted Budget	Reduction in sickness of 60% compared to same period in 2019/20
Unitary Charge	(95)	Uncommitted Budget	Unitary charge insurance release
Staff Savings	(28)	Uncommitted Budget	Unfilled post in Educational Psychology
Total Savings	(4,143)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	113,342

Customer & Communities

Business Support, Community Planning & Engagement, Communities Fund, Customer Advice & Support, Democratic Services, Business Change & Programme Management, Discretionary Housing Payments, Housing Benefits, Non Domestic Rates Relief, Scottish Welfare Fund and Assessors.

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
N/A	0	0	0	0	0	0	
Total Investment	0	0	0	0	0	0	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	19,617
March Council meeting	0
Earmarked balances carried forward into 2020/21	610
Allocation of specific funding to services	(5,027)
Revised Base Budget	15,200

Budget Pressures	2020/21 £'000s	Category	Detail
Lower than budgeted income forecast	417	Loss of income	Customer Services loss of income (registrars, blue badge, overpayments recovered and penalty income)
Business Crisis Fund	400	Additional costs	Local fund established to support businesses unable to access national funding sources
Community Council funding (Food Fund)	72	Additional costs	Payments to Community Councils (funded through the Food Fund)
Housing Benefit pressure	174	Additional costs	Housing benefit higher net spend against the eligible repayable income stream
Changes in NDR relief criteria	13	Loss of income	NDR increased charitable relief for youth and community
Staffing pressure to support Locality model	62	Additional costs	Extension of Locality Development Officer post to March 2021
Service pressures	60	Additional costs	Additional costs relating to Children's Panel, Reporters, Appeal Expenses and re-scheduled bi-election.
Total Pressures	1,198		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Redirection of earmarked balance	(400)	Earmarked Balances	Redirection of earmarked balance carried forward to 2020/21 to support Business Crisis Fund
Additional staff turnover savings	(24)	Uncommitted Budget	Additional staff turnover savings in Customer Services as a result of the recruitment freeze during lockdown
Discretionary spend savings	(139)	Uncommitted Budget	Discretionary spend savings from Customer Services £124k & Business Support £15k from during lockdown period
Manpower savings	(145)	Uncommitted Budget	Staff savings in Business Change used to fund other budget pressures in Customer and Communities
Total Savings	(708)		

Customer & Communities

Business Support, Community Planning & Engagement, Communities Fund, Customer Advice & Support, Democratic Services, Business Change & Programme Management, Discretionary Housing Payments, Housing Benefits, Non Domestic Rates Relief, Scottish Welfare Fund and Assessors.

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	15,690

Finance and Regulatory Services

Chief Executive, Finance, Information Technology, Loan Charges, Legal & Protective Services

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
ICT - Out with existing contract Scope	80	215	295	0	0	295	
ICT Transformation	857	9	866	0	0	866	
Inspire Learning	834	198	1,032	0	1,071	2,103	Budget increased to take account of Capital Receipt expected from sale of iPads as per agreement to lease.
IT Projects - pre CGI Contract	110	0	110	0	0	110	
Emergency & Unplanned	220	(8)	212	0	360	572	Budgets returned to Emergency and Unplanned from General Flood Protection Block (£83k), Building Upgrades (£98k), Energy Efficiency Block (£139k), Netherdale Spectator Stand (£44k), less budget transfer to CRC - Improved Skip Infrastructure (4k)
Total Investment	2,101	414	2,515	0	1,431	3,946	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	36,321
March Council meeting	700
earmarked balances carried forward into 2020/21	340
Allocation of specific funding to services	5,037
Revised Base Budget	42,398

Budget Pressures	2020/21 £'000s	Category	Detail
Grants Administration Fee	200	Loss of Income	Projected shortfall in grants administration recharge based on current external funding opportunities.
Legal Services Licencing Fee income	104	Loss of Income	Projected loss of licencing fee (pubs, private functions, taxi licences) income due to Covid-19.
Protective Services income	105	Loss of Income	Income pressure from estimated reduction in sampling (private water and food) and domestic pest control treatments suspended due to
Recharge to Non General Fund	40	Additional Costs	Historical pressure to be funded
Covid-19 central code	2,967	Additional Costs	Corporate costs held centrally - SBC COVID-19 response
Total Pressures	3,416		

Finance and Regulatory Services

Chief Executive, Finance, Information Technology, Loan Charges, Legal & Protective Services

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Loans Charges	(1,299)	Uncommitted Budget	Reduced borrowing due to timing movements in the capital programme as a result of Covid-19.
Discretionary Spend	(7)	Uncommitted Budget	Reduction in discretionary spend budgets including travel and conference expenses.
Legal Services	(89)	Uncommitted Budget	Additional staff turnover savings and increased income.
Protective Services	(77)	Uncommitted Budget	Additional staff turnover savings (£65k) and discretionary spend freeze savings on fees and charges and internal services (£12k).
SG funding provided through NHS Borders to support IJB activities	(510)	IJB funding	Total of £1.078m provided by Scottish Government to support IJB activities
2020/21 Financial Plan	(500)	Budget Growth	Allocation of additional Scottish Government grant funding announced after the 26th February 2020, directed to support COVID-19
Scottish Government COVID-19 funding	(5,630)	Scottish Government funding	Including £1.1m hardship fund, £3.408m share of £155m Barnett consequentials, £0.013m Death Registration and £1.109m Food Fund phases 1 & 2
Redirection of earmarked balance	(340)	Earmarked balances	Redirection of earmarked balance carried forward to 2020/21 to support COVID-19 pressures
Covid-19 Reserve Fund	76	Uncommitted Budget	Balance of COVID-19 reserve held in the corporate holding code
Total Savings	(8,376)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	37,438

Human Resources

Human Resources, HR Shared Services, Early Retirement/Voluntary Severance, Communications & Marketing, Corporate Transformation

Capital Investment	2020/21 Base budget £'000s	2020/21 Budget Movements £'000s	2020/21 Approved Budget £'000s	2020/21 Timing Movements £'000s	2020/21 Proposed Budget Movements £'000s	2020/21 Revised Budget £'000s	Detail
N/A	0	0	0	0	0	0	
Total Investment	0	0	0	0	0	0	

Revenue Opening Position	2020/21 £'000s
Base Budget (approved 26 February 2020)	6,337
March Council meeting	0
Earmarked balances carried forward into 2020/21	250
Allocation of specific funding to services	(119)
Revised Base Budget	6,468

Budget Pressures	2020/21 £'000s	Category	Detail
Printing Income	15	Loss of Income	Loss of income within Communications and Marketing from reduced rechargeable printing production as a result of Covid-19.
Purchase of Laminator	7	Additional Costs	Purchase of high spec laminator within Communications and Marketing, required for additional wipeable signage required as a result of Covid-19.
Apprenticeship Levy	85	Additional Costs	Pressures in apprenticeship levy (£85k)
Total Pressures	107		

Contributions to fund Pressures	2020/21 £'000s	Category	Detail
Removal of budget growth originally attributed to Corporate Transformation	(250)	Budget Growth	This has been removed from the budget on a temporary basis and has been substituted in 2020/21 with an earmarked balance from 2019/20 of £250k.
Communications and Marketing Service Savings	(32)	Uncommitted Budget	Additional staff turnover achieved due to delayed recruitment to Manager post (£5k), additional budget in leasing costs now transferred to IT (£23k) and £4k discretionary spend saving on stationery as a result of Covid-19.
Employment Support Service	(12)	Uncommitted Budget	Additional STA as a result of Covid-19 (£2k). SDS income (£6k) plus savings within service through discretionary spend freeze (£2k) and courses not running as an impact of Covid-19 (£2k).
Total Savings	(294)		

Revenue in-year budget review Closing Position	2020/21 £'000s
Revised Budget 2020/21	6,281

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FIT FOR 2024 - REVIEW OF AREA PARTNERSHIPS - NEXT STEPS

Report by Service Director, Customer & Communities

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report outlines 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).**
- 1.2 At its meeting on 25 June 2020 the Council discussed, and agreed to note the results, findings and subsequent recommendations of the SCDC Report on the review of Area Partnerships and the Community Fund subject to a further report being brought to Council in August 2020.
- 1.3 It is proposed that the arrangements in each locality are developed at a grass roots level using a bottom up approach. Therefore this paper does not propose how the next steps, to the further development of the Area Partnerships, will take place but supports the empowerment of each Area Partnership to discuss, agree and implement improvement mechanisms for this in each locality.
- 1.4 The Council is continuing to respond to the current Covid-19 pandemic and there has been a great deal of learning and experience of working with our communities through the Community Assistance Hubs. This ongoing learning should be taken into account in these next steps and how ongoing arrangements evolve.

2 RECOMMENDATIONS

2.1 I recommend that Scottish Borders Council:-

- (a) Agrees that the findings of the report by the Scottish Community Development Centre continues to be fed back, via a range of stakeholders, to the wider community for their consideration;**
- (b) Approves the Action Plan outlined in Appendix 1;**

- (c) Request that each Area Partnership establishes, at their next meeting, a mechanism to review the findings and make recommendations for further public consultation within each locality;**
- (d) Agrees to receive a further report from the Service Director Customer & Communities on the outcome and next steps.**

3 BACKGROUND

- 3.1 At its meeting on 25 June 2020 the Council discussed, and agreed to note the results, findings and subsequent recommendations of the report produced by the Scottish Community Development Centre (SCDC) on the review of Area Partnerships and the Community Fund subject to a further report being brought to Council in August 2020 which outlines the next steps in evolving the Area Partnership and Community Fund arrangements. For clarity, and ease of discussion, this has been split in to two reports covering Area Partnerships and the Community Fund separately.
- 3.2 Following the meeting on 25 June 2020, SCDC's Report was distributed to:
- a) Area Partnerships
 - b) Community Councils
 - c) Community Fund grant recipients
 - d) Community groups
 - e) Festival Committees
 - f) Localities Bid Fund applicants
 - g) Scottish Borders Community Councils' Network
 - h) Scottish Borders Community Planning Partnership
 - i) Scottish Borders Community Planning Partnership's People's Panel
 - j) Third Sector Interface (TSI)
 - k) Village Halls (via the TSI)
- 3.3 Scottish Borders Community Council Network, individual Community Councils and the Third Sector Interface have been consulted during the preparation of this report. Responses have been reflected in this report and the accompanying Action Plan and will be fed into the work undertaken by each of the Area Partnerships.

4 REVIEW FINDINGS – AREA PARTNERSHIPS

- 4.1 Although discussed at the meeting on 25 June 2020, the findings are presented here to provide context for the proposals.
- 4.2 The findings of the consultation tell us that after 18 months of operation, the Area Partnerships have yet to realise the level of community engagement and involvement that was envisaged when they were established. In general, results overall are mixed although the majority, of those that expressed a view, felt that the partnerships were very good/good or acceptable. Comments made include:
- a) "I have found the meetings informative and inclusive with everyone given a chance to discuss specified topics." (Berwickshire online survey response).
 - b) "Little usable feedback – or sense of progress." (Berwickshire Focus Group).

- c) "I feel that the Area Partnership and its role is still evolving so expect to see greater impact as the partnership evolves." (Online survey response).
- 4.3 The recommendations from SCDC set out the need to involve Community Councils, along with other community groups, to shape the Area Partnerships going forward. The need for improved community engagement, support to enable a wider range of people to attend the meetings, agenda setting, meeting structure and ways in which the meetings are facilitated are all areas highlighted in the recommendations.
- 4.4 It is acknowledged that not one size fits all and that, through continued engagement with communities, separate operational and governance arrangements may develop across the five areas.
- 4.5 Good and real community empowerment is central to the success of the Area Partnerships. There is a desire from communities to be involved in shaping the Area Partnerships to ensure that they are effective forums for supporting and delivering the locality plans and wider community planning agenda. The Action Plan at Appendix 1 sets out the steps that will be required to develop an Improvement Framework for Area Partnerships.
- 4.6 As it is recognised that arrangements may differ between localities, it is proposed that each locality agrees and establishes a mechanism, with support from appropriate Officers, to consider improvements to the Area Partnerships. Each Area Partnership will develop an Improvement Framework to reflect local circumstances. It is proposed that this work should include Elected Members and Community Councillors with the numbers, and additional members, agreed by each Area Partnership. Options may include, but are not limited to:
 - a) A short life working group
 - b) All discussions and decisions taking place at Area Partnership meetings
 - c) Workshops
 - d) Focus groups
 - e) Surveys/questionnaires
- 4.7 Following the receipt of SCDC's Report, it was possible to start to make changes to Area Partnerships, including:
 - a) The inclusion of an update on the Community Empowerment (Scotland) Act 2015 as a standing agenda item. A process was being put in place, prior to the Covid-19 emergency, to ask Area Partnership members what they would like covered as part of the update. This will resume as Area Partnership meetings are rescheduled.
 - b) The opportunity for those attending to say what they would like to be covered at the next, and future, Area Partnership meetings. Ideas can be submitted both at, and after, each meeting.

- 4.8 To evolve and develop the Area Partnerships, taking into account the recommendations of the SCDC report, the following actions are proposed
- 4.8.1 To share the SCDC Report as widely as possible with stakeholders in the next two months, seeking thoughts/comments/ideas on how we can progress the findings of the report in partnership.
 - 4.8.2 Feedback from this wider consultation to be presented at the November Area Partnerships (or as soon as possible thereafter given the current situation).
 - 4.8.3 That each Area Partnership, at their next meeting, establish a mechanism to review the findings and make recommendations at a local level for further public consultation within each locality.
 - 4.8.4 Start to build a new Area Partnership model in Spring 2021. It is envisaged that this model will develop and evolve differently within each locality.

5 REVIEW FINDINGS – COMMUNITY CAPACITY BUILDING

- 5.1 Community capacity building is described as “the activities, resources and support that strengthen the skills, abilities and confidence of people and community groups to take effective action and leading roles in the development of communities.”¹ It is key to a sustainable, empowered community. We are aware that the level of community capacity varies widely across the Scottish Borders. It is therefore essential that community capacity building is available to support all our communities to play a central role in Area Partnerships.
- 5.2 Participants in the review process felt that there is not enough community capacity building support to sustain local activity. Comments included:
- a) “We no longer have the community workers we used to have and I think people have really suffered from the fact that they no longer have the support from these posts. We need many more development and community workers to help with work on the ground and the voluntary sector are being asked to do too much.” **Local resident – Focus Group.**
 - b) “The capacity building is not what the Council’s delivering in the Borders. What I mean by Community Capacity Building CCB ... is standing alongside the community and helping to animate people to become activists to support everyone in their community and build their skills and confidence, knowledge and experience to take their ideas forward. This really isn’t happening in most places and the TSI hasn’t got the reach or resources to do it all. These gaps really restrict how communities can be involved in local structures and policy influencing roles.” **Local resident – Focus Group.**

¹ Strengthening Communities, S Skinner, CDF Publications 2006

- c) "I think we need a common understanding of what CCB and empowerment means and how it links to inclusion and equality." **Local resident – Focus Group.**

5.3 A Fit for 2024 review is already underway which will consider the recommendations within the report and will look at a range of options to improve capacity building within communities.

6 BEST VALUE ASSURANCE REPORT

6.1 The Best Value Assurance audit of Scottish Borders Council in 2019 was noted at the Council meeting on 19 December 2019. The Commission findings included:

The Council now needs to make better progress with its community planning partners in delivering crucial elements of their community empowerment obligations, including resourced locality plans which identify community need and help community wellbeing.

6.2 With the subsequent recommendation:

Improve how the Scottish Borders Community Planning Partnership involves communities and the third sector, through greater involvement in local decision-making and by accelerating implementation of the Community Empowerment (Scotland) Act 2015.

6.3 A number of recommendations within the SCDC report are in line with the 2019 Best Value Assurance Audit and these will be taken forward through actions already agreed at that meeting in the Best Value Audit Action Plan.

7 LEARNING AND OPPORTUNITIES FROM COVID-19 RESPONSE

7.1 The experience from setting up the five Community Assistance Hubs (CAH) has already provided significant learning and benefits, which we need to build on and maximise the opportunities for the future. Some of the benefits are:

- a) Our customers have been at the centre and focus of every CAH interaction;
- b) A flexible and proactive, solution based response was created;
- c) Multi agency working groups have been output/outcome focussed – these groups have worked together and complemented each other;
- d) A flatter structure with less barriers – leadership and direction was clear and focussed;
- e) Less process and formality in how we have worked with communities – navigation through systems has been quicker and more efficient;
- f) Regular and ongoing dialogue and then quickly adapting the response according to the feedback;
- g) Trust and relationships have been developed by working in partnership to achieve common goals;

- h) Community groups have taken ownership and, because they could see the need and demand, have developed solutions supported by Scottish Borders Council and other partners;
- i) The emergency response has created a very different type of engagement and enabled new voices to be heard;
- j) Direct contact between staff and customers, that may not usually have direct contact with the Council, has been taking place.

7.2 The findings from the SCDC Report, together with the benefits and experience of the Covid-19 response, provide a range of new opportunities. These should be considered as part of the work the Area Partnerships carry out and include the following:

- a) A reinvigorated Community Planning approach based on different ways of engagement and feedback;
- b) Services redesigned to reflect user and community needs/requirements in light of the pandemic;
- c) Locality Plans refreshed to reflect what communities require whilst both in recovery mode and longer term;
- d) How to build on the ways in which communities have been working which has seen them taking ownership to deliver Covid-19 related assistance in ways which best suit their town/village;
- e) Engagement with the wider community beyond the formal Area Partnership model;
- f) Live broadcast of meetings, building on experience of the broadcast of Council committee meetings and public feedback.

8 RECOMMENDATIONS AND ACTION PLAN

- 8.1 The recommendations and accompanying actions have been grouped within the Action Plan to reflect the Area Partnerships, Community Capacity Building and other findings. Recommendations and actions relating to the Community Fund and Participatory budgeting have been removed and will be considered in a separate report at the meeting on 27 August 2020.
- 8.2 A number of recommendations are in line with the 2019 Best Value Assurance Audit (see Section 6) and these will be taken forward through actions already agreed by Council on 19 December 2019 in the Best Value Audit Action Plan.
- 8.3 All actions and recommendations are numbered for ease of cross-referencing between the SCDC Report and attached Action Plan.

9 IMPLICATIONS

9.1 Financial

Staff resources will be required to support each of the Area Partnerships in the work being asked of them.

9.2 Risk and Mitigations

- a) Not acting upon the findings in the name of SCDC's Report would have a negative impact on the Area Partnerships and the Council's reputation as an organisation that listens to the community.
- b) Area Partnerships have not met for some time due to the Covid-19 pandemic. Arrangements are being considered on how to best facilitate the next round of meetings currently scheduled to take place in November.

9.3 Integrated Impact Assessment

- a) An Integrated Impact Assessment has been carried out on the proposals contained in this report and it is anticipated that there will be no negative impacts under either the Equality Duty or the Fairer Scotland Duty.
- b) IIA scoping has identified that in line with one of the recommendations contained within the SCDC Report, Area Partnerships will be involved in the co-production "of an enhanced equality impact assessment [Integrated Impact Assessment] which explores the extent to which community Empowerment processes, including Area Partnerships, deliver on equality duties and Community Empowerment Act requirements to tackle inequality." The Scottish Borders Strategic Assessment 2020 will be used to inform the IIA and identify if targeted measures are required in any areas in the region.
- c) The aim is for the evolution of the Area Partnerships to be done at grass roots level. In order for this to happen, there can be no predetermined shape for the work to take, but rather the community representatives will be empowered to do this. Although the outcomes generated through this work are not known, it is anticipated that they, and the implementation of the wider recommendations, will identify and overcome any inequalities and/or discrimination, perceived or otherwise, that may exist.

9.4 Acting Sustainably

A sustainable development assessment has been carried out on the proposals contained in this report and it is anticipated that there will be a positive effect on the following community and participation outcomes:

- a) involve the community in developing and implementing the project;
- b) take into account under-represented or excluded groups;
- c) take into account equal opportunities;
- d) improve community quality of life;
- e) improve community capacity;
- f) encourage local action and decision making.

9.5 Carbon Management

There are no anticipated effects on carbon emissions as a result of the recommendations made in this report.

9.6 Rural Proofing

Not applicable.

9.7 Changes to Scheme of Administration or Scheme of Delegation

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

10 CONSULTATION

10.1 The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into this report.

10.2 The Corporate Equalities and Diversity Officer has been consulted during the Integrated Impact Assessment of this report.

10.3 Scottish Borders Community Councils’ Network, individual Community Councils and the Third Sector Interface have been consulted on the results of the SCDC review and inclusion of information in this report.

Approved by

Jenni Craig

Service Director, Customer & Communities

Signed

Author(s)

Name	Designation and Contact Number
Jenni Craig	Service Director, Customer & Communities, 01835 825013
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Background Papers: None

Previous Minute Reference: Scottish Borders Council, 25 June 2020

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

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Appendix 1: Area Partnership Action Plan

Action Plan by theme

Action reference	Recommendation number	SCDC Recommendations for Area Partnerships	Action	Timescales
A	1	Establish a short life working group, including Scottish Borders Council (SBC) staff, Community Planning Partnership (CPP) partner reps and local community reps, to feedback the results of the research via a local seminar and look at short term improvements to the Area Partnerships	Each Area Partnership to agree a mechanism to review findings and recommend improvements (support to be provided)	Short term
B	2	<p>Establish a longer-term working group of community reps, officers and Elected Members to discuss how APs can be more effective using the Scottish Community Development Centre (SCDC) research to guide discussions.</p> <p>The working group should look at issues such as:</p> <ul style="list-style-type: none"> - The relationship to the Scheme of Administration - Increasing transparency of decision making - Engaging the community in setting the agenda for the meetings - Extending decision making to community groups/representative - Ensuring that the contribution of community members, officers and Councillors are accurately recorded and publicised 	Agree proposals for any required working group once Area Partnerships have agreed their recommendations. This will be covered in further report to Council.	Medium term
C	3	The short life working groups and the overarching reference group should also consider the following SCDC recommendations within the improvement framework:	Recommendations from actions to be considered by each Area Partnership & longer-term working group, if required.	Short & Medium term
	4	Each AP should consider whether fixed locations or rotating the venue increases access to the process. In doing so they should consult with potential participants and not just those who attend regularly.		
		Area Partnerships should consider the impact of their boundaries on local participation and have clearer relationships with more local		

	5	community-based organisations and partnerships in their areas. APs should also be encouraged to seek assistance or views from other local engagement processes to take forward issues they are dealing with and pay due regard to local experience.		
	6	Opportunities should be created to help this wider range of local stakeholders feed into locality plans.		
	8	They should improve communication with well-established community councils and community groups at more local levels to more effectively link local concerns to the agenda of the Area Partnerships.		
	9	They should also involve other local groups including those working on specific issues, local service developments and those representing people experiencing inequality or discrimination		
	13	Look at ways to remove transport and finance barriers to ensure people can attend.		
	14	Consider the support needs of those who want to attend, and how these can be resourced e.g. BSL interpreting, language interpreting, advocacy support.		
	15	Co-produce an enhanced equality impact assessment which explores the extent to which Community Empowerment processes, including the Area Partnerships, deliver on equality duties and Community Empowerment Act requirements to tackle inequality		
	18	Encourage greater networking and shared learning between Area Partnerships and other groups in each area.		
D	1	A new participation and engagement model to be established from the outcomes of the Improvement Framework	SBC Officers to develop alongside Area Partnerships.	Medium term

Action reference	Recommendation number	SCDC recommendations linked to Best Value (these are in line with the findings of the 2019 Best Value Assurance Audit of Scottish Borders Council and these recommendations will be taken forward through actions already agreed by Council on 19 th December 2019 in the Best Value Audit Action Plan)	Action	Timescales
G	7	Reforming and strengthened Area Partnerships should be part of a broader discussion about delivering community empowerment in the SBC area as described in the SCDC report.	Work with the Improvement Service and Scottish Government to provide guidance and support to gain insight into best practice in the implementation of the Community Empowerment Act	April 2021
	10	Community empowerment action should not always require issues to be initiated at AP meetings. Mechanisms should be found for ideas and proposals to emerge from local community-led processes and seek support from the AP to achieve change.		
	30	Use the Audit Scotland principles to develop discussion involving community representatives, partner organisations, Elected Members and others to develop local principles for community empowerment.		
	31	Co-produce a local scrutiny process which builds confidence in the empowerment processes for community planning, including the Area Partnerships, and which provide routes to raise issues and resolve disputes.		
	32	Develop a local programme of key knowledge for Community Empowerment, engagement and deliberative democracy aimed at local people, officers, partner agencies and Elected Members.		
	33	Develop a programme of learning visits to other areas of Scotland where good practice may be developing as described above, and lessons are being learnt.		
H	39	Identify, audit and promote existing opportunities for engagement and empowerment as part of an ongoing improvement plan linked to the Community Planning Partnership's (CPP) aims and responding to the recent Best Value Review.	Develop regular reporting of progress on Community Engagement across the whole council, for inclusion in	June 2021

			reports to members and CPP Strategic Board.	
I	11	Continue to develop a range of innovative facilitative techniques for use in the APs and broader participation environment.	Promote stakeholder engagement through Area Partnerships and community engagement events, with training around leadership/national standards of engagement.	December 2021
	12	Commission training for partners in using good deliberative dialogue techniques. Here are useful training opportunities and facilitation tools which could be explored.		
	17	Provide joint training for councillors, community reps and officers on the National Standards for Community Engagement.		
	32	Develop a local programme of key knowledge for Community Empowerment, engagement and deliberative democracy aimed at local people, officers, partner agencies and Elected Members.		
K	16	The Council and its partners should review how communities are supported to participate in the partnerships and participate more generally in terms of community capacity building support.	As part of the Fit for 2024 programme undertake a review to consider how best to improve community capacity building across the Borders.	June 2021
	21	The shortage of capacity building support for organisations seeking funding, identified in this research, should be further explored and addressed. Solutions should be explored with capacity building organisations locally.		
	24	Review the local Community Learning & Development Plan to assess where the relative strengths challenges in Community Capacity Building (CCB) are.		
	25	Develop a CCB working group involving Community Representatives the TSI, SBC other CPP partners e.g. NHS health improvement.		
	26	Consider strategic investment by SBC in capacity building services.		
	27	Initiate discussion with CPP partners, Scottish Government and other possible funders about where resources to support increased local CCB could be sourced.		

	28	Support communities themselves to access resources to develop their own community capacity building resources.		
	29	Lay the foundations for a holistic community development strategy for the Borders with corresponding local iterations linked to the Community Learning & Development Partnerships.		
	38	Review existing community capacity support across the CPP with a view to improving co-ordination and increasing resources to support community empowerment at grassroots level - and participation in wider decision-making processes.		
	41	Additional resources for removing barriers to participation and delivering community capacity building should be identified by the CPP as a whole as well as SBC. In recognition of severe pressure on public sector budgets this may require bids to external funder.		



COMMUNITY FUND 2019/20 – OUTSTANDING APPLICATIONS

Report by Service Director, Customer & Communities

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report presents the current position regarding outstanding Community Fund applications carried forward from 2019/20, due to the Covid-19 pandemic, and requests that authority is delegated to the Service Director Customer & Communities to allow these to progress.**
- 1.2 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).
- 1.3 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 are now being progressed in line with the Scheme of Delegation under powers delegated to the Service Director for Customer & Communities.
- 1.4 There are currently twenty two outstanding Community Fund applications (over £1.5k), which had been received before the suspension, totalling £203,752. Assessments for these are prepared by Officers with decisions normally made at Area Partnerships and a detailed breakdown of these is provided at Appendix 1.
- 1.5 Due to the Covid-19 pandemic, there are no Area Partnership meetings scheduled until November 2020. To avoid further delays it is recommended that authority is delegated to the Service Director for 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).

2 RECOMMENDATIONS

- 2.1 I recommend that Council agree 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.

3 BACKGROUND

- 3.1 On 20 March 2020 the Community Fund was suspended as a result of the Covid-19 pandemic and the staff who normally deal with these applications were deployed to Community Assistance Hubs.
- 3.2 At the same time, all Area Partnership meetings were also cancelled and these are not due to resume until November 2020, where they are likely to take place via Microsoft Teams.
- 3.3 At that date a number of applications had been received and were at various stages in the assessment process. This report outlines the steps that have now been taken to progress these applications, provides a summary of the applications received and the stage they are at, and proposes how these should be progressed.

4 THE COMMUNITY FUND

- 4.1 The Community Fund budget for 2020/21 totals £471,000. From this the Council funds Community Councils and Village Halls via grants totalling £103,000. The Council would also normally provide grants to local festivals from this fund, however, due to the Covid-19 pandemic, these festivals have not taken place. It is therefore assumed that no grants will be made unless eligible expenditure has been incurred in respect of public liability and insurance.
- 4.2 Executive Committee also agreed on 11 February 2020 to having a VE Celebration Fund and, as at the date the Community Fund was suspended, a total of twenty four applications had been received. However, again due to the impact of Covid-19 events and commemorations did not go ahead as planned, therefore it is therefore assumed that no awards will be made unless expenditure has been incurred.
- 4.3 Twenty 'Fast Track' applications (up to £1.5k), totalling £20.5k, were outstanding at 20 March 2020. These applications are now being progressed in the usual manner under powers delegated to the Service Director for Customer & Communities. These are broken down by each Area Partnership and are detailed at Appendix 1.
- 4.4 There are twenty two applications for over £1.5k which total £203,752 and Officers are now contacting all applicants and assessing these in the normal manner. At this stage twelve have been fully assessed with the reminder requiring further work to be undertaken before being assessed.
- 4.5 With the exception of the Borders wide application for £15,000 which will be considered at a future date by the Executive Committee, these applications would normally be considered and approved by each of the five Area Partnerships. However, due to the Covid-19 pandemic there are no Area Partnership meetings scheduled until November 2020 and therefore, to avoid any further delay, it is recommended that Council delegate authority to the Service Director Customer & Communities to approve or decline these applications, subject to the agreement of at least 50% of the Members in the relevant Ward(s).

5 COMMUNITY FUND – FINANCIAL POSITION

5.1 The following table (Table 1) outlines the current financial position. After grants are made to Community Councils and Village Halls, and should all outstanding Community Fund applications be approved, a balance of £143,700 would be available for the remainder of 2020/21. The allocations across each of the Area Partnerships, based on population, are shown below in Table 2.

Base Budget 2020/21	(£) 471,000
Community Councils	52,926
Village Halls	50,074
2019/20 Outstanding Applications	224,300
Balance	143,700

Table 1

Area	Population	Allocated fund (£)
Berwickshire	21,326	26,444
Cheviot	17,942	22,248
Eildon	35,330	43,809
T&L	19,477	24,151
Tweeddale	20,945	25,971
Total	115,020	143,700

Table 2

5.2 A separate report outlines proposals for the remainder of the Community Fund for 2020/21.

6 IMPLICATIONS

6.1 Financial

There are no further financial implications other than those detailed within the body of the report.

6.2 Risk and Mitigations

- (a) The normal process for agreeing Community Fund applications is with those who attend Area Partnerships. By agreeing these

applications outwith this process, there will be limited/reduced community participation.

- (b) However, as Area Partnerships are not scheduled to begin until November 2020 at the earliest, there will be a significant delay for these applications (some of which were received last year) if these are not agreed at Council.
- (c) The agenda and attachments will be shared with the public, and those who attend Area Partnerships will be asked if they have any objections to the applications being presented.

6.3 **Integrated Impact Assessment**

Given the nature of the report summarising the financial implications of the activities of the Council in relation to COVID-19, an Integrated Impact Assessment is not required.

6.4 **Acting Sustainably**

Proposing that the outstanding applications are approved by Council ensures that funding is provided to applicants as quickly as possible to allow projects to progress with their wider benefits for communities.

6.5 **Carbon Management**

There are no effects on carbon emissions from approving outstanding applications.

6.6 **Rural Proofing**

Not applicable.

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

There are no required changes to either Scheme.

7 **CONSULTATION**

- 7.1 The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received will have been incorporated into this report.

Approved by

Jenni Craig

Service Director, Customer & Communities **Signature**

Author(s)

Name	Designation and Contact Number
Shona Smith	Communities & Partnership Manager

Background Papers:
Previous Minute Reference:

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Shona Smith 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.

Appendix 1

Community Fund Summary by Area:

Area	Community Fund applications - Fast Track (under £1.5k)		Community Fund applications – fully assessed		Community Fund applications – still to be assessed		Total Value(£)	
	Number	Value (£)	Number	Value (£)	Number	Value (£)	Number	Value (£)
Berwickshire	5	5,026	2	8,400	5	36,840	12	50,266
Cheviot	7	6,293	1	15,627	0	0	8	21,920
Eildon	1	815	1	10,405	1	3,360	3	14,580
Teviot & Liddesdale	0	0	0	0	1	10,000	1	10,000
Tweeddale	6	7,330	7	54,120	3	50,000	16	111,450
Borders wide	1	1,084	1	15,000	0	0	2	16,084
Community Fund Totals	20	20,548	12	103,552	10	100,200	42	224,300

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REVIEW OF LOCALITY BID FUND, COMMUNITY FUND AND PARTICIPATORY BUDGETING

Report by Service Director of Customer & Communities

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report presents the analysis and evaluation of versions 1 and 2 of the Localities Bid Fund, Community Fund and participatory budgeting.**
- 1.2 The report proposes 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
- 1.3 The Council is continuing to respond to the current Covid-19 pandemic and working with our communities through the Community Assistance Hubs. The learning from this work should be taken into account in these next steps and how ongoing arrangements evolve.

2 RECOMMENDATIONS

2.1 I recommend that the Council:-

- a) Notes the evaluation of versions 1 and 2 of the Localities Bid Fund as detailed in Appendices 1 and 2 and Section 4 of this report.**
- b) Agrees 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) Agrees to the changes to the Community Fund highlighted in Section 5 of this report, and detailed in Appendix 3, to come into effect on 1 September 2020, with a review after one year of operation.**
- d) Agrees to request that each Area Partnership establishes at its next meeting, a mechanism to review the findings of the Scottish**

Community Development Centre (SCDC) Report on the Community Fund and makes recommendations for further public consultation within each locality.

- e) Agrees that proposals are developed for mainstream Participatory Budgeting within core budgets, and that these proposals are considered at part of the wider budget discussions through the financial planning process for 2021/22.**
- f) Agrees to receive a further report from the Service Director Customer & Communities on the outcome of the Area Partnerships findings and the next steps thereafter.**

3 BACKGROUND:

- 3.1 As part of a wider response to the Community Empowerment (Scotland) Act 2015, Council agreed at its meeting on 9 February 2017 that £500k be allocated for the purpose of participatory budgeting to pilot the new Localities Bid Fund.
- 3.2 At its meeting on 28 September 2017, Council further agreed that a report on the evaluation of Localities Bid Fund 1 and 2 pilot would be brought to Council. As requested by Council, this report gives details of the analysis of both versions of the Localities Bid Fund (1 and 2) as changes were agreed to the fund based on feedback from the first version.
- 3.2 Council also agreed to carry out an independent review of the Community Fund and at its meeting on 25 June 2020 the Council discussed, and agreed to note the results, findings and subsequent recommendations of the report produced by the Scottish Community Development Centre (SCDC) on the review of the Community Fund, as well as Area Partnerships which is the subject of a separate report.
- 3.4 This report also proposes the next steps in developing the Community Fund and the wider participatory budgeting model.

4 ANALYSIS AND FINDINGS – LOCALITIES BID FUND 1 and 2

- 4.1 The analysis and survey feedback of Localities Bid Fund 1 (181 responses) and Localities Bid Fund 2 (135 responses) are detailed in Appendices 1 and 2.
- 4.2 There was a great deal of learning from the first round of the pilot, and a number of changes implemented for the second round launched in June 2018. These included increasing the membership of the Assessment Panel, pre-registration and mandatory cast of votes.
- 4.3 Overall, there was a high level of dissatisfaction within communities and projects regarding the Localities Bid Fund 1 and 2 processes. Due to the high level of resources required and the intensive support to build capacity within our communities, it would be challenging to sustain a participatory budgeting fund of this size and type in future with the staff resources currently available. These challenges mirror those identified across Scotland, both in the national report, and in discussions within CoSLA. The potential of participatory budgeting is clear, but requires significant improvement and focus on supporting participation in decision making at local level.

5 SCDC REVIEW FINDINGS – COMMUNITY FUND

- 5.1 The recommendations made by SCDC in respect of the Community Fund highlight the need for clarity between the Community Fund and the Council's participatory budgeting process (initially Localities Bid Fund 1 and 2). Most responses found the application process, administration of

the Community Fund, criteria of the fund and support from officers to be positive.

5.2 However, improved transparency of the grant making process, including decision making, along with publicity about which grants are available is needed.

5.3 The recommendation made by SCDC in regards to Village Halls, Community Council and Festival Grants is that:

“Further integration of the Village Halls and Community Council grants into the Community Fund should not proceed at this time. This is due to a widely held belief that aspects of the current systems are working reasonably well and that full integration was the “wrong solution” at this time and requires further discussion with communities”.

5.4 The results of the consultation, and the recommendations made by SCDC, emphasise a desire to see the community council, local festival and village hall support grants remain ring-fenced within the overall Community Fund.

6 COMMUNITY FUND – PROPOSED CHANGES FROM 1 SEPTEMBER 2020

6.1 With regards to the Community Fund, based on feedback from Area Partnerships, Elected Members and SCDC’s recommendations, a number of immediate changes are being proposed to the Community Fund to take effect from 01 September 2020 (Appendix 3). These proposed changes reflect the local nature of the funding, provide further flexibility and enhance the role of Area Partnerships, through empowerment, to decide the priorities for the funding:

1. Receive multiple applications per year. Each group/applicant may submit:
 - a. Up to £1,500 – 2 Fast Track applications per year, or
 - b. Up to £5,000 – constituted and un-constituted, 2 applications per year
 - c. Up to £10,00 – constituted only, 1 application per year + 1 from another category
 - d. Up to £30,000 – exceptional circumstances – constituted groups, 1 application per year + 1 from another category
2. Include funding exceptional projects over £30k, capacity building projects, wages, salaries and fees on a short term basis of 1 year, facilitation of participatory budgeting – in doing this, applications must be for new, innovative community driven projects and not a like for like replacement for Council services that have been withdrawn due to efficiencies or Best Value concerns and must demonstrate sustainability.
3. The application process for funding will be simplified including evaluation requirements featuring in the application form.

4. Agree that these arrangements will be piloted and reviewed after one year

Each Area Partnership may also:

- a) Allocate their Fund to different schemes, priorities and timescales, such as a Quality of Life/Member Priority Fund, VE Celebration Fund, or to a third party to undertake participatory budgeting on their behalf.
- b) Use their Community Fund as a match funding mechanism if required.

- 6.2 Subject to outstanding applications being approved and the Festival Grants not being awarded for 2020/21, the remaining Community Fund budget for 2020/21 will be in the region of £143k. Based on this figure, the allocations for each Area Partnership based on population is shown at table 2 below:

	£
Base Budget 2020/21	471,000
Community Councils	52,926
Village Halls	50,074
Outstanding Applications	224,300
Balance	143,700

Table 1

Area	Population	£
Berwickshire	21,326	26,644
Cheviot	17,942	22,416
Eildon	35,330	44,139
T&L	19,477	24,334
Tweeddale	20,945	26,168
Total	115,020	143,700

Table 2

7 COMMUNITY FUND – FURTHER DEVELOPMENT AND NEXT STEPS

- 7.1 In taking cognisance of the findings of the SCDC Report and the evaluation of Localities Bid Fund 1 & 2, we sought views from Community Councils (including the Scottish Borders Community Councils' Network) and the Third Sector Interface in the preparation of this report. Due to the tight timescales involved in bringing a report back to Council in two months, it was not possible to undertake wider consultation in a meaningful way.

7.2 With regards to the longer term arrangements for the Community Fund, and taking into account the recommendations of the SCDC report, the following actions are proposed

7.2.1 To share the SCDC Report and the analysis of Localities Bid Fund 1 & 2 as widely as possible with stakeholders in the next two months, seeking thoughts/comments/ideas on how we can progress the findings of the report in partnership.

7.2.2 Feedback from this wider consultation to be presented at the November Area Partnerships (or as soon as possible thereafter given the current situation).

7.2.3 That each Area Partnership, at their next meeting, establish a mechanism to review the findings and make recommendations at a local level for further public consultation within each locality.

Examples of recommendations could include that each Area Partnership:

- a) Agrees their priorities for their local fund based on Locality Plans, Health & Social Care Plans etc.:
- b) Sets the criteria, assessment and decision making in consultation with communities process to ensure involvement, clarity and transparency;
- c) Sets up an Funding Assessment Panel that includes community representation, officers and the Chair of each Area Partnership:
- d) Agrees on participatory budgeting projects being undertaken at a local level by third parties, and agrees as to how marketing and promotion of the Community Fund should be undertaken to ensure communities are aware of what is available.
- e) Use their Community Fund as a match funding mechanism to maximise other funding opportunities.

7.2.4 Further public consultation to be carried out on the recommendations agreed by each Area Partnership and that Council will receive a further report from the Service Director Customer & Communities on the outcome of the Area Partnerships findings and the next steps thereafter.

8 PARTICIPATORY BUDGETING – FURTHER DEVELOPMENT

8.1 May 2019 saw the publication of the Scottish Government's Evaluation of Participatory Budgeting (PB) Activity in Scotland 2016-18. This report reflects the process of delivering PB through local authorities at the same time as policy was continuing to develop. The full report is available at: <https://www.gov.scot/publications/evaluation-participatory-budgeting-activity-scotland-2016-2018/>.

8.2 The early iterations of PB as a small grants process have been very varied in the way that they have been presented to communities and the extent to which communities have been engaged in decision making.

Whilst pilots such as the Localities Bid Fund have been useful, it is not clear yet as to the benefits of transactional participatory budgeting.

8.3 The recommendation from SCDC states:

“There is a need to fully clarify the relationships between the Community Fund, and plans for participatory budgeting, in light of impending legislative targets for this. This will require:

- Staff to become familiar with the PB Charter which sets out seven key features of what a fair and high quality PB process should look like
- A strategic framework for PB within the Council in line with recent Scottish Government research, and
- Any PB process should ensure that minority and rural communities are integrated into the process through communication and out-reach work to equitably include them in PB.”

8.4 In line with these recommendations, and in consideration of the Evaluation of Participatory Budgeting Activity in Scotland 2016 – 2018 report, it is recommended that work now continues to develop proposals to embed the 1% CoSLA mainstream participatory budgeting agreement. These proposals will outline which elements of the Council’s budget will be subject to PB and how we will increase community participation in service design, budgeting and priority setting. These proposals will take in to account the feedback from Area Partnerships and will form part of the wider budget discussions through the 2021/22 financial planning process.

8.5. Participatory budgeting at a grass roots level, using a bottom up approach, may also be undertaken within each Area Partnership utilising the Community Fund if desired and feedback from each Area Partnership will shape the future PB model.

9 IMPLICATIONS

9.1 Financial

- (a) The recommendations made in this report assume that the Community Fund (including the previous Quality of Life, Community Grant Scheme, Community Council, and Village Hall) will be maintained at the current level for 2020/21.
- (b) Staff resources will be required to support each of the Area Partnerships in the work being asked of them in relation to the future arrangements of the Community Fund, and participatory budgeting at a local level.

9.2 Risk and Mitigations

- (a) Not acting upon the findings in the SCDC Report, and the evaluation of Localities Bid Fund 1 & 2, would have a negative impact on the Area Partnerships and the Council’s reputation as an organisation that listens to the community.

- (b) Area Partnerships have not met for some time due to the Covid-19 pandemic. Arrangements are being considered on how to best facilitate the next round of meetings currently scheduled to take place in November.

9.3 **Integrated Impact Assessment**

- (a) An Integrated Impact Assessment has been carried out on the proposals contained in this report and it is anticipated that there will be no negative impacts under either the Equality Duty or the Fairer Scotland Duty.
- (b) It is anticipated that the ongoing effects of the proposals will help to eliminate discrimination, help to promote equality of opportunity and foster good relations with those who have equality characteristics as the way in which the recommendations are addressed will be chosen and agreed by the membership of the Area Partnership and the wider community. The recommendations and guidance will be working to avoid exclusion, tackle inequality and empower local communities.
- (c) The aim is for the evolution of the Community Fund and local participatory budgeting to be done at grass roots level. In order for this to happen, there can be no predetermined shape for the work to take, but rather the community representatives will be empowered to do this. Although the outcomes generated through this work are not known, it is anticipated that they, and the implementation of the wider recommendations, will identify and overcome any inequalities and/or discrimination, perceived or otherwise, that may exist.

9.4 **Acting Sustainably**

A sustainable development assessment has been carried out on the proposals contained in this report and it is anticipated that there will be a positive effect on the following community participation outcomes:

- a) involve the community in developing and implementing the project;
- b) take into account under-represented or excluded groups;
- c) take into account equal opportunities;
- d) improve community quality of life;
- e) improve community capacity;
- f) encourage local action and decision making.

9.5 **Carbon Management**

There are no anticipated effects on carbon emissions as a result of the recommendations made in this report.

9.6 **Rural Proofing**

Not applicable.

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

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

10 CONSULTATION

- 10.1 The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into this report.
- 10.2 The Corporate Equalities and Diversity Officer has been consulted during the Integrated Impact Assessment of this report.
- 10.3 Scottish Borders Community Councils' Network, individual Community Councils and the Third Sector Interface have been consulted on the results of the SCDC review and inclusion of information in this report.

Approved by

Name Jenni Craig **Signed**
Service Director, Customer & Communities

Author(s)

Name	Designation and Contact Number
Jenni Craig	Service Director, Customer & Communities, 01835 825 013
Shona Smith	Communities & Partnership Manager, 01835 824000, Ext 5504

Background Papers: None

Previous Minute Reference:

Scottish Borders Council, 28 September 2017

Scottish Borders Council 25 June 2020

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Localities Bid Fund Round One

Project Evaluation

The survey asked respondents for their views on aspects of the Localities Bid Fund (LBF) including publicity, the application process and the public voting process.

The survey was available on Scottish Borders Council's Consultation Hub from 21st March to the 11th April. Groups that had submitted applications to the LBF were sent an email link to the survey which was also made available to the wider public.

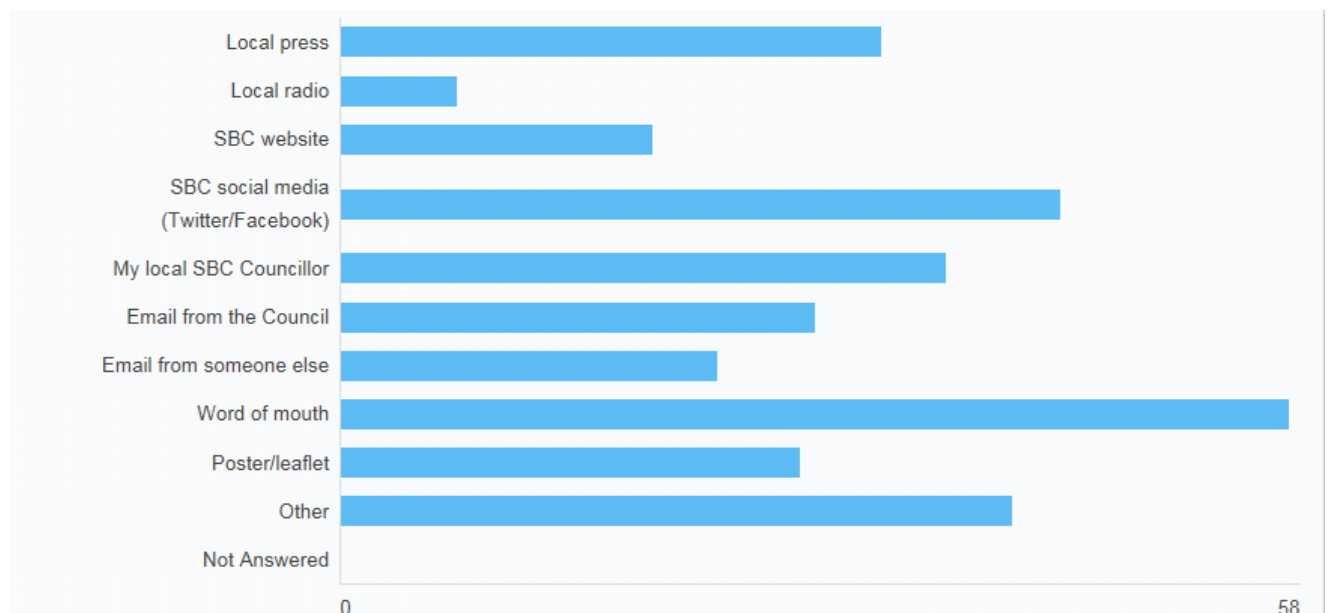
A total of 181 responses were received, of these 76 were from those who had submitted an application to the LBF while 105 were from those that hadn't.

Completion of the survey was anonymous to encourage honest responses.

Results

How did you hear about the Localities Bid Fund?

Respondents were asked to indicate all the ways in which they had heard about the fund. The most common way was via word of mouth (32%) followed by social media (24%) and other (23%). Other ways that people heard about the fund included, non-SBC social media, from groups applying for funding, community councils and the Third Sector.



Option	Total	Percent
Local press	33	18.23%
Local radio	7	3.87%
SBC website	19	10.50%
SBC social media (Twitter/Facebook)	44	24.31%
My local SBC Councillor	37	20.44%
Email from the Council	29	16.02%
Email from someone else	23	12.71%
Word of mouth	58	32.04%
Poster/leaflet	28	15.47%
Other	41	22.65%
Not Answered	0	0%

NB: percentages add to more than 100% as respondents were asked to indicate all ways in which they had heard about the fund.

How would you like to hear about future rounds of the Localities Bids Fund?

There were 153 responses to the question with social media (41%) followed by email (34%), including direct to the group/individual, being the preferred ways in which people would like to hear about future rounds of the fund.

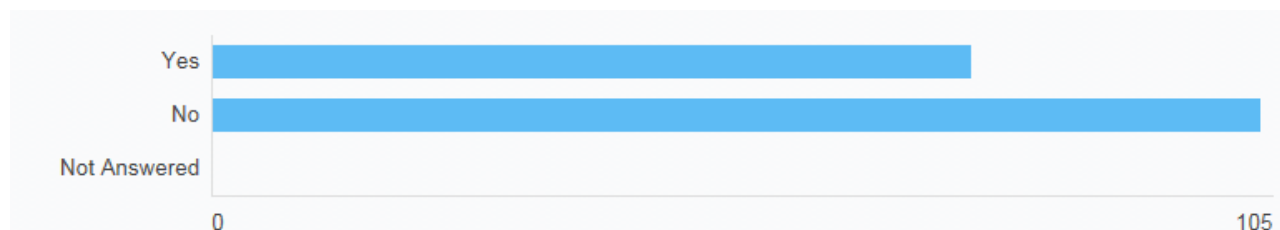
Ways in which people would like to hear the future	%
As previously	12%
Community newsletter	2%
Councillors	1%
E-mail	34%
Media/press	24%
Posters	7%
Social media	41%
Other	29%

NB: percentages add to more than 100% as respondents were asked to indicate all ways in which they would like to hear about future rounds of the fund.

Other ways indicated by respondents included Third Sector, community councils and leaflet/postcard through the door.

Did you, or your group, submit an application to the Localities Bid Fund?

Of the 181 responses 76 were completed by those who had submitted an application to the LBF while 105 were completed by those that hadn't.



Option	Total	Percent of All
Yes	76	41.99%
No	105	58.01%
Not Answered	0	0%

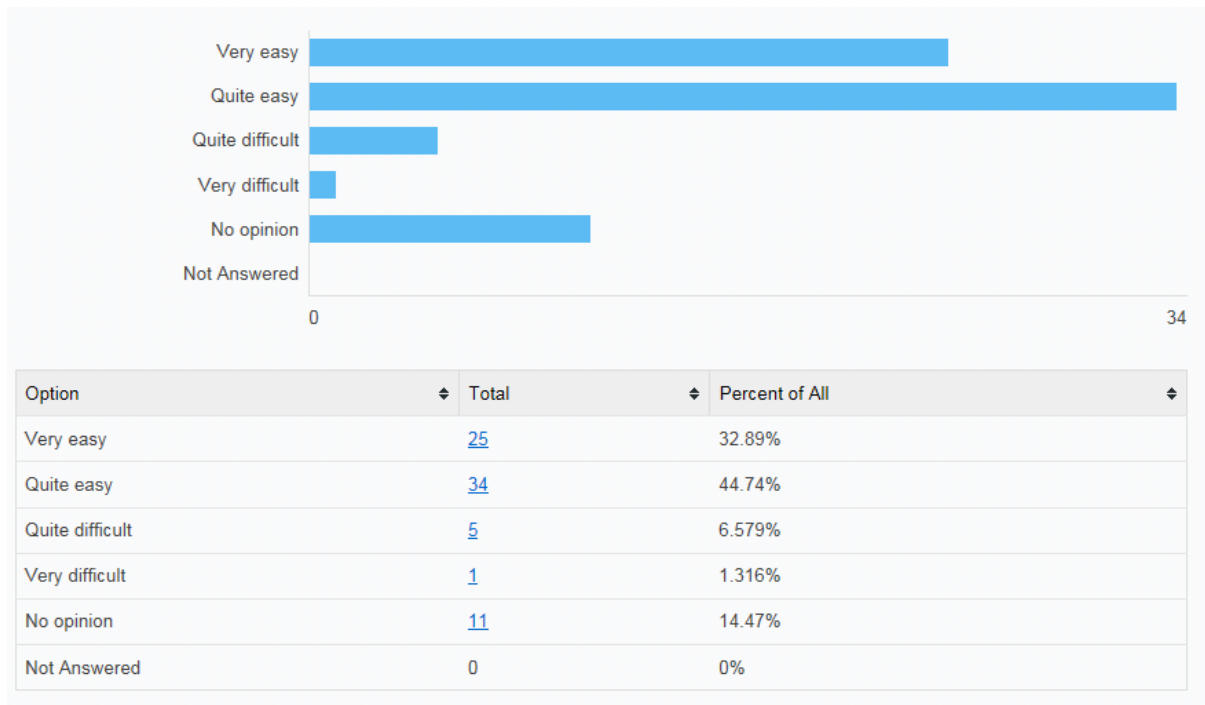
How satisfied were you with the application process?

Respondents that had submitted an application to the fund were generally satisfied with the application process with 76% of those who submitted an application satisfied with the availability of information about the fund and 62% satisfied with the overall application process. 26% were dissatisfied with the clarity of the guidelines and 25% dissatisfied with the overall application process.

	Very satisfied	Fairly satisfied	Fairly dissatisfied	Very dissatisfied	No opinion/not applicable
Availability of information about the fund	17%	59%	9%	3%	12%
Clarity of the guidelines	13%	49%	17%	9%	12%
Clarity of the application form	21%	50%	6.5%	6.5%	16%
Overall application process	15%	47%	17%	8%	13%
Communication with SBC staff throughout the application process	28%	38%	3%	4%	27%
Helpfulness of SBC staff throughout the application process	29%	37%	1%	3%	30%

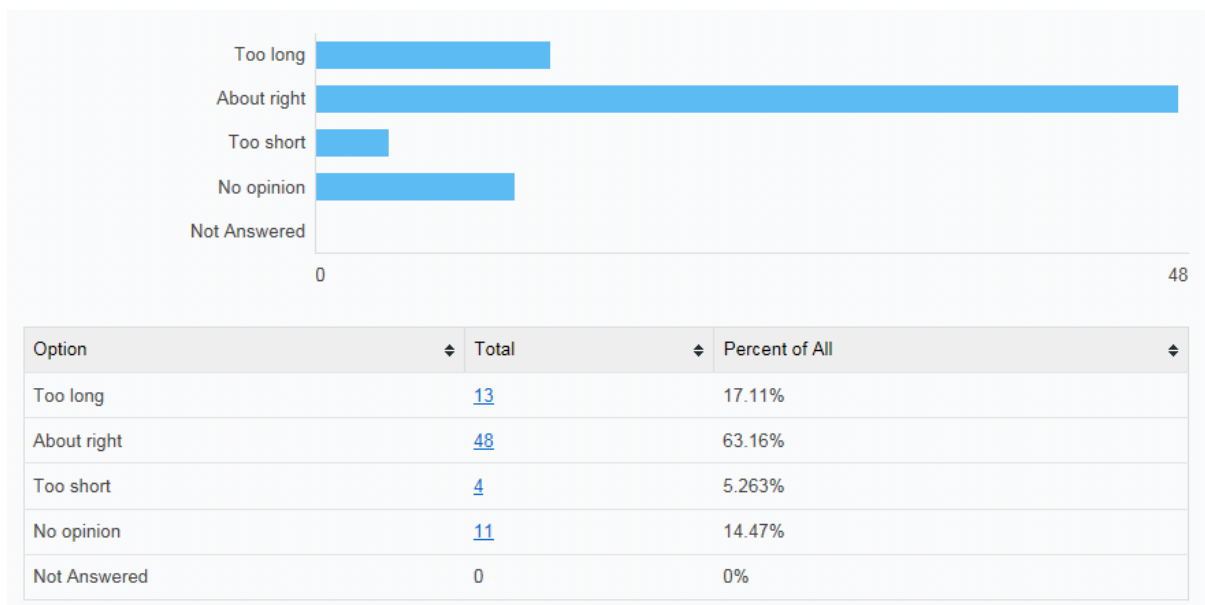
How easy did you find it to complete the application form?

78% of applicants found the application form easy to complete while 8% found it difficult. 14% expressed no opinion.



Did you think the application period (7 weeks) was suitable?

17% of applicants, who expressed an opinion, thought the application period was too long while 5% thought it was too short. 63% of applicants, who expressed an opinion, thought it was about right.



Comments about the application process

Applicants were asked if they had any general comments to make about the application process. These were grouped into the following categories:

Comments by category	%
Allocation process	8%
Application form	11%
Communications	16%
Fairness	25%
Funding cap	16%
Positive comment	7%
Timescales	3%
Voting process	10%
Other	4%

NB: comments may fall in to more than one category

Most comments were made about the fairness of the process, a funding cap and communication about the project.

These included:

Fairness (25%)

- the desire for a funding cap
- the desire for a more even distribution of funds to avoid a few projects getting most of the money
- feeling that projects in larger communities stand more chance of getting voters than those from small villages

Communications (16%)

- publicity about the fund
- publicity about the voting process
- amount of funding that could be applied for

Funding cap (16%)

- suggestions that a funding cap of £5,000 be set

All comments received are available in appendix one

If you didn't submit an application please tell us why

105 respondents hadn't submitted an application. The reasons given for not doing so fell in to the following categories:

Comments by category	%
Capacity	3%
Clarity of criteria	5%
Communications	23%
Criteria (general)	3%
Fairness	8%
Individual	19%
No project in place	20%
Timescale/process time	10%
Voting abuse	1%
Other	6%

NB: Percentages may not add to 100 due to rounding. Comments may fall into more than category

23% of comments included communications as a reason for not submitting an application. These included lack of awareness about the fund in good time to submit an application or prior to the deadline for applications.

All comments received are available in appendix two.

How satisfied were you with the voting process?

All respondents were asked to rate their satisfaction with various aspects of the voting process. The highest satisfaction levels were received in relation to the length of time allowed for the public vote, while the lowest levels of satisfaction were with the paper voting form.

	Very satisfied	Fairly satisfied	Fairly dissatisfied	Very dissatisfied	No opinion/not applicable
Voting guidance	13%	48%	14.5%	14.5%	10%
The different methods in which people could vote	16.5%	42%	14%	16.5%	11%
Online voting process	24%	36%	11%	14.5%	14.5%
Paper voting form	8%	25%	11%	16%	40%
Length of public voting period (4 weeks)	29%	46%	5%	7%	13%
Availability of voting forms	13%	29%	12%	11%	35%
Communication with staff during the voting process	10%	25%	3%	7%	55%
Helpfulness of staff during the voting process	13%	23%	4%	4%	55%

NB: percentages may not add to 100 due to rounding

Comments about the voting process

Respondents were asked if they had any general comments to make about the voting process. These were grouped into the following categories:

Comments by category	%
Availability of voting papers	4%
Campaigning	5%
Communications	14%
Ese of use	2%
Fairness	25%
Funding cap	5%
Positive comment	3%
Timescales	1%
Voting abuse	34%
Voting bullying	2%
Other	5%

NB: comments may fall in to more than one category

The category in which the largest number of votes fell was voting abuse (34%). Comments in this category largely commented on individuals voting multiple times (both online and paper votes).

Comments that fell in to the fairness category (25%) included:

- advantage well-known groups have over smaller, new ones
- weighting of applications needed
- groups in larger centres of population have a better chance of securing votes

Comments that fell into the communications category (14%) included:

- lack of awareness
- more publicity required
- clearer communications message

All comments received are available in appendix three.

Is there anything else you would like to tell us about the Localities Bid Fund?

Respondents were given the opportunity to make further comments, these were categorised as follows:

Comments by category	%
Administration	3%
Allocation of funds	12%
Communications	13%
Criteria	6%
Fairness	27%
Feedback	1%
Funding cap	13%
Negative comment (general)	2%
Positive comment (general)	9%
Voting abuse	8%
Other	6%

NB: Comments may fall in to more than one category

The largest percentage of comments 27% fell into the fairness category. These included comments on:

- funding cap is required to enable more groups to benefit
- voting process was being abused
- voting process favours larger communities

Comments made about communications (13%) included:

- name needs to be changed
- more information about the projects
- more/better publicity
- need to publicise fund much earlier

Comments that fell into the funding cap category (13%) included:

- funding cap of £5,000 should be introduced
- funding pot should be shared out more equally

Comments that were categorised as other (6%) included:

- coverage of projects by local media
- direct funding to support other services e.g. bus services
- other funds are available for community projects

All comments received are available in appendix four.

Is there anything that you think SBC should do differently next time?

Respondents were asked if there is anything that they think should be done differently in the next round of the Localities Bid Fund. Many of the comments had been raised in other sections of the survey and could be categorised as follows:

Comments by category	%
Allocation of funds	20%
Communications	18%
Fairness	29%
Feedback	1%
Negative comment (general)	2%
Positive comment (general)	1%
Voting process	20%
Other	8%

NB: Percentages may not add to 100 due to rounding. Comments may fall in to more than one category

As with the previous two questions the largest amount of comments fell in to the fairness category (29%) and included:

- funding should be awarded proportionately – not first past the post
- limit funding amount to each project to allow for wider dispersal
- ensure rural areas have access to funds
- spread the funding wider

20% comments were connection with both the allocation of funds and the voting process:

Allocation:

- share funding according to percentage of votes
- funds to be allocated to groups that support the vulnerable
- offer Borders wide option
- ring fence funds for rural applications

Voting process:

- use 'one person, one vote' system
- have an online vote only
- ballot boxes should be more widely available
- voting system should be weighted for smaller communities

8% of comments included statements that fell in to the 'other' category, these included:

- give the funding to community councils to distribute
- Electoral Registration Office should run it
- There should be an incentive to vote

All comments received are available in appendix five

Appendix one
Application process - comments

Respondents were asked if they had any additional comments that they had about the application process they would like to include. These are listed below:

<p>As a very small charity, the application process was very much focused online and generated by social media. our work is with older people and disadvantaged people who do not have access to computers so we relied on paper votes quite a lot.</p> <p>Larger or more well known charities would be able to generate more votes.</p> <p>For the cost of the administration, it would seem to be better to allocate funding for charities to apply too, rather than be reliant on populist voting.</p>
<p>As the process was quite protracted, and requiring the presentation event at the Burgh Hall, it did end up being fairly costly to us financially and in terms of time.</p> <p>The application process must have cost SBC a lot of money in administration. It would be good if the amount spent here was transparent and available to the public as this money could have gone to some of the projects instead.</p> <p>The voting system was very flawed in that people could vote multiple times - on a form, on an electronic device and vote using a postcode where they lived and a different one where they worked etc.</p> <p>The amount each project could apply for should have been capped. Instead of a "first past the post" system, money could have been assigned proportionally with respect to the number of people voting for each project. This way it could have avoided the vast majority of any pot of money going to just one project.</p>
<p>Awards should be limited to £5,000 each to allow more to benefit</p>
<p>Considering it was new to everyone it was relatively easy</p>
<p>Greater scrutiny of the projects that getting through to the public vote.</p>
<p>Guidelines seemed to indicate that £5000 was the maximum that could be applied for. This was shown by the level of each bid submitted. However the winning bid got £XX swallowing the whole allocation for XX. The winning bid went to a community that does not even sit in XX!!</p>
<p>Guidelines should be given on how much money we can apply for and a cap put on the amount. It was unfair that the money was used up by people asking for large amounts e.g. XX getting £XXK... when 4 or 5 other groups could have benefited and, in XX, XX got the whole amount of available & the other two groups got nothing, even though they had only about 10 votes less - this does not represent what the community voted for.</p>
<p>I believe the handing out of the massive lump sum to the winners was a disgrace. This could have/should have been shared out more equally therefore aiding more groups. Discussing this with lots of friends the overwhelming opinion seems to be the same. It also raised a few eyebrows that for the smallish population of XX that they managed to gather so many votes. Would suggest a lower top prize rather than one group winning the national lottery.</p> <p>Thank you</p>
<p>I didn't make the application personally. Another member of the team did this.</p>

Appendix one
Application process - comments

I didn't personally complete it for my group so can't fully comment
I feel very strongly that there should have been an upper limit of £5/6K. This would have provided equity across the localities and meant that a similar number of projects were successful. In XX, where the first placed bid took £XXK, this left the other bids at a real disadvantage. I do not know of any similar small grant schemes that have an upper limit where one bid can claim the entire pot of money.
I found some difficulty in submitting the application form on line. Perhaps my limitations but worth checking.
I said at the outset of the process that it was weighted against small rural communities. I live in a village of less than 300 people (XX). Even if we were able to get everyone in the village to lend their vote, it would not have come close to the voting power of large towns such as XX. - and this is how it has turned out - out of the "top" 5 places in the vote 4 came from XX. I don't wish to appear a bad loser, but the system is flawed.
I thought it was very well managed, not overly onerous and communication was good. The thinking was logical and joined up.
I thought there was a 5k limit available via localities but that was because of a different funding application on the SBC webpage when I clicked through to find localities bid info. My fault as I clearly misread info but easy to confuse as so many funding types. if you are new to the process it's easy to mix things up.
I was not the one who completed the application for the group so cannot answer these questions
I would have liked to be given the opportunity to meet with the decision makers and answer any questions they may have
Make the application form easy to fill in electronically. The form was very poorly designed and very difficult to fill the various fields in with the right amount of information.
Maximum bid should be set at £5000
maximum should be 5k for any application
Money should have been spread more evenly
No as I've not been involved with the application process
One thing I would like to see is fairness. All projects get a fair deal with the top fund request being evenly spread out to all of most.
Points need to be made clearer!
Process is not an improvement on previous systems
Quite Straight Forward
Some older people I spoke with were a bit confused with online voting but this is to be expected

Appendix one
Application process - comments

<p>The application form and submission process was very straightforward for organisations that have policies and business plans in place. The communication from SBC was efficient and sent out to everyone at the same time about the application process.</p> <p>However, once shortlisted the voting procedure was 'drip fed' and a bit confusing at times as to what was expected mainly due to the fact that the voting time frame was a whole month (too long). People tried to vote too soon or via our own organisations' Facebook page and we had to do a lot of work to ensure people voted on line at SBC via the ballot boxes and at the right time.</p> <p>It took a little while for the places that had ballot boxes to realise what they were for and what they were supposed to do with them. Most were not up and running straight away. Our organisation has many vulnerable people and they struggled to fill in the ballot box forms as the post code section was right at the top of the form and people in the venues did not know anything about it.</p>
<p>The application process was straightforward but I have serious issues with the amounts that groups were able to go for and it was obvious that the biggest groups would be successful. There are also many very worthy charities and charitable, small local organisations who fit the criteria of the fund. For example, I think that giving £XX to a constituted group (XX).... without them even being a registered charity is going against what the fund was set up to achieve in the first place. We would never have dreamed of applying for that share of the pot and we have been in existence since 1992 as a registered charity with OSCR. I think there are groups that made it through the first stage that never should have made it as they did not fit the criteria for the fund</p>
<p>The form did not say on it that you had to be over 16 years to vote, but this was said on the website. There are rumours that under 16's did vote, which is unfair.</p>
<p>The functionality of the form was limited - difficult to format and paste into.</p>
<p>The process appeared to be open to a certain amount of duplicate or false voting.</p>
<p>The staff were very helpful.</p> <p>It was not clear how the projects were going to be judged and how the money was going to be allocated. It was explained to us by several councillors that, since this was the first time this process had been run, they were not clear how the money was to be allocated or how the votes were going to be used.</p>
<p>The whole process seemed to be very drawn out, but then if people are claiming they didn't know about it it could be counter argued that it was too short.</p>
<p>There is no way that a village with a small population can compete with larger towns, such as XX & XX. We simply don't have enough people to tap - particularly when you have to state on the form that you either work/live/volunteer within the relevant postcode. There are many visitors to the village either as relatives or passers-by who stop at the park but they were no eligible to vote. Despite that, we still would not have gained sufficient votes to come close to those in larger places.</p>
<p>There wasn't much point in smaller organisations trying to compete against projects that already have government funding, higher population and asking for the majority of the fund</p>

Appendix one
Application process - comments

The votes were in no way fair and after speaking to several parents i was told they were being bullied into voting for XX

The whole process was unfair and a fix if truth be told , there was enough money to support the smaller projects but with the amount XX requested it was never going to be fair

Too much given to the causes that won more evenly distributed a cap on money allocated to each cause.

Unlike other grant requests, there is no requirement to include the available funds (bank details) that the organisation has access to. Similarly, there is no cap on the amount you can request. This opens the application up to large grant requests from organisations that may already have good reserves of money i.e. do they need the grant?

We did a lot of publicising about it ourselves and many people hadn't heard about it so it took a lot of explaining. Hopefully with every application, more of the general public will know about the funding availability and it will get easier for people just to vote.

We were given guidelines (from councillors) on who could apply and for what reason etc - then after we applied these goal posts were moved and the exact reasons they told us we could apply with were rejected for these reasons- yet other applications were allowed for the same reasons we were rejected we felt its not what you know but who you know to get further up the funding tree!

Yes. The A4 application form format was too large and unwieldy to be easily put into the ballot box slot, and the instruction given not to fold the form if being placed in the ballot box, seemed in contradiction to being allowed to fold the form if one was going to post it.

Appendix two
If you didn't submit an application please tell us why

Respondents that didn't submit an application were asked why that was the case. The responses are listed below:

Already lots of good groups in XX had applied so I thought that one or two would receive a fair share of the pot- how wrong I was!
As a small Community Council we felt the voting process was biased towards bigger communities and no matter how worthwhile our project may be towns with larger populations would vote for their local project. Any bidding by small councils has to be carefully considered. We start with less resources of both time and expertise. If the process is long and complicated and ends in failure it leads to frustration and apathy and deters future applications. In general the time-lag between putting forward a proposal and completion can be quite daunting. I would like to see a slightly more generous yearly grant given upfront so that individual CCs can initiate and finish small projects on their own.
Every time a CC fails in a process it diminishes the credibility of the organisational structure in the eyes of the community and reduces the chance of people wanting to participate or engage in Community Councils in the future.
Because a) we didn't know about it early enough and b) because we do not live in a town which would clearly win every time. This is totally unfair to us small rural communities.
Because we like to be self-sufficient!
Bid on another groups application
By the time we heard about this opportunity, it was too late to prepare a bid. We would have liked to submit an application and hope there could be more notice in future.
Couldn't possibly expect to compete in such an unfair way of distributing public money.
Did not think a performance would qualify for funding.
Didn't have awareness at the time that schools could have submitted a bid in partnership
Didn't know about it
Didn't really know what it was all about
Didn't have a project.
Didn't get enough notice to consider or cost a suitable bid
Didn't have a suitable project planned
Didn't know about it
Didn't need anything
Didn't need anything
Didn't need to.
Do not need funding for anything at the moment

Appendix two
If you didn't submit an application please tell us why

Don't belong to any groups
XX didn't seem to know about this till all the money has been given out.
Found out too late to get a robust bid put together
XX were linked with the 2 applications from XX. The XX didn't submit anything specific in our name.
XX did not have any projects which met the criteria
I am an individual
I am an individual member of the public who voted.
I am not a member of a group that was in need of funds at the time.
I am not a member of any local groups but still interested to hear about funding for them
I am not in a group
I attended council session in XX to find out how it worked - not appropriate to submit as, while I work in the third sector I am not based in SB
I didn't have time to properly think about a project and couldn't get enough people in my group to want to commit to a project
I don't know
I hadn't heard about it until the voting stage.
I haven't heard about the fund before??
I work for the third sector supporting the community
I'm just a local voting for a cause
I'm not in a group
I'm a member of the public. I don't have a group. I would have liked to vote, but the public haven't been well informed about this.
Insufficient time to prepare and submit a viable application
It is not relevant to me.
Lack of resources and insufficient funds for first round of funding
Never knew about
no need to

Appendix two
If you didn't submit an application please tell us why

No point as we do not have enough voters we could call on
No project being planned at present.
Not a part of a project requiring funding
Not appropriate as not in group looking for funding.
Not aware of its existence til after closing date.
Not enough time to research and put together a bid
Not for me
Not in a group
Not involved in appropriate group
Not part of a group
Not part of a group
Not part of a group
Not part of a group but I supported local groups.
Not part of any groups
Not ready
Not ready to apply
Not relevant
Not the right funding at this time
Only just found out about funding
Sceptical that any application from a rural community had any chance of success, bearing in mind that the majority of voting would come from XX with its relatively large population.
Self sufficient
Short time scale
Unsure of type of scheme which would be appropriate or supported
The different groups I was in could not think of a need that met the criteria
The XX community didn't know anything about it until the ballot boxes came out
The majority of the young people I work with are under 16 and therefore not eligible to apply.

Appendix two
If you didn't submit an application please tell us why

There were a few applications from my local area and children's school.
Tight timescale and wrong timing
Total confusion about how to bid and what we could bid for and how it would be evaluated. Also wondering whether as a small community we had any chance anyway, as would be outvoted by larger communities
Very short notice between the fund being open and publicised and open and the closing date. The fact that you cannot bid for any continuing factor is a VERY limiting factor. The fund is only suitable for one-off projects. Not much point in putting in a lot of work for a bid when we are such a small local community and therefore are unlikely EVER to get the most votes. It is not a fair scheme and indirectly discriminates against smaller rural communities. I would like to see a copy of the Equality Impact Assessment that was done both for the fund and the voting system.
Was not requiring funding
Was not sure the procedure, and not very good with form filling.
Wasn't aware of the fund prior to deadline
Wasn't aware of this until after applications needed to be submitted
Wasn't relevant
We are a small and recently established social enterprise based in XX. When we noted that XX were applying, and the results were dependant on votes, we decided that it would not be worth the investment in our time. The voting was not a fair and democratic process since the stakeholders in a XX are going to be much higher than those in a community-based organisation. The award that went to XX for XX is a disgrace. How that application got through based on the priorities and objective of Localities Funding is beyond us. Entirely unfair. We have students in our project who are XX in the XX and reported being 'bullied' into submitting multiple votes by XX. We are very disappointed in the misuse of public funding. That money was not meant to replace the core funding for the renovation of XX. There are small community organisations like XX and XX who working with some of the most vulnerable and marginalised people in the area - surely in terms of the community planning priorities then they should have been funded. It was ultimately a popularity contest and not based on the socio-economic impact that the funding is designed for.
We did not have anything planned for any up coming projects, we are now in the discussion process of considering projects that we could submit for the next up and coming Localities bid fund
We did not hear about it before the deadline
We didn't find out about it until after the deadline.

Appendix two
If you didn't submit an application please tell us why

We found out about it too late.
We knew of a distro get application so withheld ours. We were also struggling getting the wording correct to give us the best chance.
We supported others in our locality to help get help
We wanted to assess the structure of the bid process to see how rural applications fared
We were told we did not qualify as we were already established. This does not appear to have been correct information
We were unsure if we could apply or whether the grant was applicable to what we are doing
Weren't ready to apply at the minute

Appendix three Voting process - comments

Respondents were asked if they had any additional comments that they had about the voting process they would like to include. These are listed below:

As said, online was easiest, not sure that some people would vote in shops and locations. More populist charities would secure more votes.
As on the previous page... Multiple votes were easily cast by one person as different postcodes could be used (home, work etc.) and votes cast by paper and electronically. There should have been a cap on the amount each project could apply for. Money could have been assigned proportionally to projects with respect to the number of votes cast.
It was reliant on provision of paper forms to enable voting and ran out in a couple of sites
People could clearly vote more than once so this either needs to be tightened up or allowed to happen.
The number of votes allocated to each voter seemed too many. Perhaps three voted would be more appropriate.
The voting process was open to abuse. For example, having ballot boxes in venues that were themselves applying for funding was unfair. XX won both their bids but I think it is unlikely that the general public would have gone in there to vote as XX is only open when there are youth clubs running. I wonder what the age of some of the people voting in there was.
It didn't seem obvious where to vote and the deadline for votes
Perhaps not clear on number of votes per person. Difference between votes cast and number of voters may require earlier/fuller explanation on one person one post code one vote? There is an issue perhaps when the impact of an application straddles more than one of the 5 areas. Should there be a Borderwide area in addition?
The system seems open to cheating - how do you know who voted (apart from different devices) and whether they were over 16?
Too many opportunities for unscrupulous voting. Saw examples of people involved in bids filling in multiple paper forms presumably voting for their own projects. Difficult for brand new volunteer led projects to gain momentum against established paid staff from organisations that have already established supporters for their overall projects so they have instant further reach into well established communities that support their organisation.
Issue regarding postcodes not being recognised - this was resolved Issue regarding availability if extra ballot papers - this was resolved Issue regarding availability of ballot box (library closing hours) - this was resolved Issue regarding fold / not fold of ballot papers - this was resolved
Many of our issues were resolved and in future this was probably a robust voting process

Appendix three
Voting process - comments

Not sure it was fair. Have no association with any of the applicants for funding but seems unfair that most of the funding has gone to a small bidder.
I consider it to be a flawed voting procedure without adequate safeguards to ensure, the entitlement of voters to vote and that those so entitled only voted once for their choices.
More publicity should be given about the locality of the voting boxes and they should all be in place prior to voting
The democratic process doesn't work when local issues are at stake. No matter how excellent or how beneficial a project is people will vote for whatever benefits their Village, their Town or their locality. Allocation of funds by an independent panel, without any stake in the outcome, would be preferable. I would not like to write down what I think of XX receiving £XX. How does this award benefit the many.
Will it be weighted so we have a chance to win a bid in future? If it does not then another system has to be devised, such as allocating fund to each community council to disperse.
An upper limit to the amount bid for - i.e. if pot is £30K, then upper limit on each bid should be £3K (20%), that way more bids get a bit of the money
This system of distributing public money is so unfair to those living in smaller communities.
Is there a way of stopping duplicate votes?
It is an unfair process - most popular does not mean most worthy. It has a lot to do with how socially aware/motivated you are, how good your voting 'campaign' is etc which favours more advantaged/middle class etc. Voting as part of the process, maybe, but not the only determinant.
People just didn't know about it and there was no external advertising where I stay to say where the voting boxes were. You had to know where they were to know where they were.
I think an online vote would suffice. If people really wanted to vote using other methods they could request this from the council?
The voting process appears open to widespread abuse/rigging. There appears to be little to prevent interested parties heavily skewing votes in favour of their projects, online by using different devices, browsers and IP addresses, and on paper by voting in different locations, quoting anyone's postcode.
Didn't appreciate being ambushed when attending a XX at XX and pressurized to vote.
Confusing. Seemed to suggest more than one vote available. Vastly different amounts requested by groups- no guidance on what your vote would mean for each of them
How to stop individuals voting multiple times.

Appendix three
Voting process - comments

<p>It seems that XX has done very well from this project. It's a pity other towns couldn't of had done too</p>
<p>The next round needs to have more information on the weighting factors which apparently will be clearer for the next round of applications.</p>
<p>I consider it unfair that there was no cap on the amount applied for as in many of the areas deserving charities lost out as the winners took majority of the allocated funds. I therefore feel that a cap should be applied to all future applications to ensure a fair spread of the funds.</p>
<p>I am not convinced that there were adequate checks to prevent people voting twice for the same project. Also I don't think the guidance made it entirely clear that although one could vote for more than one project, voting twice for the same project was not allowed.</p>
<p>From nominations through to the voting process was not made clear enough ,to advertise it couple of times is not enough ,it was a much fairer way that Area Forum distributed money in the past</p>
<p>I could not find the link to vote online. Might just have been me though</p>
<p>The process is in effect a popularity contest through which SG/SBC abdicate responsibility for allocation of funds to those most in need. This is wrong and in effect it is feasible that those most in need will not receive support due to scale - or lack of perceived kudos.</p> <p>Ar a time when third sector funding is shrinking it would be more appropriate for specialists such as Social workers/ Health workers/ Education to at least sift to ensure that those most in need are targeted.</p> <p>Theoretically the process is skewed towards larger organisations in larger population centres in the public eye - on another matter are there checks to stop repeat voting electronically?</p>
<p>It would appear to be open to abuse, especially the online system, whereby I could have gaily voted numerous times for one project to skew the results.</p>
<p>Sorry but I have not taken part in any of this before</p>
<p>This is the first I knew of it</p>
<p>It's very poor when you know groups were sitting with postcodes and just entering them randomly without owners permission. It did happen I saw it with my own eyes</p>
<p>Easy to cheat</p>
<p>I have no opinion because I didn't know about the voting process. I feel as though swathes of the public have been deliberately kept in the dark and I'm not happy.</p>
<p>I did not find the experience 'user friendly'</p>
<p>The voting process has to be accountable, transparent and easy to identify multiple votes from same individual using various methods, eg. multiple email addresses.</p>

Appendix three
Voting process - comments

<p>I think the voting process is much too open to abuse - it is far, far too easy for a single person to cast multiple votes.</p> <p>Simply asking for a valid postcode does not prevent multiple voting, and logging an IP address is no sort of adequate safeguard against this either.</p> <p>It is very difficult to make an informed choice when voting - surely the bids should be available - this is public money after all.</p> <p>This process looks good at a superficial level, and has maybe done some good by raising awareness, but it is patently unfair and entirely inappropriate for anything important.</p>
<p>This was not advertised very well at all</p>
<p>Too many options causing confusion</p>
<p>Wherever there were ballot boxes I.e. cafes etc - you could fill in as many forms as you wanted.</p>
<p>I have heard others express concern that the voting system was open to abuse.</p>
<p>I use a number of SBC facilities on a weekly basis. At no point did anyone point me towards any of the advertisements about the bids or engage with me at all about the process. many people locally hadn't a clue what it was all about. It would be helpful if staff in the places where voting is occurring would actively engage with the public to encourage voting</p>
<p>Voting for local projects divides the community and favours areas that have large populations.</p>
<p>Yes, I believe it is unfair - the locations with the largest populations in each locality have a far better chance of winning the votes as evidenced by three out of four awards in XX going to XX. I would like to see a whole different process for allocating the awards which gives a fairer opportunity to smaller communities</p>
<p>More appropriate name</p> <p>LET US FUND YOUR LOCAL PROJECT VOTE NOW SNOOZE YOU LOSE</p> <p>for instance 🖱</p>
<p>People could vote multiple times if they tried. If you wanted to vote for where you live and where you work you could - I think this was a valid approach. Not sure how you would 'tighten' up the voting process and not put people off all together.</p>
<p>The process was fine, though maybe a bit too focused on on line. Awards though were not. Seems bizarre that many projects got nothing but some were awarded the lions share of available funds. Small amounts can make a big difference. Also issues around reach of the funds across the communities. Consideration should be given to ways of spreading impact.</p>
<p>Found out about it through the school.</p>

Appendix three Voting process - comments

<p>I had thought that voting for local projects should be done by local people and that they should only be able to vote once for each project. Results and populations of specific areas showed that this was not the case.</p>
<p>Voting process what voting process</p>
<p>Although there was an article in the XX unless members of the community read it or visited the XX they did not know they were supposed to be voting</p>
<p>The area I was in won their bids so can't complain. The system in place is open to be abused. I know of a few occasions this happened.</p> <p>Paper votes -</p> <p>organiser heard telling XX of XX that if someone doesn't use all 5 votes then to tick the boxes for the school once they hand the form back.</p> <p>Organiser doing the above at an event to promote the bid.</p> <p>Online -</p> <p>out of curiosity I managed to bid twice over the voting period so the system needs looked at.</p> <p>The online system was briefed by the organiser of the local bid that a different device can be used to conduct multiple postcode votes!!</p>
<p>There MUST be some sort of weighting system introduced, otherwise it is a discriminatory scheme which favours communities with the largest populations. There is no point in small rural communities wasting their time filling in an application as the scheme currently stands.</p>
<p>Its open to abuse</p>
<p>There were people openly admitted online that they were submitting multiple votes and as is, it would appear that 60% of the population of XX voted for XX - surely that would have raised a few eyebrows in itself.</p> <p>There was a geographical inequality with over 80% of that funding going to XX-based activities. Nothing for XX apart from a small percentage of the small grant (for XX, XX & XX) given to XX. If you look at the SIMD indicators, Free Meals Entitlement and Health Inequalities (all indicators of poverty and need) across XX, XX is the town/area where there is clearly more affluence and less need. The highest concentration of social housing is in XX.</p> <p>It is a disgrace and I hope that the process is significantly revised for the future.</p>
<p>I think that it was too easy for some voters to fraudulently fill out applications as no proof of identity was required for the voting process except for postcode. I heard rumours that widescale fraud was taking place because of this.</p>
<p>Many people voted a greasy number of times as there was no record of who had voted.</p>

Appendix three
Voting process - comments

<p>There should be a fair distribution across the region of those who achieve the awards, that would have been fair. One of the largest towns in the Borders, XX, hasn't been allocated any successful bids. Those who shout the loudest are not necessarily those who have the best bids but that appears to have been the case, I hope those who were unsuccessful were given feedback as to why their bid for funding wasn't good enough for locality funding. If not they should have and the public should have access to the general reasons too.</p>
<p>Local availability was poor and there was nothing in XX for paper votes</p>
<p>It seems that the same person can vote more than once if they use different devices and postcodes to vote online</p>
<p>The paper voting form said 'do not fold'. The ballot box slot was shorter than the short side of A4. Idiotic!</p> <p>Multiple voter fraud was possible. A five person household vs a single person household. Internet & paper votes from same person.</p> <p>Some organisations thought £5k was maximum, yet one org asked for nearly the whole pot.</p> <p>XX is huge!</p>
<p>I think the funding should have been capped and spread more evenly. Also would like to see if postcodes of voters were checked</p>
<p>We were not aware of the system or how to access</p>
<p>I saw bids on Facebook and Twitter. Followed link but could not vote.</p>
<p>As I've said. If the total available for a district is say £30,000 then each project is only allowed to ask for no more than £3,000.</p> <p>Fairness all round. No one area get a huge amount!</p>
<p>Too long</p>
<p>The voting process is an unfortunate way of assessing the validity of any particular project , it might have been better to have that process as part of the overall award as some projects that were probably in need of support were maybe less able to engage with the public in a voting process</p>
<p>Knocking on doors and paper vote had the greatest effect with our voters ,a lot of over 50s in that group</p>
<p>If you are going to put ballot boxes in public venues the staff manning those areas need to be properly briefed. Some did not have the boxes out in accessible places or knew anything about it for quite a while into the voting period. People were turned away or ended up with spoilt ballot papers because they did not put the post code on.</p> <p>There was also some serious lobbying from some organisations standing by the ballot boxes promoting their organisation.</p> <p>Not all organisations managed to get radio coverage (it seemed to be first come first</p>

Appendix three
Voting process - comments

<p>served) or newspaper coverage in spite of providing the information. Whilst everyone needed to champion their bid, this felt like serious lobbying. If the media is to provide coverage they should do so by promoting all the shortlisted projects at the same time in one go and the paper run articles on all the projects. There was clear bias being displayed. Also after the first week this is 'old news' and so the press/radio are no longer willing to cover it.</p>
<p>I think it is adequate for the fund</p>
<p>It took 2 weeks for us to receive the paper votes that we asked for, which delayed our ability to go out and get votes. As I mentioned previously, the forms did not have the 'over 16 years to vote' information on. No being able to cast more than 1 vote per computer was hard in houses where there is only 1 computer/tablet/phone, Not everyone does have these devices. It has been mentioned on FaceBook since that each person could vote 5 times, so therefore voted for the same project 5 times, but this again was not allowed. The lack of clarity on the forms was problematic.</p>
<p>The voting seemed very open to abuse, particularly for the paper forms - it would have been very easy for one person to vote many times, using a variety of eligible postcodes. The distribution of ballot locations was uneven across our area, which disadvantaged groups that did not have a link to a specific place.</p>
<p>It needs to be better controlled to stop duplicate and false voting</p>
<p>It seemed that it was possible to vote more than once.</p> <p>There was lack of clarity about who was eligible to vote. Did you have to live in the area for which the Localities Fund applied? It appeared that one of the projects was encouraging family members who lived outwith the area to use the project site's postcode in order to make their votes count.</p> <p>Were the decisions about whom to award finding to made simply on the basis of number of votes cast or was any discretion applied?</p> <p>Was the amount given to any one project determined simply according to ratio of votes achieved?</p> <p>There were several aspects of the voting process which lacked transparency.</p>
<p>If this process tells us anything it is that you can take a horse to water but cant make it drink, as the saying goes. Having had online and face to face discussions about this with quite a few people I am more than ever convinced that there are a huge number of people, particularly in XX, who simply do not engage with what is going on around them. This is particularly evidenced by the disappointing outcome of the vote for XX causes, who were spectacularly beaten by XX. That, in my view, is the bigger issue. Process is process, but knowing the process even exist is something else.</p>
<p>I just think it was grossly unfair and a pointless exercise.</p>
<p>Wasn't fair and took a lot of time and energy for it to be guaranteed you were not win</p>
<p>The voting process would appear to be open to misuse. A single post code can have a large number of addresses, each with several potential voters living at each address - how is this checked? Similarly, each voter can vote for up to 3 projects.</p>

Appendix three Voting process - comments

The paper voting form and on-line system has a number of projects identified by the organisation name rather than the project name - e.g. our project was identified as XX rather than XX which would have given people a better understanding of what the grant was for. The name used on the ballot form should be approved by the originator before publishing.

Allotting the funds by area means that smaller communities find it hard to compete with large towns. Better to apportion the funds across the whole of the Borders by population size. e.g Towns, large villages, small villages etc. (similar to Floral Gateway arrangement).

I don't think it was made very clear who can vote and that your postcode was your vote. I also think there was room for voting more than once for one thing - so possibly a name and address should have been required to ensure voted occurred only once . It was confusing that you could vote twice.

With this in mind maybe a financial incentive to vote would be good - £100 winner for each ballot. (take it off the allocated funding and make more people have an added reason to vote) . Be in it to win it mentality !

I found the bidding process to be unfairly loaded against multiple smaller charities based in one locality bidding against one charity based in one locality. As an example, all of the XX community naturally voted for their one charity to win a large amount of the fund, whereas smaller charities based in one locality, such as XX, bidding for smaller amounts of the fund, lost out because of the smaller portion of votes being allotted to each charity by the XX community. It would have been more of an across-the-board support for all the bidding charities/organisations to be given an equal portion of the funding, which would help everyone in working toward achieving the projects they were financially applying/bidding for.

A very flawed system open to abuse.

The process was far to open to multi voting by individuals.

You should only be able to vote once. You could vote several times online by using a different device and to allow multiple paper votes as well is not right. Online and paper votes should ask for your name and address so that you can only vote once. Also, there were not enough places to cast your paper votes.

The paper system was open to abuse in that anybody could fill in post codes and votes if they so chose, and there did not appear to be a checking process. Appreciate that such voting systems are difficult to control but tweaking is definitely required

We made three requests for paper voting forms.
We received nothing following the first 2 requests
On the 3rd request we collected them from SBC HQ - this was 2 weeks before closing date.
Many of our potential voters (those who would have benefited from the funding) do not have digital access or ability so paper voting would have been best suited for them.

Requested ballot papers on numerous occasions and only received them the week the voting finished. Feel that the voting process was open to misuse as only post code was required, not house number or signature.

Appendix three
Voting process - comments

<p>I believe there should be one vote per person. With three votes a community can band together to support each other's project.</p>
<p>When I went into the swimming pool at XX to vote on the Wed 7th February there was no ballot box, forms or information. I asked staff who then said words to the effect off "oh is that what all this is back here" and proceeded to go behind their desk/office area and pull out the ballot box etc, so for the first week there was not a single vote cast at the pool because the staff failed to put the box, papers and information out on display for the public.</p>
<p>It seems like a system completely open to abuse demonstrated by the results of the first round.</p> <p>An extraordinarily unfair method of distributing fund not based on need but on popularity</p>
<p>How did you ensure it was fair ie that people weren't just clicking and repeating the vote from any postcode in the area? And/or doing the same with paper copies too?</p>
<p>Its too easy to manipulate. Availability of voting forms - not limited, but online voting limited to one vote per device. But again, multiple devices = multiple votes. Difficult to vote for projects not in your own area.</p>
<p>The system is open to abuse and appears to be little more than a popularity contest. I wonder if this money might have been better spent elsewhere, perhaps on fixing the increasingly awful roads?</p>
<p>Why was the voting split into area? Not everyone wants to vote for a project in their residential area The online voting defaulted to the area where people lived (postcode) . It made it confusing.</p> <p>Also, the system is open to abuse. A vote can be made on line and on paper by the same voter, as well as voting on different appliances. In theory one person could make 4, 5 or more votes.</p> <p>Equally, by claiming to live in a certain postcode, anyone ANYWHERE can cast a vote. Meaning that family & friends living hundreds of miles away could be voting when they don't even live in the Borders.</p> <p>My feelings are that this has been going on and that the results are well skewed. I don't know what the answer to this is, but I'm sure that someone is sufficiently technically brained to work something out to prevent this happening.</p>
<p>Very unfair as there was probably unfair (extra) voting in households - or just cheating</p>
<p>The voting process was massively open to fraud and other abuses. Concerns were raised with SBC when the forms were released and these concerns were dismissed. Concerns were raised throughout the process, which also seem to have been ignored. Concerns include: the information on the green forms was wholly inadequate; having only to enter a postcode for a paper vote to be registered and counted is unacceptable and open to abuse, the final results seem to suggest that almost 60% of the total population of XX voted for the winning project - this should ring alarm bells at SBC as it is inconsistent with other public voting processes; projects went forward to public vote which seemed to be in breach of the application guidelines, eg XX; this should have been an exercise in participatory budgeting but the voting process turned it into a popularity contest which worked against projects from small villages unable to amass the number of votes compared to a large town; the process has resulted in funding for 3 projects in XX and</p>

Appendix three
Voting process - comments

only one in the rest of XX which again demonstrates the limitations of the voting process. I could go on!!

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

Respondents were asked if they had any general comments that they would like to include. These are listed below:

<p>We only asked for a very small amount and all things considered a tiny charity like ours which is working with very excluded people is unlikely to take the public's popular vote. we entered into it fairly sceptically. We do feel disappointed as we feel it is a shame that charities have to ask for public money in a voting system. There must be a less expensive way to allocate money, the admin and so on seem a lot of work.</p> <p>We would probably not bother again, as in our experience obtaining council money is not an easy thing, so the energy we used up is better placed on more useful things. feel a bit sad, that bidding has to take place for very worthwhile charities.</p>
<p>The event at the Burgh Hall was very poorly attended by the public.</p>
<p>Awards to be capped at £5,000</p>
<p>Make it clear that an individual project could bid for the whole of the amount allocated to an area. Many were under the impression that £5k was the maximum you could apply for!</p>
<p>There should be a cap on the amount people can apply for. Or those who are applying for large amounts need to get a much higher percentage of the vote to be successful. Eg, in XX, for example, 10 groups could have had 6K each but instead, XX & XX took £XXK between them, leaving only 2 more groups to get anything at all. Even worse, in XX, XX got the lot, leaving nothing for the other 2 groups, who had almost as any votes. Participatory budgeting must represent the community and this process did not.</p>
<p>I think I have already said my tuppence worth earlier on BUT in the wrong section. Sorry</p>
<p>Such a strange title. Tells you very little. People that came to the presentations at Burgh Hall in Peebles didn't know why they were there or what it was about.</p>
<p>The name of it is a bit 'jargon', and doesn't really mean anything to me when I first read it so it just went over my head and it didn't really catch my attention</p>
<p>Well done to all staff concerned.</p>
<p>Apart from the inherent unfairness to small communities, it would make it fairer if individual community councils were give a share of the money to distribute amongst their communities, either by simple application or a much more localized vote.</p>
<p>Good idea though having really large bids means the cash can get swallowed up by one or two projects.</p>
<p>Great idea in principal. A change to voting system as I suspect multiple unscrupulous votes cast. Too easy and tempting for those inclined to cast illegitimate votes.</p> <p>Set a £5k limit to applications so winner does not take it all. Shared around more projects.</p> <p>Consider a final panel decision to address other possible imbalances.</p> <p>Ban any applicant if vote rigging suspected. Should encourage a higher standard of behaviour.</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>Consider a panel assessed category for brand new projects so those only just starting up get a chance to fund their projects even before they have a chance to build a supportive community around their projects. Hard to get people to vote for an abstract idea!</p>
<p>I felt a bit concerned by the fact that in XX nearly £XX was given to two projects in one small geographical area. (It would be good learning for the rest of us to know how they managed to get so many votes!). Seriously though when one project asks for a very large amount in comparison to other projects and then if they are successful it leaves very little money for any other winners. I know the idea is the public are voting but I think there must be ways of making things more equitable, perhaps by capping the amount that can be awarded or by making awards relative to community size or something like that.</p> <p>It's great that the money is available anyway and we will certainly want to bid again if we get the opportunity as funding is so tight for voluntary organisations.</p>
<p>Although the community vote ideal has merits , I feel radio borders should have covered every project and not been selective. We asked several times for radio birders to cover our project and they didn't.</p>
<p>Too few projects benefitted from the available funding - with the XX receiving a total of £XX.</p>
<p>Feel strongly that too few groups benefitted as the XX got 40+ % of the sums claimable which did smaller bids out of much needed funding</p>
<p>I think that the available funds should have been spread more widely</p>
<p>I consider that there should be a cap on the amount that can be applied for as it is a totally unfair distribution of tax payers funds that enables so few bids to earn so much at the expense of other deserving charities.</p> <p>This should be sorted out in the future stages as it must be bordering on a misappropriation of tax payers funds.</p> <p>How the results benefit the health and well being of the majority of Borderers is beyond my comprehension.</p>
<p>The funding pot should have been shared out more equally. It was utterly ludicrous to give one charity the lions share.</p> <p>It was evident that voting was extremely low so there must be a better process to devise to encourage people to vote.</p> <p>£XX for XX votes does not warrant that amount of money</p> <p>Charities I spoke to said that they were given no clear guidance of how the money would be divided up so we're in limbo trying to work out who would get what. It was described as a shambles by one charity which doesn't reflect well in SBC and made me feel relieved that I hadn't applied.</p> <p>You should enable charities to apply for up to a maximum of £5000 to ensure it is much fairer.</p>
<p>There is room for improvement.</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

Consider the rural communities who are desperately in need of support.
I am horrified that of the £XX for XX and XX, £XX went to one small village. Giving the first and second placed projects 98% of the total fund is frankly stupid and the fund should give out grants capped at £5k per project for the projects placed one to six. This needs a complete rethink or you will start to see resentment in the community with some projects deemed greedy taking so much of the small fund and I am sure that is not what you thought may happen when this project started.
Please rethink. This is system is simply not fair.
See previous comments about voting being an unfair process, giving advantage to those in society already advantaged.
Biased against small rural communities who only have limited people voting whereas towns have more voters for their projects especially school projects where the parents all vote
The voting system seems perverse and it open to abuse. Smaller places may be put off taking part if it is all about the number of people you can get mobilised to vote for you. It wasn't advertised enough. Too reliant on social media and online information. Not clear what projects could be funded. Why is it only groups that can ask for funding when individuals could have decent ideas as well. Should be a limit on the amount of funding you can ask for. Should ensure the money doesn't all get awarded to one village the next time.
It was well promoted and straightforward enough.
I'm all for projects being proposed from the grassroots, but having a public vote on them (which is open to abuse) represents an abrogation of SBC's responsibility to take a strategic view of services in the region. The money being spent on these projects would be better spent on preserving bus services eg from Selkirk direct to the BGH.
Should be more information regarding the projects. Why does XX need XX when we already have one?
I still don't really understand what is being offered/voted on
Being able to vote is great
Allocations in our area was not best use of funds as XX projects from a XX received almost all of the funding. This could have better supported 6 projects across the area.
Too much money went to one bid locally ? There were many bids that were quite small but would have made a big difference. The XX got money but is XX, not a charity
I'm sure that the Fund can be wider advertised for the next round. Don't know if there are databases of local clubs, organisations etc that can be emailed and who are likely to vote electronically, but this is the way to go.
Better advertising.

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>The voting forms I feel are open to abuse as the only information asked for is the postcode perhaps the address could be added for additional security.</p>
<p>I think it is unfair that the greediest project got the full £XX they asked from whereas other projects requesting more modest amounts got nothing. There should have been a lower limit on the amount applied for so that more projects would have benefitted. Alternatively there could be a system to require more votes for a larger grant or discounting votes where more money is applied for. (On the other hand this might be difficult for voters to understand.)</p> <p>There is suspicion that there was cheating going on, e.g. multiple votes by the same people. This may not have been the case but I believe that if this process is to continue, it is necessary to provide assurance to the public that it is fair.</p>
<p>Everything needs to be made clearer and a wider range of groups and organisations need to be made eligible .</p>
<p>As per last section - to turn it into a popularity competition is wrong - input in selection is needed from professionals to ensure effective use of money - an example - Child poverty needs more focus than landscaping in these difficult times.</p> <p>I am aware that SG dictate the format - there needs to be discussion over this.</p>
<p>This is a great idea distributing funds to local communities for projects they really want to see. It also then puts more accountability on those groups to deliver.</p> <p>Will there be an update provided for how the projects are getting on - maybe every 6 months or even annually?</p> <p>Will successful projects be able to apply for future funding or will there be a block on them entering for a period of time to allow other projects a chance at future funding.</p>
<p>I was disappointed to see that one of the bids, if successful, would harm a local businessman/shop keeper in XX. I think individuals/groups bidding should be made to consider the impact of their bid, or the council should ensure the bid meets eligibility criteria. I am sure the person who came up with the idea for the group's bid would personally gain (by saving himself some £s) if the bid was successful....</p>
<p>More publicity</p>
<p>Spread the money around more evenly maximum amount per group to around 3-5k It's not like SBC to make a hash of something no faith in you whatsoever</p>
<p>XX has disproportionate amount of money</p>
<p>Yes. Publicise it next time! Don't rely on posters and newspapers and social media.</p>
<p>Make the procedure simpler eg. only one vote per household (ie address) and avoid multiple votes</p>
<p>Not much thought has gone into the processes of this voting system to make it accountable and fool proof.</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

Think the monies should have a limit and the total split into 3 or so lots, we have had the situation of one XX having 98% of the total monies, fair play to them for drumming up the votes, but would be good to see it spread a bit more.
Good idea.
Money was not handed out very fairly
Need a clearer way to vote and explain how voting works
I think the X factor style voting is unfair on less glamorous groups. Some groups would never stand a chance of making the final few. For example a school with hundreds of teenage pupils, tech savvy staff, and loyal parents would obviously be able to muster more votes than a small doing something less 'exciting' like meals on wheels.
Should be judged on merits not by public numbers game. Local democracy doesn't work when the minorities get over run by masses.
A great way to inform the public of the fund, its applicants and the outcome, especially if done online. Makes voting easy and quick, can be done at home.
A good idea but very unfairly weighted in favour of larger communities
Involve school participation Kids will involve parents
Would rather have seen smaller amounts of money shared to more projects rather than just a few projects getting all the money.
There should be a Borders wide option. I think this is a start to community empowerment with budgets. It's a good start to the process. I hope it makes a positive change to the areas.
As before, funding will be concentrated in areas favoured by specific councillors and rural areas will receive little.
I think each bid should be limited to a certain amount i.e. £10000. For one bid to get the majority of the funds seemed unfair. It would be nice to see funds spread more.
There seemed to be some confusion about how many votes people got And could they only vote for projects in their own area. People could have given the wrong postcode for example if they wanted to vote in another area. How was the process verified.
Is it really needed why not put it through the many existing grant funders
I think there should be a way (in the overall process , after all the ' rounds') of the different areas all getting a slice of the cake. Very hard for some groups to campaign for their cause.
It seems like a good idea but all communities should be given an option to apply
The voting system in my opinion has been violated. Proving this fact would be difficult due to no names attached to the online vote or on the paper votes.

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>I know several in the community that never voted for the larger funded bid but voted for the smaller one due to in taking so much of the fund. Yet there were still more votes for the larger fund.</p> <p>Happy that my kids that go to XX will benefit from the funds but feel that the spread of funding is currently unfair.</p>
<p>How will it be made fair and open, will assessment ratings and scores be published?</p>
<p>It is an unfair system as it currently stands. Need to offer some opportunity for communities to develop local services that will make a difference but that can have continuing, not just one-off funding.</p>
<p>Its ridiculous that instead of spreading the funding evenly one or two bids can take the lions share and all the other bidders miss out! A very Tory way to do things</p>
<p>Firstly, great to see people getting the chance to vote on these initiatives and the council should be commended for trying to get border locals more involved.</p> <p>However, as a resident of a smaller community XX, slightly concerned that bids may lose out to bigger population centres, such as XX or XX due to sheer pressure of numbers in a process decided on by bids with the largest numbers, (appreciate this may actually happen in practice). As a consequence, it may make it harder to encourage bids from smaller places in the future and may lead to a greater sense of inequity between large centres and their smaller neighbours, as to the perceived level of SBC provision of services and support across these communities.</p>
<p>It was a really good process and some very worthwhile causes received much needed funding, and good advertising regarding the work that they do.</p>
<p>Already highlighted that we believe that it is an appalling mismanagement of public money which has not been dispersed to address the issues and priorities intended.</p> <p>Skewed to XX, a XX taking £XXk of the pot and XX benefiting from over 50% of money. Ironically this fund has perpetuated the geographic, social and economic inequalities faced by XX. It is fundamentally flawed and gave rise to a promotion of corruption of a voting process since all that was required was a postcode.</p> <p>Very very disappointing. SBC's management of Public Money is negligent in this instance.</p>
<p>Advertise very early</p> <p>Expect a lot more applications next time</p>
<p>It is a great idea but the voting process needs to be more stringently policed to prevent fraud.</p>
<p>it is not very widely well known to the public in general</p>
<p>The voting structure disadvantages rural communities and under the current structure I see no local projects from our community having any chance of success. if the system isn't amended there will be no interest and no schemes put forward</p>
<p>Money should be more fairly distributed around area eg. Specific amount for each town or district.</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>I think it's absolutely appalling that one group can basically scoop the entire pot of money, especially when that group is bidding from XX, for example, where there ought to be different funds available and surely access to funds already from the Local Authority rather than be effectively poaching from small, local organisations who don't have access to the likes of a XX (XX or similar fundraising committee) and huge XX to canvass votes from. I'd urge you to consider limiting grants to a maximum of £5,000 or at least divvy the entire pot of money out according to proportion/percent of votes received. I saw two organisations get an equal percent of the vote, yet only one of them got a bit of cash. This seems really unfair but the worst is the greedy ones that went for a big whack of cash when others only asked a modest amount. Please make it more equitable next time, thank you.</p> <p>Just to say - I am not involved in any bids, just an interested observer.</p>
<p>Stop stunts like this and work with COSLA to challenge ideological austerity from central gov.</p> <p>Focus on creation of secure jobs from XX to the sea. That's a big and important job.</p> <p>This was amateurish nonsense.</p>
<p>It would feel fairer if groups could only apply for a max amount so that more groups received money. Surely a group getting some funding is better than none.</p>
<p>The entire process is decisive and should not be repeated. Whilst the weighting towards smaller communities, on paper, looked a positive move, the result showed this was over-done: two communities receiving over 95% of funding available in their area.</p>
<p>Just make the dispersal of funds even to all.</p>
<p>Smaller communities had no way in winning the bids they put in for. Fighting against a huge population of other people isn't fair! There should be thought put into how small rural areas who really deserve a share of it get votes out through!</p>
<p>Misguided</p>
<p>I think it unfortunate that through the process some projects were awarded significant amounts thus leaving less available for the other applicants , could you consider a cap on application amounts</p>
<p>Like anything once you have done it ,the easier to understand it is and explain to others</p>
<p>Our organisation was successful and received funding and were geared up for the public vote. However, if you are a small organisation and not structured in such a way as to compete with established charities and organisations I would consider it a difficult process.</p>
<p>Some serious thought needs to go into just how much constituted groups can go for.... all groups even.....</p> <p>I don't want to pick on XX XXk but it highlights shortcomings. If you look further down the list you will find registered charities and Community Interest Companies that rely on funding from external sources to survive. The Localities Bids Fund should've been a real shot in the arm for them. Instead they see a XX (statutory provision) get more than the lions share of the pot. To even apply for that much in the first place I feel is short sighted and slightly 'out of order' and more to the point, certainly is NOT a capacity building project in my book.</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

Thank you for organising this. It is good to get communities and people involved in developing useful local projects but, for the next time, the voting system needs to be more rigorous and there needs to be more transparency about how it is applied.

Our particular project was not given any funding; we were not surprised by this since there were several excellent projects applying for funding but we were surprised that the XX project received so much funding.

The day at the Burgh Hall provided a good opportunity to meet people doing good community work but the numbers of general public attending were low. More publicity on the street to catch people on the day would have been useful.

While a community say in how SBC money is spent is to be welcomed, perhaps guidelines about which projects can apply, so that they fall into priority areas and are in line with overall SBC strategy, would be good.

As XX, we were bitterly disappointed by the outcome, which leaves us in a precarious position in terms of funding. The one thing that is very evident from the results is that large bids do sometimes win, and whilst that is great for them it leaves other good causes out in the cold. Had XX not mobilised themselves the way they did there would now be five happy projects in XX. To leave a whole county effectively unsupported can't be good use of the money. There should be a cap on the size of each bid, allowing a bigger spread of the available cash. Another anomaly thrown up by the results is that of those who applied, XX is now the only one not receiving financial support from SBC. That can't be a fair outcome.

Why can't all these groups, who I acknowledge all deserve some funding, be allocated a percentage of the funding available. Surely that is fair to everyone.

I carried out an analysis of the voting results, and put all of the results in total votes order across the whole of the Borders, not just by area. This resulted in a total of 23 projects receiving a grant as opposed to 18 projects. Of these, 10 new projects (with smaller votes) would have received a grant.

Was there anything we should or could have done better? We were up against a XX which was always going to win as it covers XX. We are one small town project which is very important to us in XX but not to the wider community.

Very bad information on who could apply and who couldn't - also our group would have permanently helped a lot of people in public and groups in the area but we were told it would only benefit our group so they refused it

I think it would be a better idea to remove the "bidding" aspect of the Localities Bid Fund, and use the fund as a Localities Fund to be evenly distributed to each charity/organisation applying for a portion of the fund.

I would like to understand the criteria used to select suitable projects - the project which have taken the major share of the first round of funding all seem to be XX.

The guidelines said correctly that statutory bodies could not apply but groups associated with SBC were permitted to apply for grants which would directly create assets for SBC. At least one winner has a constitution which passes assets to SBC if it is wound up!

More info should be provided on each applicant and their application e.g. where they operate,

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>do they plan to use the money for staff and if so how will they continue to pay staff at end of Grant.</p> <p>The fund should not be top sliced for Borderline projects as this is too big a locality for this fund.</p> <p>An open meeting at which applicants make a presentation of their project should be held. There should be a cost limit on project promotion costs.</p>
<p>There should be a limit each bid can receive i.e. £5000. For one bid to receive the majority of the available money is wrong.</p>
<p>SBC staff involved in the process were helpful and professional. Their communications to me were excellent and regular.</p> <p>I think that it is important to let all applicants know the money is not automatically granted just by applying. Although it's disappointing to read some negative comments on social media following the first round, the process was clear.</p>
<p>~Think it should be different categories and possibly amounts- not areas.</p> <p>Looking at the vast range of projects applying - there is no way these could be compared with each other.</p>
<p>Would be better if bids were grouped into "types" rather than localities. i.e. transport for groups who wish vans or a bus or venues for groups who wish to hire for events or health and welfare for example.</p>
<p>Merely reflects the population. Small communities have no chance and voting is seen as a complete waste of time.</p>
<p>I feel that the bulk of the funds should not be given to one or two applicants rather than funding being spread through the other applications</p>
<p>I believe the project description should allow greater scope for explanation.</p>
<p>It's flawed. The voting process was open to manipulation and so potentially wasn't a true representation of how the local communities voted.</p>
<p>If you are an organisation in a small community it may be difficult to compete with the voting power of communities with large populations. This may concentrate funding in the larger towns.</p>
<p>It seems very unfair that certain organisations (who had submitted a bid) had a ballot box in their building eg XX</p> <p>.</p>
<p>As previously stated I think this is a very unfair cumbersome process for delivering very small grants to much needed projects. The voting system is entirely open to abuse and winning projects either come from areas where there are larger communities or those most organised to get out their vote. In essence a popularity contest when projects should be judged by an independent panel based on need, the contribution they make to the community and the people to serve. How are the unglamorous but much needed projects and those in small rural communities ever to win in this process? Also, why should very stretched community groups largely run by volunteers have to expend so much time and energy on campaigning for</p>

Appendix four

Is there anything else you would like to tell us about the Localities Bid Fund?

<p>votes? If the resources spent on administering this scheme were spent on community projects themselves there would be greater satisfaction all round!</p>
<p>Please limit the amount of funding that can be bid for. The schools bidding for large amounts are always going to succeed as they have a massive numbers advantage to begin with and extended families make it even easier to succeed.</p>
<p>Yes, it's rubbish!</p>
<p>I think it's a fantastic opportunity and would hope to see it continue, but with much stricter safeguards.</p>
<p>Think there should be a maximum amount you can bid for. The XX community only XX people got funding as the first place asked for £XX think that if there was a cap more people could benefit from the funding.</p>
<p>Voting system I believe was abused</p>
<p>I would like to know what the cost benefits of this exercise in other words what did it cost for all the paperwork, organisation ,freepost, etc to distribute the funds.</p>
<p>When the fund was announced the amount available was £100,000. Projects prepared bids based on that expectation. SBC, after the application process had been completed, said that only £45,000 was available. This is unsatisfactory.</p>

Appendix five

Is there anything that you think SBC should do differently next time?

Respondents were asked if they thought there was anything that SBC should do differently for the next round of the Localities Bid fund. These are listed below:

<p>Not really, it will be interesting to see which charities obtain funding in the next round and whether those already successful can apply again.</p> <p>Very pleased with those that won, but again, it is a lottery and not particularly placed on best practice but for those through to the selection process, it is about the general mood of the public whether or not charities get a fund, this does not seem particularly ethical all things considered</p>
<p>Cap the amount projects can apply for.</p> <p>Assign the money proportionally to votes rather than on a "first past the post" system.</p> <p>Spend much less on SBC administration, allowing more money to go to projects.</p> <p>Tighten up the voting system so that it is a "one person, one vote" system.</p>
<p>It was difficult to get those eg who have children at school in area but live out of catchment as they were unable to vote - not sure how you get round it. Also how can there be parity for those small projects which are never going to get the same number of votes</p>
<p>Enhance the marketing throughout the whole process to increase reach and in turn public engagement. A lot of people didn't know anything about the Localities Bid Fund and it was therefore up to the different projects to advise which due to a lack of understanding meant people were led to vote for projects without any knowledge of the other projects / opportunities.</p>
<p>Clarify who can bid and what the project maximum will be.</p>
<p>There should be a cap on the amount people can apply for. Or those who are applying for large amounts need to get a much higher percentage of the vote to be successful. Eg, in XX, for example, XX groups could have had £6k each but instead, XX & XX took £XXk between them, leaving only XX more groups to get anything at all. Even worse, in XX, XX got the lot, leaving nothing for the other XX groups, who had almost as any votes. Participatory budgeting must represent the community and this process did not.</p> <p>Do not put ballot boxes in venues who are applying for funding. Maybe just make it all online - the ballot boxes were definitely open to abuse.</p>
<p>Limit amount of money you can bid for.</p> <p>Change the title to something more obvious.</p> <p>Make voting simpler.</p>
<p>I think it has been grossly unfair in some areas where one project snatched practically the entire sum of money available. It comes across as very greedy considering most groups only asked for a very modest amount. I'd say that the money ought to be shared out according to percentage of votes overall - that way at least 'something' will go to everyone who made the effort to apply. Or maybe cap the maximum the groups can apply for to £5000.?</p> <p>I'd also question why XX are allowed to bid when they have access to many, many resources</p>

Appendix five

Is there anything that you think SBC should do differently next time?

already.- our Council Tax already fund them! It doesn't seem a level playing field for the tiny other groups who are up against the might of big XX. Just a thought.
There must be an upper limit on the amount that can be applied for. I suggest 20% of the total pot. Please give consideration to the localities. While council wards are perhaps easier for voting, some of the wards are not natural districts.
Needs a second run as is with perhaps only minor changes arising from evaluation returns. Getting used to the format needs time to settle. Links between this source and other SBC grant sources needs to be set out to help local decisions on which source is best for applicant.
As above, give the money to Community Councils to distribute.
Consider the voting process.
Make the ballot papers clearer that you have 3 votes Make ballot boxes available in more central locations with better opening hours Offer more ballot papers to projects initially
Restrict maximum funding per project to £5000
Restrict max bid to 5k
Great to make cash available but should be more widely dispersed
Place a cap on the amount that can be applied for 20% of the total would be a good level as it would provide a good amount to at least 5 candidates. Implement a better way of ensuring fairness in the voting procedure.
I do not know enough about this to give an opinion
Ensure that the fund is dispersed evenly amongst the population.
Absolutely - cap grant awards at £5k - which is a damn site fairer than two projects being awarded 98% of the fund. This needs the council and councillors to take a good hard look at this idea and make it fair.
An upper limit to the amount bid for - i.e. if pot is £30K, then upper limit on each bid should be £3K (20%), that way more bids get a bit of the money
Give plenty of notice to enable preparation of strong applications.
If an area has no bids, can money be moved to other localities to allow more winners?
Projects to receive funding decided on merit, not popularity.

Appendix five

Is there anything that you think SBC should do differently next time?

<p>Pretty much everything -advertise better, have better guidance on what to do, award more fairly, come up with a different voting system, limit amount that a project can ask for, award percentages of what is asked for if the bid is large, split the money over the area so each part of the area gets a chance to get something</p>
<p>Online vote only. Maybe cap the amount a project can bid for?</p>
<p>Get ideas from local groups, but for SBC to take responsibility for deciding what gets approved.</p>
<p>More communication to local groups regarding applying for projects</p>
<p>More publicity to clubs, organisations etc</p>
<p>Cap bids to £8,000 to ensure more projects will benefit in each locality.</p>
<p>Cap the amount of funding that can be applied for by each group. XX receiving that much money is ridiculous, Think about how much good it would have done being split between 5/6/7/8 projects.</p> <p>Also, voting process seems unfair and puts groups looking for money for older people at a distinct disadvantage. XX has a captive audience in the families of its pupils and could easily send a letter home with each child and member of staff and get the parents/relatives to vote. Hundreds of young and tech savvy voters at their fingertips. How exactly could a group for older people compete with that?</p>
<p>Lots of publicity</p>
<p>Yes make sure everyone knows so we have the chance.</p>
<p>Look at the projects and give a maximum of, say 10.000</p>
<p>Limit to amount applied for or other system to assure fairer distribution.</p>
<p>Make it available to more groups and organisations ,it is the same one that get all the money</p>
<p>Ensure that organisations supporting the most vulnerable are there - even if they are small.</p> <p>Remember - some organisations operate in a 'low profile' manner' due to the nature of their work - such as addictions.</p> <p>IMPORTANTLY - in line with the above ensure a split by need relating to SIMD stats - I live in XX - there is less need than there is in XX - I was saddened that the elected reps used this as a vehicle to be seen to support their own wards and that money allocation was by population - rather than focus on real need across SB - XX and XX have more need than XX or XX and should have proportionately more money available - morally a better approach.</p>
<p>It might be helpful if the successful projects could act as mentors for future projects in the bidding process.</p>
<p>See above comment. Eligibility criteria related to potential negative impact on local businesses.</p>
<p>More publicity</p>

Appendix five

Is there anything that you think SBC should do differently next time?

Voting and amount of money oh and please use common sense
I'm flogging a dead horse here, but make sure people know about it.
Make the procedure simpler eg. only one vote per household (ie address) and avoid multiple votes
I think you should share the money in a more fair manner. The winning bidder received well over £XX and 3rd place received only £XX.
Reduce the number of votes per person or alternatively you cannot use more than one vote for the same project.
Scrap it if you cannot be bothered to run it fairly and transparently. MUCH tighter controls on voting. e.g. card or id per household. TOTAL transparency: visibility of bid details, total votes cast, votes per postcode, etc. No single project to secure more than 20% of available fund in its locality.
Maybe give a list of all votes received for each option. This would give an idea of how much more work needs to be done to get more votes. Transparency.
Better info around vote results to be able to see breakdown across the entrants.
Yes split the money More advertising
I think it should be region wide, rather than the different areas, which again can make judging unfair. Perhaps divide the pot into different categories...health, arts, sports, recreation etc?
Abandon this crazy method of allocating public money ...it's not yours to give away in this popularity contest.
Do some issue awareness advertising, guiding people to the online presence. I would even suggest some radio interviews on local democracy telling them how they can have a direct say on where their taxes through the fund will be spent.
Take away the public vote and instead use a panel made up of representatives from across communities
Yes I think it should be shared fairly amongst all charities involved
Bright eye catching posters in shops and schools
Share among more projects
Offer a Borders wide option.
Better geographic and financial reach.

Appendix five

Is there anything that you think SBC should do differently next time?

More communications
Look at ways of ensuring rural areas have some access to funds.
Limit the amount of funds any group can apply for so more groups benefit.
Weighting system to help smaller communities or ring fence a pot of money purely for rural applications
Make sure that the start date is well announced
More clarity on process and regulation.
More balance in relation To amount of funding. More projects could have benefitted if cap on grants
Maybe there should be a cap on the amount that people can receive so that more projects can receive funding..
There needs to be a Borders wide fund too which is maybe a percentage taken from each of the localities.
Address the issue of voting being skewed towards areas of higher population.
Let every household know the full details.
There are rumours about false and multiple votes for projects. Can you prevent any duplicity?
Share campaigning tips from successful bidders of this last round.
More publicity
The voting system needs to be reviewed quickly. It has 100% been violated and the integrity of successful bids should be reviewed!
Brief , brief , brief especially community councils and other representative bodies Ensure smaller communities are not disadvantaged
Change the voting system so that it is weighted for smaller communities. Make recurrent funding a possibility - otherwise this is complete tokenism. we can only have a say in how short term, time limited budgets for specific projects is spent - not continuing Council budgets.
As above set amounts of money given to all applicants instead of dished out to tory chums
Seek the views of the electoral reform society or similar for making the system more equitable
Possibly making people more aware of the application process and closing dates. But don't know how you do that differently, sorry
If SBC is not able to distribute the money based on positive socio-economic impact, then they need to ensure a fair and proportionate voting process.

Appendix five

Is there anything that you think SBC should do differently next time?

Advertise way in advance of deadline, at least 8-12 weeks
Change the voting process so that it is fairer and make sure no one's vote gets misused by someone else. It's a brilliant way to make a real difference to local communities and give them ownership of the funding available and is a shame if it is misused. Please give more notice/ more publicity to local groups about who and what we can apply for long before the application deadline.
Have a fairer distribution of successful bids
Change the voting/ allocation into pots to give rural communities a chance to participate .. whether in our case an 80% XX 20% XX otherwise there wont be any rural participation
Please share the money out better so that more groups can benefit from this resource rather than one greedy group scooping the lot.
Let the Electoral Registration Dept run it.
Have more control over multiple voting
Spread funds more, give other groups more chance
Maybe more info around the different bids
Limit the individual bid amounts. This time around it was unfortunate that only X bids were successful. If the amount was limited to, say, £4,000, then more projects could benefit by definition. There is clearly not a shortage of worthwhile projects to be supported and every one represents a significant effort on the part of small groups/organisations.
It seems unreasonable that one or two projects should take the bulk of the fund eg £XX when several projects could benefit from smaller amounts - perhaps put a upper cap on what can be applied for?
Advertise more
I think either Local Councillors or SBC Officials should take the decision on where funding should be provided. There should be a wider spread of funding to projects.
Make a limit to the amount each project can ask for £3,000 would help get any project up and running. This is important to show fairness to everyone.
Let little places like my village have an equal opportunity in getting a chance of some funds!!!
Abandon it
No other than previous comments
No it works well .our bid was successful so I'm happy ,but we put a load of hard work into it

Appendix five

Is there anything that you think SBC should do differently next time?

Need to brief all concerned with the voting process and what needs to be done.
I think the amount that a group can apply for should be capped at around 6-8k and maybe less for non registered charities, 5K?
Giving a set maximum of around £5,000 would give more projects a chance to win, and help more people. It's a shame that all of the XX money went to projects that lots of children cannot access. If the process allowed more projects to win less money, It would seem a fairer distribution of resources.
Several of the big projects (in terms of amount of funding requested) also had a naturally bigger voting base (e.g. Schools parent council projects and bigger organisations, which can easily harness a large amount of voting power, and also have considerable fundraising capacity). Because of the way the money was allocated, these bigger projects took most of the funds, leaving little for the smaller groups/ projects. However, cumulatively, grant funding more of the smaller groups may have given more benefit than fewer, bigger projects. Recommend that you consider capping the amount of grant received by each group - this would mean smaller groups have more of a level playing field - bigger projects would still get something, but not all of their project costs, but they are likely to have more capacity to fundraisers through other means for the remainder.
There should be a maximum amount that can be granted to an individual organisation so that the pot of money is shared by more organisations.
No, bring it on. We are better prepared than ever.
Yes, change the voting system
Only have smaller projects competing , not allow projects who are already funded heavily
Apportioning the funding by area does make it harder for small communities on the edge of a geographical area from getting sufficient votes. Large communities have an unfair advantage since they have access to a greater number of votes. This is why I think the funding should be apportioned by the size of community, rather than geographical area. I also think any organisation which has already succeeded in obtaining a grant during the first round should be exempt from applying in the next round(s).
More clarity in the voting process More advertising about what it's about More benefits - incentives to vote Full names and address on ballot papers
Don't let councillors vote for against a group because they have a like or dislike with the person putting the claim forward - I felt the councillor who emailed me that my application was refused has a dislike towards me so therefore voted no because of that
Yes! Remove the "bidding" aspect from the fund, and distribute the amount equally among the local charities applying for funding. Each charity does incredibly useful work in their locality and community, and in the light of funding sources being cut each year, it would be of great

Appendix five

Is there anything that you think SBC should do differently next time?

benefit to all the charities/localities if they could all receive a financial portion of the funding pie.
Stop until a suitable voting system is in place.
on facebook
The difference between some of the bids was huge (ie £24,000 up against £650). May be have two tiers of funding, one for less than £5000 and one for over. Small bids usually mean small clubs/groups and do not have the membership/voters to compete with some of the bigger ones.
Introduce categories. Change the voting process. Cap the amounts - give us all a chance of the pickings!
Allocate funds specifically to small communities Break down the size of the area.
Don't let one group take £XX of the money!!! Make groups have a maximum bid of £5000 so more groups/organisations get a share of the money rather than the majority of the money going to one group!
Change the project description criteria and reduce voting to one per person
Yes, sort the voting process so that public money isn't being distributed based on a flawed voting system. We live in a democracy!
There should be a limit on the value of awards to spread the funding. There should be no paper voting. The funding should be split between larger towns and the rural community.
Ballot boxes should only be in public places like libraries, swimming pools etc not in places like XXs
Something to make sure people voting are fairly 'registered' Excellent initiative though. Make more known to groups to apply
I live in one area and take part in a project in another area but it's difficult to vote online as my postcode only brings up the projects in my local area.
Cancel it and invest the money in youth work and mental health support services
Again have a cap on the amount you can bid for. Make it fairer and more chance to help everybody not just one project
Voting system

Appendix five

Is there anything that you think SBC should do differently next time?

Make sure the voting is process is fair
Encourage the apathy in XX to change
Yes. The voting process needs to be completely re-thought and applications should only be allowed to go forward if they meet SBC guidelines. SBC needs to re-think how this money can be used to support community development and regeneration in line with Locality Plans so that money gets better spread across the region. The Community Grants team need to talk with all applicants this time around, personally and not just by e-survey to ensure that lessons are learned.

Localities Bid Fund Round Two

Project Evaluation

The survey asked respondents for their views on aspects of the Localities Bid Fund (LBF) including publicity, the application process and the public voting process.

The survey was available on Scottish Borders Council's Consultation Hub from 27th November to the 12th January. Groups that had submitted applications to the LBF were sent an email link to the survey which was also made available to the wider public.

A total of 135 responses were received, of those that answered the question 57 were from those who had submitted an application to the LBF while 77 were from those that hadn't.

Results

How did you hear about the Localities Bid Fund?

Respondents were asked to indicate all the ways in which they had heard about the fund. The most common way was via word of mouth (30%) followed by my local SBC Councillor (25%) and Email from the Council (20%). Other ways that people heard about the fund included, non-SBC social media, SBC Staff, Networking Events, Community Councils and Third Sector.

Did you, or your group, submit an application to the Localities Bid Fund 2 (2019)?

Of the 134 responses to this question 43%% were completed by those who had submitted an application to the LBF while 57% were completed by those that hadn't.

How satisfied were you with the application process?

Respondents that had submitted an application to the fund were generally satisfied with the application process with 70% satisfied with the availability of information about the fund and 62% were satisfied with the overall application process.

	Very satisfied	Fairly satisfied	Fairly dissatisfied	Very dissatisfied	No Opinion N/A
Availability of information about the fund	30%	40%	18%	7%	5%
Clarity of the guidelines	19%	47%	14%	12%	7%
Clarity of the application form	23%	47%	11%	14%	5%
Overall application process	18%	44%	12%	21%	5%
Communication with SBC staff throughout the application process	35%	28%	11%	7%	19%
Helpfulness of SBC staff throughout the application process	39%	23%	7%	9%	23%

NB: Percentages may not add to 100 due to rounding.

How easy did you find it to complete the application form?

61% of applicants found the application form easy to complete while 28% found it difficult. 11% expressed no opinion.

Did you think the application period (8 weeks) was suitable?

12% of applicants, who expressed an opinion, thought the application period was too long while 9% thought it was too short. 67% of applicants, who expressed an opinion, thought it was about right.

Comments about the application process

Applicants were asked if they had any general comments to make about the application process. These were grouped into the following categories:

Comments by category	%
Allocation process	6%
Application form	23%
Communications	32%
Fairness	26%
Positive comment	19%
Project Size	3%
Timescales	6%
Voting Process	29%
Other	1%

NB: comments may fall into more than one category and totals will therefore exceed 100%

Most comments were made about communication, the voting process and fairness.

These included:

Communications (32%)

- publicity about the fund
- Lack of support from SBC
- amount of funding that could be applied for

Voting Process (29%)

- The online voting system was awful
- Voting favoured larger communities

Fairness (26%)

- The current system gives large towns an advantage
- Only those living in the Borders can vote
- Many older voters excluded due to online aspect

All comments received about the application process are available in appendix A

If you didn't submit an application please tell us why

Of those that answered the question, 77 respondents hadn't submitted an application. The reasons given for not doing so fell into the following the categories:

Comments by category	%
Capacity	3%
Clarity of criteria	5%
Communications	23%
Criteria (general)	3%
Fairness	8%
Individual	19%
No project in place	20%
Timescale/process time	10%
Voting abuse	1%
Other	6%

NB: Percentages may not add to 100 due to rounding. Comments may fall into more than one category

23% of comments included communications as a reason for not submitting an application. These included lack of awareness about the fund in good time to submit an application or prior to the deadline for applications.

All comments received to this question are available in appendix B.

How satisfied were you with the voting process?

All respondents were asked to rate their satisfaction with various aspects of the voting process. The highest satisfaction levels were received in relation to the length of time allowed for the public vote (47%), while the highest levels of dissatisfaction were in relation to the online voting process (63%).

	Very Satisfied	Fairly Satisfied	Fairly Dissatisfied	Very Dissatisfied	No opinion/not applicable
Voting guidance	4%	34%	21%	21%	19%
The different methods in which people could vote	4%	30%	21%	29%	14%
Online voting Process	4%	19%	19%	44%	13%
Paper voting form	3%	25%	10%	20%	41%
Length of public voting period (4 weeks)	11%	36%	20%	17%	16%
Availability of voting forms	4%	13%	19%	33%	30%
Communication with the staff during the voting process	7%	20%	10%	15%	47%
Helpfulness of staff during the voting process	13%	16%	7%	11%	52%

NB: percentages may not add to 100 due to rounding

Comments about the voting process

Respondents were asked if they had any general comments to make about the voting process. These were grouped in the following categories:

Comments by category	%
Availability of voting forms	17%
Campaigning	2%
Communications	11%
Ease of use	54%
Fairness	38%
Funding cap	4%
Positive comment	2%
Timescales	5%
Voting abuse	2%
Other	8%

NB: comments may fall into more than one category

The category in which the largest number of votes fell was ease of use (54%). Comments in this category largely commented on the complicated online voting system.

Comments that fell into the fairness category (38%) included;

- Groups from Large towns have an advantage against groups from smaller rural communities
- Online voting discriminates against old members of the community and their interests.

Comments that fell into the availability of voting forms category (17%) included:

- lack of awareness about paper voting forms
- Ballot papers were not widely available
- unable to vote at nearest centre

All comments received are available in appendix C.

Is there anything else you would like to tell us about the Localities Bid Fund?

Respondents were given the opportunity to make further comments, these were categorised as follows:

Comments by category	%
Administration	6%
Allocation of funds	6%
Communications	13%
Criteria	5%
Fairness	33%
Feedback	11%
Funding cap	2%
Negative comment (general)	8%
Positive comment (general)	8%
Voting	13%
Voting abuse	1%
Other	16%

NB: comments may fall into more than one category

The largest percentage of comments (33%) fell into the fairness category, these included comments on:

- Voting system favours large towns
- Voting events were held in the large town rather than the small rural communities

Comments made about communications (13%) included:

- Lack of feedback on successful projects
- Publicity of LBF2

Comments that fell into the voting category (13%) included:

- The issues with the online voting system
- The current voting system favours bigger communities

Comments that were categorised as other (8%) included:

- the need for transport in rural areas
- grants being used to undertake work that was the councils responsibility

All comments received are available in appendix D.

Appendix

Respondents were asked if they had any additional comments that they had about the application process they would like to include. These are listed below:

<p>Lack of clarity about whether one organisation could make more than one application - i.e. one in 2 different localities (which we couldn't but this was only clarified at the last minute and we had to choose which application to withdraw)</p> <p>We were quizzed about the detail and justification of our costs including staff time etc and it was for a very small sum compared with others</p> <p>Should have proportionate voting, e.g. a small sum under a certain figure should require fewer votes than a larger one. Also where the public event takes place influences - if in XX nobody votes for XX! Should have more local events? The event (XX) was like a cattle market, it felt very uncomfortable. XX was there but didn't come round and speak to individual stallholders (possibly only if she knew them anyway)</p>
<p>Yes, the model was flawed as it only gave those resident in the Borders Region a chance to vote. The Age demographic meant that many people, did not or could not access the online application and particularly the verification process.</p> <p>I am involved in two of the groups that applied and one of them, the XX was disadvantaged as it caters for a high number of people from Northumbria who could vote in this process.</p> <p>The other group from XX were in fact successful however they still had some issues around the perception, true or false that their application was altered to a lower figure. I have no comment on that at all. you get what you get</p>
<p>Staff were very helpful with any questions needing answered</p>
<p>No it was quite an easy process</p>
<p>The online system to vote was awful. It went from not working, allowing me to complete it then it not being sent as well as once it was sent not receiving any acknowledgement. Who knows if you actually received it? I certainly don't know. Also, no communication regarding being able to vote in XX in person. Bad all round and unfair.</p>
<p>Whilst the application process was straightforward enough I was extremely dissatisfied with the evaluation of our bid. We received a last minute phone call and were effectively given two options. One was agree to just over £XX being taken out of the bid for what we considered to be no good reason, or withdraw the entire bid. Under such pressure we agreed to the reduction. As eventual winners, we now face a shortfall in funding as we could have expected to receive the full award of £XX for the number of votes cast in our favour. . We remain of the view our bid was entirely within the rules and feel we have been discriminated against.</p>
<p>I was not part of the group applying, but I was a user of the service which got funding first time around (XX).</p>
<p>Voting was very clunky online. Difficult to negotiate website. Wouldn't take vote. When finally worked it didn't look like it had worked? Maybe it didn't.</p> <p>I'd no idea there was a voting meeting in XX. Timing was not inclusive for those who work in any case. XX residents at a disadvantage through geography and lack of information.</p>
<p>The online registration process was deeply flawed as myself and many others found it impossible to register thus making it impossible to vote as we were not made aware of the ability to receive hardcopies of the application form.</p>
<p>Voting process was not user friendly. Unclear website and unclear instructions.</p>
<p>Pretty chaotic all round.</p>
<p>The advertised website link didn't work and then the online vote was delayed due to</p>

'technical issues'.
A summary of 250 characters was very restrictive.
I would like to add that after being awarded the Localities Bid money that we as a group had to jump through hoops to get the money paid in to our account. There was certain criteria that had to be fulfilled which we were not made aware of when applying. .
The application process was a shambles and dates for admission went out of the window due to various reasons. It was a mess from start to finish
too many barriers and requirements for a small claim - there was no allowance for the size of the claim or the time people have to give up to help their community
It was not made clear when I ticked a box if that tick had been accepted as when I ticked the next box the tick from the previous box disappeared. I know of a number of people who had the same complaint. With modern technology the form should have been made much easier to complete.
It was critical that all our votes were counted for the taxi service in XX so that we could have the service continued, I have a condition that affects both eyes which prevents me from driving in the dark. Due to the reduced bus service & now no taxi service it has created greater social isolation for me during the winter months.
Being required to reduce costing after submission especially for worker time when a lot of work had gone into the application and to find the match funding was unfair especially as it was done in a way that made you feel under pressure and put on the spot to reduce costs - it felt like a grilling!
The process needs more guidance around if one organisation can apply in 2 different localities, many organisations work locality wide so very difficult to choose just one locality to focus on.
The process seems to favour more tangible projects that can be summed up in a few sentences. Not so easy for community work
Eligibility of funding for key staff was an issue
As the total amount of votes which were cast for any application was the deciding factor, the system was pitched in favour of larger communities/organisations
Application process was fairly straightforward as I use similar processes previously.
The online voting process was awful. I spent hours trying to submit a vote for our local bid without success. From the information, it looked like the only way of voting was online which never worked for me. It wasn't until recently that I was informed that there was another way of voting, via a form, but I have no idea how we could have got hold of one. The whole process was extremely frustrating and I know of many others from our local area who had the same experience.
I feel that people who have previously won the fund should not be allowed to reapply for another project, I have seen previous winners reapply for very similar things, also people who run businesses through funding from these funding applications should be banned - it should be community groups who are run by volunteers who should be allowed to enter - these are the ones mostly going to benefit the public as no-one can apply for money for wages
The process was significantly better than the previous one
The application form was the exact same only a different colour from the community grants fund - so being familiar with this made in really quite straightforward.
Communications with the team was practically non existent

"We learnt a lot from what you told us following the first round of the Localities Bid Fund. Your comments helped us develop the process for LBF2." - Did you really?. I would be interested to find out what these points were as this time it was even worse than round 1.

There was little support and guidance from the council and all confidentiality in regards to information sharing and inclusiveness was forgotten. The processes were stupid - think of how people were asked to get an application form and I am sure on your own reflection - you will realise this too

The guidelines changed, i.e. what the funds were allowed to be used for. This was not made clear, and we were unaware of this. Had this been made clear we would have changed our application, or even put in another application.

Some of the questions seemed to be asking the same thing, the guidance notes were essential.

I'm aware that not many groups know about or know how to apply for the grant. There are very few already overstretched people running voluntary groups and form filling takes time. Is there an option for a council member to help fill in forms?

It did seem a long time to know if we were going through.

It was the first time I had filled in a form of this type as I am a volunteer with XX. I am sure I would find the process easier next time.

Application 2nd time round was much easier than Locality Bid 1. The form was more user friendly.

Respondents that didn't submit an application were asked why that was the case. The responses are listed below:

Didn't have sufficient time to do application due to poor advertising of the fact another bid round was opened up
There was a group but I was not an active member of it
Group not ready to bid to this fund
Group not ready to prepare a bid to this fund
We live in a small village, there is no way we could outbid a larger community like Kelso, Gala etc.
There were no needs in our area
At the time our funding was ring fenced and we did not require any more money.
Didn't think it gave smaller communities a chance so felt it was a waste of time
No idea about the scheme, never heard of it until today
Didn't agree with the process, not transparent and unfairly weighted to larger communities
Although we did not ourselves submit an application, our group tried to get support for the application from XX for funding for XX. One reason for not submitting an application ourselves for support for a trial bus service locally was that we had been informed by SBC officials previously that this would not be allowed because it might result in a profit for the bus company. Another reason was that we did not consider it likely that voters right across XX would vote for our project, in view of its localised nature
We applied in round one. There was a lot of paperwork (we are used to applying for grants so we can achieve this) but as a smaller local charity, we found that we were competing against larger more popular ideas that meant we did not get sufficient votes. Competing with others for public votes is not something we would do again, all our participants that could vote but many have difficulties with mobility, literacy and could not achieve. This is not something we would do again, and we would prefer a much better way of spreading out the finances. It benefits the most populist ideas and is not worth the work it requires. We are better off approaching our usual methods of fund raising and working with trusted funding partners
Did not require any funding at the time.
No eligible project requiring funding
Not relevant
Unsure how!
I am new member & a recent import from England so have yet to learn more about the group
Successful in the first application
Not seeking funding
Unaware of the fund
Had been unsuccessful in the path. Didn't feel the bid would be supported by the public
At the moment we have no need for major funding
No relevant interest
When we looked into it the competitive element stopped us because we are a small group and knew we could not compete with larger groups where lots of family and friends could be encouraged to vote.
didn't know about it or what the criteria were
No project currently in mind.
Because the localities bid fund is a flawed process. 1. It is not proper participatory budgeting but a glorified beauty competition. 2. Since it depends on number of votes cast it unfairly benefits larger areas over smaller ones 3. LBF should proclude schools but in round one schools were given large amounts of

<p>money and schools groups were still allowed to put forward projects to round two. It is not good enough for SBC to pretend that bids from affiliated groups such as "PTA/Friends of a school" were for community benefit.</p> <p>4. SBC were fully aware that round one was a dreadful waste/misspending of public money but failed to make sufficient and useful change to the bid process for round two.</p>
we were turned down previously
This is the first I have seen if it.
We still think the voting process goes against small rural communities, so feel that it would be time wasting for us.
We are a very small group in a very small village so we felt we didn't have a hope of getting enough support from across the wider community to get enough votes to be successful. In this way, PB doesn't work for us.
Because our very rural area would be competing with the large towns and felt we had no chance to win a penny, we would be wasting our time. Apart from that you changed the application process and criteria without consultation which really really annoyed us.
WE DID NOT APPLY BECAUSE IT WAS NOT EXPLAINED PROPERLY
As a small community council it was felt that public voting would naturally lead to larger populations being more successful. We only had small projects requiring funding and with a limit of one submission it was difficult to judge when we should bid.
We had no off-the-shelf project ready. The nature of the application process gives the strong impression that only new projects will be funded - what about all the well-established long running organisations/events that require funding to ensure they continue? Assuming success in the initial application, there is an awful lot of work to do to get the public to support the plan in terms of canvassing votes etc. - this can detract/distract from your main work, especially if you are a completely volunteer run body. Relatively complicated application form
I think the voting process is not fair or transparent, it becomes a popularity contest as opposed to the quality of individual projects and what would be best suited to the local area.
Small village, too complicated and the way the bidding is structured favours the bigger towns and projects with the largest number of voters. Anyway Community Councils (often <10 people) are hardly representative of a resident population. As a council we have a number of permanent yearly duties plus other temporary tasks and issues we undertake. Remember, a C.C. is an unpaid, voluntary, amateur body, and each Council has widely different capabilities, with as few as three or four active members, so bidding for and undertaking new, perhaps large complicated projects is not everyone's idea of a fun night out. I know many councillors who are interested in their Communities but feel they already devote enough time and effort without getting involved Localities Bid Funding. In my view the basic grants to Community Councils are ridiculously low and should be increased in value by at least inflation and provide enough funds to undertake small projects without the need for any form of bidding/begging process. If a C.C. does not wish to participate or has no need of any improvements then fine, don't take the money but if it accepts funding and the money is not used by the end of year (or it has no future plans to use it) , return it to central funds. SBC already audits Community Council's activities, so you can see at a glance which Councils are active and require funds and Councils that do very little and deserve the same, very little!!
No particular project in mind
It seemed clear from the outset that some groups would have an advantage. Those in towns with a large base would find it easier to raise votes than small rural groups. There was a feeling in our group that the awards would go to those popular groups rather than run of the mill groups such as village halls.
No appropriate project. Very little known about the fund

Supporting another bid - "XX"
The applications were weighted in favour of the larger towns, our little village did not have enough people to out vote them.
Was voting for a group that had helped us.
Another group needing support.
Supporting a bid by XX
Supporting a bid by others.
Too small a group to get enough support
Supported bid by another. They helped set up our group.
XX helped establish our group and wanted to support them.
Small group unable to compete for funding against large organisations.
Group too small to stand a chance of getting enough votes.
Didn't know enough about application procedure
Didn't understand enough about application system
Didn't fully understand the importance of the development until it was too late.
We did not have an appropriate funding need in the timescale
Small group with limited time to promote. Other groups promote their applications and seek votes. Some groups have paid staff to do this.
Did not hear in time
As we represent a very small community in a dispersed rural setting it appeared difficult to see how we would get sufficient backing to vote for any project. Also getting matched funding or applying for alternative grants from elsewhere is time consuming and difficult to obtain. Most of the funding we require is for day to day maintenance and running costs.

Respondents were asked if they had any additional comments that they had about the voting process they would like to include. These are listed below:

Online confusion - can't even remember what it was but it wasn't straightforward. Online or paper - what about older people who are not mobile and don't use computer??
A shambles!
The on line process didn't work at the beginning and people were unsure if their vote had counted or not and it was difficult to navigate on a phone. Initially we were told that you could only apply for a paper vote online. This made it difficult to recruit from members of the community without internet access. Laterally we were informed that we could collect names to register people to vote and this worked fine but would have been helpful earlier in the process.
You are between a rock and a hard place. Discount any applications from Schools or PTA's or any application from a council employee and you may get a public sense there is fairness and parity involved. Paper voting at local voting stations is the way forward. You may indirectly discriminate against older people by insisting on a postcode online lottery, where many people are excluded because they stay south of the Border.
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Quite a lengthy process to vote online through having to register etc, than site went down and had to re activate
Yes, it was very difficult to find the project and then I wasn't able to register my vote at all - I tried several times and it was funding to help replace our lost bus service with a subsidised taxi, a really important issue that has left many of us cut off from jobs/Edinburgh.
We didn't receive funding but probably because there were so many of us having the same issues with the website and unable to register our votes
I feel the online voting was very cumbersome and difficult, if memory serves there was also a technical issue at the beginning
No thank you
The on line voting process was widely felt to be 'not fit for purpose' and we would agree. The voting event was not well enough publicised and very poorly attended as a result.
This was mainly focussed on online voting and the system didn't work initially. Unless someone was very keen to vote, which I was, they would have given up. Paper forms should be available at key places, such as the Post Office, so as to widen accessibility to vote. In general, many older people, are not online. This makes it discriminatory. Also, was it merely a 1st past the post system? If so, this favours larger populations such as XX. More people should have voted in XX though. I don't believe many XX people would vote for a XX bid. Maybe you need to split the fund across areas first, then bid within the area for a fairer approach
Took a few goes to get vote counted but worked ok in the end. Would have been better if it had worked first time
I'd no idea about voting guidance, different methods of voting, voting period, voting forms or that any staff were available. Lack of information.
The on-line vote system was delayed due to technical issues. We tax our cars, renew passports, etc by computer but try and register a vote on the local council website... aargh! The whole system favoured the many (200+ votes) and not the deserving few from rural areas (88 votes).

Many of the older voters felt at a disadvantage because they, in general, do not have smart phones, Facebook and other modern communication systems
Confusing. Software either was not user friendly or didn't seem to work. after several attempts I had no idea if I had voted or not so gave up. I suspect my vote hadn't been registered.
No
the online voting process was firstly not available and then very unclear on the voting process with glitches and unclear notification of the completion of voting
The online voting process was not straightforward at all. When it went live it immediately crashed - it needs to be tested better before going live. Use words that the public are familiar with - participatory budget is not a user friendly term
Awful
The process is most unfair with large communities, eg Gala, Jedburgh competing with small villages.
allowing 4 weeks for the public to vote is not long enough and only have the paper voting held on one day in a town is unfair to those living in the villages (some of whom do not have the internet or their own transport)
I think the voting process is hugely biased towards larger groups and organisations. It will be very difficult for tiny villages and organisations to ever get the votes required for their projects. In addition, many people don't seem to know about Locality Bids, one would have to be very keen to vote to bother to get a paper form, and with so many elderly people in the Borders, who are almost certainly less likely to undertake this online, it's simply not a fair way to providing funding. On one hand, it feels like the council are trying to expand public involvement but on the other it feels like they are trying to absolve themselves of responsibility for decisions about this sort of funding.
I was totally unaware that there was a paper voting option
Delays and changes to dates were not helpful.
Access to paper forms not as easy as it might be.
Online process hard to navigate if not VERY computer acquainted
The online voting was difficult and put a lot of people off. also the rules for voting were not clear
too long, overly complicated, too much expected of voluntary groups without resources to 'present' at an open day in a place where they are unknown to an audience who don't benefit from the project
It is basically unfair, because it does not give adequate weight to smaller communities.
The money available in XX should be divided beforehand into three pots (not necessarily of equal size). Pot (a) would be available for projects located in Western rural areas, pot (b) for projects located in Eastern rural areas, and pot (c) for projects located in XX. Only people living in the location concerned would be able to vote for awards from each pot.
For simplicity, every voter should be able to cast just one vote for their favoured project.
Having to register and create an account was annoying
yes, it does not benefit the under privileged who are not confident to vote, who do not have mobility to go to council offices or shops and do not use online because they are poor. The ideas most likely to succeed will have mobile, online, and public opinion.
The voting system makes it difficult for groups who work with older people as it was geared towards the online voting and many issues around not knowing if vote had been cast or not?
Paper voting not straightforward to phone up and get papers sent out for every member of the group as you needed to have a note of everyone's postcode - very time consuming!

<p>Biased towards bigger town projects as the voting events were all held in the bigger towns so people vote for projects they have heard of rather than smaller outlying projects that are not so well known in the larger towns.</p>
<p>The locality events felt like a cattle market/popularity contest, which was very uncomfortable plus a lot of the people who came along had already voted!</p>
<p>The number of steps in the process was very bad, and I had a confirmation I'd voted successfully then several weeks later had a confirmation that I didn't vote. It was a shambolic example of a simple process.</p>
<p>Was disappointed that there were issues with online voting.</p>
<p>On line voting system was not available on go live date and was very cumbersome and difficult due to pre-registering process. Elderly voters found it very time consuming and frustrating.</p>
<p>Voting should be in Person at a project presentation meeting.</p>
<p>Total Shambles</p>
<p>Please could you review your online voting process? It was awful and we couldn't vote on it, therefore losing out on our bid.</p>
<p>If I wanted to support any one of the projects I was forced the vote for 5. There was no mechanism to restrict vote to project I actually wanted to support. In effect being forced to vote for projects out of my area in an area of large population had the effect of cancelling out my vote for local area projects</p>
<p>Stop giving it to people who have won it before - look at what the applicants have applied for previous and whether they have received funding from any other people or funders before, if they receive funding all the time from multiple sources then I think they shouldn't have the chance to apply - lots of organisations get no funding as the "regular funding people know how to fill out the forms better" and the little people always seem to lose out.</p>
<p>I think there is a risk that this fund increases inequalities since it's likely that people and groups most in need will be less able to submit applications.</p>
<p>I think the funding should be split across areas based on deprivation as well as population size.</p>
<p>I think that it's inevitable that great bids from small communities e.g. XX will fail because the potential number of people likely to vote will be lower. This will increase inequalities.</p>
<p>In summary this approach as it stands is fundamentally flawed based on the above.</p>
<p>It was very disorganised - it was laughable. Also the voting was in XX - that was a waste of time</p>
<p>Yes, I would like to see a fairer process for smaller villages to get a chance, as with smaller populations these projects will not have the same amount of votes as larger projects in larger towns.</p>
<p>The set-up of voting for more than one option diluted the vote considerably. From feedback it was clear that most had one preferred project and the other votes were cast as an afterthought. Meaning that not much thought or less time was taken on the other votes but each vote carried the same weight. Possibly less votes or a preference scale (1st choice etc) could be used?</p>
<p>I think the Council should decide who gets what. The voting system does not depend entirely upon the merits of each project but also on the size of the local community and their social networking skills in generating votes from other areas,, and possible informal reciprocal agreements between bidders ("our organisation members will all vote for your organisation's project if your organisation will all vote for our project") - which is possibly the only way for two projects from a smaller village to achieve success.</p>

If voters could only vote for one project , then this kind of collaboration would be avoided, but projects in small communities would have little chance of success due to their low numbers of potential supporters, with the majority probably tempted into voting for projects local to them.

This whole section of the process was a farce. it was certainly not exclusive in all forms. the advertising support from the council was practically non existant
Applying on line was quite a mess and took several attempts and a certain level of computer savvy. this method excluded those without internet access, those not too good on the internet, literacy, the elderly, English as a second language....

Applying for a postal vote - a farce, the voter could not go in or pick up from one of the groups in the bidding process. instead they had to apply for a form - the form was then processed and sent out and then the voter had to complete and send back. even as I write this, and you read, you cannot deny it is a ridiculous way to do things. When I asked about the likelihood of getting organisations to take a note of peoples names and contact details. I was told to write them on a bit of paper! I mean I have to fill out a huge document to say I understood gdpr and confidentiality and this was the helpful advice. You may wish to get staff on some appropriate training . After involving a couple of councillor a form appeared on headed paper. however anyone could have run it off on their own computer. A panicked response...

The length of the voting would have been fine had you chosen appropriate and inclusive methods in which to encourage potential voters to participate. the voting process was extended to enable more votes to be collected as there was a noticeable lack of participation from voters. plus was it not true that not enough voting forms had been printed and this too caused a problem?

Our voting took place in Galashiels a couple of days prior to the closing date - reducing the time of voters being able to receive and return their voting forms. our project is not in xx so the local vote was missing, plus it was in xx a building not on the high street and only those who made the effort turned up... remind me how many people came through the door - was that about 20? waste of everyone's time - hence why a lot of organisations cleared up early . If you had however planned to hold a networking event you succeeded and should use the same or similar method for your Locality meetings to get numbers up the communications between ourselves as a project and the council was shocking – XX did not answer the majority of my emails or phone calls, so i start ed to include councillors in my conversations and communications - just to get an answer

Was a shame that the online voting process had technical issues

Complex and confusing with ballot papers not being widely available.

As applicant organisations work with residents of other Border towns, I would suggest the voting should be open across the region and not restricted to the immediate vicinity. I personally heard this raised by quite a few people who then used their vote for a local organisation ' just for the sake of it'.

Smaller communities do not have same weighted value as the larger communities and too much emphasis is placed on the very large applications that deplete the funding thus leaving smaller applications bereft of important projects to them. Perhaps consideration should be given to a financial ceiling being placed on applications thus spreading the available monies more evenly.

The local 'showcase' events were weighted towards the locality so there was active canvassing taking place for local projects. This left more remote projects at a disadvantage.

I'm not sure how the voting worked in relation to size of community and I'm not the only one.

How are ordinary members of the public supposed to find out (a) that there is a voting process and (b) what the voting process is?

<p>It seems to me that the voting processes is flawed & weighted towards those organisations best able to raise support, mostly from people with the ability to & with access to IT. The online system was laborious and led to many giving up. It also rejected many votes so voters had to re-vote. I know many did not (though some may have voted in person at the local event).</p> <p>I understand the need for transparency & restriction to one vote per person but perhaps there is a better solution. We all get one vote only in political voting so is there not a solution that is similar?</p>
As I didn't take part I can't comment on the process, except to say that 4 weeks is a good length of time for voting to take place.
It appeared to us to be completely unfair as it favoured the large towns.
Have to think more about elderly as not as technical i.e. electronics as most
There is a general lack of awareness among the wider population on the voting process to allocate funds. It is felt that a significant amount of time needs to be invested into marketing of a proposal which is difficult for smaller community councils to achieve as time commitments are limited.
I don't think it is the right process for investing in local projects
No. When we decided not to apply we lost interest.
Public voting not a fair process for projects from one end of the Borders to the other. A representative panel might be better
The whole process of Localities Bid Funding is still at an early level. I would guess that few in the general population either know about , understand it or are not interested in the least. For LBF to be a serious platform for involving Communities a way has to be found to bring the whole process to a much wider audience. How you get people's attention and get them interested in their Community and Community Councils in our modern busy world I would dearly like to know. Our Council recently lost our website (although god knows how many people used it) and are looking at ways of resurrecting it. I think there should be a Borders Website for Community Council where, if they wish to participate) C.C.'s can put their Agendas , Minutes, activities, forthcoming events, etc. For active Councils this would be a really useful platform (not all C.C's have members who can construct or run a website) and all the information could be found in one place. For C.C.'s that do little it wouldn't affect them at all.
Voting was unfair to small bids from small organisations compared to a primary school bid
Basically unfair for small (few people) bids compared to say a primary school bid
System unfair to small groups
Unable to vote at the nearest centre. Wrong papers sent out and new ones arrived close to the closing date.
Postal votes were slow to arrive. In some cases the wrong forms were sent out and then a delay in getting the correct ones. Online voting discriminates against old members of the community and their interests.
Not helpful to older people - not online, distance to travel to vote in person - not nearest centre!
Had trouble getting paper voting forms. Wrong forms sent out
Only paper votes of use to older people. Voting centres did not allow voting at the nearest one
Paper votes late in being issued. Voting centres/ dates inconvenient
System at present favours larger communities
I found the online system very challenging and the voting does not help support smaller rural communities where communication and promotion of the grant is difficult
Given my lack of awareness, it may be that only those who submit an application know what's going on and therefore may be the ones who vote. If this is the case, the model is seriously flawed and only pays lip service to community engagement
It was awful.

I'm just a person who wanted to support a local cause.

You did not make it easy and accessible especially for people who are not good with the internet and/or have mobility issues and couldn't get out on the ONE single morning to vote in person.

Hate the idea of this 'hunger games' voting process too.

All causes surely deserve a share of the pot, it actually comes across as a really cruel and divisive process which is not fair on anyone, ultimately.

Don't like this thing at all, surely there has to be a nicer way to share out this much needed funding for local groups.

It's very sad and divides community.

The system should be based on the needs of a project, the worthiness of the project and not how many individuals an organisation can drum up to vote for it. In the instance of village halls they are run by unpaid volunteers who often cater for the isolated members of rural communities, i.e. Young mothers and the elderly.

There seemed to be some issues with online voting, I remember people saying they'd experienced difficulty accessing the relevant areas of the site.

The system is messy and confusing

No other comment on the process itself.

By the end of the process we understood how the system worked and could see the benefits to our charity and the community we serve. The opportunity to get our young members of 16+ to vote, encourage their friends and family to vote and see how the council could help their interests is excellent. The online voting system felt clunky and several of our supporters struggled to get the system to work at first attempt. Secondly, we struggled with the locality as XX is Border wide but running a project in XX, XX. Therefore, are members could only vote if they lived in the locality. That was something we didn't understand at the outset...our learning process. The day of the vote clashing with a political rally in Gala, that was unfortunate

The online voting system was unreliable, did not work for long periods and was beyond the comprehension of most people wishing to vote on line. I suspect many people gave up at this stage and never voted.

Respondents were asked if they had any general comments that they would like to include. These are listed below:

As far as I know it is being scrapped and all put into the Community fund? About which I've attended a Focus group but so far received no Minutes. I also think there must be a clear line drawn between for-profit and not for profit groups - at least one local business I know of obtained public funds (not localities) through having a voluntary/community 'arm'. It should be purely not for profit groups which benefit.
Scrap it as you've already indicated it happening.
Impossible for small communities, especially rural ones, See XX results!
The event in XX was a waste of time. There was no passing traffic at max arts and a rally taking part that day. It disadvantaged those not from XX to have it in the town so in future it would be better not to have it at all.
Yes, stop doling out money to vanity projects, like we need a new sound system for the school, but the whole community will benefit, Aye Right! Or the local Brass band for their personal instruments .In all fairness you almost got it right in the Bid Fund 2. Give it to groups that are actually making a difference in the community and are giving something back to the community, like the XX or the XX.
We were successful, it took a lot of work through promoting the cause, but we were successful which made it all worthwhile. I felt that maybe if monies were divided between all causes at least everyone would then have a foot on the ladder towards their fundraising.
The fund is a great idea but the online voting needs to be simplified to encourage more votes
Awful system.
we found the process easier than many public funding options - acceptable overall length and good clarity
Despite the negative feedback previously, we remain extremely grateful for the funds we did receive which will go a long way towards the provision of a much needed service within the Community
It is good to give local people a say in how their money is spent, however XX was bidding for a taxi service, when there should be a service bus. This is not a 'nice to have' but an essential service. Many of the other projects I would say were in the 'nice to have' category, to boost community projects. Ours was not and gave SBC a way to again duck out of its responsibilities.
There is a climate emergency. Ridiculous daily traffic queues on A702. No other way of getting to work for 9 am in XX or XX except by car. It would also be nice to be able to have a night out in Edinburgh and not have to pay a £60 taxi fare to get home. The buses we have are very infrequent, go at unsuitable times and breakdown frequently. XX needs a bus service!!!!
The public event was held in the town hall but there were very few people attending as there were no notices just outside the town hall to let people know it was on. One of the groups had not been informed about this so they were given the opportunity to hold a separate event in the local café. This had more people voting and so would be a better location for future events.
XX desperately needs additional public transport.
It's extremely unfair especially for rural communities who have quite a small vote capacity and are somewhat restricted in travel distance to XX to attend public advertising events.
Online voting process encountered errors. Was unsure if my vote was entering the system
No
No, I've said it all in the last section.
The old format was no perfect but better than this ,you need to realise smaller communities have little faith in sbc ,and believe most of the money will go to larger towns

<p>the day for meeting the prospective voters was great for meeting fellow applicants but not terribly well attended by the public</p>
<p>Apart from the inadequacy of the voting system, there was a lack of local publicity.</p> <p>The whole process seemed to favour larger communities leaving the smaller villages without a proportionate voice. I also now hear that further votes could be made at the public meeting which surely must sway the results in favour of larger communities and the town where the meeting is held, as travel from remote areas in the region is much more difficult - often there is no public transport.</p> <p>This whole process is confusing, unfair and I would suggest needs a complete revamp putting fairness and community needs at the heart of the outcomes.</p>
<p>it is completely bias to bids put in for the towns as they have more people who will vote for their bid - the bids by the villages never win regardless if their request if for much less it is obvious to me, who was representing our community bid on the voting day that nearly everyone who came into the town hall already knew the people behind the bids put in by the town and were voting for them regardless of the project.</p>
<p>I think that the application and voting process are weighed against small, rural communities, and it would be better to have a greater involvement in the choices approved from the elected local councillors.</p>
<p>The full budget assessment and appraisal process must be published so the public can make a full and considered decision. We should know if the sum requested is 100% or 10% of the total project costs AND if all the other funding is secured. We could vote for something the NEVER gets delivered.</p>
<p>The number of votes cast for each project should be publicised after the poll, so that applicants can decide whether to apply again or not.</p> <p>The Fund should be able to cover not just the capital costs in a project but also the running costs for the first year. This would facilitate pilot schemes.</p> <p>There should be no eligibility criteria disqualifying applications which might result in a profit accruing to contractors engaged to carry out the project.</p> <p>To enable voters to find out more about the projects for which they are considering voting, the application forms and supporting documents should be open for public inspection on-line.</p>
<p>Parent groups should be separate from community groups as parent groups bids have more people voting for them.</p>
<p>we do not plan to do this now or at any other time</p>
<p>I am pleased that you are looking at this as it was not an enjoyable experience applying for localities funding and there has to be a fairer way to distribute funds to communities especially if you are only asking for a small amount of money why not in those cases you only need to receive a certain proportion of the votes!</p>
<p>It was not a helpful or good experience, and is capable of significant improvement</p>
<p>The online voting system was very complicated as having to register then go to a completely separate part of the website to vote resulted in people just giving up on the process.</p>
<p>Being a community council, we were dismayed at the lack of information/communication received on the LBF 2.</p> <p>Having experienced the same type of voting format via The Lottery, I find it difficult to find the procedure for voting fair, Larger groups can obtain more votes, whereas smaller groups can lose out this way.</p>

Was very well organised. Technical problems were unfortunate. Publicising/voting event was very poorly attended - unfortunate big demonstration on the same day which could have impacted on the attendance.
Needs fine tuning for future bidding
Still too restrictive in what can be funded.
The who We process needs wholesale review, including voting and allocation of funds.
Public voting on funding is an interesting idea and engages the public. The inevitable complexity of registering & casting votes is a problem.
At the moment, I do not know what it is
Whole process was very poorly thought out and very poorly implemented
Communication and voting could have been very much better.
The process seemed stacked against projects in areas without a large population
Don't do the things that are a one off event - do things that are going to benefit generations to come and have a lasting effect on their local communities
Personally, I'm not keen on the voting concept. If a strict remit is published for the disbursement of funds, then a permanent panel would be competent to adjudicate. It's not as though the people who do vote are truly representative of their communities (I would guess that the majority never even hear about the bidding process, let alone apply for voting sheets or go online.
Likewise, I'm not keen on splitting the available funds among Localities. Many projects run across Localities boundaries anyway; and in any given season there may be a need for nothing in Eildon but a crying demand in Cheviot.
I think it's a great attempt at being democratic; but it isn't really.
Energise Galashiels Trust are indebted to XX who has provided advice and guidance following the successful bid. He is a very personable young man and a credit to the council.
I think the process risks further marginalisation of those most in need and is therefore fundamentally flawed.
It was an absolute farce. This is a system which works well in small communities and hence the success in Burnfoot. To try and roll out this method across the whole of the borders is not a good idea. It then becomes a popularity contest and those projects where voting takes place are more likely to get chosen. The ways in which to vote were not inclusive Larger borders wide organisations should not be allowed to be involved or should have a separate fund. They are stopping the smaller projects from being in with a chance I mean the reason the street pastors got their money is not because people thought it was an amazing project (with respect) but they were one of projects asking for a small amount and because voters HAD to vote for 3 projects 'Oh look they are only asking for a couple hundred - give my vote to them' and enough people done it.
Hopefully the council will not try this again, some staff training and really good sit down to think about what went wrong and take on board the feedback you are given and hopefully conclude that the council are a service provider not a funder. Or you could just try and persuade others and yourself that you done your best and it was someone else's fault - a bit like what the remnants of the labour party are doing all over the news today
I probably would not apply again - but don't be spiteful and use this to make cost savings for next year
In my opinion it was not cost effective. The cost of administrating this must have been high and I feel it would be better to consult on what categories of application should be accepted and thereafter judged by an independent panel. This would cut out costly administration and make sure any money available goes to projects instead.

An anomaly arose in Clovenfords which has a close affinity with Galashiels where residents not allowed to vote on projects in Gala which they were interested in.
Some after bid support for failed bids.
Fairly straight forward process, staff were very helpful and patient! Not sure that the information morning was a worthwhile event - could have been due to other events that were happening that day
A huge waste of public money
I think the whole system should be scrapped and bids for funding channelled through Community Councils and ward councillors for evaluation and approval. More of the money allocated to this should be devolved to those community councils which function efficiently so that they can fund projects of benefit to their communities as a whole.
I realise it is difficult to get this right and keep everyone happy but keep trying!
This still feels like a very tokenistic version of participatory budgeting. It is also too time restricted. Could SBC consider operating a continuous application process for this money, so that groups can apply at any time of year to suit their needs and projects?
Perhaps any future Bid could see the total sum allocated evenly between the bidders maybe as a percentage linked to the value of their bid and the value of the fund. For example taking the amount available in LBF2 each organisation would have been granted about 40% of the amount they requested. A more equitable solution, less cost in administration as no voting process. Instead they competed directly against other community members many of whom shared joint interests. I consider it unfair to make local communities compete from within & start challenging each other when the aim of a community is to work together.
There needs to be a way of making it a realistic option for very small communities.
Why mess with something that was working OK in the first instance? Why did you not consult with the people first? You are having to do it retrospectively because you made a mess of things and waste our money trying to put things right. I hope the SBC gets admonished for doing such a stupid thing.
There is still a significant lack of awareness of how the Localities Bid Fund operates. First past the post on a small number of public votes does not equate to level of need within the relative community. If a small number of projects request a large proportion of the available funds this has a detrimental effect on the remainder of the projects submitted. There is little feedback at community council level from SBC or Cllrs on successful projects. Requesting feedback on the LBF2 process over the Christmas period when some community councils don't meet is not perhaps an ideal way to communicate effectively.
On the surface it looks to me as if the SBC is trying to be populist. The Fund looks a bit like the talent and dancing programmes on TV but perhaps more like the programme where groups applied for huge sums to do up buildings. It also smacks of pitting groups against each other when we should be working together
Needs better publicity in order to make people throughout the Borders aware of the funds available
The competitive nature of the fund is very unfair and took up a huge amount of our time as we worked to secure votes. It was extremely uncomfortable to be competing against neighbours and other very worthwhile initiatives.
The process is very unfair, favouring larger towns.
I think I've said enough.
Perhaps have tiered groups Large, Middle, Small size or by the size of the bids so small organisations or bids are not overlooked.
Small organisations are important can there be tiered groups e.g. Large, Middle, Small size or by size of bid! Please ensure older small organisations are not overlooked
Small groups at a disadvantage from the beginning. Schools etc. were always going to get more votes

Voting was restricted to groups within your own district. People attending activities outwith their home postal area could not vote for their preferred bid.
Large groups will always be able to get more votes
Voting as it is set up favours larger communities
Voting system needs overhauled and more publicity regarding the grant system made to the general public and groups interested in applying for a grant.
I'm concerned that grants might be sought to undertake work which should or was the responsibility of the council
No.
See previous comments
I don't think that this is a kind or fair way to distribute the cash AND the territories are too large to be considered 'local communities' e.g. Clovenfords literally has nothing to do with Tweeddale so just stop it!
I think it's a very disappointing way to use this money. I have seen people out asking them for votes who have nothing to do with the area or project. Friends of friends and the most popular. It divides communities and leaves people dis engaged with the funding process. I find it to be of poor taste, counterproductive and causes more issues than it solves. I have been a community worker all over Britain.
Incorporating the money currently providing grants going to the federations of village halls and the grants and running costs of the community councils into the localities bid funds in the future as has been mooted by SBC is a travesty and should not go ahead. That money is a drop in the financial ocean and provides support to rural communities across the borders in a very worthwhile way. Loss of village halls and community councils will have major consequences in isolation of individuals in these rural areas
It felt a bit artificial, a lot of energy seemed to go in to trying to get votes for projects
The feedback from several who were successful is total frustration at the whole process and the ongoing hurdles with some still not accessing their funding.
The whole system needs to be streamlined and as simple as possible
Although the voting process was fine, there possibly remains an issue with the number of votes that a small rural community can attract, compared with a much larger town area. Granted, they may well receive a proportion of the 2nd and 3rd votes from individuals, but if there is a large field of applications then the probability of this significantly reduces.
Once a community group has been successful, if they are then using the grant fund to purchase a capital item, e.g. a marquee, for example, then this is relatively straightforward. However, if the grant is to be used to fund , say, landscape improvements within a community, then the process can be much more complicated, especially when various permissions need to be sought, risk assessments done etc.. SBC Officer advice is invaluable, but these are very busy people with many mainstream responsibilities for the Council and their time is finite. Consequently, the progress towards completion of a given grant award project will inevitably be slower and more problematic.
I hope this bid fund continues and I genuinely think it is a great opportunity for our charity us to get our young people to understand where the funding comes from and that they need to participate to get their project to happen. We would do a better job on a second attempt to spread the word among our friends in the community.

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#yourpart



2020/2021 Community Fund: Guidance Notes

Appendix 3

PLEASE READ THESE GUIDANCE NOTES CAREFULLY BEFORE COMPLETING THE APPLICATION FORM

What is the Scottish Borders Council Community Fund?

The Scottish Borders Council Community Fund is the Council's main provider of financial support to voluntary and community groups. The fund provides support to voluntary and community groups that are active within their communities, and assists communities or interest groups with the development of community based projects.

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

Grants of up to £1,500, £5,000, £10,000 and in exceptional cases, £30,000 are available.

Who can apply?

You can apply for funding 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 (if you are applying for over £5k)
- you have a bank or building society account
- you have independently approved annual accounts which are less than 15 months old (if you are applying for over £5k, 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

Applications are welcome from groups working in partnership but one group must be identified as the lead applicant.

Note: Constitutions, bank statements, annual accounts must all be in the same name as the name of the applicant group/organization given on page one of the application.

How much is available?

The amount un-constituted and constituted groups can apply for is as follows:

- Up to £1,500
 - Up to £5,000
- } un-constituted and constituted groups, a total of 2 applications per year
- Up to £10,00 – constituted groups only, 1 application per year + 1 from another category
 - Up to £30,000 – constituted groups, 1 application per year + 1 from another category

Page 167

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

Applications of £500 and over will require a 10% organisational financial contribution. Grants of up to £499 can be funded up to 100%. The funding requested should be the minimum required to enable the project to go ahead.

What can funding be used for?

Funding can be used for a variety of purposes including the purchase of equipment, small capital works, hire and running costs, maintenance costs and capacity building. Wages, salaries and fees can be funded on a short term basis of 1 year. Funding may also be used for local participatory budgeting. All applications must be for new, innovative community driven projects and not a like for like replacement for Council services that have been withdrawn due to efficiencies or Best Value concerns, and all applications must demonstrate sustainability.

Your project must meet 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)
- Communities have more access to a better quality environment (including the built environment)
- Communities have more pride in their community
- Communities have more access to better quality advice and information –
- More local groups or services are better supported to recover from financial difficulty

You will also be asked in the application form how you will demonstrate and measure the success and the benefits of your project against these outcomes.

The Community Fund is an application based funding scheme, based on need. It will in certain circumstances, be able to provide one-off support grants to help groups sustain themselves.

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

Who cannot apply?

- Individuals
- Organisations involved in party political activities
- Companies who aim to make a profit
- Statutory bodies

What cannot be funded?

Funding cannot pay for:-

- Ordering or spending which has taken place prior to application approval
- Alterations and improvements to licensed serving areas
- Trips abroad
- Maintenance of private roadways
- Used vehicles

Project Planning - How to get started

- Speak to people your project is aimed at - gather community views and responses
- Speak to groups / organisations / services connected to your project theme to see if they can enhance your project or work with you
- Determine what will and won't work in your area
- What activities do you plan to deliver and how – what difference will this make in your area and how will you measure the impact the project makes e.g. numbers of people involved and feedback from those involved
- What resources/people/venues etc. are needed to make your project work
- Who will be responsible for the different elements of your project
- If your project involves a building, lease of land or a public space, permissions / agreement from the relevant body must be gained before making an application. If your project involves any form of construction you need to have heritable ownership of the land or building, or hold a lease which cannot be brought to an end by the landlord for at least 5 years.

Applicants should 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 when appropriate. For advice on other funding opportunities, please contact the Council's Grants Administrator, The Bridge or Berwickshire Council of Voluntary Service - see contact details below.

Grants Administrator, Communities & Partnerships Team, Council Headquarters, Newtown St. Boswells TD6 0SA. Tel: 0300 100 1800

The Bridge, Volunteer Resource Centre, School Brae, Peebles EH45 8AL. Tel: 01721 723123
tweeddale@the-bridge.uk.net

The Bridge, 3 Roxburgh House Court, Roxburgh Street, Galashiels TD1 1NY Tel: 01896 755370
central@the-bridge.uk.net

The Bridge, 1 Veitch's Close, Castlegate, Jedburgh TD8 6AY. Tel: 01835 863554
roxburgh@thebridge.uk.net

Berwickshire Association of Voluntary Service, 55 Newtown Street, Duns TD11 3AU. Tel: 01361 883137
www.bavs.org.uk/contact-us

How will projects be assessed?

Assessment

Funding applications will be assessed using the following criteria:-

- If you have received a grant or funding before and if you completed the grant evaluation form
- How you have made use of previous grants and funding
- How your group is set up and managed
- Your finances and the financial need for funding (see note below)
- What need/demand has been evidenced for your project/activity
- Project success and the benefits to be gained - 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 specific funding is unlikely to be awarded.

Decisions

- Decisions on funding will be considered by the relevant Area Partnership and determined by consensus (i.e. widespread agreement). Where consensus is not possible, then SBC Elected Members will 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.

- Funding decisions for Borders-wide projects will be made by the Executive Committee.
- Fast Track applications will be assessed by SBC officers and a decision on funding approval made by SBC Elected Members.

What happens if I get funding?

Funding can only be used for the purpose applied for. Projects receiving funding must commence **within 12 months from the date of acceptance of the funding.**

Upon completion of your project or 12 months after receiving funding, whichever comes first, you will be requested to complete an evaluation for **your local Area Partnership** and submit receipts to evidence that the amount given has been used for the purpose intended. The conditions of any offer of funding, 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 funding may result in the funding being repaid to Scottish Borders Council or affect future funding awards.

What is the time-scale for funding?

You must send in your completed application with supporting documents **at least one month prior** to the Area Partnership meeting at which you wish to have your application considered. Dates of Area Partnerships meetings can be found [here](#), alternatively contact the Communities and Partnerships Team.

Fast Track applications can be submitted at any time and will be assessed on a rolling basis - there are no deadlines for submission.

If you have been successful you will receive an award letter in duplicate specifying the terms and conditions. You must sign and return one full copy to us within 3 weeks. **Funding will not be paid until we have received a signed award letter.** Following receipt of the signed award letter and acceptance of the terms and conditions, grants will be paid either directly into your bank or building society account or paid out by cheque. Please note: if you are successful – it can take up to one month for us to process your payment.

For assistance in completing this form and all other queries please contact the Communities and Partnerships Team at Scottish Borders Council on 0300 100 1800.

All completed forms and attachments should be submitted via email to communitygrants@scotborders.gov.uk or in hard copy to Grants Administrator, Communities & Partnerships Team, Scottish Borders Council, Council Headquarters, Newtown St. Boswells, Melrose TD6 0SA

Further information can be found on the following website:
www.scotborders.gov.uk/communitygrants

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

ROMANNOBRIDGE FLOOD PROTECTION SCHEME 2020**CONFIRMATION OF THE SCHEME UNDER THE FLOOD RISK
MANAGEMENT (SCOTLAND) ACT 2009****Report by Service Director Assets and Infrastructure**

SCOTTISH BORDERS COUNCIL**27 AUGUST 2020**

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes that the Council approves the recommendation to confirm the proposed Romannobridge Flood Protection Scheme 2020. It also seeks authorisation to allow the Council to commence the construction stages of the project.**
- 1.2 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.
- 1.3 Any person is 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.
- 1.4 There were no objections to the proposed Scheme therefore the Council must now make a decision to confirm or reject the Scheme in accordance with paragraph 4 (1) of schedule 2 of the 2009 Act.
- 1.5 Once the decision has been made the Council will publish notice of that decision in accordance with the paragraph 10 of the 2009 Act. The Scheme will become operative 6 weeks after notice is published unless an appeal is made.

2 RECOMMENDATIONS

- 2.1 **It is recommended that the Council:-**
 - (a) **Make the decision to confirm the proposed Romannobridge Flood Protection Scheme 2020.**
 - (b) **Authorise the Service Director of Assets and Infrastructure to commence with the construction stages of the project.**

3 BACKGROUND

- 3.1 Frequent flooding occurs in the Western area of Romannobridge, around Romanno Mill and what is commonly called "The Caravan Site". This is generally associated with the Lyne Water. See location plan in Annex A. The most notable recent flood events have occurred in 2012 and 2015/16, with multiple flash flood events occurring within a short space of time in each case.
- 3.2 Following this recent flooding, hydrological and hydraulic modelling assessments were carried out in 2017/18 on the watercourses affecting Romanno Bridge; the Dead Burn, the Longstruther Burn and the Lyne Water to support the assessment of flood risk and development of flood protection options. This concluded that a 1 in 30 year standard of protection can feasibly be achieved in line with SBC's project objectives.
- 3.3 A high-level option appraisal of flood protection solutions was carried out, alongside a review of a previous flood study by SBC in 2002.
- 3.4 A baseline damage assessment and cost estimate was carried out. The results of which indicated that the proposed Preferred Scheme will provide a positive benefit-cost ratio and as such the proposals are an economically worthwhile investment for SBC.
- 3.5 It was concluded that a Flood Protection Scheme comprising three main elements offers a feasible, economically viable solution: these comprise an embankment adjacent to the Lyne Water, kerb raising / footpath reconfiguration along the A701 and the removal of soil/debris at the bridge arch of the old Romanno Bridge. The kerb raising also has the added benefit of an increased level of protection to the A701.
- 3.6 The preferred Flood Protection Scheme will require substantial works on private land, as such it was decided that the works should be progressed as a formal Flood Protection Scheme through the Flood Risk Management (Scotland) Act 2009, as this gives all involved surety of process and will ensure the proposed flood scheme has legal protection in years to come.

4 PROGRESS

- 4.1 Under Schedule 2 of the 2009 Act; the associated 2010 Regulations; and updated 2017 regulations, public notification and public inspection of the scheme proposal is required. This process concluded on 6 March 2020 with no objections.
- 4.2 As part of this process, all residents in the area were consulted, in addition the following organisations were consulted; SEPA, Scottish Natural Heritage, River Tweed Commission, Tweed Foundation, Scottish Water, Lamancha, Newlands and Kirkurd Community Council and all relevant internal SBC departments.
- 4.3 Consultants were employed by the Council and they completed outline design prior to public consultation in February 2020 and this was not altered post-consultation. Detailed design work has subsequently been completed.

- 4.4 The following aspects have also been progressed; Permission has been gained from the landowner for use of the land for the purposes of the Romannobridge FPS 2020; a Preliminary Ecological Assessment has been undertaken with no issues arising; ground investigations were undertaken and water main diversion design was completed in January 2020. It is also proposed to use the Council's in house contractor, SBc Contracts to undertake the actual construction work.

5 STATUTORY APPROVAL PROCESS

- 5.1 The Statutory Approvals process consists of a number of processes through which the Scheme has to pass before it can obtain the legal powers to allow for the delivery of the works.

5.1.1 **The Scheme Approval:** under the 2009 Act; and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Districts) (Scotland) Regulations 2010 (2010 Regulations); and updated 2017 Regulations

5.1.2 **Deemed Planning Permission:** under the 2009 Act; the 2010 Regulations; and section 57 of the Town and Country Planning (Scotland) Act 1997; and

5.1.3 **The CAR Licences:** under the Water Environment (Controlled Activities) (Scotland) Act 2011, also known as CAR.

5.1.4 **Environmental Impact Assessment:** under Schedule 2 of Town and Country Planning (Environmental Impact Assessment (Scotland) Regulations 2017.

5.2 The Scheme Approval

5.2.1 Under Schedule 2 of the 2009 Act; and the associated 2010 and 2017 Regulations, public notification, public inspection of the scheme proposal and an objection period of 28 days is required. This process has been undertaken and was concluded on 6th March 2020. No objections were received.

5.2.2 As no objections were received, the Council must make a formal decision to confirm or reject the proposed Scheme as detailed in paragraph 4 of schedule 2 of the 2009 Act. This is the current position and this report requests that the Council make that decision. This process is fully detailed in section 6 of this report.

5.3 Deemed Planning Permission

5.3.1 As the project costs are estimated to be below £250,000, Scottish Borders Council Planning Department did not require the submission of a planning application and the proposed scheme is considered to be Permitted Development under the provisions of Class 33 of the GPDO.

5.3.2 Scottish Government have confirmed that they do not require any application for deemed planning as SBC consider this to be Permitted Development under the provision of Class 33 of the GDPO.

5.4 CAR Licence

5.4.1 No CAR Licence is required as there are no works within any watercourse.

5.5 Environmental Impact Assessment

5.5.1 No Environmental Impact Assessment required under Schedule 2 of Town and Country Planning (Environmental Impact Assessment (Scotland) Regulations 2017 as the site area is below 1 hectare. As part of option appraisal, a stakeholder engagement meeting was held as a screening process, this included SEPA, Scottish Natural Heritage and Scottish Water. These stakeholders were also consulted as part of the objection period between 7th February and 6th March 2020.

6 MAKING A DECISION WHERE NO VALID OBJECTIONS RECEIVED

6.1 The process through which the Scheme is being approved is contained within the 2009 Act and its associated 2010 and 2017 Regulations.

6.2 As no valid objections have been received during the 28 day objection period, the local authority must make a 'decision where no valid objections are received' in accordance with paragraph 4 (1) of section 2 of the 2009 Act.

6.3 The following is a direct copy of paragraph 4 (1) of schedule 2 of the 2009 Act:

4 (1) Where, in relation to a proposed flood protection scheme, the local authority receives no valid objections the local authority must, after the expiry of the period referred to in paragraph 3(2)(c), either –

(a) confirm the proposed scheme, or

(b) reject the proposed scheme.

7 IMPLICATIONS

7.1 Financial

(a) Funding for the implementation of this project is included in the current capital plan.

(b) The overall cost of the proposed scheme is estimated to be approximately £145,000 with the actual construction works estimated at around £100,000. £43,500 has already been spent during the preparation and design stages. See Spend Profile below:

	17/18	18/19	19/20	20/21
Budget (£000's)	17	2.5	18	152
Spend to Date (£000's)	17	2.5	18	6

(c) There is an allocation of £152,000 within the Flood and Coastal Protection Capital Plan 2020-21 to take these works forward. Any monies remaining will be relocated within the flood block.

7.2 Benefits

The scheme will provide the following benefits:

- Reduced flood risk to properties in Romannobridge and the provision of a 1 in 30 year level of protection to all of the properties / businesses in the West side of the village.
- The potential for serious harm to individuals will be reduced;

There are also many other potential social benefits which are difficult to quantify including the reduction in stress associated with living in an area that floods and the associated improvement in health due to the removal of that stress.

7.3 Risk and Mitigations

Floods can occur at any time and there is a risk that a flood event occurs before the proposed works are implemented. If a flood does occur, the lowest lying properties are expected to be flooded to some extent. This risk can be mitigated to an extent, but not removed, by the following:

- Progressing with flood protection works as quickly and efficiently as possible;
- Continued monitoring of the watercourse and site;
- Undertaking community engagement and promoting flood awareness; and
- Providing assistance to help those at risk to be prepared for a flood event.

7.4 Integrated Impact Assessment

An integrated impact assessment has been completed. This project is an approved capital project, involving groundworks on private land to reduce flood risk to properties in Romannobridge. There is a negligible potential for negative impacts on equality, poverty, health and socio-economic disadvantage.

It is anticipated that this work will produce benefits with regards to health and socio-economic disadvantage by reducing the impacts of flooding including the flood risk to property and the potential health impacts caused due to stress.

7.5 Acting Sustainably

This scheme shall increase the flood risk protection in Romannobridge to a 1 in 30 year protection level. This will reduce the economic and social impacts of flooding in the village.

Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage, Tweed Foundation and internal Scottish Borders Council departments have been consulted and there were no objections to the works.

7.6 Carbon Management

There will be limited carbon emissions as part of this scheme. Machinery will be required for the main works. SBc Contracts are based within the Scottish Borders and this will reduce the travel time of staff and machinery to site.

7.7 Rural Proofing

N/A

7.8 Changes to Scheme of Administration or Scheme of Delegation

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

8 CONSULTATION

- 8.1 The Executive Director (Finance & Regulatory), the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into this report.
- 8.2 As detailed in Section 4.1, a statutory consultation process was concluded on 6 March 2020. This included consultation with members of the public, SEPA, Scottish Natural Heritage, River Tweed Commission, Tweed Foundation, Scottish Water, Lamancha, Newlands and Kirkurd Community Council and key officers within the following Scottish Borders Council departments; Ecology, Natural Heritage, Planning, Landscape Architecture, Archaeology and Neighbourhood Services.
- 8.3 Extensive public consultation has also taken place, with a community meeting in April 2018 to introduce the preferred options. Design drawings of the proposed final scheme were posted to all residents in close proximity of the works in February 2020 as part of the consultation process.

Approved by

Martin Joyce

Service Director Assets & Infrastructure Signature

ROMANNOBRIDGE FLOOD PROTECTION SCHEME 2020

CONFIRMATION OF THE SCHEME UNDER THE FLOOD RISK MANAGEMENT
(SCOTLAND) ACT 2009

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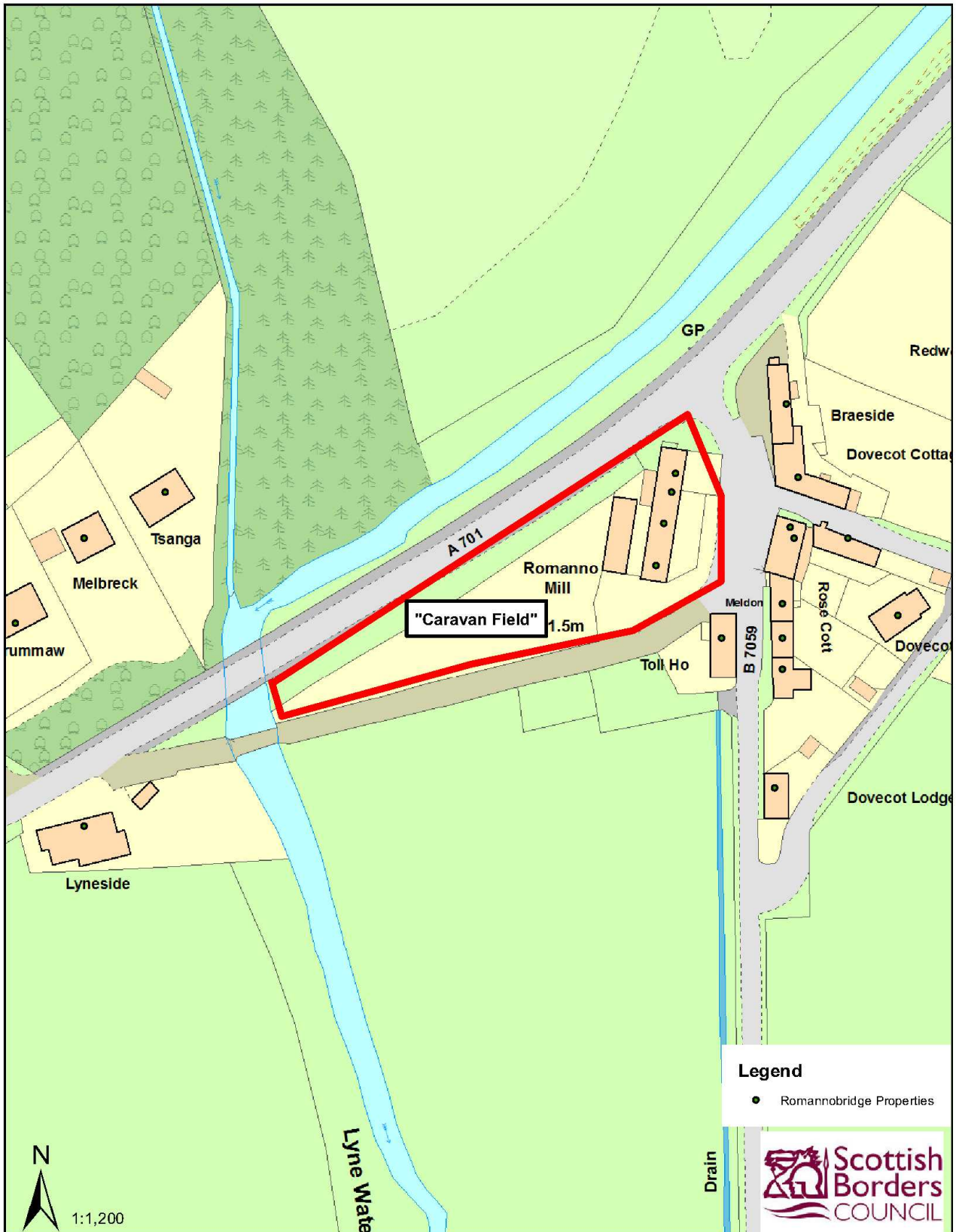
Background Papers: None

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. Duncan Morrison can also give information on other language translations as well as providing additional copies.

Contact us at Duncan Morrison, Council Headquarters, Newtown St. Boswells, Melrose TD6 0SA. Tel. No. 01835 826701 Email. dmorrison@scotborders.gov.uk

Romannobridge Flood Protection Scheme Location Plan





UNITED KINGDOM (SYRIAN) VULNERABLE PERSONS RESETTLEMENT SCHEME

Report by Chief Social Work and Public Protection Officer

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report provides an update to Scottish Borders Council 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.**
- 1.2 Up to February 2020 the Scottish Borders received 9 Syrian families. It should be noted that this is a long term (60 month) commitment from the date of arrival. After 60 months an application is made for settled status.
- 1.3 The agreed pro rata distribution of Syrian refugees (New Scots) arriving under this scheme has meant that Scottish Borders Council made an original commitment to receive 10 families. It is anticipated that this number will be reached during 2020/21. The availability of suitable housing to match families into is the main challenge and regulates arrivals. Registered Social Landlords have been supportive throughout the process.
- 1.4 On 17th June 2019 and again on 20th December 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 Council's state whether they will continue to support the scheme under the revised arrangements and provide a sense of scale of that commitment.
- 1.5 In addition to normal state benefits, the Home Office provide funding for each refugee (£20,520) over the 60 months they are registered on the scheme. This is to support integration and language development. Costs can vary depending upon the composition of families and their individual needs. The children of refugees born in the United Kingdom do not qualify for this funding.
- 1.6 The Home Office have 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 are not yet known it is expected that circa 5,000 refugees would

be allocated across the United Kingdom in that initial year. This is in addition to the 20,000 who have entering under the existing scheme.

- 1.7 The basis of recommendation (b) is that an additional 10 families is considered necessary to ensure the scheme remains economically viable in that there is no additional cost incurred by Scottish Borders Council.
- 1.8 Following the Covid-19 restrictions the scheme has been temporarily suspended and is expected to resume once travel and associated quarantine controls are lifted.

2 RECOMMENDATIONS

2.1 I recommend that the Council:-

- (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.**

3 SYRIAN REFUGEE BACKGROUND AND GUIDANCE

- 3.1 On behalf of the United Kingdom, the Home Office have a number of existing schemes for resettling refugees, in particular the Vulnerable Children's Resettlement Scheme and the Syrian Vulnerable Persons Resettlement Scheme. The UN High Commissioner for Refugees identifies those most at risk and brings them to the United Kingdom, strict criteria apply. The Scottish Borders Council's involvement has been with the Syrian Vulnerable Persons Resettlement Scheme. Individuals being resettled have been displaced and suffered the consequences of warfighting in their country of origin.
- 3.2 Within the Scottish Borders local selections are made by considering the profiles of eligible families that have been sent to council scheme leads from the Home Office via COSLA. Representatives from NHS, Social Work and Education collaborate to assess prospective families for suitability. Once a match is made arrangements are put in place to bring families to the United Kingdom.
- 3.3 In 2015 the UK Government expanded the scope of the scheme for refugees who had fled the conflict in Syria.
- 3.4 Several sources of information exist to support council's, the Home Office Guidance for Local Authorities and Partners, Funding Instructions for local authorities in the support of the United Kingdom's Resettlement Schemes, and the Scottish Government's New Scots Refugee Integration Strategy. These underpin local arrangements.
- 3.5 In June 2019 Local Authority Leaders received a letter from the Minister of State for Immigration outlining a continued commitment to resettling refugees and the intention to consolidate existing schemes into a new global resettlement scheme. This was followed up with an explanatory briefing note for Local Authorities.
- 3.6 A paper was tabled at the COSLA Leaders meeting in June 2019 entitled Refugee Resettlement providing details of the new scheme and agreement that Local Authorities would be consulted in relation to continued participation.

Current Arrangements

- 3.7 In a report to Council dated 12th November 2015 Scottish Borders Council agreed that the Scottish Borders would participate in the UK Governments scheme for the resettlement of vulnerable refugee families. The number would be based upon the pro rata distribution across Scotland. To February 2020 nine families have been resettled within the Eildon locality.
- 3.8 All families have settled housing, children are enrolled in school/education, health, and benefit obligations have been met. Additional English language classes have been arranged through English for Speakers of Other Languages (ESOL), despite progress this continues to represent the greatest barrier to integration and employment. The Eildon locality was

chosen for the families due to availability of amenities, in particular transport and health.

- 3.9 Home Office funding is provided to Scottish Borders Council for a period of 60 months while each family member qualifies for the scheme. The funding reduces over time and is highest in the first two years when intensive support is required. Families are discouraged from moving to different council areas by the Home Office and may be removed from the scheme should they re-locate. The use of this funding is restricted to providing furnished accommodation, formal language training, interpretation, broader integration and language support, and school classroom assistance. There is additional funding available for the NHS to access.

Family Support

- 3.10 In 2018, as refugee numbers increased support arrangements were strengthened by formally engaging an Arabic speaker. The role can be time consuming and involves a range of specific skills across translation, support and advocacy underpinned by cultural/political awareness.
- 3.11 Currently the direct link between the Arabic speaker, families and services are coordinated through the Community Safety and Community Justice Manager who acts as the conduit for the scheme across a wide network of local partners, in addition to the Home Office and COSLA. This arrangement has worked well to date as corporate experience developed.
- 3.12 Language support is a high priority, in addition to formal classes volunteering has been popular, in particular among the women. A number of the family members have completed and exceeded Entry Level 3 of the formal language training deemed sufficient to function in their everyday life. This has been a significant milestone for the adult learners. The children have become the most proficient in their use of language.
- 3.13 Attendance at Borders College is popular with one past and one present student. Both have studied trade based qualifications.
- 3.14 The duration of the scheme enables families to move from a position of dependence to independence.

Personal Integration Plans

- 3.15 During May and June 2019, the Scottish Refugee Council were commissioned to assist with Personal Integration Plans for each of the existing family members not of school age. This was helpful in providing a level of independence and some external scrutiny around arrangements in the Scottish Borders. Going forward the intention is for these to be developed locally.

Future Considerations

- 3.16 Existing refugee families have been concentrated around the Eildon locality to provide access to amenities and services. Beyond the initial ten families

alternative locations will need to be identified to settle refugees under the new scheme if Scottish Borders Council approves the recommendation. This has implications for transportation, provision of formal language training, schooling, healthcare and other local amenities.

3.17 Social connections and friendships are essential to prevent isolation and assist with integration into the local community.

4 IMPLICATIONS

4.1 Financial

In order for the scheme to self-fund it is necessary to consider the number of refugees coming to the Scottish Borders and the frequency they arrive. Given the experience gained through the initial 9 families a further 10 maintains the economic viability of the scheme.

(a) Existing current regular outgoings

The additional funding provided by the Home Office has been used to provide:

English for Speakers of Other Languages (ESOL) split between Community Learning and Development and Borders College.

Additional dedicated classroom support depending upon the number and specific needs of school age children for the first year after arrival.

Dedicated Arabic Language/Support/Advocacy Worker.

Costs associated with training, travel and integration activities.

Administering the scheme.

(b) Predicted one off payment

Furnishing each property prior to arrival, food and some initial financial support in advance of benefit claims being made.

4.2 Risk and Mitigations

The report fully describes all the elements of risk that have been identified in relation to this project and no specific additional concerns need to be addressed at this time.

4.3 Equalities

The purpose of this report is to ensure that Scottish Borders Council and its strategic partners fulfil their obligation to those Syrian families settling in the Scottish Borders under the Resettlement Scheme and take a position on future participation.

4.4 Acting Sustainably

None.

4.5 **Carbon Management**

None.

4.6 **Rural Proofing**

None.

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

None.

5 CONSULTATION

5.1 The Executive Director Finance & Regulatory, the Monitoring & Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications and the Clerk to the Council will be consulted and their comments have been incorporated into the final report.

5.2 Home Office and the COSLA Migration, Population and Diversity Team.

Approved by

Stuart Easingwood

Signature

Chief Social Work and Public Protection Officer

Author(s)

Name	Designation and Contact Number
Graham Jones	Safer Communities & Community Justice Manager Ex 8094

Background Papers:

Previous Minute Reference: Scottish Borders Council meeting minutes dated 12 November 2015, Item 7.

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



**SPACES FOR PEOPLE SUSTRANS FULLY FUNDED ACTIVE TRAVEL PROGRAMME:
EXPERIMENTAL ROLL OUT OF 20MPH THROUGHOUT BORDERS SETTLEMENTS**

Report by Service Director Assets & Infrastructure

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes, 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 is 30mph.**
- 1.2 The Council successfully bid for £1,200,000 from the Scottish Government's £30,000,000 Covid-19 related Spaces for People fund which is 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.
- 1.3 A number of temporary measures are 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.
- 1.4 SBC has identified a total of 80 settlements with Council adopted roads with existing 30mph speed limits and the proposal is to convert all of these to 20mph for a trial period of up to 18 months, with the exception of Trunk Roads as Transport Scotland are carrying out their own research into the introduction of 20mph schemes on trunk routes.
- 1.5 During the trial period the Council will invite further comment and feedback from Elected Members, the public and other partners such as Police Scotland, Borders Buses, Community Councils, Access Groups, etc.
- 1.6 To gauge driver compliance with the 20mph pilot it is 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.

- 1.7 The trial will be rolled out in a systematic manner with an incremental approach to the implementation of traffic calming measures; initially baseline data will 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 will be carried out as part of the pilot and funded by the programme.
- 1.8 A report will be brought back to Council 12 months from the commencement of the pilot with suggestions on which schemes if any to retain, and which to remove, again, if any. The remainder of the trial will be used to implement any permanent changes.

2 RECOMMENDATIONS

- 2.1 **It is recommended that, as part of the fully funded Spaces for People programme, the Council agrees to the experimental trial of 20mph schemes in 80 settlements**

3 BACKGROUND & CURRENT POLICY

- 3.1 The Council has previously, in the main, reserved 20mph speed limits to roads around schools on the premise that drivers are more likely to adhere to the reduced speed limit when the restrictions are more concentrated and where children are likely to be more visible.
- 3.2 Despite the policy approach outlined above, the Council is habitually asked by residents and community groups on a regular basis to introduce more wide-spread speed restrictions in built up areas.
- 3.3 Communities believe that vehicles they perceive to be speeding, create an increased risk and greater severity of injury to pedestrians and other vulnerable road users. They understand that if speed limits were to be lowered then this perceived risk would be substantially reduced.
- 3.4 Throughout the UK the culture around 20mph speed limits is changing towards more extensive and default coverage. In the last six weeks Wales has mandated to make all streets in built up areas to default to 20mph and 30mph will be the exception. East Lothian Council in recent weeks have also extended their 20mph coverage as part of the Spaces for People in more towns.
- 3.5 The Council has previously been unable to expand the use of 20mph speed limits for two reasons. Firstly that there has been no opportunity to conduct a trial as a result of restricted access to funding, and secondly that in order to access funding the business case in support of any request was not made as no trials had been undertaken to prove the benefits of the investment.

4.0 BID DEVELOPMENT AND ENGAGEMENT

- 4.1 The Scottish Government announced the initiative on 28 April, with a closing date for submissions on 3 July. This restricted the level of engagement that could be undertaken by the Council in working up an application as all but one of the traffic and road safety team were redeployed supporting the Covid-19 effort.
- 4.2 In developing the application, an online public engagement was launched through SBC Citizen Space. The consultation inviting suitable and specific suggestions for schemes for the Sustrans Spaces for People bid ran from 17 June to the 8 July and received 270 responses. Of these, 70 proposed to reduce speed limits in built up areas. Sample responses from the survey can be found in appendix 3.
- 4.3 Officers also engaged with Elected Members to gauge their views on the application and specifically the 20mph roll out. There was generally positive support for the pilot. However some concerns were voiced about the blanket approach preferring a more nuanced and targeted approach instead. Members were reassured that the pilot program will elicit feedback from Elected Members, Police Scotland and wider communities and that it will be possible to moderate the trial and devise a more nuanced output at the end, if it is decided that any streets should continue with a form of

20mph scheme. Full public consultation must form part of any permanent changes as part of a Traffic Regulation Order.

- 4.4 Discussions have taken place with local representatives of Police Scotland Roads Policing section. Police Scotland have their own policy/guidance dating back to 2013 and when it comes to enforcement of 20mph limits it states that *'....there is a need to prioritise the deployment of resources to those sites which represent the greatest risk. As a result, 20mph limits will not routinely be enforced unless it is considered absolutely necessary and in the interest of casualty reduction. The only exception to this will be the enforcement of 20mph speed limits outside schools which should continue on a regular basis'*. Guidance also states that *'...any lowered limit should be self-enforcing and sustainable, either as a result of the current road layout, existing speed data or through the addition of appropriate physical speed reduction'*. The understanding is that this same approach will be taken by other Police Scotland officers such as the Community Action Team. Although Police Scotland are not fully supportive of a region wide blanket roll out they will continue to monitor and enforce as and where necessary as already happens within 30mph speed limits and where observed non-compliance occurs on 20mph speed limit roads they will take action, but are unlikely to undertake routine checks. It is worth noting that in the Scottish Borders most injury accidents happen in the national speed limit (rural) areas.

5 PROPOSALS

- 5.1 The aims of introducing the ambitious extensive 20mph speed limits for the trial period include:
- Working in partnership with Police Scotland, Edinburgh Napier University and Sustrans to determine outcome of the experimental roll out of more extensive 20mph schemes in regard to driver behaviour and public reaction.
 - Determine if a more tailored or nuanced regime is required for the implementation of 20mph schemes longer term.
 - Reduce the risk and severity of injuries as a result of collisions between vehicles and vulnerable road users.
 - Encourage more active travel and make active travel easier and more appealing by lowering speed limits, especially important considering links between obesity and Covid-19.
 - Make the Borders a more attractive place to visit.
 - Alter the driver culture within the Scottish Borders to having 20mph as the default when entering built up areas.
- 5.2 Edinburgh Napier University are already partnered with the Council on the Eddleston Rural Traffic Calming Study and will be appointed to carry out independent evaluation of the project; which will provide significant confidence in any findings as they are world leaders in transport research. Findings from the Eddleston study on the success of appropriate traffic calming features will be considered as part of the traffic calming implementation phase of the experiment. Early indications have shown that electronic signs (smiley faced or reward messages) along with other interventions as a joint approach appear to have a positive influence on driver behaviour speed reduction and provide communities with significant

levels of 'comfort'. The Council installed 14 of these signs last year and as a result have seen a reduction in complaints over speeding, but the demand from communities for 20mph remains.

- 5.3 Although a street by street audit is not required to introduce 20mph schemes, extensive traffic data collection and analysis will be carried out predominantly on the main through routes in towns. This analysis over the trial period will likely be a significant determining factor in which roads may revert back to 30mph.
- 5.4 As one of the aims is to change the culture of drivers to slow down, a formal communications and marketing strategy is being developed. The intention is to use Council internet, social media and advertising, in conjunction with the in-house communications team to keep the public updated and aware of the trial as it progresses and to canvass feedback.
- 5.5 In anticipation of the policy not being universally welcomed by all sections of the travelling public it is worth noting that the effect of drivers being asked to slow down from 30mph to 20mph when travelling through built up areas equates to an additional 1 minute per mile on journeys through towns, assuming that it was possible to maintain constant 30mph for the length of the journey previously.
- 5.6 Appendix 1 contains the list of communities to benefit from the introduction of 20mph schemes, appendix 2 details the other measures proposed as part of the £1.2M spend and appendix 3 has sample responses from the recent Citizen Space consultation.

6 PROPOSED TIMETABLE OF PILOT

Dates	Actions
Sep 20	Data collection to provide baseline speed/traffic data
Sep 20 to Dec 20	Roll out of 20mph signing across all settlements
Nov 20 to Jan 21	Initial post traffic survey collection and analysis
Jan 21 to Mar 21	Implementation of temp traffic calming features such as electronic signs with longer term legacy for communities
Apr 21 to May 21	Post intervention traffic survey collection and analysis
May 21 to Sep 21	Citizen Space survey of views of public
Sep 21	Return to Council with 'wash-up' report on previous 12 month trial with recommendations on how to proceed with any modifications identified as a result of analysis, partner input and public comments/concerns.
Oct 21 to Mar 22	Either decommissioning back to 30mph or Traffic Regulation Order process with statutory consultation with tailored/nuanced schemes.

7 IMPLICATIONS

7.1 Financial

- (a) This project is 100% externally funded, and although in theory works should be of a temporary nature, Officers will consider any interventions that would have a welcomed longer term legacy with minimal ongoing revenue costs, such as electronic signs which are widely welcomed by communities and can be programmed to activate at a variety of speeds.
- (b) Of the £1.2M it is anticipated that the 20mph project works will cost approximately £600K, with staff time, monitoring, evaluation and associated marketing as an add on from the remaining balance for other measures.
- (c) Funding is secured from Sustrans until mid-May 2021, and any necessary traffic calming features will have been completed by then. If it is decided to proceed with an amended/tailored/nuanced scheme then Cycling, Walking, Safer Streets monies can be used to fund the necessary advertising costs for a Traffic Regulation Order and the decommissioning of any schemes to revert back to 30mph can be funded through revenue budgets. Smarter Choices funding is also available in future years if there is a desire to add to traffic calming.

7.2 Risk and Mitigations

- (a) There is a risk that there will be a vocal minority who believe that being asked to slow down by 10mph is unacceptable and social media will likely be busy initially, however as schemes bed-in acceptance is expected to be generally forthcoming. To mitigate such a response the roll out will be initially with communities that Officers have worked extensively with previously who are keen to trial new measures, and those communities who have been proponents of reducing speed limits in their areas, such as Eddleston, Stow, Coldingham, Sprouston and Newcastleton.
- (b) There will likely be an increase in complaints of speeding as the schemes are rolled out, either perceived or real and Police Scotland will likely follow their 2013 policy and they will not carry out enforcement where there is a belief that compliance cannot be reached. As the project progresses there will be monitoring and evaluation and where possible and realistic, traffic calming can be introduced as part of the Spaces for People funding or the speed limit revised back to 30mph. Cycling, walking safer streets budget and Smarter Choices funding is also available for further traffic calming beyond the 18 month trial period.
- (c) There is a risk that by introducing extensive schemes from the outset, as opposed to a tailored approach the Council may be open to criticism of not being able to make up their mind if/when adjustments are required, however this approach will allow the public to see that their historic concerns have been listened to and that a scientific approach is

being taken that is evidence driven and evaluated by external academic experts, with an outcome that is realistic.

- (d) As this is a trial it will be possible to be flexible as the period progresses by amending the Temporary Traffic Regulation Order where necessary.

7.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications. On the contrary it is anticipated that the measures will have a positive impact on more vulnerable such as the elderly, infirm and those with mobility issues.

7.4 Acting Sustainably

There are no significant economic, social or environmental issues associated with this report.

7.5 Carbon Management

There are no significant impacts on the Council's carbon emissions that are additional to current operation.

7.6 Rural Proofing

There are no rural proofing impacts resulting from this report.

7.7 Changes to Scheme of Administration or Scheme of Delegation

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

8 CONSULTATION

- 8.1 The Executive Director Finance & Regulatory, the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated in the final report.

Approved by

Martin Joyce

Service Director Assets & Infrastructure Signature

Author(s)

Name	Designation and Contact Number
Philippa Gilhooly	Traffic and Road Safety Team Leader

Background Papers: 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, PLACE, Business Support, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 0300 100 1800, email JWhitelaw@scotborders.gov.uk.

Appendix 1

List of Settlements:

EILDON	BERWICKSHIRE	T&L	TWEEDDALE	CHEVIOT
Town	Town	Town	Town	Town
STOW	COLDINGHAM	NEWCASTLETON	EDDLESTON	SPROUSTON
HERIOT	ST ABBS	CHESTERS	BLYTH BRIDGE	EDNAM
FOUNTAINHALL	RESTON	B'CHESTER BRIG	ROMMANO	KELSO
CLOVENFORDS	COCKBURNSPATH	DENHOLM	SKIRLING	STICHILL
NEWTOWN STBOSWELLS	COVE	HAWICK (inc Bfoot)	BROUGHTON	BIRGHAM
BOWDEN	GRANTSHOUSE		CARDRONA	SMAILHOLM
MIDLEM	AYTON		INNERLEITHEN	YETHOLM
LILLIESLEAF	EYEMOUTH		WALKERBURN	MOREBATTLE
MELROSE	BURNMOUTH		PEEBLES	HEITON
GATTONSIDE	CHIRNSIDE		KIRKHOUSE	ECKFORD
DARNICK	FOULDEN		TRAQUAIR	ROXBURGH
NEWSTEAD	PAXTON		WEST LINTON	MAXTON
GALASHIELS	WHITSOME			NISBET
OXTON	ALLANTON			ANCRUM
LAUDER	DUNS			LEMPITLAW
ETTRICKBRIDGE	PRESTON			ULSTON
ASHKIRK	LONGFORMACUS			JEDBURGH
SELKIRK	GAVINTON			ST BOSWELLS
REDPATH	GREENLAW			
EARLSTON	GORDON			
	WESTRUTHER			
	SWINTON			
	COLDSTREAM			
	LEITHOLM			
	ECCLES			
	LENNEL			

Appendix 2

Other Spaces for People Works:

- Temporary closure of B710 Clovenfords to Caddonfoot
- Temporary 40mph schemes:
- Lauder to Earlston backroad 11kms
- Peebles to Peel backroad 23kms
- Heriot to Clovenfords via Stow backroad 25kms

Sustrans to design proposals for:

- Chiefswood Melrose One Way to allow shared section of road for pedestrians and cyclists
- Peebles High Street to be more bike friendly
- Newtown St Duns more pedestrian and cycle friendly
- Tweedbank Drive, review of road layout to be more cycle friendly.

Appendix 3

Sample responses from Spaces for People citizen space public consultation:

Reduce the speed limit in Stow to 20 mph for a temporary period to give us a chance to understand the impact on life in Stow.

I believe a relatively low cost measure in relation to road safety that could be implemented throughout the Scottish Borders could be a blanket 20mph zone i.e. replacing existing 30 mph zones with 20 mph zones.

Just get on and put 20s in the Borders. Other Councils have them and they are popular. Stop dragging your heels and get it done. Want kids to walk to school? Get drivers to slow down by reducing speed limit.

I'd like to see the following: 20 mph on residential streets

20mph limit in all towns and villages

I'd like to see the heart of the villages reduced to 20 mph

Make villages 20 miles an hour (Stow and others)

.....I am commenting on behalf of Peebles Community Council. In conjunction with the Peebles Community trust we have run a consultation process with the public, we have received about 130 responses. The majority of people feel that there is a need to look at how we move around the town and there should be more facilities provided for pedestrians and cyclists. Some respondents feel that road safety is jeopardised by speeding vehicles and that more 20MPH limits should be in place with enforcement by speed cameras.

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UPDATE ON THE PUBLIC PLAY FACILITIES STRATEGY

Report by Service Director Assets & Infrastructure

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 Following the meeting Scottish Borders Council on 19 December 2019, this report sets 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 agreed.**
- 1.2 The strategic review of Play facilities is 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 includes funding of £4.809m into Outdoor Community Spaces over a 10-year period. This investment aims 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 has 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.
- 1.3 The new investment creates 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 is required.
- 1.4 Council 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 are deemed no longer fit for purpose, ensuring a cost neutral impact on established budgets.
- 1.5 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.

1.6 Officers consulted on these proposals at the five Area Partnerships, with a period of public consultation inviting peoples comment on the proposals, which ended on 19 August 2019.

1.7 2 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.”

1.8 Following a subsequent Members Sounding Board 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.’

1.9 These meetings have now been held and the recommendations for the 74 play parks, following those discussions with members are set out in the report

2 RECOMMENDATIONS

2.1 It is recommended that Council:

a) note the outcome of the Ward meetings requested by the Sounding Board

b) agrees the following;

i. 18 play parks should be retained as agreed at the Ward meetings, and will now be opened at the earliest opportunity (see Appendix for details)

ii. 54 play parks should be decommissioned as agreed at the Ward meetings.

- iii. 2 playparks should be decommissioned in the Hawick and Hermitage Ward (Leaburn Drive & Green Terrace) noting that Ward Members were unable to agree to the proposal.**

3 BACKGROUND

- 3.1 The Scottish Borders currently has 243 play parks, including those located within schools, ranging from smaller local areas for play (LAPs) to strategic destination play parks. Benchmarking informs us that the quantity of provision per head of population is significantly higher than the national average; however, the play value of the facilities (i.e. quality of provision) is significantly lower than the national average.
- 3.2 In recent years a significant level of investment in play across the Scottish Borders has been delivered through the Council's capital programme supplemented by a range of different opportunities that have been realised by community led initiatives including funding from developer contributions, Scottish Government or Heritage Lottery Fund grants. These include Wilton Lodge Park in Hawick, Pringle Park in Selkirk and Galashiels Public Park.
- 3.3 The investment in play parks is progressing with the provision of further high play value destination play parks at main towns throughout the Borders encouraging play, greater physical activity in young people and outdoor access for children and adults with attendant benefits in terms of general health and wellbeing for people of all ages.
- 3.4 The programme of investment in play establishes destination play parks that serve both the wider community and visitors to the area. In this context, and under the delegated powers approved by Council in May 2018, officers undertook an assessment of play facilities across the entire network. This assessment was based on;
- Play Value
 - In house inspection of value/usage levels (as assessed by Inspection officers)
 - Geography
- 3.5 The outcome of this saw equipment in 74 play parks identified for decommissioning. It was noted that in all instances, the 74 sites would be left open to future use as non-equipped areas of play, or for alternative community uses where there is a community desire to do so.
- 3.6 Scottish Borders Council subsequently received two petitions from communities in Hawick and Kelso, containing 581 and 492 signatures respectively, objecting to the proposed equipment removal. Both petitions were heard consecutively at Audit and Scrutiny Committee on 24 October. As well as deciding to refer the matter to Council as outlined in 1.7, the Committee also heard that the Service Director Assets and Infrastructure would reconsider 4 play parks from the proposed list, specifically;
1. Rosewood Gardens, Kelso
 2. High Croft, Kelso
 3. Burnfoot School, Hawick
 4. Hislop Gardens, Hawick

- 3.7 Following the meeting a further petition was received from a community in Chirnside, however this was not specifically considered as the concerns raised by the Chirnside petition would be addressed as part of the Audit and Scrutiny Committees referral to Council.
- 3.8 The Political Sounding Board subsequently met on 5 November and agreed a suggested way forward:
- (a) Officers should compile detailed maps for all 11 Wards, showing all the existing play parks and highlighting those where it was proposed to remove equipment, the criteria used, the high level cost of inspection/maintenance of equipment, travel distance to play parks;
 - (b) Officers should then set up meetings on a Ward by Ward basis with Elected Members where they could talk Members through the proposals;
 - (c) At these meetings, Members should seek to agree the play parks from which they would support the removal of equipment and which play parks they would prefer to see maintained, including where future investment should be aimed;
 - (d) There should be no option of retaining equipment in all play parks; and
 - (e) Based on these meetings with Elected Members, the Service Director Assets & Infrastructure would then compile a report on the way forward for play parks, to come back to the Members' Sounding Board for further discussion and review the way forward.
- 3.9 This was subsequently agreed at Scottish Borders Council on 19 December 2019, and officers invited Ward Members in each locality to attend meetings to review these proposals. The discussion and outcomes of these meetings are detailed in the Appendices.

4 WARD MEETING OUTCOMES

- 4.1 Members were invited to attend special meetings to discuss proposals for their Ward area. Plans for each relevant settlement were presented, along with site photos and settlement maps detailing the distribution of play parks. The detailed outcomes of each Ward meeting are set out in Appendices 1-11. Summary is set out in Appendix 12
- 4.2 Of the original 74 play parks agreed for decommissioning, 54 were endorsed by Members. Of the remaining play parks, it was agreed that 18 would be retained based on Member consensus. No agreement on a further 2 was reached. The table below summarises, by ward the position;

Ward	Originally proposed for removal	Agreed to be retained	Agreed for removal	Undecided
Tweeddale West	5	1	4	
Tweeddale East	6	1	5	
Galashiels & District	12	1	11	
Selkirkshire	6	1	5	

Leaderdale & Melrose	13	3	10	
Mid-Berwickshire	4	1	3	
Berwickshire East	4	2	2	
Kelso & District	9	2	7	
Jedburgh & District	4	1	3	
Hawick & Denholm	8	4	4	
Hawick & Hermitage	3	1		2*
TOTAL	74	18	54	2*

** Ward Members have stipulated that prior to agreeing to decommissioning investment in retained play parks situated at Millers knowe and the Mote is quantified and delivered, and at the Mote/the Loan road safety measures are also delivered.*

5 IMPLICATIONS

5.1 Financial

The recommendations in the report are designed to ensure that the costs of supervising and maintaining play equipment are sustainable within the existing revenue budget. The costs of employing an additional play equipment inspector with associated transport, training, insurance tools equipment and maintenance costs totalling approximately £100k per annum will be avoided by decommissioning play park equipment as recommended by the report. There is no budget to cover this cost.

5.2 Risk and Mitigation

There is a risk that additional burden will be placed on resources, specifically the Play Inspection team, arising from the capital investment in Play infrastructure. However in agreeing to decommission as detailed this revenue burden is substantially addressed.

Some of the facilities have been derived from Developer contributions, there will be a legal process to follow prior to fully decommissioning of these facilities which may delay the decommissioning. This will be minimised to ensure timely removal in an agreed way.

5.3 Integrated Impact Assessment

There are no negative impacts on specific user groups identified in the Integrated Impact Assessment. While there is a perception of loss of equipment at a community level evidenced by previous petitions, the actual net effect is increased play value in strategic locations. To mitigate local perceived loss, it is being highlighted to communities that all SBC owned areas where equipment is removed are still available to communities for informal non-equipped play. It is also noted that no communities are being

left without an equipped area of play – where there is only one serving a community this is safeguarded as an important local facility.

5.4 **Acting Sustainably**

There are no direct economic, social or environmental issues with this report although there may be within individual projects and these will be identified and addressed as appropriate as part of their specific governance arrangements.

5.5 **Carbon Management**

There are no direct carbon emissions impacts as a result of this monitoring report.

5.6 **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.

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

None.

6 CONSULTATION

6.1 The Executive Director Finance and Regulatory, the Chief Legal and Monitoring Officer, the Chief Officer Audit and Risk, the Service Director HR and Communications, have been consulted and any comments received have been incorporated into the report.

Approved by

Martin Joyce

Service Director Assets & Infrastructure Signature

Author(s)

Name	Designation and Contact Number
Jason Hedley	Chief Officer Roads ext 8037
Craig Blackie	Parks and Environment Manager ext 8036

Background Papers:

Capital Programme 2018/19 – Investment in Play Areas and outdoor Community Spaces, Report by Service Director Assets & Infrastructure, 31 May 2018

Kelso Play Parks Petition - Report by Service Director Assets & Infrastructure, Audit & Scrutiny Committee, 24 October 2019

Play Parks Petition - Report by Service Director Assets & Infrastructure, Audit & Scrutiny Committee, 24 October 2019

Previous Minute Reference:

Audit and Scrutiny Committee, Thursday, 24 October, 2019 - Item 2.0

Scottish Borders Council Thursday, 19th December, 2019 – Item 7.0

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

Contact us at:

Contact- Jacqueline Whitelaw, Council Headquarters, Newtown St Boswells, TD6 0SA, 01835-824000, ext. 5431.

APPENDIX 1 –TWEEDDALE WEST

DATE	Thursday 27 th February 2020
PRESENT	Councillor Anderson, Councillor Chapman, Councillor Small, Stuart Young (SY) & Craig Blackie (CB)
OUTCOMES	<p>Eddleston Councillors agreed to decommission Elibank Road play park.</p> <p>Peebles Councillors agreed to decommission Crossburn Farm Road, Hay Lodge Park (Small) & Kingsland Square play parks.</p> <p>Councillors wanted to retain the Eliot’s Park play area.</p> <p>Councillors requested that future priorities for investment should be No.1 Halyrude Primary School, assuming access is available & No.2 Eliot’s Park.</p> <p>Summary Originally 5 play areas were proposed to be decommissioned. New proposal to decommission 4 play areas & retain 1 (Eliot’s Park, Peebles)</p>

APPENDIX 2 –TWEEDDALE EAST

DATE	Friday 7 th February 2020
PRESENT	Councillor Bell, Councillor Haslam, Councillor Tatler Martin Joyce (MJ) & Craig Blackie (CB)
OUTCOMES	<p>Peebles Glen Crescent Juniors & Seniors play area names have been printed on the plan the wrong way round.</p> <p>Councillors agreed to decommission Glen Crescent Juniors, Provost Melrose Place & Kingsway.</p> <p><i>CB confirmed, after the meeting, that the existing safety matting at Glen Crescent Juniors will be reinstated with bituminous material, similar to the rest of the play area, to allow the area to be used as a small-wheeled play area (skate board & scooters)</i></p> <p>Councillors stated that that Kingsway site could be potentially be used for allotments.</p> <p>Innerleithen MJ confirmed after contacting SBC's Architect's Department that provision is made in the on-going Primary School Extension project to provide new play equipment.</p> <p>Plans for the Caerlee Housing Development, which are available on-line, include access into Victoria Park. Councillors agreed to decommission the Memorial Hall play area, but only after the Caerlee Development was complete. Councillors wanted to retain the Caddon Court play area & this was agreed.</p> <p>Clovenfords Councillors agreed to decommission Caddonhaugh play equipment & retain the area as an informal play area. Parks & Environment Department to annually weed kill this area.</p> <p>Summary Originally 6 play areas were proposed to be decommissioned. New proposal to decommission 5 play areas & retain 1 (Caddon Court, Innerleithen)</p>

APPENDIX 3 – GALASHIELS AND DISTRICT

DATE	Tuesday 18 th February 2020 & Monday 24 th February 2020
PRESENT	18 th Feb - Councillor Scott ,Jason Hedley (JH) & Craig Blackie(CB) 24 th Feb - Councillor Aitchison, Councillor Anderson, Councillor Jardine, Jason Hedley (JH) & Craig Blackie(CB)
OUTCOMES	<p>The re-use of play equipment is limited by engineering requirements, plus anything that pre-dates 1998 standards cannot be re-used for public play.</p> <p>CB confirmed that the up-grade of the Galashiels Skate Park is not a named scheme in the current Capital Budget, however, it is within the unallocated budget for future years.</p> <p>Galashiels Councillors agreed to visit Woodlea & Pringle Lane play parks in the west end of the town to consider most appropriate play park to retain. <i>Subsequently, councillors agreed to retain Pringle Lane, as per proposal, & decommission Woodlea.</i></p> <p>Councillors agreed to decommission Lee Brae, Balnakiel Terrace, Rosebank Place, Croft Street, Waverley Place, Netherbank, Kingsknowe, Syke’s Acre & Broom Drive.</p> <p>Councillors wanted to retain the Roger Quin Gardens play area & this was agreed.</p> <p>Fountainhall Councillors agreed to decommission Still Haugh play area.</p> <p>Councillors requested that priority be considered for Victoria Park, Galashiels & Heriot play park, subject to landownership & drainage issues being resolved in Heriot.</p> <p>Summary Originally 12 play areas were proposed to be decommissioned. New proposal to decommission 11 play areas & retain 1 (Roger Quin Gardens, Galashiels)</p>

APPENDIX 4 –SELKIRKSHIRE

DATE	Monday 24 th February 2020
PRESENT	Councillor Edgar, Councillor Penman, Councillor Thornton-Nicol, Craig Blackie and Fraser Dunlop
OUTCOMES	<p>Selkirk Councillors agreed to decommission Bannerfield (A), Heatherlie Park & Rosebank Quarry play parks. Consensus was to keep Fairfield Crescent play park, albeit there can be drainage issues at this location. CB agreed to retain.</p> <p>Priority for future investment - #1: Bog Park & #2. Drainage at Fairfield Crescent</p> <p>Newtown St.Boswells Councillors agreed to decommission Whitefield play park. Councillors could not agree on the decommission the King George V play park.</p> <p>Summary Agreed to decommission four play parks. Agreed to retain one play park originally proposed for decommissioning.</p> <p>Councillors future priority would be for the existing Bog Park play park & drainage at Fairfield Crescent play park, both in Selkirk.</p> <p>Officers proposal is to close the King George V play park due to its close proximity to the Sprouston Road play park which is due for major investment in 2020/21</p>
Follow up meeting	A further meeting took place on Friday 7 th August, at which agreement was reached to decommission the KGV site (Newtown St Boswells). The meeting was attended by Craig Blackie, Fraser Dunlop, Councillors Nicol-Thornton, Edgar and Cochrane

APPENDIX 5 –LEADERDALE AND MELROSE

DATE	Wednesday 12 th February 2020
PRESENT	Councillor Drum, Councillor Miers, Councillor Parker, Jason Hedley (JH), Craig Blackie (CB)
OUTCOMES	<p>Melrose Councillors agreed to decommission play parks at Eildon View & Fairways. Agreed to retain Priors Walk play park.</p> <p>Earlston The existing East Green play park will be replaced as part of the new school, programmed for 2023/24. Councillors agreed to decommission the play parks at Acorn Drive, Gun Road, Summerfield & Everest Road. However, all existing play parks will be retained until after the new play park is completed as part of the new school project.</p> <p>Darnick Councillors agreed to decommission the Lady’s Walk play area.</p> <p>Gattonside Councillors agreed to decommission the Upper Gattonside play area.</p> <p>Lauder Councillors asked was there play provision included within the new Thirlestane housing estate. To be checked before agreeing to the decommissioning of the Millburn Park play area.</p> <p>Newstead Councillors agreed to decommission the Dean Park play area. Councillors agreed to prioritise investment in The Orchard play area. Councillors agreed to reconsider the proposed decommissioning of the Rushbank play area until after the up-grade of The Orchard play area was completed.</p> <p>Tweedbank Councillors agreed to decommission the Craw Wood play & remove the surrounding fencing.</p> <p>Summary Originally 13 play parks proposed for decommissioning. New proposal to decommission 10, retain 1 (Priors Walk, Melrose) & delay decision on 2 (Millburn Park & Rushbank)</p>
Follow up	Following dialogue between Members and Officers during July 2020, it was agreed to retain Millburn Park and Rushbank at this time.

APPENDIX 6 – MID-BERWICKSHIRE

DATE	Friday 14 th February 2020
PRESENT	Councillor Greenwell, Councillor Moffat, Jason Hedley (JH) & Craig Blackie (CB), apologies were received from Councillor Rowley
OUTCOMES	<p>Coldstream Councillors agreed to decommission the play parks at Douglas Court & Lees Farm.</p> <p>Duns No agreement with councillors regarding the proposed decommissioning of the play parks at Ainslie Terrace & Trinity Park.</p> <p>Councillor Rowley asked for clarification over the Duns Ainslie Park one - his understanding it might be semi-private, was created from developer contributions?</p> <p>Councillors agreed that the priorities for potential future investment should be #1 Gavinton & #2 Greenlaw, subject to landownership being confirmed.</p> <p>Summary Agreed to decommission the two proposed Coldstream play parks.</p> <p>Officers recommendation remains to close Ainslie Terrace & Trinity Park in Duns.</p> <p>Future investment priorities – Gavinton & Greenlaw (subject to landownership being confirmed)</p>
Follow up meeting	A further meeting was held on 4 th August at which Councillors Moffat and Rowley attended along with Jason Hedley and Craig Blackie, at this meeting it was agreed to decommission Trinity Park, however given the usage at Ainslie terrace that this location would be retained and monitored. Both play parks are situated in Duns

APPENDIX 7 – BERWICKSHIRE EAST

DATE	Friday 14 th February 2020
PRESENT	Present – Councillor Hamilton & Councillor Laing Jason Hedley (JH) & Craig Blackie (CB)
OUTCOMES	<p>Eyemouth Councillors agreed to decommission the play equipment in the lower section of Stebbings Rise only. Councillors do not want to decommission the play park at Hallydown Crescent.</p> <p>Chirnside Councillors do not want to decommission the play park at Lammerview.</p> <p>Burnmouth Councillors do not want to decommission the play park at Lower Burnmouth.</p> <p>Councillors had no preference for prioritising any potential future investment.</p> <p>Summary Agreed to decommission the lower section of Stebbings Rise play park only.</p> <p>Officer recommendations remain to decommission the play parks at Lower Burnmouth, Lammerview & Hallydown Crescent.</p>
Follow up	All Ward Members and officers entered into dialogue during July from which agreement was reached to decommission Lammerview (Chirnside) and Hallydown Crescent (Eyemouth), and the sites at Lower Burnmouth and Stebbings Rise, Eyemouth were to be retained and monitored.

APPENDIX 8 –KELSO AND DISTRICT

DATE	Wednesday 12 th February 2020
PRESENT	Councillor Mountford, Councillor Robson, Councillor Weatherston. Jason Hedley (JH) & Craig Blackie (CB)
OUTCOMES	<p>Kelso Councillors requested that Wallaceneuk (B), originally recommended for retention, be decommissioned & Spylaw Park, which was originally proposed for closure, be retained. Councillors requested that Croft Park, originally recommended for retention, be decommissioned & High Croft, which was originally proposed for closure, be retained.</p> <p>Agreed to retain Rosewood Gardens, which was to be reconsidered following the Scrutiny Committee, 24th Oct '19.</p> <p>Councillors agreed to decommission the play parks at Sydneham Court (A), Meadow Court, Woodside Gardens & Springwood Rise.</p> <p>Councillors requested that proposed decommissioning of Orchard Park & Berrymoss Court be reversed. JH & CB recommend that Orchard Park be retained, however, Berrymoss Court should be closed as per original proposal.</p> <p>Summary Rosewood Gardens play area to be retained following reconsideration, as per request from Scrutiny Committee.</p> <p>Originally 9 play parks were proposed to be decommissioned, this included 2 play parks to be re-considered following Scrutiny Committee. New proposal to decommission 6 play parks & retain 2 play parks (Orchard Park & Rosewood Gardens)</p> <p>Officers recommend decommission of Berrymoss Court play park.</p>
Follow up meeting	A further site meeting took place on 12 th August at which Councillors Weatherston, Robson and Mountford attended along with Craig Blackie and Fraser Dunlop, it was agreed at this meeting that Berrymoss would be decommissioned, due to its proximity to other facilities and the age/condition of the equipment.

APPENDIX 9 – JEDBURGH & DISTRICT

DATE	Friday 31 st January 2020
PRESENT	Councillor Hamilton, Councillor Scott, Craig Blackie (CB) & Jason Hedley (JH)
OUTCOMES	<p>Jedburgh Councillors agreed to decommission the play parks at Howden Road & Fort Hill</p> <p>Councillors requested that proposed decommissioning of Jedbank Grove be reversed. JH & CB agreed that Jedbank Grove be retained.</p> <p>Councillors agreed to decommission either Hume Place (proposed to retain) or Priors Meadow (proposed to decommission). Councillors agreed to discuss with Jedburgh Community Council. Further to the meeting – <i>Councillors agreed to decommission Hume Place & retain Priors Meadow.</i></p> <p>Councillors proposed that consideration be given to decommissioning the Howdenburn Play Park, if the land could be used to increase the length of the new running track being constructed as part of the new school campus. If not suit suitable, consider in future, to decommission depending upon Planning conditions for the redevelopment of the existing Howdenburn Primary School. Further to the meeting – <i>CB checked with the Major Projects Team & this area of land would not permit the running track to be extended due to the area available & the need for other additional land.</i></p> <p>Future skate park provision – Councillors requested an options appraisal to ascertain the most suitable location within Jedburgh for the proposed skate park. The original location at “the dip” adjacent to the A68, may not be the most suitable & councillors suggest that Allerley Well Park may be a better location. CB & JH agreed to undertake an options appraisal prior to the construction of the proposed skate park.</p> <p>Summary Agreed to decommission two play parks, plus an additional one following discussion with Jedburgh CC. Agreed to retain one play park originally proposed for decommissioning. Agreed to undertake an options appraisal regarding the future provision of the proposed skate park.</p> <p>Councillors future priority would be for the existing Allerley Well Play Park to be fenced off.</p>

APPENDIX 10 – HAWICK & DENHOLM

DATE	Wednesday 5 th February 2020
PRESENT	Councillor Marshall, Councillor Ramage, Councillor Richards, Craig Blackie (CB) & Neil Pringle (NP)
OUTCOMES	<p>Hawick Councillors agreed to decommission the play parks at Wellington Court & Wilson Drive. No agreed consensus between councillors regarding the proposed decommissioning of the play parks at Waverley Walk, Bowden Road & Mayfield.</p> <p>Agreed to retain Hislop Gardens & Burnfoot School play parks, which were to be reconsidered following the Scrutiny Committee, 24th Oct '19.</p> <p>No agreement with councillors regarding future priorities, although possible Housing Developer contribution in the Stirches area was mentioned.</p> <p>Denholm No agreed consensus between councillors regarding the proposed decommissioning of the play park at The Loaning in Denholm. Councillor Marshall requested information about a possible Memorandum of Understanding (MOU) for the local community to take over responsibility for The Loaning play park. <i>Further to the meeting – CB forwarded MOU details to Councillor Marshall on 8th Feb '20.</i></p> <p>Summary Hislop Gardens & Burnfoot School play areas to be retained following reconsideration, as per request from Scrutiny Committee.</p> <p>Agreed to decommission 2 play parks</p> <p>Officers recommend decommission of play parks at Bowden Road, Mayfield & Waverely Walk in Hawick. Officers recommend decommission of play park at The Loaning in Denholm, unless agreement can be reached for local community to take over responsibility.</p>
Follow up meeting	At a meeting on 29 th July at which Councillors Richards, Ramage and Marshall attended along with Jason Hedley and Fraser Dunlop it was agreed to retain The Loaning (Denholm) and Bowden Road (Hawick) whilst it was also agreed to decommission Waverley Walk and Mayfield (both Hawick)

APPENDIX 11 – HAWICK AND HERMITAGE

DATE	Monday 17 th February '20
PRESENT	Present – Councillor McAteer, Councillor Paterson, Councillor Turnbull Jason Hedley (JH), Craig Blackie (CB) & Neil Pringle (NP)
OUTCOMES	<p>Hawick Councillors could not agree on the decommissioning of any of the three proposed play parks – Green Terrace, Leaburn Drive or Millers Knowe.</p> <p>Councillors asked about the possibility of constructing a footpath from Leaburn Drive to the Millers Knowe. <i>Further to the meeting – CB checked with Estates & some of the land is in private ownership, so footpath couldn't be constructed.</i></p> <p>Councillors asked about build-outs on The Loan to facilitate safer crossing points to The Mote Park. <i>Further to the meeting – CB confirmed there are build-outs on The Loan.</i></p> <p>Councillors agreed that priority for future investment would be in The Mote Park.</p> <p>Summary No agreement with councillors to decommission any of the proposed play parks.</p> <p>Priority for future investment is The Mote Park.</p> <p>Officers recommendation is to decommission the proposed play parks at Green Terrace, Leaburn Drive & Millers Knowe.</p>
Follow up meeting	<p>At a further site meeting on 11th August, which was attended by Councillors Turnbull and McAteer along with Jason Hedley and Craig Blackie. Officers agreed with the Members representations about the value that Millers Knowe presented if it were to receive future investment and agreed to its retention. Members also understood the proposal to decommission both Leaburn Drive and Green Terrace however were unable to agree to this unless they could be advised of the following;-</p> <ol style="list-style-type: none"> 1 - The timing of future investment; 2 - The scale of that investment, <p>They also could not agree to decommission before investment was delivered. Members were advised that whilst a future capital investment programme was identified, the programme had yet to be specified in terms of locations, value and critically timing of investment. Members also advised that they felt that the same issue of investment to mitigate road safety concerns arising from decommissioning of Green Terrace was required at the Loan. Whilst</p>

	<p>initial discussions have taken place with the relevant officers, neither an agreed location, funding source or timeline for delivery have been identified at this time.</p>
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Based on these discussions an agreed position could not be reached at the meeting.

Members also raised with officers the potential to access funds to invest in play parks within the ward from other available sources including the Common Good and the Councils communities fund and wished this to be noted in the feedback to Council.

Appendix 12 – Summary

WARD	RECOMMENDED TO RETAIN	RECOMMENDED TO DECOMMISSION
East Berwickshire	Lower Burnmouth, Burnmouth	Lammerview, Chirnside
		Hallydown Crescent, Eyemouth
Mid Berwickshire	Ainslie Terrace, Duns	Douglas Court, Coldstream
		Lees Farm, Coldstream
		Trinity Park, Duns
Jedburgh & District	Jedbank Grove, Jedburgh	Fort Hill, Jedburgh
		Howden Road, Jedburgh
		Hume Place, Jedburgh
Kelso & District	Orchard Park, Kelso	Berrymoss Court, Kelso
	Rosewood Gardens, Kelso	Croft Park, Kelso
		Meadow Court, Kelso
		Springwood Rise, Kelso
		Sydenham Court (A), Kelso
		Wallaceneuk (B), Kelso
		Woodside Gardens, Kelso
Galashiels & District	Roger Quin Gardens, Galashiels	Still Haugh, Fountainhall
		Balnakiel Terrace, Galashiels
		Broom Drive, Galashiels
		Croft Street, Galashiels
		Kingsknowe, Galashiels
		Lee Brae, Galashiels
		Netherbank, Galashiels
		Rosebank Place, Galashiels
		Syke's Acre, Galashiels
		Waverley Place, Galashiels
		Woodlea, Galashiels
Leaderdale & Melrose	Prior's Walk, Melrose	Lady's Walk, Darnick
	Millburn, Lauder	Acorn Drive, Earlston
	Rushbank, Newstead	Everest Road, Earlston
		Gun Road, Earlston
		Summerfield, Earlston
		Upper Gattonside, Gattonside
		Eildon View, Melrose
		Fairways, Melrose
		Dean Park, Newstead
		Craw Wood, Tweedbank
Selkirkshire	Fairfield Crescent, Selkirk	King George V, Newtown St Boswells
		Whitefield, Newtown St Boswells
		Bannerfield (A), Selkirk
		Heatherlie Park, Selkirk
		Rosebank Quarry, Selkirk
Hawick & Denholm	The Loaning, Denholm	Mayfield, Hawick
	Bowden Road, Hawick	Waverley Walk, Hawick
	Burnfoot School, Hawick	Wellington Court, Hawick
	Hislop Gardens, Hawick	Wilson Drive, Hawick

Hawick & Hermitage		Green Terrace, Hawick
		Leaburn Drive, Hawick
	Millers Knowe, Hawick	
Tweeddale East	Caddon Court, Innerleithen	Caddonhaugh, Clovenfords
		Memorial Hall, Innerleithen
		Glen Crescent Juniors, Peebles
		Kingsway, Peebles
		Provost Melrose Place, Peebles
Tweeddale West	Eliot's Park, Peebles	Elibank Road, Eddleston
		Crossburn Farm Road, Peebles
		Haylodge Park (Small), Peebles
		Kingsland Square, Peebles



EYEMOUTH PRIMARY SCHOOL – NEXT STAGES

**Report by Service Director, Young People Engagement & Inclusion
and Service Director, Assets & Infrastructure**

SCOTTISH BORDERS COUNCIL

27 August 2020

1 PURPOSE AND SUMMARY

- 1.1 This report seeks approval to undertake an options appraisal and detailed feasibility study regarding the replacement of Eyemouth Primary School and Early Learning & Childcare provision as part of the Council's Learning Estate.**
- 1.2 In April 2019 approval was given to detailed costing and design work being carried out regarding the construction of a new Primary, Early Learning and Childcare setting (ELC) and Community Campus on the site of the former High School in Eyemouth.
- 1.3 Since that date however, cost pressures regarding delivery of the project have arisen, along with local community opposition to some elements of the proposal. It is 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.
- 1.4 It is intended that further community consultation will be undertaken before any subsequent report is brought back to Council.

2 RECOMMENDATIONS

It is recommended that:-

- (a) Approval is given to 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;**
 - 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) It is noted that a further report will be brought back to Council in December 2020.**

3 BACKGROUND

- 3.1 Eyemouth Primary School is located within the residual buildings of the former Eyemouth High School, which was replaced through a PPP contract arrangement in 2009. The current Primary School space does not work well for modern day curricular requirements and the setting does not provide a modern learning environment for the children. There are also capacity issues at the school as the roll continues to grow; currently operating at 91% of capacity. It has been further identified that the replacement of Eyemouth Primary School is a priority for the Council, given that it is also ranked as Category C (Condition), Category C (Suitability) and with a current capacity of 91% in accordance with the annual Core Facts summary submitted to Scottish Government annually.
- 3.2 The new Eyemouth High School opened in March 2009 and was constructed as part of the Council's 3 High School PPP project. The repayment of the private finance is now approximately midway through the 25 year payment period. The High School was originally promoted as a 500 capacity school but to a style of accommodation schedule that under estimates capacity in certain general teaching spaces. Based on a current assessment, the school is reported as having capacity for 770. The pupil roll since then has not reached this level with occupancy averaging 57% since opening. The current roll is 495 (64% occupancy).
- 3.3 In 2015, a feasibility study was undertaken as part of early preparatory work regarding the replacement of the Primary School. The preferred option identified at this time was a new build Primary School on the former High School site. Consideration was given, at this time, to a campus style model where the High School would take up space more efficiently allowing one of the wings of the School to be used for primary/ELC. This was technically feasible at that time, but not considered further on the basis of:-
- i. Comparable cost with a new build, on the current Primary School site then considered to be circa £8M;
 - ii. Moderate legal and financial complexity of re-negotiating part of the PPP contract and the additional revenue costs this would incur;
 - iii. Perceived community nervousness for a campus style model, essentially relocating all education provision to the 'edge' of the town;
 - iv. The benefits of developing the former High School site, which had remained underutilised and undeveloped since the opening of the new High School; and
 - v. Detailed discussions had been held with Berwickshire Housing Association and Trust Housing Association to prepare an overall masterplan for the site, which would meet the needs of the three partners and the community.

- 3.4 A new build Primary School on the site of the former Eyemouth High School was included in the Capital Financial Plan in February 2019 at a budget of £16M. A report was presented to Executive Committee on 16 April 2019 recommending that the detailed design and costing process begin for the proposed new school. Recommendation 2.1 (e) of that report specifically encouraged Officers to consider all potential options for property asset consolidation in accordance with the principle of 'Fit for 2024'.
- 3.5 In parallel with the development of the new ELC and Primary, Officers continued discussions with Trust Housing Association, for the delivery of circa 40 Extra Care Housing (ECH) units as part of the current programme, which will see ECH developments being undertaken in Duns (under construction), Galashiels (under construction), Kelso (planning), Eyemouth (pre-planning), Hawick (pre-planning) and Peebles (feasibility), with an aspiration that would have seen 240 units delivered in total. At the moment on the projects in Duns and Galashiels have received Council approval and the rest will be brought to Council for consideration in due course. This is a tri-partite arrangement with both Trust Housing Association and Eildon Housing Association as development partners and the Council is generally providing support for these developments through the use of 2nd Homes Council Tax.
- 3.6 In addition, Officers have continued to engage with Berwickshire Housing Association (BHA) on the provision of circa 60 or so affordable and social housing units on part of the site. While an area of land was previously sold to BHA by SBC at the time of the PPP contract award, this was denoted as a 'floating parcel' to be defined through a master planning exercise. The provision of social housing on this site has also met with local resistance, despite it having been identified with the Planning LDP and SHIP for a considerable number of years.
- 3.7 Prior to the Covid-19 lockdown in March 2020, it had been intended to present to Council two reports on the proposed SBC Learning Estate Strategy - a response to the Scottish Government's national Learning Estate Strategy published in September 2019 - as well as a report on the Council's planned Asset Rationalisation programme as an integral part of both the Corporate Landlord functions and also the Fit for 2024 workstreams. Both these reports are being updated in light of Covid-19 and it is currently intended to bring these to Council in September 2020.
- 3.8 The design process of a replacement facility, on the site of the former High School, has continued since April 2019, and includes space within the building for 4 additional classrooms (assuming some form of consolidation of Primary School provision within the wider Eyemouth cluster in accordance with emerging Learning Estate

Strategy and FF24 Property Asset Rationalisation proposals), as well as direct replacements for the nearby Family Support Centre, the ageing Community Centre (itself a former school) and Library as part of the overall property asset rationalisation proposition within Eyemouth town centre. The Project Team are finding it difficult to deliver the project to this original £16M budget, given the time which has elapsed and the delays incurred to date, for example, Covid-19 lockdown.

- 3.9 In late 2019, some local opposition to the overall use of the former High School site on the basis of “loss of key green space” and the provision of social housing became apparent to Officers. While this perceived loss has been mitigated by the retention of a full size grass pitch outwith the secure school boundary (similar to the recent Broomlands Primary School development), there is also some opposition to any development that introduces social housing in that area, despite the fact that Council sold land to BHA during the formative stages of the PPP High School project and this has been made clear in both the LDP and SHIP since that period.
- 3.10 It should be noted, that in order to allow the Trust Housing Development to be delivered on the current site, without the parallel investment in new education and community facilities, it is likely that the Council may have to provide additional financial support beyond that already committed through 2nd Homes Council Tax due to increased infrastructure costs that were originally going to met as part of the intended ELC and PS investment.
- 3.11 Immediately prior to lockdown in March 2020, it had been intended to carry out a series of consultation meetings to present the latest proposals for the site – both the overall master plan configuration and the designs for the new Eyemouth Community Campus. Participation requests under the Community Empowerment Act had previously been agreed with both Eyemouth Community Council and Eyemouth Development Trust to be involved in the design development of the scheme.
- 3.12 There are now several issues that need to be considered:-
- a) The continuing community opposition to the current proposal for the former High School site; primarily regarding the housing and green space elements;
 - b) The financial pressure regarding the current proposal – both capital and revenue, post Covid-19; and
 - c) Whether there would be community support for a single 3-18 campus style education model, located as the current High School, given the similarities of the size of the town/catchment with Jedburgh.

3.13 SBC will also require to enter into discussions with Scottish Borders Education Partnership (SBEP), who are currently responsible for the management and operation of the PPP contract arrangements, to explore the proposals set out in this report.

3.14 Accordingly it is proposed that a further feasibility study is undertaken regarding delivery of education in Eyemouth, which will comprise consideration of both the current proposal and campus/hybrid models as well as all technical, educational, financial, asset rationalisation and legal issues. A report will be presented back to Elected Members in December 2020.

4 IMPLICATIONS

4.1 Financial

It is proposed that costs associated with this proposal are met from within the existing capital budget, given the recommendation 2.1(e) from the Report to Executive Committee dated 16 April 2019.

4.2 There are financial pressures on both the Capital project for the new build and associated revenue staffing and property related operating costs over two education buildings in Eyemouth. These can be potentially mitigated by reconsidering a Campus model.

4.3 In the event that a Campus model, located at the Secondary School, proves to be the preferred option, options regarding finance and delivery of the preferred solution will require to be considered. The Council currently make revenue based unitary charge payments for the underutilised High School; these will require to be re-modelled and increased to reflect a change in the contractual relationship of any additional floorspace, depending on the funding and contractual solution. A further report will be submitted regarding these options.

4.4 Any change to the current PPP arrangements would likely require to be contained within the balance of the PPP contract period, unless there was a desire by SBC to extend it. If not, then consequently the ongoing revenue costs are likely to be higher, given a shortened contractual time period, of circa 8-10 years post completion in lieu of more normal 25-50 year periods.

4.5 If the work undertaken to date on the current High School site is abandoned, then all costs may require to be written off to revenue. In addition, a greater contribution from SBC may be required towards the planned Extra Care Housing being developed by Trust Housing Association to reflect higher site and infrastructure costs.

4.6 This proposal will result in re-profiling of the planned expenditure for the School Estates; which will include, inter alia, consideration of the model to be delivered at Galashiels Academy and/or the acceleration of Earlston Primary School.

4.7 The creation of a 3-18 Campus would likely mean that further asset rationalisation within the town, i.e. Community Centre and Library would not be feasible due to the distance between the various sites and would need to be factored into a detailed capital/revenue financial assessment.

Risk and Mitigations

4.8 There is a potential reputational risk in proposing a further review, not only with the community, but partners such as Berwickshire Housing Association and Trust Housing Association. This can be mitigated by ensuring that the review is completed quickly and that there is open communication regarding the reasons behind the decision, which reflect that community opinions are being taken into account in the process.

4.9 There are time risks associated with the planning process for the new build school. If community opposition to development on the overall former High School site are maintained, although, as noted, this seems primarily directed at social housing which could be dealt with through the planning process.

Integrated Impact Assessment

4.10 An Integrated Impact Assessment will be completed in respect of the new school proposal.

Acting Sustainably

4.11 Acting sustainably is embedded within all actions contained within the School Estate Review.

Carbon Management

4.12 Carbon management assessments will be contained within the individual proposals for new schools.

Rural Proofing

4.13 Rural proofing is embedded within all actions contained within the School Estate Review.

Changes to Scheme of Administration or Scheme of Delegation

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

5 CONSULTATION

The Executive Director (Finance & Regulatory), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into the final report.

Approved by

Signature

Lesley Munro
Service Director Young People Engagement & Inclusion

Signature

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Background Papers: Executive Committee Report 16 April 2019

Previous Minute Reference: Executive Committee Minutes 16 April 2019

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Consultation On New Powers To License Sexual Entertainment Venues

Report by Executive Director Finance and Regulatory Services
SCOTTISH BORDERS COUNCIL

27 AUGUST 2020

1 PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to advise and update Council on changes to legislation which introduces 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 will inform a decision on whether to adopt a Resolution to licence sexual entertainment venues in the Scottish Borders.**
- 1.2 The Air Weapons and Licensing (Scotland) Act 2015 introduced a discretionary power for Local Authorities in Scotland to decide if they wish to licence sexual entertainment venues ("SEVs") within their individual areas. If Council decides to licence this activity any person wishing to operate a SEV within the Scottish Borders would require to apply for a licence. If Council do not decide to licence the activity, any person can operate a SEV without any regulation from the Local Authority.
- 1.3 If Council considers it should explore the option of licensing SEVs, it must firstly carry out a public consultation on whether it is considered necessary to licence this type of activity. If, following an initial consultation, it is felt that Council should decide to licence it then it will proceed by adopting a Resolution to do so. It will then need to produce a SEV Policy and a further public consultation will be required on the content of that Policy.

2 RECOMMENDATION

- 2.1 It is recommended that Council instruct the Executive Director Finance and Regulatory Services to conduct a stage 1 public consultation on whether the Council should resolve to licence SEVs and to thereafter report to Council on those findings before determining whether to adopt a Resolution.**

3 BACKGROUND

- 3.1 The Air Weapons and Licensing (Scotland) Act 2015 has, from 26 April 2019, amended the Civic Government (Scotland) Act 1982 to introduce a discretionary power for Local Authorities in Scotland to licence SEVs within their individual areas.
- 3.1.1 A SEV is any premises at which sexual entertainment is provided before a live audience for financial gain and where its purpose is the sexual stimulation of members of the audience. The full definition appears as Appendix I to this report.
- 3.2 Current Position
- 3.2.1 There are no SEVs in the Scottish Borders area and as far as the Council is aware there are no plans to open one. There are SEVs in some of the cities or larger towns in Scotland, including Edinburgh.
- 3.3 Effect of the Changes to the Licensing of Sexual Entertainment Venues
- 3.3.1 The introduction of a discretionary licensing system gives Local Authorities the option to adopt a Resolution to licence SEVs in its area.
- 3.3.2 If a Resolution is adopted, any SEV wishing to operate legally would require to apply for a licence.
- 3.3.3 If a Local Authority does not adopt a Resolution, anyone can operate a SEV without any direct regulation from the Local Authority.
- 3.3.4 If a Resolution is passed by the Local Authority, the main changes can be summarised as follows:
- It must determine the appropriate number of SEVs (if any) for its area and for each relevant locality.
 - It must prepare a SEV Policy Statement in respect of its functions in relation to the licensing of SEVs taking into account the licensing objectives of public nuisance, crime and disorder, public safety, protecting children and young people from harm and violence against women.
 - Any SEVs would require a SEV Licence to operate.
 - There are various grounds for the refusal of a SEV Licence including that the number of SEVs in the Local Authority area or the relevant locality at the time that the application is made is equal to or exceeds the number which the Local Authority consider is appropriate for that locality.
 - The Resolution must not come into force any earlier than one year from the date the Resolution is made by the Local Authority.
 - A SEV Policy Statement must be published by the Local Authority 28 days prior to the Resolution coming into effect.
- 3.3.5 In relation to the above, Members should note that if sexual entertainment has not been provided at a premises on more than three occasions within a 12 month period then the premises is not to be treated as a SEV.
- 3.4
- 3.4.1 Since the new power falls within the Council's responsibilities for Civic Government Licensing, its introduction was intimated to the

Civic Government Licensing Committee at an informal meeting held on 25 October 2019. Members of the Committee expressed support for the idea that Council should consider adopting a Resolution. They were keen to explore the option of having a regulatory framework in place that would be operative if an SEV seeks to operate within the Scottish Borders area in future.

- 3.4.2 The Committee Members asked that a short term working group consisting Members, SBC Officers and multi-agency representatives be formed to ensure that the statutory objectives in relation to SEV activity are properly considered. The working group met twice and their findings form the basis of the recommendation in this report. The working group echoed elements of the advice provided in the Scottish Government Guidance (Guidance on the Provisions for Licensing of Sexual Entertainment Venues and Changes to Licensing of Theatres) appended as Appendix II to this report. That Guidance provides that the Council, in considering this matter, should also have regard to its duties under the EU Services Directive, the Regulatory Reform (Scotland) Act 2014, European Convention on Human Rights and the Equalities Act 2010. Regard should also be had to the following key strategies - Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls; The Trafficking and Exploitation Strategy; and Fairer Scotland.

4 PROCESS

- 4.1 As part of the process for the adoption of a Resolution to licence SEVs within the Scottish Borders a possible two stage public consultation will be required.
- 4.1.1 If the Council decides that it should consider adopting a Resolution to licence SEVs, the first part of the public consultation will take place. The outcome will assist the Council in deciding whether or not a Resolution is necessary.
- 4.1.2 The first part of the public consultation will simply ask the public if the Council should adopt a Resolution which would allow SEVs to be regulated.
- 4.1.3 The consultation would be directed to the public at large but would also be highlighted to Community Councils, Adult Protection Committee, Child Protection Committee, Police Scotland, Scottish Fire and Rescue Service, NHS and Violence Against Women groups.
- 4.1.4 Responses gathered from the first part of the public consultation will then be brought back to the Council to allow it to consider whether a basis exists to adopt a Resolution to licence SEVs in the Scottish Borders.
- 4.1.5 If a Resolution is adopted, the Council has a statutory duty to publish a Policy Statement. The second part of the consultation will then ask for views on that draft Policy Statement. The policy will include matters such as the appropriate number of SEVs (if any) to be permitted in the Scottish Borders, localities considered suitable (or unsuitable) for the operation of a SEV and what measures the Council would expect applicants to have in place to address the following objectives:
- preventing public nuisance, crime and disorder;
 - securing public safety;
 - protecting children and young people from harm; and

- reducing violence against women.

4.1.6 A Resolution will come into force no earlier than a year after it is adopted.

5 IMPLICATIONS

5.1 Financial

The Consultation exercise can be undertaken from within current resources. Financial Implications of licensing SEVs will be considered and advice to Members following the consultation.

5.2 Risk and Mitigations

The carrying out of a consultation and evidence gathering process will allow the Council to determine whether to exercise the new discretionary power to adopt a Resolution to licence SEVs.

5.3 Equalities

An IIA has been carried out. Both a decision to licence and a decision not to licence SEVs have the potential to create considerations for our Fairer Scotland duties. In terms of Equalities, the decision is one which has the potential to create impact in relation to the protected characteristics of Sex and of Religious Belief. It is therefore important that any groups representing those potentially impacted are made aware of this Consultation and their views be actively sought.

5.4 Acting Sustainably

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

5.5 Carbon Management

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

5.6 Rural Proofing

Not applicable as although this is a legislative requirement a new Policy is not being proposed at this stage.

5.7 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.

6 CONSULTATION

The Chief Financial Officer, the Chief Legal Officer (Monitoring Officer), the Chief Officer Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council and any comments received have been incorporated in the final report.

Approved by

David Robertson

Executive Director Finance and Regulatory Services

Signature

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Background Papers: None
Previous Minute Reference:

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“Sexual Entertainment Venue” any premises at which sexual entertainment is provided before a live audience (or with a view to) the financial gain of the organiser and where it is for the sole or principal purpose of sexual stimulation of members of the audience.

“audience” includes an audience of one.

“financial gain” includes financial gain arising directly or indirectly from the provision of the sexual entertainment.

“organiser” means either the person who is responsible for the management of the premises or the organisation or management of the sexual entertainment or where that person exercises that responsibility on behalf of another person (whether by virtue of a contract of employment or otherwise) that other person.

“premises” includes any vehicle, vessel or stall, *but does not include any private dwelling to which the public is not admitted.*

“sexual entertainment” means any live performance, or any live display of nudity which is of such a nature ignoring financial gain must be reasonably assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience; and

“display of nudity” means in the case of a woman the showing of (to any extent and by any means) her nipples, pubic area, genitals or anus; and in the case of a man the showing of (to any extent and by any means) his pubic area, genitals or anus.

Air Weapons and Licensing (Scotland) Act 2015

Guidance on the Provisions for Licensing of Sexual Entertainment Venues and Changes to Licensing of Theatres

March 2019



Scottish Government
Riaghaltas na h-Alba
gov.scot

AIR WEAPONS AND LICENSING (SCOTLAND) ACT 2015

GUIDANCE ON THE PROVISIONS FOR LICENSING OF SEXUAL ENTERTAINMENT VENUES AND CHANGES TO LICENSING OF THEATRES

CONTENTS LIST

Introduction

- Legislation
- The Guidance
- Background
- Relationship with other Strategies

Licensing of sexual entertainment venues

- Local Authority Resolution
- Specified Day

Statements of policy in relation to sexual entertainment venues

- Content
- Licensing conditions

Applications

- Consideration
- Notification
- List of Appropriate Persons
- ECHR Issues
- Fees
- Enforcement
- Conclusion

Licensing of sexual entertainment venues: interpretation

- Definitions
- Exemptions
- Sex shops
- Under 18s
- Public entertainment

Licensing of Theatres

- Repeal of existing mandatory licensing provisions
- Local Authority resolution

Commencement of licensing of theatres and sexual entertainment venues

- Transitional provisions
- Consequential amendments - The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 **and** The Premises Licence (Scotland) Regulations 2007

Introduction

The key aims of civic licensing are the preservation of public safety and order and the prevention of crime. A specific licensing regime for sexual entertainment venues will allow local authorities to consider local circumstances in setting the number of venues able to operate within their areas (this could be nil) and to exercise appropriate control and regulation of these venues.

Local authorities that do not currently have any sexual entertainment venues may wish to carefully consider whether there would be merit in making a resolution and setting a number (including nil) of such venues for their area to allow them to control the number of sexual entertainment venues operating in their area in the future.

It is important to note that The Licensing (Amendment) (EU Exit) (Scotland) Regulations 2019¹ amend Schedule 2, paragraphs 9(3)(e) and 9(3)(f) of the Civic Government (Scotland) Act 1982² (the 1982 Act). This change prevents the granting of a licence for a sex shop or sexual entertainment venue to a person who is not resident in the United Kingdom (the UK) or was not resident throughout the 6 month period prior to the application being made. It also prevents the granting of a licence to a body corporate not incorporated in the UK. These provisions come into force on exit day. The previous residency restrictions for granting a licence were to a member state of the EU.

A published sexual entertainment policy statement will provide local communities with a clear indication of the local authority's policy and examples of licensing conditions, along with enforcement details. The policy should also demonstrate how the local authority intends to help protect the safety and wellbeing of performers, customers and the wider public.

Legislation

1. The Air Weapons and Licensing (Scotland) Act 2015³ (the 2015 Act) received Royal Assent on 4 August 2015. The provisions of the Act which relate to the licensing of sexual entertainment venues (SEV) come into force on 26 April 2019. However this is not a mandatory licensing regime and it is for local authorities to determine whether they wish to licence SEV, whether to limit their numbers and to determine individual licence applications. When doing so local authorities will need to consider the implications, opportunities and risks of their decisions.
2. Section 76 of the 2015 Act inserts sections 45A, 45B and 45C into Part III of the 1982 Act. These provisions establish a specific licensing regime for the regulation of SEV and allow for greater local control over the provision of such

¹ <http://www.legislation.gov.uk/ssi/2019/6/contents/made>

² <http://www.legislation.gov.uk/ukpga/1982/45/contents>

³ <http://www.legislation.gov.uk/asp/2015/10/contents>

venues. Although licensing of SEV follows a similar pattern to that covered by Part I, Part II and Schedule 1 of the 1982 Act, local authorities may wish to note that these provisions have no application to Part III licences which are solely governed by Schedule 2 of the Act.

3. While this guidance is primarily in respect of the SEV licensing regime, it also includes details at paragraphs 91-92 of the repeal of the existing mandatory licensing regime for theatrical performances under section 12 of the Theatre Act 1968 and the ability of local authorities to licence theatres under the more flexible public entertainment licence requirements contained within the 1982 Act. **To address concerns raised, it is worth emphasising that theatrical performances which are not provided solely or principally for the purpose of sexually stimulating the audience will not be classed as sexual entertainment. As a result, the use of the premises for those performances will not require an SEV licence.**
4. Information in respect of both SEV and the theatre provisions is provided at: paragraphs 93-96 on commencement; at paragraphs 97-102 on transitional provisions; and at paragraphs 103-107 on the consequential changes required to The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 and The Premises Licence (Scotland) Regulations 2007 as a result of the creation of a SEV licensing regime and the changes to theatre licensing.
5. This guidance also makes reference to the Licensing (Scotland) Act 2005 (the 2005 Act⁴), which provides a licensing regime for the sale of alcohol. The 1982 Act, and the 2005 Act provide for a variety of different licences, and it is possible that the same premises may require more than one licence. Care should therefore be taken to ensure that the requirement to obtain a licence and any exemptions from the requirement to obtain a licence are carefully considered.
6. The 1982 Act sets out that civic licensing decisions are the responsibility of the licensing authority, a committee made up of locally elected councillors. The 2005 Act provides that alcohol licensing decisions are the responsibility of the local Licensing Board. These terms are used throughout this guidance and refer to the licensing functions of a local authority. Where different committees are involved in the licensing of the same business, then it can be useful to co-ordinate in relation to the setting of licence conditions etc.
7. Where a local authority opts to licence SEV within its area, the provisions at paragraph 4 of Schedule 2 of the 1982 Act will apply in their area and a licence will be required for premises operated as SEV. Premises are classed as an SEV where sexual entertainment is provided before a live audience for the direct or indirect financial benefit of the organiser. Sexual entertainment is any live performance or live display of nudity provided for the sole or principal purpose of sexual stimulation of members of the audience. However, premises where sexual entertainment is provided on no more than 4 occasions in a twelve month period are not to be treated as SEV. The *Licensing of sexual entertainment*

⁴ <http://www.legislation.gov.uk/asp/2005/16/contents>

venues: interpretation section at paragraphs 84-90 of this guidance provides additional definitions and further information.

8. The passage of the Air Weapons and Licensing (Scotland) Bill through the Scottish Parliament includes further documentation that may be of interest including the Explanatory Notes and Policy memorandum⁵.

The Guidance

9. Section 45B(7) of the 1982 Act requires that, in carrying out its functions, a local authority must have regard to guidance issued by Ministers. This non-statutory guidance is intended to assist local authorities, but other parties such as the Police, venue operators, relevant organisations and performers may also find it useful.
10. A *Consultation on Guidance on the Provisions for Licensing of Sexual Entertainment Venues and Changes to Licensing of Theatres*⁶ was published on 1 November 2017 with a closing date of 7 February 2018. The responses received were carefully considered and were of assistance in finalising this guidance.
11. The guidance should be read in conjunction with the relevant legislation, particularly Part III and Schedule 2 of the 1982 Act and the relevant accompanying documents for the Air Weapons and Licensing (Scotland) Act 2015. This guidance does not represent legal advice and any individual or organisation reading this guidance should not treat this guidance as a replacement for independent legal advice. The interpretation of the 1982 Act, as amended by the 2015 Act, is ultimately a matter for the courts.

Background

12. On 24 March 2005, previous Scottish Ministers set up a Working Group on Adult Entertainment to review the scope and impact of adult entertainment activity and make recommendations on the way forward. This followed concerns expressed about the lack of controls on adult entertainment activity. The Group⁷ made a number of recommendations aimed at improving standards in the industry, ensuring the safety of performers and customers, regulating the impact on the locality, improving local accountability and control and ensuring that there was no inadvertent impact on artistic freedoms.
13. At that time, it was felt that, as SEV also sold alcohol and therefore required alcohol licences, it was best left to local licensing boards to regulate adult entertainment via the existing licensing regime for alcohol.

⁵ <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/76383.aspx>

⁶ <https://consult.gov.scot/justice/licensing-of-sexual-entertainment-venues/>

⁷ <http://www.gov.scot/Publications/2006/04/24135036/0>

14. In 2010 Sandra White MSP introduced amendments to provide for a specific system of licensing for sexual entertainment which were considered by the Scottish Parliament as part of its scrutiny of the Criminal Justice and Licensing Bill at Stages 2 and 3. The proposed provisions broadly mirrored those that had been introduced in England and Wales in section 27 of the Policing and Crime Act 2009. While the Scottish Government supported the proposals, Parliament rejected them due to concerns about the effect of operating a dual licensing system and concerns about the lack of opportunity to fully consider the proposals.
15. Since then, the Inner House of the Court Of Session in *BrightCrew Limited v City of Glasgow Licensing Board* ([2011] CSIH 46⁸) held that the licensing regime in the 2005 Act was limited to the regulation of the sale of alcohol and couldn't extend to matters not linked to the sale of alcohol. As a result, Scottish Ministers considered that a specific licensing regime for SEV was the best solution for future regulation of the industry. This approach would remove concerns around Licensing Boards attempting to use the alcohol licensing regime to regulate matters that go beyond the remit of that regime.
16. A consultation was published in June 2013⁹ (the consultation) inviting views on the establishment of a licensing regime based on the draft provisions that Ms White had proposed in 2010. Section 76 of the 2015 Act amends the 1982 Act to provide for this.

Relationship with other Strategies

17. In response to the consultation there was wide support for the principle of a new licensing regime including from local authorities, Police, violence against woman and gender groups.
18. However, some concerns were raised that licensing SEV encouraged unhealthy attitudes to women and therefore damaged society as a whole.
19. The Scottish Government accepts the freedom of adults to engage in legal activities and employment. However, it will continue to promote, through all relevant means, gender equality and actions that tackle out-dated attitudes that denigrate or objectify particular groups or individuals.
20. *Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls*¹⁰ was first published in 2014 and updated in 2016 and again in 2018. It sets out a definition of violence against women and girls which includes 'commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography and human trafficking'.

⁸<https://www.scotcourts.gov.uk/search-judgments/judgment?id=2a9286a6-8980-69d2-b500-ff0000d74aa7>

⁹ <http://www.gov.scot/Publications/2013/06/3607>

¹⁰ <https://beta.gov.scot/policies/violence-against-women-and-girls/equally-safe-strategy/>

21. Whilst recognising the conflict between this definition and the licensing of SEV, this guidance will help to ensure that such activities take place in safe and regulated environments. When deciding whether to licence, and whether to limit, SEV in their area, local authorities will need to consider the interaction with their own local policies and strategies, as well as the legal implications around limiting a legitimate business activity to minimise the risk of legal challenge.
22. Equally Safe's aim is to work collaboratively with key partners across all sectors to prevent and eradicate all forms of violence against women and girls and the attitudes which perpetuate them. Its priorities are: achieving gender equality; intervening early and effectively to prevent violence; and maximising the safety and wellbeing of women, children and young people. *Equally Safe: A Delivery Plan for Scotland's strategy to prevent and eradicate violence against women and girls*¹¹ was published in November 2017. It will help to ensure that the ambitions of the Equally Safe Strategy make a tangible difference.
23. The *Trafficking and Exploitation Strategy*¹², required under section 35 of the Human Trafficking and Exploitation (Scotland) Act 2015 was published on 30 May 2017. It sets out the Scottish Government's strategy to work with partners to make Scotland a more hostile place for human trafficking. The aims of the strategy are to identify victims and support them to safety and recovery; identify perpetrators and disrupt their activity; and address the conditions that foster trafficking and exploitation.
24. In developing the licensing regime, care has therefore been taken to balance the freedom of individuals to engage in legal employment and activities with the right of local authorities to exercise appropriate control and regulation of SEV that operate within their areas.
25. Ministers consider that local authorities are best placed to reflect the views of the communities they serve and to determine whether SEV should be licensed within their areas and, if so, under what conditions.
26. A local authority which chooses to licence SEV will have to publish an SEV policy statement, developed in consultation with relevant interest groups (including violence against women partnerships) which will provide local communities with a clear indication of the local authority's policy. Where an SEV licence is granted, licence conditions, along with enforcement, will help reduce the risk of criminality such as prostitution and human trafficking; and help protect the safety and wellbeing of performers, customers and the wider public. The community should, in turn, benefit from a safe, regulated environment.
27. Local authorities will have to consider the circumstances pertaining in their local area and their statutory obligations (including, but not limited to, their obligations under the EU Services Directive¹³ and the Regulatory Reform (Scotland) Act

¹¹ <http://www.gov.scot/Publications/2017/11/5647>

¹² <http://www.gov.scot/Publications/2017/05/6059>

¹³ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:376:0036:0068:EN:PDF>

2014¹⁴). Local authorities will also have to consider the rights SEV operators may have under the European Convention on Human Rights (ECHR) particularly under Article 1, Protocol 1 (peaceful enjoyment of possessions) and Article 10 (freedom of expression) of the Convention. ECHR issues are discussed further at paragraphs 73-77.

Licensing of sexual entertainment venues

28. Section 76 of the 2015 Act introduces a discretionary licensing regime for SEV. It achieves that by amending the existing licensing regime for sex shops provided for in Part III and Schedule 2 of the 1982 Act so that the provisions, with necessary modification, also apply to SEV. It is important to emphasise that it is not mandatory for a local authority to licence SEV. A flowchart setting out the steps local authorities are required to take is at Annex A.

29. When deciding whether to licence SEV, local authorities should obtain independent legal advice in order to ensure that they are able to mitigate the risks of legal challenge to an acceptable level. They should also take into account the Public Sector Equality Duty¹⁵ to which local authorities are required to pay 'due regard' when carrying out their functions and the specific duty¹⁶ to assess and review policies and practices.

Local Authority Resolution

30. Where a local authority decides to licence SEV, section 45B of the 1982 Act, requires the local authority to pass a resolution in order for SEV licensing to have effect in their area. It also requires at section 45C that where a local authority decides to licence SEV it must prepare an SEV policy statement and further information on this is provided at paragraphs 38-57.

31. In considering whether to pass a resolution a local authority should consider, whether they will wish to control SEV even if no such premises are currently in operation in their area. If there is no resolution in place, then no licence is required to operate an SEV. Existing SEV could continue to operate, new SEV could come into operation, without an SEV licence. Sexual entertainment in those venues would remain largely unregulated. If a resolution is passed, existing SEV and any new SEV, will require an SEV licence.

32. In considering whether to pass a resolution to licence SEV, local authorities may wish to look carefully at their localities and consider a range of issues such as:

- whether there are any sexual entertainment venues already operating;
- the location of schools;

¹⁴ <https://www.legislation.gov.uk/asp/2014/3/contents>

¹⁵ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

¹⁶ <https://www.legislation.gov.uk/ssi/2012/162/regulation/5/made>

- the location of places of worship;
- the location of heavily residential areas;
- the location of women's refuges and shelters and other services focussed on supporting women, children and young people;
- whether there have been incidents involving anti-social behaviour, sexual assaults, prostitution or more minor harassment reported in any particular area; and
- whether there have been incidents of human trafficking or exploitation locally.

33. Local authorities who have resolved to licence SEV must determine the appropriate number of SEV for both their area and for each relevant locality within their area (see paragraph 9(5A) of Schedule 2 of the 1982 Act). Paragraph 9(5)(c) of Schedule 2 allows local authorities to refuse applications on grounds that, at the time the application is determined, the number of SEV in the local authority's area or relevant locality is equal to or exceeds the number that the authority considers appropriate for their area or that locality.

34. Local authorities have extensive experience of engaging with local people and will know what works best in their individual areas. Local authorities may wish, as a matter of good practice, to seek the views of local people and businesses prior to deciding whether to pass a resolution. In doing so, local authorities may wish to make any relevant information available to local people in order to inform their understanding. Local authorities may also wish to engage with the operators of known SEV as soon as a decision has been made, to ensure that they are aware of what action they will need to take, and to seek input from the local Police Scotland human trafficking champion or the Human Trafficking Unit at Gartcosh.

35. In considering whether to pass a resolution to licence SEV, local authorities must also have cognisance of other relevant legislation such as the EU Services Directive, the Regulatory Reform (Scotland) Act 2014 and the Convention rights of SEV operators. Local authorities should consider whether the decision to licence SEV is proportionate and justifiable.

36. If licensing SEV, a local authority must determine, from time to time, the number of SEV that they consider appropriate for their area and each relevant locality. Nil may be considered the appropriate number. The determination should be publicised. Further guidance on what a local authority may wish to consider in determining numbers and localities is provided below in relation to developing the policy statement.

Specified Day

37. Where a local authority passes a resolution, it must specify a date from when it is to take effect in their area. This must be at least one year from the date the resolution is passed. The local authority must also publish notice that they have passed a resolution not less than 28 days prior to the date the resolution is to take effect. The notice must state the general effect of the licensing procedure

and provisions at Schedule 2 of the 1982 Act, as modified for SEV, and be published either electronically or in a local newspaper.

Statements of policy in relation to sexual entertainment venues

38. Section 45C of the 1982 Act requires that where a local authority has passed a resolution under section 45B(1) that a licensing regime for SEV will have effect in their area, they will then be required to prepare and publish an SEV policy statement. The statement of policy should set out and justify the position of the local authority with regards to licensing SEV and should support local authorities should they face any legal challenges.

Content

39. The policy statement should include details of the impact a local authority considers the licensing of SEV will have in its area. Section 45C(3) of the 1982 Act states:

“In preparing a SEV policy statement, a local authority must—

(a) consider the impact of the licensing of SEV in their area, having regard, in particular, to how it will affect the objectives of—

- (i) preventing public nuisance, crime and disorder,
- (ii) securing public safety,
- (iii) protecting children and young people from harm,
- (iv) reducing violence against women, and

(b) consult such persons or bodies as they consider appropriate.”

40. For the purposes of the section, “children” are defined as persons under the age of 16 and “young people” as persons aged 16 or 17.

41. Policy statements should be published at the same time and in the same manner as the notice of resolution is published i.e. it should be published not less than 28 days prior to the date the resolution is to take effect, either electronically or in a local newspaper.

42. The policy statement should provide local communities with a clear indication of the local authority’s policy and should also be consistent with the licensing objectives and procedures set out in the 1982 Act as amended.

43. The statement might include information on the locations where the local authority is likely to consider the operation of SEV to be appropriate or inappropriate. The statement could also be used to indicate how many SEV are considered to be appropriate for the local authority’s area or particular localities within its area. The reasons for these policy positions should also be provided.

44. In developing the statement, the local authority may also wish to take account of whether any SEV are already operating in its area under the existing regime for

alcohol licensing and, if so, whether they wish to continue to licence the same number of venues as are currently operating.

45. The local authority may wish to reflect on whether reducing the number of venues, or setting the number at zero, in their area will have a disproportionate effect on business. The local authority should also consider whether reducing the number of SEV in their area or setting the number at zero would create a risk of legal challenge (for example under ECHR or on grounds of reasonableness).
46. Where there are currently no sexual entertainment venues operating, a local authority may wish to consider if there may be benefit in making a resolution to give effect to the licensing regime even where it considers that the number should be set at zero. In setting the number at zero, a local authority will require to demonstrate proportionality by evidencing that the competing interests of SEV operators alongside those of the community had been fairly considered and appropriately balanced.
47. In developing the policy statement, we consider it best practice for local authorities to consult with persons with an interest and this should include organisations such as violence against women partnerships, child protection committees and community councils as well as Police Scotland and local businesses (including the operators of any existing SEV).
48. In exercising any functions in relation to the licensing of SEV, the local authority is required to have regard to their SEV licensing policy statement. It is also required, from time to time, to review the policy statement, revise it as appropriate and publish the revised statement. We suggest that it may be best practice to align the review of both the local authority's stated appropriate number of SEV and the policy statement. However it will be for individual local authorities to determine the timeframe for undertaking the reviews required.

Licensing Conditions

49. Under paragraph 9 of Schedule 2 to the 1982 Act local authorities have a power to impose reasonable licence conditions. In doing this local authorities need to be flexible in responding to each application and in some cases additional or more tailored conditions reflecting local circumstances may be appropriate.
50. Conditions are specific requirements that the licence holder must comply with, otherwise the licence could be revoked. Paragraph 19(1)(c) of Schedule 2 states that a licence holder who, without reasonable excuse, knowingly contravenes or permits the contravention of a specified condition will be guilty of an offence.
51. The local authority can attach standard conditions for all licences granted for SEV, they may also impose individual conditions to licences. By way of example, such licence conditions could regulate:
 - the display of advertisements on or connected to the venue;
 - the days and times when the premises may be used as a SEV;
 - the visibility of the interior of the SEV to passers-by; and

- the number of persons to be admitted to the premises.
52. The local authority should give careful consideration as to whether the condition proposed is necessary and, with the Brightcrew case in mind, whether it is linked to the regulation of sexual entertainment. The local authority should also consider whether, in all the circumstances, the condition is reasonable and proportionate and therefore not susceptible to challenge.
53. Any condition attached to the licence must be clear, so that the licence holder is aware of their obligation to comply.
54. Part of the local authority's role is to ensure improved working conditions and a safe environment for the women who work in SEV. The local authority may wish to encourage operators to actively identify potential victims of human trafficking in their recruitment procedures. Where a local authority is made aware of a person who is or appears to be a victim of human trafficking, they have a duty to notify Police Scotland.
55. The Association of Licensed Adult Entertainment Venues in Scotland has a toolkit, *A Guide for Employers and Contractors*¹⁷ which is intended to ensure that venues are operated in a fair manner, protecting human rights and that potential victims of human trafficking are identified in the recruitment process.
56. In terms of how a premises licensed as an SEV should be run, in addition to the minimum standards expected of workplaces through health and safety regulations, local authorities may wish to consider adopting some or all of the following non-exhaustive list of suggestions and develop them as model conditions within their Policy Statement:
- list of full names, dates of birth, nationality and contact details (address or telephone number) for all performers to be available on the premises for immediate production if requested by Police or local authority officers;
 - ensure immigration status is in order and actively seek to identify performers who may have been the victim of human trafficking;
 - employment of security guards;
 - use and storage of CCTV;
 - provision of hygienic changing and showering facilities and a toilet with access to hot water exclusively for the use of the performers;
 - set break times for performers;
 - the provision of a break room exclusively for the use of the performers;
 - performers to be escorted by security to nominated taxi or to their car at end of shift;
 - access to medical checks and sexual health advice to be provided on site;
 - the licence holder to ensure performers remain clothed outwith performance area;
 - the licence holder to ensure no physical contact between performers and customers;

¹⁷ <http://www.alaevs.co.uk/members/>

- the customers to be informed of rules of customer conduct that is deemed acceptable e.g. customers to remain fully clothed at all times and these rules displayed at appropriate locations within the venue licence holder to ensure customers do not seek sexual favours or offer performers payment in return for sexual favours;
- the licence holder to ensure customers do not to offer or ask for any form of contact details from performers;
- the licence holder to ensure customers do not to engage in any unlawful activity within the SEV;
- the licence holder to ensure no photographs or video recordings are taken of the performers.

57. It should be borne in mind that it is extremely likely that SEV will also require to have a premises licence under Part 3 of the 2005 Act and care will be required to ensure that the SEV licence conditions do not contradict the conditions applied to the alcohol licence. In the event that the SEV does not also require an alcohol licence, local authorities may wish to consider whether any of the conditions attached to such licences would be appropriate to that particular SEV.

Applications

58. The local authority resolution will specify a date from which the SEV licensing regime is to take effect in its area. Under paragraph 25(3) of Schedule 2 of the 1982 Act a local authority cannot consider any application for an SEV licence prior to the date specified in the resolution and cannot grant any licence until it has considered all applications received prior to that date.

59. Local authorities will therefore wish to consider developing new application forms specifically in respect of SEV licences. Authorities will also have to determine a date when these forms should be made available to operators / prospective operators. It may also be appropriate to intimate in the resolution when applications will be considered by the local authority.

60. Paragraph 25 of Schedule 2 also provides that where a SEV is trading in the area before the resolution has been published and before the specified day of effect has applied for a SEV licence under Schedule 2, then they may continue trading until the application is considered. If the application is refused they may continue to trade until the timescale for an appeal under paragraph 24 has lapsed or the appeal has been determined or abandoned.

61. We suggest that in considering an application for an SEV licence, with the view to reaching an evidence- based decision on whether it should be granted, local authorities will wish to look carefully at the proposed location and take account of:

- the existing character and function of the area in which it will be located;
- whether there are any schools near the vicinity of the SEV;
- whether there any places of worship in that vicinity;
- whether there are other relevant businesses or charities operating in the area e.g. homelessness shelters, women's refuges, supported accommodation, recovery units etc.;

- whether the SEV is close to heavily residential areas;
- whether there have been incidents involving anti-social behaviour, sexual assaults or more minor harassment reported in that area;
- the views of residents and other relevant interested persons as far as is possible¹⁸; and
- input from the local Police Scotland human trafficking champion or the Human Trafficking Unit at Gartcosh.

62. It is important to note that an SEV licence will be required for premises where sexual entertainment is provided on more than 4 occasions in a twelve month period even where that entertainment is booked by the person hiring the venue. Paragraphs 85-86 of this guidance provide additional definitions and further information regarding exemptions.

Consideration

63. Local authorities will follow the established procedure for considering applications laid out at Schedule 2 of the 1982 Act. The procedure is applicable to licensing sex shops and has been modified to apply to SEV. Paragraph 9(3) sets out a list of persons to whom a licence may not be granted and paragraph 9(5) lists grounds on which a local authority may refuse an application for the granting or renewal of a licence. Each licence application should be fully considered on its own merits. However note, under paragraph 9(5)(c), where the number of venues in the local authority's area or relevant locality at the time the application is made is equal to or exceeds the number which the local authority consider is appropriate for their area or that locality the local authority should refuse the application.

64. The provisions in relation to making an application for a licence or the renewal of a licence are detailed at paragraph 6 of Schedule 2. In considering an application, the local authority will wish to satisfy itself that the applicant is not an unsuitable person to hold a licence by reason of having been convicted of an offence or for any other reason.

65. Under paragraph 15 of Schedule 2, the local authority can at any time decide to vary a licence on any grounds it thinks fit. The local authority can revoke a licence in line with the provisions set out at paragraph 13 of Schedule 2.

66. A decision not to grant a licence or to revoke a licence may be subject to appeal under paragraph 24 of Schedule 2. An appeal would be to a Sheriff in the first instance and could be on the grounds that the authority erred in law, based their decision on an incorrect material fact, acted contrary to natural justice or exercised their discretion unreasonably.

67. Any appeal to a Sheriff in relation to a SEV licence must be made within 28 days of the date of the decision appealed against. However, where the application is

¹⁸ It should be noted that local authorities do not have a duty to engage in full neighbourhood notification or power to require applicants to do so.

refused under paragraph 9(5)(c) or (d) of Schedule 2, the applicant can only challenge the refusal by way of judicial review.

68. Under paragraph 12(2)(b) of Schedule 2 a local authority may grant an SEV licence for one year or such other period that it deems appropriate.

Notification

69. Applicants will require to advertise their applications for a licence in a local newspaper specified by the local authority and to display a notice on or near the relevant premises. However, a local authority may dispense with the requirement for an applicant to publish a notice in a newspaper and instead publish notice of the application electronically. The legislation imposes a further duty at paragraph 7(3C) of Schedule 2 requiring each applicant for a licence to operate an SEV to send a copy of their application to such persons or bodies as have been determined by the local authority within 7 days of making the application and to certify to the local authority that they have done so. There is also an obligation on local authorities at paragraph 7(3D), requiring them to determine which persons and bodies are to receive copies of applications and to publicise that list as they consider appropriate.

List of appropriate persons

70. In relation to notification of an SEV licence application, the Cabinet Secretary for Justice stated during Stage 3 consideration of the legislation:

“Although the current process already allows for robust notification procedures, with requirements for both newspaper advertising and notices to be publicly displayed, there are advantages in requiring specific notification to particular bodies that will have an interest in the licensing of sexual entertainment venues. There is a practical advantage in ensuring important stakeholders, including violence against women partnerships and community councils are notified of applications early, so that they have sufficient time to consider applications and to make such representations to the authority as they consider appropriate. There is also an advantage in that it will send a very clear message that groups identified as being appropriate to receive copies of the application, including violence against women partnerships and community groups, are at the heart of the licensing process.”

71. In line with this, we suggest that it is essential to ensure that those with an interest are notified as early as possible and that particular organisations such as violence against women partnerships and community councils should be considered important stakeholders in the licensing process. They should therefore be included on the published local authority list of those who are to receive copies of applications.
72. Local authorities may also wish to consider including on the list local businesses, schools, places of worship and child protection committees, along with anyone else they consider appropriate.

ECHR Issues

73. When taking a decision to refuse an application local authorities should take account of any rights SEV operators may have, particularly under:

Article 1, Protocol 1 of the European Convention of Human Rights
Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law..) and

Article 10 –

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

74. Local authorities may wish to consider whether there is any interference with the applicant's human rights. And if so is it necessary and proportionate for the prevention of disorder or crime, the protection of health or the protection of the rights and freedom of others and whether the interference can be justified in the general public interest.

75. In deciding whether or not to grant a licence for an SEV, local authorities should also bear in mind the rights provided for at the following ECHR Articles

Article 3

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 4

1. *No one shall be held in slavery or servitude.*

2 *No one shall be required to perform forced or compulsory labour.*

Article 14

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

76. Further information can be found in the Equality and Human Rights Commission Freedom of Expression Legal Framework guidance¹⁹ which explains the legal framework which protects freedom of expression and the circumstances in which that freedom may be restricted in order to prevent violence, abuse or discrimination.

77. In implementing the SEV legislative provisions local authorities will wish to ensure that they do so in compliance with the Convention rights and that they put in place flexible policies which take account of the competing interests of individuals alongside those of the community.

Fees

78. Paragraph 18 of Schedule 2 provides that a local authority must charge a reasonable fee which is sufficient to meet the expenses incurred by the authority in exercising its functions under the Schedule. In setting fees, local authorities will wish to have regard to the EU Services Directive. The R (on the application of Hemming (t/a Simply Pleasure Ltd) and others) (Respondents) v Westminster City Council (Appellant) [2015 and 2017]²⁰ rulings may also be of interest.

Enforcement

79. Offences and sanctions which relate to SEV licensing fall wholly under Schedule 2 of the 1982 Act and are set out in paragraph 19 of Schedule 2. Local authorities will wish to be aware that these provisions only apply where a resolution to licence SEV has been made.

80. The powers to enter and inspect and to enter and search licensed SEV are set out at paragraphs 20 and 21 of Schedule 2. These are similar to the provisions relating to Part II licences.

Conclusion

81. The 1982 Act makes clear that any decision made by the local authority, when considering applications for SEV licences, should be reasonable. This applies to fees, conditions which may be added to the licence, and to the time taken to consider the application.

82. The local authority should consider the facts of individual licence applications, and make decisions which are based on local priorities and circumstances.

83. The local authority should, where possible, ensure that there is consistency in these decisions, and in the conditions which may be attached to any licence granted.

¹⁹ <https://www.equalityhumanrights.com/en/publication-download/freedom-expression-legal-framework>

²⁰ <https://www.supremecourt.uk/cases/uksc-2013-0146.html>

Licensing of sexual entertainment venues: interpretation

84. Part III of the 1982 Act currently allows local authorities to control the number and location of sex shops in their area and Schedule 2 contains the detailed licensing procedures and provisions for sex shops. Section 76 of the 2015 Act creates a new licensing regime for SEV. It inserts sections 45A - 45C into Part III of the 1982 Act; modifies Schedule 2 so that it applies when a local authority resolves to licence SEV; and amends the title of Part III to "Control of sex shops and sexual entertainment venues".

Definitions

85. Section 76(3) inserts an interpretation section, which underpins the SEV licensing regime, into the 1982 Act at Part III, section 45A. The relevant definitions are:

"(2) "Sexual entertainment venue" means any premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser.

(3) For the purposes of that definition—

"audience" includes an audience of one,

"financial gain" includes financial gain arising directly or indirectly from the provision of the sexual entertainment,

"organiser", in relation to the provision of sexual entertainment in premises, means—

(a) the person ("A") who is responsible for—

(i) the management of the premises, or

(ii) the organisation or management of the sexual entertainment, or

(b) where A exercises that responsibility on behalf of another person (whether by virtue of a contract of employment or otherwise), that other person,

"premises" includes any vehicle, vessel or stall but does not include any private dwelling to which the public is not admitted,

"sexual entertainment" means—

(a) any live performance, or

(b) any live display of nudity,

which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of the audience (whether by verbal or other means).

(4) For the purposes of the definition of "sexual entertainment", "display of nudity" means—

(a) in the case of a woman, the showing of (to any extent and by any means) her nipples, pubic area, genitals or anus,

(b) in the case of a man, the showing of (to any extent and by any means) his pubic area, genitals or anus.”

Exemptions

86. However, premises where sexual entertainment is provided on no more than 4 occasions in a twelve month period are not to be treated as SEV. This exemption is to avoid drawing into the SEV licensing regime venues where the main purpose is clearly not to provide regular sexual entertainment e.g. venues which have the very odd stag or hen party providing such entertainment. Section 45A(10) specifies how occasional use is to be calculated:

“(a) each continuous period during which sexual entertainment is provided on the premises is to be treated as a separate occasion, and
(b) where the period during which sexual entertainment is provided on the premises exceeds 24 hours, each period of 24 hours (and any part of a period of 24 hours) is to be treated as a separate occasion.”

87. It is important to note that an SEV licence will be required where such entertainment occurs on more than 4 occasions in a twelve month period even where that entertainment is booked by the person hiring the venue. It is also important that any premises where sexual entertainment may be performed are properly supervised, as breach of the above limit without a licence is an offence.

Sex shops

88. Section 45A expressly states that sex shops are not SEV and provides a power to allow Ministers to specify other premises which do not fall into the category of SEV. A further power is provided so that Ministers can specify descriptions of performances or displays of nudity that are not to be treated as sexual entertainment for the purposes of the legislation.

Under 18s

89. Paragraph 19(1) of Schedule 2 of the 1982 Act provides that the employment of anyone under the age of 18 in an SEV is an offence. Section 45B(6)(g) of the 1982 Act modifies paragraph 19(1)(e) of Schedule 2 in respect of SEV to make it an offence for a licence holder or their agents to knowingly permit a person under the age of 18 entry to the SEV at a time when sexual entertainment is being provided, or at any other time without reasonable excuse. An example of a reasonable excuse might be where a plumber's mate is called upon to fix an emergency leak. It is worth noting that the reasonable excuse defence only applies where entry to the SEV is knowingly permitted to a person under the age of 18 at a time when sexual entertainment is not being provided – there is no reasonable excuse defence where entry is permitted at a time when sexual entertainment is being provided.

Public entertainment

90. Section 41 of the 1982 Act enables a licensing authority to direct that a public entertainment licence is necessary for certain types of activity. Section 41(2) of the 1982 Act provides that a “place of public entertainment” is any place where members of the public are admitted or may use any facilities for the purposes of entertainment or recreation. Section 76(2) of the 2015 Act amends section 41(2) of the 1982 Act to exclude a sexual entertainment venue from being licensed under a public entertainment licence.

Licensing of Theatres

Repeal of existing mandatory licensing provisions

91. The provisions at section 74 of the 2015 Act repeal the existing mandatory requirement for theatrical performances to be licensed under the Theatre Act 1968²¹ (the 1968 Act) and supporting provisions in the 1968 Act that allow for powers of entry and inspection. Section 74 of the 2015 Act also removes the exemption for premises licensed under the 1968 Act from the public entertainment licensing regime in the 1982 Act. This means that local authorities will be able to licence theatres under the public entertainment licence requirements contained in section 41 of the 1982 Act. Section 74 also inserts an equivalent of the anti-censorship provisions from the 1968 Act into the 1982 Act, so that licensing authorities will not be able to censor theatrical performances under the public entertainment licensing regime within the 1982 Act.

Local Authority resolution

92. Following the repeal of the theatre licensing provisions within the 1968 Act, local authorities may wish to consider making a public entertainment licensing resolution, or vary an existing resolution, under section 9 of the 1982 Act in order to require theatres to obtain a public entertainment licence. This requires local consultation, publicity and a 9 month period of notice before having effect. Local authorities are familiar with setting a resolution to bring activities within the scope of public entertainment licensing as the public entertainment licensing regime is currently used for licensing activities such as concerts, funfairs, variety shows etc. Having the local authority set out the scope of the public entertainment regime allows for greater flexibility and local authorities will, for example, be able to exclude premises offering plays to very small audiences from the licensing requirement where they consider that appropriate and proportionate.

Commencement of licensing of theatres and sexual entertainment venues

93. The Air Weapons and Licensing (Scotland) Act 2015 (Commencement No. 1) Order brought section 76(1) and 76(3) into force on 1 December 2015 for the purpose of inserting section 45A into the 1982 Act, but only for the purposes of

²¹ <http://www.legislation.gov.uk/ukpga/1968/54>

making orders under section 45A(7)(b) and (11) of that Act. These provisions enable subordinate legislation to be made under the 1982 Act.

94. The provisions at section 74 and the outstanding provisions at section 76 of the 2015 Act are fully commenced by the Air Weapons and Licensing (Scotland) Act 2015 (Commencement No.9 and Transitional Provisions) Order 2019.
95. In commencing the primary legislation, careful consideration was given as to the transitional arrangements for the repeal of existing legislation and the commencement of the new licensing regimes in the 2015 Act. Any necessary consequential changes to existing secondary legislation brought about by the commencement of the 2015 Act provisions was also considered.
96. The transitional arrangements, and the consequential amendments to existing legislation, required as a result of the commencement of sections 74 and 76 of the 2015 Act are detailed below.

Transitional provisions

Section 74 - Theatres

97. To ensure a smooth transition from the mandatory theatre licensing regime under the 1968 Act to the optional public entertainment licensing regime within the 1982 Act the amendment to the public entertainment licensing regime will be commenced first and the repeal of the theatre licensing regime will follow at a later date. This will give local authorities sufficient time to consider whether to licence theatres under the 1982 Act and for any resolution under section 9 of the 1982 Act to take effect before the licensing regime under the 1968 Act ends.
98. This means that theatre licences will continue until the repeal of the 1968 Act provisions but, during that timeframe, local authorities will be able to introduce a public entertainment licensing regime for theatres to take effect from the date of repeal. This will enable local authorities which wish to continue licensing theatres to ensure that public entertainment licences will come into force immediately on the repeal of theatre licences, leaving no period in between where theatres are unlicensed.

Section 76 – SEV

99. Section 45B(1) - (3) of the 1982 Act provides:

“(1) A local authority may resolve that Schedule 2 (as modified for the purposes of this section) is to have effect in their area in relation to SEV.

(2) If a local authority passes a resolution under subsection (1), Schedule 2 (as so modified) has effect in their area from the day specified in the resolution.

(3) The day mentioned in subsection (2) must not be before the expiry of the period of one year beginning with the day on which the resolution is passed.”

100. If a local authority chooses to introduce a licensing regime for SEV they will first require to pass a resolution under section 45B of the 1982 Act. Following a local authority resolution being passed to licence SEV, existing SEV will require to apply for an SEV licence but will be able to continue to trade without a licence until the final determination of that application. The existence of a premises licence under the 2005 Act will be no guarantee that an SEV licence will be granted for those premises – the SEV licensing regime and the alcohol licensing regime regulate two different activities.

101. Local authorities may wish to be aware of court judgements in:

- Thompson R v Oxford City Council [2013] EWHC 1819 (admin) (28 June 2013)²² and
- Thompson R v Oxford City Council & Anor [2014] EWCA Civ 94 (11 February 2014)²³

102. The ‘Oxford’ cases stressed that the grant of a licence should not be viewed as a grant for eternity and that a new licensing committee can take a different view of the same facts.

Consequential Amendments in relation to alcohol –

The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007

103. Following a review of secondary legislation we noted that amendments are required to secondary legislation related to alcohol licensing, namely **The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007**²⁴ (the Regulations). These alcohol regulations include a definition of adult entertainment and a reference to theatre licensing.

104. The Regulations specify conditions which must be imposed by a Licensing Board on the granting of an alcohol premises licence where the operating plan specifies that the premises will, on any occasion, be open for a continuous period beginning on one day and ending after 1am on the following day.

105. **Local authorities may wish to be aware that, as sexual entertainment venues now fall to be regulated under a separate specific licensing scheme it is no longer necessary to provide a definition of “adult entertainment” in these alcohol Regulations. Similarly, as licensing of theatres now falls under the optional public entertainment licensing scheme, reference to section 12 of the Theatres Act 1968 (which has been repealed by section 74(3) of the 2015 Act) is not required.**

²²<http://www.bailii.org/ew/cases/EWHC/Admin/2013/1819.html>

²³<http://cases436.rssing.com/browser.php?indx=12680078&item=11604>

²⁴<http://www.legislation.gov.uk/ssi/2007/336/regulation/1/made>

Motion by Councillor Haslam

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
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
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
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
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
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
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
g	Economic Regeneration and Finance <i>(replaces</i>	<ul style="list-style-type: none"> • Budget oversight and development • Economic development • Regeneration

	<i>Finance and Business & Economic Development)</i>	<ul style="list-style-type: none"> • Tourism • Inward investment • Strategic housing • Broadband and digital connectivity
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
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
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 and political thinking • Work across the Executive roles to be a lead in sustainable development • Oversee the delivery of net zero carbon emissions to zero by 2035

- (2) agrees to the appointment of Members to the above roles (names to be proposed at the meeting);
- (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.

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