

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held in Via Microsoft Teams on Thursday, 5th November, 2020 at 10.00 am

Present:- Councillors D. Parker (Convener), S. Aitchison, 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, R. Tatler, E. Thornton-Nicol, G. Turnbull and T. Weatherston

Apologies:- Councillors A. Anderson and E. Small

In Attendance:- Executive Director Corporate Improvement & Economy), Executive Director (Finance & Regulatory), Service Director - Young People, Engagement & Inclusion, Chief Legal Officer, Chief Operating Officer - Adult Social Work & Social Care, Clerk to the Council

1. **CONVENER'S REMARKS.**

1.1 The Convener congratulated the following Borderers who had received an award in the recent Queen's Birthday Honours:-

- Mr Richard Kenney from Galashiels, President, Commonwealth Judo Association - OBE for services to Judo
- Mr Peter J Stevenson from Selkirk, Chief Policy Adviser, Compassion in World Farming - OBE for services to Farm Animal Welfare
- Captain Caroline Brophy-Parkin from Hawick - MBE for services to the community in Hawick during the Covid-19 response
- Mr Alexander Hogg from Eddleston, Chair, Scottish Gamekeepers Association - MBE for services to Gamekeeping in Scotland
- Mr Stephen Winyard, Chair, Stobo Health Spa - MBE for services to Business and the community in Peebleshire
- Ms Sophie Jane Hamilton from Peebles - BEM for services to the community in Peebles during Covid-19
- Mrs Sharon McKendrick, Store Manager, Morrisons from Coldstream - BEM for services to the community during Covid-19
- Mr Graham Wilson, Special Constable, Police Scotland from Jedburgh -. BEM for services to Law and Order in the Scottish Borders.

1.2 The Convener reported that Scottish Borders Council's Inspire Learning programme had won in two categories at the 2020 Local Government Chronicle (LGC) Awards. These prestigious awards recognised achievements of local authorities across the UK. The programme won in the 'Future Places' and 'Public/Private Partnership' categories during an online ceremony today, Wednesday 28 October. The Future Places award was for councils that had worked creatively with technology to make the area they serve more prosperous, 'liveable' and resilient in the face of likely social, economic, demographic, political or environmental trends. The Public/Private Partnership category recognised councils who worked with private or voluntary sector organisations to devise better, more efficient services. Inspire Learning was run in partnership with SBC's IT partner CGI, alongside XMA and Apple.

DECISION

AGREED that congratulations be passed to those concerned.

2. MINUTE

The Minute of the Meeting held on 25 September 2020 was considered.

DECISION

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

3. COMMITTEE MINUTES

The Minutes of the following Committees had been circulated:-

(a)	Hawick Common Good Fund	2 September 2020
(b)	Community Planning Strategic Board	10 September 2020
(c)	Jedburgh Common Good Fund	14 September 2020
(d)	Executive	15 September 2020
(e)	Major Contracts Governance	15 September 2020
(f)	Kelso Common Good Fund	15 September 2020
(g)	Civic Government Licensing	18 September 2020
(h)	Local Review Body	21 September 2020
(i)	Pension Fund	24 September 2020
(j)	Pension Fund Board	24 September 2020
(k)	Audit & Scrutiny	28 September 2020
(l)	Lauder Common Good Fund	29 September 2020
(m)	Planning & Building Standards	5 October 2020
(n)	Executive	6 October 2020

DECISION

APPROVED the Minutes listed above.

4. SCOTTISH BORDERS COUNCIL FINAL REPORTS AND ACCOUNTS 2019/20

There had been circulated copies of a report by Audit Scotland, the Council's Auditors, together with a report by the Executive Director, Finance & Regulatory, and a copy of the Annual Accounts 2019/20. The Executive Director's report explained that the audit appointment of Audit Scotland for Scottish Borders Council accounts included the requirement to provide an auditor's report for the Council as well as related charities. KPMG had continued to provide the external audit of the Council subsidiary Bridge Homes. 2019/20 represented the fourth year of Audit Scotland undertaking the External Audit of the Council's Annual Accounts and they had prepared the Annual Audit Report which provided an unqualified independent audit opinion. The Annual Audit Report summarised Audit Scotland's conclusions, including:

- An unqualified audit opinion
- Audit Scotland concur with management's accounting treatment and judgements;
- Audit Scotland concluded positively in respect of financial management, financial sustainability, governance and transparency and best value.

Audit Scotland had identified four recommendations for improvement requiring action and these had been accepted by management and would be enacted within the agreed timescales. As required under the Local Authority Accounts (Scotland) Regulations 2014, the audited Annual Accounts for Scottish Borders Council, SBC Common Good Funds, the SBC Charitable Trusts, Bridge Homes LLP and Lowood Tweedbank Ltd and Scottish Borders Council's Pension Fund had all been presented to the Audit and Scrutiny Committee prior to signature. KPMG had concluded their audit of Bridge Homes LLP, subject to approval of their mandatory going concern consultation which was required on all UK audits as a result of Covid-19. They had raised no issues or matters to report. Members noted the impact of Covid-19 on the Council's financial position and welcomed the unqualified audit opinion. In response to a concern that the recording of Education Maintenance Payments was still an issue after being raised for the last 3 years, Mr

Robertson advised that work was ongoing to ensure that pupil records matched the payments made. However, he confirmed that this had not prevented the Council being able to claim their grant for these payments in full. Mr Robertson advised that following the preparation of his report a late notification regarding a presentational change to the gross income and expenditure figures relating to the IJB had been received. However, this had no overall impact on the final figures and he was happy to make this adjustment.

DECISION

AGREED to approve the following Audited Accounts:-

- (a) the Scottish Borders Council's audited Annual Accounts for the year to 31 March 2020;**
- (b) the Scottish Borders Council's Pension Fund audited Annual Accounts for the year to 31 March 2020;**
- (c) the Scottish Borders Council Common Good Funds' (Charity SC031538) audited Annual Accounts for the year to 31 March 2020;**
- (d) the SBC Welfare Trust (Charity SC044765) audited Annual Accounts for the year to 31 March 2020;**
- (e) the SBC Education Trust (Charity SC044762) audited Annual Accounts for the year to 31 March 2020;**
- (f) the SBC Community Enhancement Trust (Charity SC044764) audited Annual Accounts for the year to 31 March 2020;**
- (g) the SBC Ormiston Trust for Institute (Charity SC019162) audited Annual Accounts for the year to 31 March 2020;**
- (h) the Scottish Borders Council Charitable Trusts (Charity SC043896) audited Annual Accounts for the year to 31 March 2020;**
- (i) the Bridge Homes LLP audited Annual Accounts for the year to 31 March 2020; and**
- (j) Lowood Tweedbank Ltd Annual Accounts for the year to 31 March 2020.**

5. ANNUAL TREASURY MANAGEMENT REPORT 2019/20

There had been circulated copies of a report by the Executive Director, Finance & Regulatory, presenting the Annual Treasury Management activities undertaken during the 2019/20 financial year. The report explained that the CIPFA Code of Practice on Treasury Management in the Public Services (the Code) required an annual report on treasury management to be submitted to Council following the end of each financial year. This report highlighted the Council's treasury activity undertaken in the year ended 31 March 2020 and the performance of the Treasury function. Appendix 1 to the report was the Annual Report of Treasury Management activities for 2019/20 and contained an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. The Appendix also showed the Council's borrowing requirement to fund the capital investment undertaken during 2019/20, how much the council actually borrowed against the sums budgeted, and the level of external debt within approved limits. During the year the Council had again, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing. However, the Council did undertake long term borrowing of £7.5m during the year, due to the cashflow of the capital program. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code. The Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2020.

DECISION

NOTED that treasury management activity in the year to 31 March 2020 was carried out in compliance with the approved Treasury Management Strategy and Policy as detailed within report and the attached Appendix.

6. CAPITAL BUDGET REVIEW

There had been circulated copies of a report by the Executive Director, Finance & Regulatory, on the current 2020/21 Capital Plan and reflected a re-alignment of the capital budget taking into account all known COVID-19 impacts. An in-year exercise to review capital budgets had been undertaken by the Corporate Management Team based on the second quarter (September 2020 month end) position as reflected in Appendix 1 to the report. The report explained that the approach to the review of the capital budget had focussed on assessing the impact of the national “lockdown” of the construction industry and the associated inevitable delays in current and planned programmes of work. The overall impact on the capital plan was that net £29.637m of budget within the Capital Plan required to be moved as a timing movement to future years along with adjustments to budgets in the current year of £0.915m. Taken together these adjustments reduced the capital budget of £96.953m down to £68.231m. This revised position was based on a review of deliverability of projects within the plan with revised budgets now representing best estimates of budgetary spend by managers during the remainder of 2020/21. In response to a question regarding further detail around the CGI contract extension, Mr Robertson confirmed that details of specific projects would be brought forward in due course and highlighted some of the current projects including the expansion of the Inspire Programme into Care Homes and the provision of mobile technology to front-line staff.

DECISION

AGREED:-

(a) the revisions to the capital budgets for 2020/21 as set out in Appendix 1 to the report and noted that these would be included within the Executive Committee monitoring report on 17 November 2020; and

(b) to note that future monitoring reports would be presented to the Executive Committee as part of the financial monitoring processes.

7. LOCAL DEVELOPMENT PLAN : DEVELOPMENT PLAN SCHEME 2020

There had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, proposing approval of the annual update of the Development Plan Scheme. The report explained that publishing a Development Plan Scheme at least annually was a statutory duty and must include a participation statement setting out how, when and with whom the Council would consult on the various Local Development Plan stages. The proposed Development Plan Scheme 2020, as contained in Appendix 1 to the report, had been prepared to provide information on the development plan process. It set out the latest position on the Council’s development plans. The Chief Planning Officer advised that once approved this would be submitted to Scottish Government. Members raised the issue of poor consultation in relation to some other matters and asked that the need for early consultation was highlighted across the Council. In response to a question on Place Plans, Mr Aikman advised that this part of the legislation had not been enacted yet but the Council would support communities to prepare these in due course. These Place Plans would likely be included within the next Local Development Plan.

DECISION

AGREED:-

(a) to approve the proposed Development Plan Scheme 2020, as detailed in Appendix 1 to the report, for publication, deposit and copying to Scottish Ministers;

- (b) **that the Development Plan Scheme be reviewed and published at least annually, and;**
- (c) **to authorise the Executive Director to make any necessary minor editing and design changes to the Development Plan Scheme prior to publishing it.**

8. **AUDIT & SCRUTINY ANNUAL REPORT 2019/20**

There had been circulated copies of a report by the Chief Officer, Audit and Risk, submitting the Audit and Scrutiny Committee Annual Report 2019/20, as contained in the Appendix to the report, which presented the Committee's performance in relation to its Terms of Reference (Audit functions) and the effectiveness of the Committee in meeting its purpose. The report explained that it was important that the Council's Audit and Scrutiny Committee (Audit functions) fully complied with best practice guidance on Audit Committees to ensure it could demonstrate its effectiveness as a scrutiny body as a foundation for sound corporate governance for the Council. The CIPFA Audit Committees Guidance included the production of an annual report on the performance of the Audit and Scrutiny Committee against its remit (Audit functions) for submission to the Council. Scottish Borders Council continued to be a lead authority in adopting this best practice. The Audit and Scrutiny Committee carried out self-assessments of Compliance with the Good Practice Principles Checklist and Evaluation of Effectiveness Toolkit from the CIPFA Audit Committees Guidance during their Informal Session on 9 March 2020 facilitated by the Chief Officer Audit & Risk. The Members of the Committee considered the Annual Report and supporting self-assessment documents at their meeting on 22 October 2020 and agreed that they accurately represented the results of the self-assessment exercise. The outcome of the self-assessments was a high degree of performance against the good practice principles and a high degree of effectiveness, with areas of further improvement identified. Councillor Bell as Chairman of the Committee thanked Jill Stacey and her team and other officers for their support and commented on the good work being carried out.

DECISION

AGREED to acknowledge the performance of the Audit and Scrutiny Committee and approve its Annual Report 2019/20, as contained in the Appendix to the report.

9. **SCHEME FOR THE ESTABLISHMENT OF COMMUNITY COUNCILS - PROPOSED TEMPORARY AMENDMENTS**

There had been circulated copies of a report by the Service Director Customer and Communities proposing temporary amendments to the current Scheme for the Establishment of Community Councils to assist with their operation during the Covid pandemic. The report explained that, as with other organisations, the operation of Community Councils had been impacted by Covid-19. Although some of the usual business of Community Councils would have stopped, other business would have increased and Community Council work needed to continue. In this respect, amendments were proposed to the current Scheme to facilitate this, with regards to the term of office of a Community Council and the minimum membership. A number of Community Councils had been due to hold elections in 2020 and, going forward, in the first part of 2021. It was not practical at the moment to hold contested elections for Community Councils, so it was proposed to extend the term of office to a maximum of 5 years on a temporary basis up until 31 August 2021. When the membership of a Community Council fell to less than half the maximum membership, a by-election was held to increase the number, otherwise the Community Council was dissolved for a period of 3 months. To assist Community Councils, whose membership was close to the minimum number required to continue, it was proposed for a temporary period up until 31 August 2021, to allow a further reduction below that minimum number. Members welcomed the report and commented on the important work being carried out by Community Councils during the current pandemic. Councillor Tatler proposed acceptance of the report with the addition of the words "if required" after "31 August 2021" in the first recommendation and this was unanimously accepted. In response to a question from Councillor Greenwell regarding the fact that

Coldstream currently did not have a community council, the Clerk to the Council confirmed that unfortunately no action could be taken at present to start the process.

DECISION

AGREED to temporarily amend the Scheme for the Establishment of Community Councils:-

- (a) to extend the term of office of a Community Council by up to 1 year until 31 August 2021, if required, for those Community Councils which were due to hold an election in 2020 or early in 2021; and
- (b) up until 31 August 2021, where membership of a Community Council had fallen to less than half the maximum number of members:
 - (i) for those Community Councils with 8 members or less as a maximum membership, there would be no further reduction to minimum membership requirements;
 - (ii) for those Community Councils with a maximum membership of between 9 members up to 11 members, the minimum membership requirement would be reduced by a further one from half the maximum number; and
 - (iii) for those Community Councils with a maximum membership of 12 or more members, the minimum membership would be reduced by a further two from half the maximum number.

10. **COMMITTEE MEMBERSHIP**

It was noted that appointments required to be made to the Major Contracts Governance Group to replace Councillors Miers and Moffat. Councillor Bell, seconded by Councillor Moffat, moved that Councillor A. Anderson be appointed and Councillor Mountford, seconded by Councillor S. Scott, moved that Councillor Haslam be appointed. There being no other nominations both appointments were unanimously approved.

DECISION

AGREED that Councillors A. Anderson and Haslam be appointed as members of the Major Contracts Governance Group with immediate effect.

11. **MOTION BY COUNCILLOR JARDINE**

Councillor Jardine, seconded by Councillor Haslam, moved approval of his Motion as detailed on the agenda in the following terms:-

“I ask that the Council formally recognises the achievement of Scottish Borders athlete Reece Wilson on becoming the 2020 UCI Men’s Downhill Mountain Bike world champion. Although competing in the championships for Great Britain, Reece also became the first ever Scottish world champion in this event.”

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

DECISION

AGREED to approve the Motion as detailed above.

12. **MOTION BY COUNCILLOR LAING**

12.1 The Convener advised that before the meeting he had agreed with Councillor Laing to remove the section of her Motion relating to the appointment of a Council representative as further consideration of the role for such a member would be required.

12.2 Councillor Laing, seconded by Councillor Aitchison, moved approval of her amended Motion in the following terms:-

“Scottish Borders Council endorses Sea the Change in Eyemouth in becoming accredited by Surfers Against Sewage and supports their ambition to have Eyemouth designated as a Plastic Free Town.

This involves the council committing to make every possible effort to minimise use of single-use plastics.

The Council will support Sea the Change in their campaign to encourage plastic-free initiatives within Eyemouth”

Councillor Laing and Councillor Aitchison spoke in support of the Motion which was unanimously approved.

DECISION

AGREED to approve the Motion as detailed above.

13. **OPEN QUESTIONS**

The questions submitted by Councillors Robson, Bell, H. Scott, Ramage, H. Anderson, Thornton-Nicol and Laing were answered.

DECISION

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

14. **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

15. **MINUTE**

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

16. **COMMITTEE MINUTES**

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

17. **BUSINESS GATEWAY**

Members approved a report by the Executive Director, Corporate Improvement and Economy, on the transfer of Business Gateway to South of Scotland Enterprise.

MEMBER

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

18. **BORDERLANDS - UPDATE AND BUSINESS CASES**

Members approved a report by the Executive Director, Corporate Improvement and Economy, on progress towards concluding the Borderlands Inclusive Growth Deal and outline Business Cases.

The meeting concluded at 1.20 pm

SCOTTISH BORDERS COUNCIL
5 NOVEMBER 2020
APPENDIX I

Question from Councillor Robson

To Executive Member for Economic Regeneration & Finance

To ask the Council's Executive Member what consideration the Brexit Response Group has given to the possible impacts of UK Internal Market Bill on the powers of the Council and the services which it delivers.

Reply from Councillor Rowley

The Brexit Response Team has not discussed possible impacts of the UK Internal Market Bill, though Council officers are aware of the positions of the UK and Scottish Governments on the Bill, and areas of potential impact.

According to the UK Government, the purpose of the Bill is to:

“preserve the UK internal market, providing continued certainty for people and businesses to work and trade freely across the whole of the UK.”

— Paragraph 1 of the Explanatory Notes for the UK Internal Market Bill

From a devolved perspective, the Bill makes the following proposals:

- Introduction of a Market Access Commitment underpinned by the principles of mutual recognition and non-discrimination for trade in both goods and services across the four nations of the United Kingdom (Parts 1&2).
- A system for the recognition of professional qualifications across the United Kingdom internal market (Part 3).
- The conferral of new functions on the Competition and Markets Authority (CMA) to monitor and advise on the UK internal market (Part 4).
- Provide UK Ministers with a power to provide financial assistance in all parts of the United Kingdom including in devolved policy areas (Part 6).
- The reservation of State Aid (Part 7).

Council officers continue to monitor the practical consequences of the proposed legislation, for example, in relation to regulatory standards and the circular economy.

Supplementary

Councillor Robson asked that given the unintended consequences of the Bill, would the Executive Member agree to write to Scottish Government to ask that Teachers be removed so they would receive the same protection as the legal profession and that Scottish Building Regulations also be deleted to remove any confusion for the building trade. Councillor Rowley advised that he would discuss this with officers and confirm to Councillor Robson if this was possible.

Question from Councillor Bell

To the Leader

Shortly after the 2016 European Referendum the last Council Administration set up a Brexit Response Team to anticipate the potential impacts on the region of leaving the EU; including impacts on procurement, the local economy, citizens & communications and contingencies.

We were told of weekly meetings of the Brexit Response Team in a presentation to Council in March 2019, but since then we have heard very little. This is both puzzling and concerning.

How frequently does the Brexit Response Team meet?

Why do we hear nothing from them?"

Reply from Councillor Haslam

The Brexit Response Team comprises officers drawn from across Council services with a view to assessing risks and opportunities, and planning and implementing actions in relation to the UK's departure from the EU.

While a hiatus in meetings of the Brexit Response Team was caused by the COVID-19 pandemic, since July 2020, the BRT has met on the following occasions: 16 July, 4 August, 27 August, 22 September, 27 October 2020.

Presentations on Brexit planning have been provided to Elected Members on the following occasions: 15 January 2019, 30 January 2019, 14 February 2019 and 10 September 2019, as well as to full Council on 28 March 2019.

With the UK having left the EU on 31st January 2020, the Transition Period is scheduled to end at 2300hrs GMT on 31st December 2020. The prospect and content of an agreement between the UK and EU concerning their future relationship remains uncertain. This has created some challenge in planning and reporting the Council's Brexit response. It is proposed that a Member Briefing to provide an update on Brexit is scheduled for 3 December 2020.

Supplementary

Councillor Bell asked if Councillor Haslam would confirm that regular briefings would be provided and she advised that she had already stated there had been updates and there would be a briefing on 3 December.

Questions from Councillor H. Scott

1. To Executive Member for Children & Young People

iPads and the introduction of Inspire Learning appears to have been a success, especially during the current crisis around Covid19, however, anecdotally, it is becoming apparent that some equipment is being abused, lost, or stolen. Can the Executive Member tell Council: -

1. The total number of iPads issued to pupils in primary and secondary schools?
2. How many have been damaged beyond repair?
3. How many have been either lost or stolen?
4. The total cost to the Council of repairs and replacements?

Reply from Councillor Hamilton

In total, 11395 iPads have been distributed so far. Only 3 have been reported as damaged beyond repair, 1 has been lost and no iPads have been stolen.

SBC has a small number which have been replaced under the warranty.

There has been no cost to Scottish Borders Council for breakages as these are covered through a "gold stock" system where all schools have an additional allocation of 5% of the iPads to manage breakages. Schools then make decisions about whether and when to repair gold stock.

iPads are all fitted with very robust cases, and some schools have invested in screen protectors.

To Executive Member for Infrastructure, Travel and Transport

2. Following on from a message, dated 23 October, 2020, from the Chief Executive of Live Borders, that community halls and community centres will be closed for general purposes until January 2021, what measures will Scottish Borders Council undertake to

ensure that its assets are properly maintained over the winter months to ensure they remain in a state of good repair?

Reply from Councillor Edgar

Both Scottish Borders Council and LiveBorders have a duty to keep the venues in a wind/watertight condition and will work together over the winter months to ensure all closed venues are regularly inspected. Any repair issues will be addressed timeously.

Supplementary

Councillor Scott asked for assurances that Management Committees would be kept advised of the conditions of their buildings and any work that was to be carried out. Councillor Edgar confirmed that he would ask officers to forward information to Management Committees in future.

3. Since the coming of the Borders Railway, the communities of, and surrounding, Fountainhall and Heriot, have suffered a substantial reduction in the non-subsidised X95 bus service between Galashiels and Edinburgh. I have been informed that an assessment of future need, post Covid19, is being carried out by Borders Buses, to ascertain the requirement for several bus services within the Scottish Borders. What engagement will Scottish Borders Council undertake with Borders Buses to ensure that the communities of, and around Fountainhall and Heriot, do not suffer a further reduction of the X95 service, which is a vital means of transport and communication to that population, some of whom are elderly, living in poverty, or have additional needs, and will the provision of a subsidy by SBC form part of that engagement?

Reply from Councillor Edgar

Since the arrival of the Borders Railway, the X95 (previously operated by First Scotland East) sustained a reduction of £12k in revenue per week. In order to keep the route sustainable, changes were made based on travel patterns which were identified from data derived from the ticket machines. Since the onset of Covid-19, bus services have been under constant review and services have been reduced to cope with a reduction of patronage which is currently in the region of 40% of where it was pre Covid.

Borders Buses are currently surveying their passengers in order to try and gauge what level of service that they can put back in when restrictions start to ease with a view to building services up as passengers start to return.

The transport team are in constant discussions with all operators including Borders Buses regarding the local transport network and service changes. We also have sight of all of the registrations and timetables that are sent to the traffic commissioner to allow us to comment on any changes that are proposed.

The transport team will continue engagement with communities and local bus operators including Borders Buses to ensure that all communities are served by a sustainable transport network which meets the needs of the communities they serve whilst remaining within our allocated budget. Our aim is to commence engagement with communities in the coming months through area partnership meetings to discuss the Borders transport network, we will share the passenger data by service that we have with the communities which will help people understand how things are performing so that we can work collectively on sustainable solutions for the future.

Supplementary

Councillor Scott asked if the Council would consider subsidising the service post Covid as its removal would have an impact on the elderly and the vulnerable. Councillor Edgar advised that the Transport Team would be reviewing all services post Covid to ensure they were sustainable for the future.

4. To the Leader

Can the Leader update the Council on the progress or otherwise of discussions with Police Scotland regarding the possible modernisation of public space CCTV in the Scottish Borders?

Reply from Councillor Haslam

Councillor Turnbull and I met with Police Scotland on March 25th. Due to this being the start of lockdown no officers were able to attend. We had a very constructive meeting with Police Scotland where we discussed CCTV in the Borders. Police Scotland were keen to work with the Council and stressed the need for a co-ordinated system across the Borders. Obviously since March the focus of the Police has been on Covid, but I am happy to re-establish contact and continue the discussions.

Question from Councillor Ramage

To the Leader

Would the Scottish Border Council fly the Union Jack at half-mast on all council buildings on the 1st of January 2021 in recognition of leaving the E.U. after 48 years?

Reply from Councillor Haslam

The question was factually incorrect as the UK had already left the EU. However, the Council has a policy for flying of flags on Council buildings, which is set out in The Flying of Flags from Council Buildings and Arrangements for Books of Condolence (revised 2015). No provision is made within existing policy for the flying of a flag as set out in the question.

As part of Scottish Borders Council's flag flying protocol, any requests should be addressed in writing to the Chief Executive and Convener for consideration.

Question from Councillor H. Anderson

To the Leader

What steps have Scottish Borders Council taken to ensure that the fresh food supply chain will withstand the impact of a no or low deal Brexit on 1 January 2021 and how many days of dried and frozen food supplies are there to ensure that our schools and care homes continue to serve meals.

Reply from Councillor Haslam

In relation to schools, the Council currently holds 1 week's supply of dry foods and 2 weeks supply of frozen foods. The Council has consulted with its suppliers and they are confident that they will have a supply of fresh foods after 31/12/2020

Care Homes currently source all meals from Apetito, they are supplied pre-prepared.

In response to our recent enquiry to Apetito regarding Brexit risk, they have advised us that they are investing £5m of working capital in additional stock and are increasing all high-risk raw materials stock cover to a minimum of 6 weeks. Additionally they are increasing finished goods stock cover to an average of 6 weeks, with up to 12 weeks for certain faster moving lines. In addition they notified us that they employ a high number of EU nationals. In response to this risk, Apetito has reported that round 70% of our staff who are EU nationals now have "settled" or "pre-settled" status. The remainder have applications in process.

As would be expected, Apetito have given us prior warning that pressure on certain supply lines mean that a resulting price rise is highly likely

Supplementary

Councillor Anderson expressed concern regarding only 1 week's supply of food and asked if Council could be provided with a report at their next meeting outlining a much more detailed and robust plan with suppliers. Councillor Haslam suggested that Councillor Anderson should have declared an interest as a food supplier and advised that the Council's suppliers were confident they would have enough supplies.

Note At the end of Open Questions the Convener allowed Councillor Anderson to confirm that she did not have an interest to declare as she was not a Council supplier.

Question from Councillor Thornton-Nicol

To the Executive Member for Adult Wellbeing

Can you confirm that we have capacity to hold all the necessary products to deliver our home care and care home provision after a no or low deal Brexit on 1 January 2021 and if there have been discussions with NHS Borders for storage space for non-temperature controlled medication and consumables should they not have the ability to hold a suitable stockpile to mitigate any supply chain issues?

Reply from Councillor Weatherston

SBC is working with key suppliers to our Care homes and Care at Home service to plan and mitigate risks associated with Brexit. There are three main areas of supply worthy of note:

PPE - We are working with both local suppliers and Scottish Government to establish contingency stock and robust processes to ensure ongoing supply. The nationally held contingency stock which is managed by NHS / NSS is accessible should there be any interruption to local supply lines.

Food. - In response to this issue please see the response to the previous question from Councillor Anderson.

Medication and Continence products - The supply of medication and continence products is the responsibility of NHS Borders. The Council is responsible only for the distribution and use of these products. NHS Borders have representation on SBC Brexit Response Team and they have provided assurance that robust plans are in place to ensure ongoing supply of medication and continence products.

Question from Councillor Laing

To the Executive Member for Economic Regeneration & Finance

With the end of the Brexit Transition period looming, can the Executive Member tell us how a no deal or low deal situation will impact on the export of live shellfish from Eyemouth and the consequent effect on the local economy of East Berwickshire.

Reply from Councillor Rowley

All shellfish exports will require an Export Health Certificate (EHC) signed by an Environmental Health Officer (EHO) of the Food, Health and Safety team. We have been in discussion with the establishments exporting live shellfish from Eyemouth and, based on the figures of consignments going for export that they have provided, it is envisaged that the team will be able to provide EHCs for the consignments, assuming the businesses can provide the consignment details in a timely manner. Work by the Animal and Plant Health Agency and DEFRA streamlined the process for issuing EHCs, so there shouldn't be any impact on the export of live shellfish from Berwickshire after the new process has been implemented and established.

Supplementary

Councillor Laing still considered that there would be an impact. Councillor Rowley advised that he did not see that there would be any reduction in demand or a significant risk to this important industry as processes were in place to allow for its continuation. He

highlighted the mention in the Auditors report earlier that the Council had taken reasonable steps regarding Brexit, and that they would continue to monitor the position.