

Public Document Pack



**SCOTTISH BORDERS COUNCIL
THURSDAY, 28 JANUARY, 2021**

A MEETING of the SCOTTISH BORDERS COUNCIL will be held VIA MICROSOFT TEAMS on THURSDAY, 28 JANUARY, 2021 at 10.00 AM

J. J. WILKINSON,
Clerk to the Council,
21 January 2021

BUSINESS																																								
1.	Convener's Remarks.																																							
2.	Apologies for Absence.																																							
3.	Order of Business.																																							
4.	Declarations of Interest.																																							
5.	<p>Minute (Pages 5 - 18)</p> <p>Consider Minute of Scottish Borders Council held on 17 December 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 style="width: 80%;">(a) Major Contracts Governance</td> <td style="text-align: right;">3 November 2020</td> </tr> <tr> <td>(b) Police, Fire & Rescue and Safer Communities Board</td> <td style="text-align: right;">6 November 2020</td> </tr> <tr> <td>(c) Eildon Area Partnership</td> <td style="text-align: right;">12 November 2020</td> </tr> <tr> <td>(d) Teviot & Liddesdale Area Partnership</td> <td style="text-align: right;">17 November 2020</td> </tr> <tr> <td>(e) Community Planning Strategic Board</td> <td style="text-align: right;">19 November 2020</td> </tr> <tr> <td>(f) Civic Government Licensing</td> <td style="text-align: right;">20 November 2020</td> </tr> <tr> <td>(g) Pension Fund (Special)</td> <td style="text-align: right;">26 November 2020</td> </tr> <tr> <td>(h) Berwickshire Area Partnership</td> <td style="text-align: right;">3 December 2020</td> </tr> <tr> <td>(i) Sustainable Development Committee</td> <td style="text-align: right;">4 December 2020</td> </tr> <tr> <td>(j) Planning & Building Standards</td> <td style="text-align: right;">7 December 2020</td> </tr> <tr> <td>(k) Hawick Common Good Fund</td> <td style="text-align: right;">8 December 2020</td> </tr> <tr> <td>(l) Selkirk Common Good Fund</td> <td style="text-align: right;">9 December 2020</td> </tr> <tr> <td>(m) Jedburgh Common Good Fund</td> <td style="text-align: right;">9 December 2020</td> </tr> <tr> <td>(n) Audit & Scrutiny</td> <td style="text-align: right;">10 December 2020</td> </tr> <tr> <td>(o) Innerleithen Common Good Fund</td> <td style="text-align: right;">10 December 2020</td> </tr> <tr> <td>(p) Pension Fund</td> <td style="text-align: right;">11 December 2020</td> </tr> <tr> <td>(q) Pension Board</td> <td style="text-align: right;">11 December 2020</td> </tr> <tr> <td>(r) Local Review Body</td> <td style="text-align: right;">14 December 2020</td> </tr> <tr> <td>(s) William Hill Trust</td> <td style="text-align: right;">15 December 2020</td> </tr> </tbody> </table>	(a) Major Contracts Governance	3 November 2020	(b) Police, Fire & Rescue and Safer Communities Board	6 November 2020	(c) Eildon Area Partnership	12 November 2020	(d) Teviot & Liddesdale Area Partnership	17 November 2020	(e) Community Planning Strategic Board	19 November 2020	(f) Civic Government Licensing	20 November 2020	(g) Pension Fund (Special)	26 November 2020	(h) Berwickshire Area Partnership	3 December 2020	(i) Sustainable Development Committee	4 December 2020	(j) Planning & Building Standards	7 December 2020	(k) Hawick Common Good Fund	8 December 2020	(l) Selkirk Common Good Fund	9 December 2020	(m) Jedburgh Common Good Fund	9 December 2020	(n) Audit & Scrutiny	10 December 2020	(o) Innerleithen Common Good Fund	10 December 2020	(p) Pension Fund	11 December 2020	(q) Pension Board	11 December 2020	(r) Local Review Body	14 December 2020	(s) William Hill Trust	15 December 2020	5 mins
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7.	<p>Committee Recommendation (Pages 19 - 26)</p> <p>Consider recommendation from the Audit & Scrutiny Committee held on 10 December 2020. (Copy Minute extract and supporting report attached.)</p>	10 mins
8.	<p>Union Connectivity Review - Call For Evidence (Pages 27 - 70)</p> <p>Consider report by Executive Director (Corporate Improvement & Economy). (Copy attached.)</p>	30 mins
9.	<p>Learning Estate Review Update</p> <p>Consider report by Service Director Assets & Infrastructure. (Copy to follow.)</p>	15 mins
10.	<p>Peebles High School Update (Pages 71 - 76)</p> <p>Consider report by Service Director Assets & Infrastructure. (Copy attached.)</p>	15 mins
11.	<p>Proposed Response to Consultation on Draft Revision to Councillors' Code of Conduct (Pages 77 - 132)</p> <p>Consider report by Executive Director (Finance & Regulatory). (Copy attached.)</p>	15 mins
12.	<p>Amendments to Committee Report Implications Section (Pages 133 - 146)</p> <p>Consider report by Executive Director (Corporate Improvement & Economy). (Copy attached.)</p>	10 mins
13.	<p>Arrangements for the By-Election for the Leaderdale and Melrose Ward (Pages 147 - 152)</p> <p>Consider report by Executive Director (Corporate Improvement & Economy). (Copy attached)</p>	10 mins
14.	<p>Draft Calendar of Meetings 2021/2022 (Pages 153 - 164)</p> <p>(a) Consider bringing forward date of Council meeting in June from 24th to 17th to avoid school holidays.</p> <p>(b) Consider draft Calendar of Meetings for the period August 2021 to July 2022. (Copy attached.)</p>	5 mins
15.	<p>Open Questions</p>	15 mins
16.	<p>Any Other Items Previously Circulated</p>	
17.	<p>Any Other Items Which the Convener Decides Are Urgent</p>	
18.	<p>Private Business</p>	

	<p>Before proceeding with the private business, the following motion should be approved:-</p> <p>“That under Section 50A(4) of the Local Government (Scotland) Act 1973 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>															
19.	<p>Minute (Pages 165 - 166)</p> <p>Consider private Section of Minute of Scottish Borders Council held on 17 December 2020. (Copy attached.)</p>	1 mins														
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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

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SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held via Microsoft Teams on 17 December 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 (from paragraph 8), 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 & 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**

The Convener congratulated the following:-

- (a) Netta Meadows from South Somerset District Council on her appointment as the new Chief Executive;
- (b) The Jedburgh Grammar Campus project that had been recognised at the Partnership Awards 2020 when it took home a silver Award in the Best Education category. The award winning new £32m Jedburgh Grammar Campus, completed in March 2020, was a partnership project between Hub South East and Scottish Borders Council, with BAM Construction the main contractor and Stellan Brand, the architects behind the design; and
- (c) the winner of the Council Christmas Card competition who was Harvey Sanderson of Yetholm Primary.

DECISION

AGREED that congratulations be passed to those concerned.

2. **MINUTE**

The Minute of the Meeting held on 26 November 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) Tweeddale Area Partnership 3 November 2020
- (b) Kelso Common Good Fund 10 November 2020
- (c) Local Review Body 16 November 2020
- (d) Executive 17 November 2020
- (e) Chambers Institution Trust 18 November 2020
- (f) Peebles Common Good Fund 18 November 2020
- (g) Audit & Scrutiny 23 November 2020
- (h) Jedburgh Common Good Fund 23 November 2020
- (i) Peebles Common Good Fund 26 November 2020

(j) Executive	1 December 2020
(k) Galashiels Common Good Fund	3 December 2020

DECISION

APPROVED the Minutes listed above.

4. **SCOTTISH BORDERS PUBLIC PROTECTION COMMITTEE ANNUAL REPORT 2019-20**
 There had been circulated copies of a report by the Chief Social Work & Public Protection Officer containing the Scottish Borders Public Protection Committee Annual Report 2019-20. The report explained that in January 2020 Scottish Borders moved from a separate Adult Protection Committee and Child Protection Committee to a Public Protection Committee (PPC). In order to bring the Annual Report together the timescales for both previous Committees had been brought into line; as a result, this report informed Members of the activities of Child Protection covering 12 months from August 2019 – July 2020 and Adult Protection covering 16 months from April 2019 – July 2020. Justice Services and Violence Against Women and Girls timescales were August 2019-July 2020. The Annual Report, contained in Appendix 1 to the covering report detailed the main activities of the multi-agency Public Protection Committee (CPC) and its Delivery Groups. The Report highlighted the continuing work being undertaken in the Scottish Borders to meet the Council's statutory duties to protect children and adults at risk of harm. This included information on the work of the Child Protection Committee, the Adult Protection Committee, the Violence Against Women Partnership, Justice Services and Prevent, the statistical information collated and the significant training and development that had been provided in this area. Mr Michael Batty, Independent Chair of the Committee, was present at the meeting highlighted the main aspects of the report and answered Members' questions. Members welcomed the report and the Convener congratulated Mr Batty on his work with the Committee.

DECISION

NOTED the content of the Public Protection Committee Annual Report.

5. **BUDGET PLANNING ASSUMPTIONS 2021-2022**
 There had been circulated copies of a report by the Executive Director Finance and Regulatory containing an initial high level assessment of the broad planning assumptions being used in developing the Council's revenue and capital plans for 2021/22 and future years. The report explained that a range of assumptions were made as part of the 2020/21 five year revenue plan approved by Council on 26 February 2020. These assumptions had now been reassessed and updated based on the most up to date information available. Key assumptions regarding the budget fell into the following categories:
- Local Government Finance Settlement - Revenue Support Grant (RSG) and Non-Domestic Rates (NDR);
 - Council Tax;
 - Pay inflation (agreed nationally) and pension contributions;
 - Non-pay inflation (e.g. PPP contract, care home contracts, utility costs);
 - H&SC funding;
 - Ongoing COVID-19 impacts;
 - Assumptions on pension contributions;
 - Review of the capital plan.

Each of the categories above had been reassessed in line with the latest information available, with any resultant financial implications being included in the first draft of the 2021/22 budget papers. Members noted the challenges ahead and that further reports would be brought forward to Council as part of the budget development process for 2021/22.

DECISION

(a) NOTED the planning assumptions being made; and

- (b) **AGREED** these as the basis of the revenue and capital budget planning process for 2021/22.

6. **MID-TERM TREASURY MANAGEMENT REPORT 2020-2021**

There had been circulated copies of a report by the Executive Director Finance and Regulatory on the mid-year position of treasury management activities for 2020/21, in line with the requirements of the CIPFA Code of Practice, including Prudential and Treasury Management Indicators. The report had already been considered by the Audit and Scrutiny Committee prior to consideration by Council and they had made no comment. The report was required as part of the Council's treasury management control regime. It provided a mid-year report on the Council's treasury activity during the six month period to 30 September 2020 and demonstrated that Treasury activity in the first six months of 2020/21 had been undertaken in full compliance with the approved Treasury Strategy and Policy for the year. Appendix 1 to the report contained an analysis of the performance against the targets set in relation to Prudential and Treasury Management Indicators, and proposed revised estimates of these indicators in light of the 2019/20 out-turn and experience in 2020/21 to date for Council approval.

DECISION

- (a) **NOTED:-**

- (i) **that treasury management activity in the six months to 30 September 2020 was carried out in compliance with the approved Treasury Management Strategy and Policy;**
- (ii) **that the Audit & Scrutiny Committee had scrutinised this report on 23 November 2020.**

- (b) **AGREED** the revised Prudential and Treasury Management indicators as detailed in Appendix 1 to the report.

7. **REVISION TO PROCUREMENT AND CONTRACT STANDING ORDERS**

With reference to paragraph 11 of the Minute of 27 June 2017, there had been circulated copies of a report by the Executive Director Finance and Regulatory on the proposed revision of the Procurement and Contract Standing Orders. The report explained that the existing Standing Orders relating to Procurement and Contract activities had last been updated in June 2017 and now required to be reviewed and updated to take account of a number of strategic and operational requirements. The proposed changes included the need to amend the existing procurement thresholds considering appropriateness and opportunity, to include positive direction in connection with the Council's Living Wage Accreditation, to deliver Internal Audit recommendations relating to Contracting & Procurement, to reflect the revised public procurement legislation following the Brexit transition period; and to enhance officer obligations relating to Contract & Supplier Management. A copy of the amended Standing Orders was appended to the report. Members welcomed the report and that tendering for local firms would be easier, with the importance of regular audit checks highlighted.

DECISION

AGREED to approve the proposed changes to Procurement & Contract Standing Orders be implemented from 1st January 2021, as contained in the appendix to the report.

8. **REVIEW OF NON-RESIDENTIAL CHARGING POLICY**

- 8.1 There had been circulated copies of a report by the Chief Operating Officer Adult Social Work and Social Care reviewing the Non-Residential Charging Policy for 2021/2022. The report provided an analysis of responses to the consultation on the review of the Non-Residential Charging Policy 2021/22 (Charging Policy) and sought approval for changes to the charges for social care support at home. The Charging Policy Review was an annual activity of

Scottish Local Authorities with guidance of The Convention of Scottish Local Authorities (COSLA). However, this year the publication of COSLA guidance had been delayed until May 2020 due to the impact of COVID 19. The report acknowledged the review and consultation took place in midst of the COVID 19 Global pandemic and that the pandemic was having a major impact on how public services were delivered and on how individuals, families and communities were living in uncertain social and economic circumstances that was seeing unemployment and benefits dependency increase. The Consultation on specific charging matters had been undertaken between February and August 2020 and sought to balance the increasing demand on services, mitigating against hardship and providing good quality services within budget. Five proposals were consulted upon:

1. The implementation of an equivalency model for care and support;
2. Charging for extended short-stays in residential care settings (longer than 4 weeks);
3. Clients with capital above an upper capital threshold of £16,000 would be deemed to be self-funding and asked to pay the full cost of their services (excluding free personal care);
4. Replacing the flat rate charge with financially assessed charge in Extra Care Housing and Housing with care chargeable services; and
5. The increase of the Taper Rate from 65% to 100%.

8.2 Appendices A to E to the report provided sample case scenarios illustrative of the impact of the charging policy recommendations in individual circumstances. These examples were believed to be representative of the impact but, due to every individual's circumstances being different, it was not possible to show every scenario. Appendix F provided a sample of comparison Taper rate and Capital thresholds in other Local Authorities from the Local Government Benchmark Framework and Appendix L illustrated the impact of applying different upper capital thresholds of £16,000, £28,500 and £32,000. Members discussed the report in detail and sought clarification regarding some of the proposed amendments. Some concerns were raised regarding the consultation process and assurances were given that every effort would be made to include all stakeholders in the next consultation which was due to commence in February 2021.

DECISION

AGREED to:-

- (a) **note the feedback and analysis from the charging policy consultation;**
- (b) **approve reference to the equivalency model in the Charging Policy being applied to care & support resources;**
- (c) **approve the following changes to the charges for social care support for people at home, to take effect from 1st April 2021:**
 - (i) **the level of the Upper Capital threshold to be £28,500 and to be reviewed annually, bringing this into line with the Upper Capital threshold also used for Residential Care charging assessment. COSLA guidance uses £16,000 upper capital threshold;**
 - (ii) **implement a charge for extended short stays in a residential care setting (in line with national Charging for Residential Accommodation Guidance) where the length of stay is longer than 4 weeks;**
 - (iii) **replace the flat rate charge in Extra Care Housing with a financially assessed charge within Extra Care Housing and Housing with Care; and**
 - (iv) **increase the Taper rate from 65% to 70%.**

ADJOURNMENT

Prior to consideration of the above item, there was a 15 minute adjournment of the meeting to discuss a proposed amendment by Councillor H. Anderson regarding a deferral of the decision which was ruled by the Convener as not competent.

MEMBERS

Councillor Jardine joined and Councillor Marshall left the meeting during consideration of the above item.

9. FIT FOR 2024: OUTLINE PROPOSALS FOR COMMUNITY ENGAGEMENT OVER FUTURE SERVICE DELIVERY

9.1 There had been circulated copies of a report by the Service Director HR & Communications on the need to reshape the model of public service delivery in the Borders to improve the quality of life for its citizens, stimulate economic growth and minimise environmental impact. The Council was investing heavily in new facilities and new ways of working which would have an impact on the Council's existing extensive property footprint over the next few years. The opportunities provided by new technology, the experience of service delivery during Covid-19 and the need to ensure the Council's extensive estate was sustainable, provided a compelling justification of the need to modernise public service delivery and ensure the Council's property estate was fit for purpose.

The report outlined:

- The continuing significant investment that the Council was making in the modernisation of its services and its estate;
- The need for engagement with communities to look at how these investments could be sustained through alternative models of service delivery; and
- The pressing need to look at how limited financial resources could be prioritised to continue to support these developments.

9.2 It was proposed that a further report be brought to Council in February 2021 setting out detailed proposals for a programme of community engagement over the next year to review priorities for service provision and associated investment, ongoing funding and support. It was proposed that the review would take a locality "Place-Making" approach which would fully engage with communities drawing on the principles of Community Empowerment legislation and seeking the participation of communities in the redesign of future public services in the Borders. It would involve key partner organisations including Area Partnerships, Community Councils, Live Borders, Police Scotland, local Registered Social Landlords, NHS Borders and communities themselves to ensure the most effective and sustainable models of service delivery were developed. Members welcomed the report and highlighted the importance of getting the consultation right and the need to include partner organisations. It was also critical to ensure that the needs of rural communities were included.

DECISION

AGREED:-

- (a) to note the continuing investment in services and the Council's extensive estate;**
- (b) the need to review the prioritisation of associated investment and resources to ensure future models of public service delivery in the Borders continued to meet the needs of local people in the most effective and sustainable way;**
- (c) to reaffirm the need to examine new service delivery models as set out in the Fit for 2024 strategy, which improved the Council's carbon footprint, make better use of technology and deliver savings;**
- (d) the need to involve Community Planning Partners, Area Partnerships, Community Councils and communities in the future design of public services;**

- (e) **that a further report be brought to Council in February 2021 setting out the details of an estate-wide, community engagement-led review of services which would be undertaken in phases; and**
- (f) **that in anticipation of the report to Council in February, a report on the Learning Estate be brought to January Council.**

10. EYEMOUTH PRIMARY SCHOOL UPDATE

With reference to paragraph 14 of the Minute of 27 August 2020, there had been circulated copies of a joint report by the Service Director Assets and Infrastructure and Service Director Young People, Engagement and Inclusion providing an update on the progress with the Eyemouth Primary School project. The previous report provided approval to undertake a feasibility study on alternative education delivery models in the town. The feasibility study had been concluded and Officers had validated the options considered. Initial consultation had taken place on the options with the High school and Primary school senior leadership teams and respective parent councils. Progress would now be made with wider community based consultation prior to a statutory consultation in accordance with Schools (Consultation) (Scotland) Act 2010 legislation. Local members welcomed the report and looked forward to the consultation and hoped that the community would take the opportunity to comment.

**DECISION
AGREED:-**

- (a) **to note the contents of this report;**
- (b) **that community engagement and consultation should take place on the feasibility study options prior to a statutory consultation in accordance with the Schools (Consultation) (Scotland) Act 2010; and**
- (c) **that a follow on report be provided as the project progressed.**

CHAIRMAN

Councillor Parker vacated the Chair as he wished to speak as a local Member on the following item. Councillor Weatherston chaired the meeting for this item.

11. GALASHIELS CAMPUS UPDATE

With reference to paragraph 15 of the Minute of 28 November 2018, there had been circulated copies of a report by the Service Director Assets and Infrastructure providing an update on the progress with the new Galashiels Community Campus. The previous report recommended that individualised delivery plans should continue to be prepared for Galashiels, Hawick, Selkirk and Peebles HS. The report identified that the new secondary school for Galashiels should remain the Council's priority. During 2019 and 2020, design progress had continued to be made within the capital budget allowance. The project delivery team had now examined all of the details of the possible locations for the new building and concluded that Option 3 provided the greatest benefits overall. However, this had an impact on the adjacent Scott Park and as a consequence, a statutory consultation in accordance with Schools (Consultation) (Scotland) Act 2010 legislation would be required. In the continued presence of COVID-19, community consultation would have to rely on digital forms of communication. To assist with the next stages of the project, a stakeholder engagement organisation would join the delivery team. Members welcomed the report and, in supporting the proposed option, emphasised the importance of causing as little disruption to the education of pupils as possible during the construction phase. It was viewed as an opportunity to provide a building which would be much more than a school, as a centre for all ages, with the inclusion of a new swimming pool and other sports facilities and leading to an improved Scott Park. It was confirmed that options would form part of the public consultation. In response to a question about the future of the Focus Centre, Mr Curry confirmed that there had already been engagement with the Management Committee. It was noted that a petition

against the proposed site had been received which, unfortunately had not been considered earlier but would be dealt with by the Audit & Scrutiny Committee in January 2021.

DECISION

AGREED:-

- (a) to note the contents of this report;
- (b) that Option 3 should be taken forward as the preferred option for public consultation for the new Galashiels Community Campus;
- (c) that a statutory consultation in accordance with Schools (Consultation) (Scotland) Act 2010 would commence;
- (d) to approve the appointment of engagement consultants to assist with a digital themed community consultation process; and
- (e) that a follow on report be provided as the project progressed.

MEMBER

Councillor Miers left the meeting.

12. PEEBLES HIGH SCHOOL UPDATE

With reference to paragraph 15 of the Minute of 28 November 2018, there had been circulated copies of a report by the Service Director Assets and Infrastructure providing an update on the progress with the Peebles High School project. The report to Council on 28 November 2018 identified that individualised delivery plans should continue to be prepared for Galashiels, Hawick, Selkirk and Peebles High School. The report identified the priority ranking for the delivery of Peebles High School in terms of following on from Galashiels, Hawick and Selkirk. The fire at the school in November 2019 necessitated a reactive change of approach to Peebles High School and the inclusion of a project in the 2020/21 Capital Investment Plan. Discussions had continued during 2020 with the Council's insurance provider over the claim for loss associated with the fire. This was now reaching settlement. Progress had been made with the feasibility study that had considered the replacement of the parts of the building lost or damaged by the fire. This would require the retention of significant parts of the building and lead to compromises in form, and function. The delivery timescales for fully opening the new school would also be extended. The retention of the Millennium Wing would require the rebuild to proceed in close proximity to the functioning school and as such officers had now considered whether a complete new build would provide better value in terms of time and cost. A further short study had therefore now been undertaken to explore an alternative new build solution at Peebles High School. The purpose of this was to assess the benefits, cost and timescales of the different solutions available to establish which best supported educational objectives, supporting learners in Peebles over the longer term. The initial proposal was considered to have merit, overcoming the issues associated with the retention of the Millennium Wing noted above. It was therefore proposed that the complete new build option should be worked up into a full proposal for consideration. In the continued presence of COVID-19, community consultation would have to rely on digital forms of communication. To assist with the next stages of the project, the appointment of an external stakeholder engagement organisation to work with the delivery team was proposed. Members welcomed the report and emphasised the need for effective consultation with the community. Councillor Bell proposed that the word "now" be removed from recommendation (f) and this was unanimously approved.

DECISION

AGREED:-

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

- (b) that the further entirely new build feasibility study work was concluded;
- (c) the appointment of engagement consultants to assist with a digital themed community consultation process;
- (d) to note the insurance settlement for the school was likely to fall short of original expectations and would require additional council capital funding to complete the project;
- (e) that a follow on report be provided in January setting out the costs and benefits of the partial rebuild, full rebuild options for inclusion in the capital programme; and
- (f) that in a change to the original plan, the old science block would be demolished reducing future running costs for the school.

ADJOURNMENT

The meeting was adjourned at 1.30 pm for lunch and reconvened at 2.00 p.m.

13. EU EXIT UPDATE: PREPARING FOR THE END OF THE TRANSITION PERIOD

There had been circulated copies of a report by the Executive Director Corporate Improvement and Economy to provide confidence that appropriate and effective planning and preparation arrangements were in place for the end of the Transition Period following the UK's departure from the European Union (EU) on 1 February 2020. The report set out the present planning context for the end of the Transition Period on 31 December 2020. It noted that, whether or not the UK and EU reached an agreement on their future relations, come 1 January 2021, there would be significant changes. People, communities and businesses, as well as the Council, needed to be prepared to address these changes. The report focused on four areas of change or potential change which the Council must address, namely: People, Procurement, Economy and Civil Contingencies. It identified the nature of risk in those areas and set out how the Council, in many cases working with partners nationally and regionally, planned and prepared to address those risks. Members welcomed the preparations which had been made. Mr Cook answered Members' questions and confirmed that many matters required to be dealt with at a national level.

DECISION

AGREED to:-

- (a) note the risk-based planning and preparation arrangements for the Council for the end of the EU Transition Period, described in the report; and
- (b) confirm that the Council was satisfied that these arrangements constituted a satisfactory basis for Council planning and preparation for the end of the EU Transition Period.

14. CLIMATE CHANGE ACTION PLAN TIMELINE

With reference to paragraph 6 of the Minute of 25 September 2020, there had been circulated copies of a report by the Executive Director Finance and Regulatory providing an update on the development of a Climate Change Action Plan and proposing a slightly amended timeline for the delivery of the Plan. At its meeting of 25 September 2020, Scottish Borders Council agreed a series of recommendations contained within the report 'Responding to the Climate Emergency'. One of the recommendations agreed was that the Council set out a clear plan of action to reduce our carbon emissions and other greenhouse gases, such a plan to return to Council for consideration before the end of March 2021. A timeline had been developed which set out the details of the preparatory actions required to deliver such a plan. These actions included the identification of strategic themes, provision of planning workshops for each theme, assessing and identifying an approach to both corporate and regional emissions baseline development and maintenance, structuring corporate

governance and reporting processes across climate change issues, and developing proposals for Council wide staff training and engagement. It had emerged from this planning approach however, that the original March timescale could not now be achieved. It was requested that in order to produce a robust strategic approach to the development of a net zero pathway within a Climate Change Action Plan, that the timescale was extended by 3 months, with an Action Plan presented to Council in June 2021. It was emphasized that re-scheduling Council's consideration of the Climate Action Plan did not inhibit Council's ability to progress existing Climate Action. For example, the Energy Efficiency Programme continued to deliver carbon and cost savings through a programme of energy efficiency and renewable energy retrofit. It did mean that the strategic overview of activity would be delayed in being brought before Council, but it was considered that the benefits in taking limited additional time to strengthen the Climate Action Plan meaningfully outweighed any deficits caused by the delay in presentation of the Plan. Members supported the extension although an interim report to the Sustainable Development Committee was requested.

DECISION

AGREED the Climate Change Action Plan Timeline, in particular that a Climate Change Action Plan was considered by the Council before the end of June 2021.

MEMBER

Councillor Fullarton left the meeting.

15. MOTION BY COUNCILLOR THORNTON-NICOL

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

"That Scottish Borders Council requests Officers bring a report to Council to amend the current Scheme of Administration as it applies to the functions referred to the Major Contracts Governance Group. This amendment would provide detail as to the particular matters the Group would monitor in respect of the performance of the Live Borders contract and the CGI contract, and would give clarity to Elected Members as to their monitoring role in the Group."

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

DECISION

AGREED to approve the Motion as detailed above.

MEMBER

Councillor Aitchison left the meeting.

16. OPEN QUESTIONS

The questions submitted by Councillors H. Scott, Robson, Ramage and Bell were answered.

DECISION

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

17. 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

18. Minute

The private section of the Council Minute of 26 November 2020 was approved.

19. **Committee Minutes**

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

20. **Hawick Flood Protection Scheme**

Members approved a report by the Service Director Assets and Infrastructure on the final funding for the Scheme.

The meeting concluded at 3.20 p.m.

SCOTTISH BORDERS COUNCIL
17 DECEMBER 2021
APPENDIX I

Questions from Councillor H. Scott

1. To Executive Member for Children and Young People

Education Maintenance Allowance - for each of the last three years external auditors have noted, and brought to notice, that council attendance records for pupils were not being adequately updated by schools and did not always match payment details during the year. Whilst assurances were received from management that this was a housekeeping issue and did not impact on the payments claimed for the year, auditors recommended that arrangements were put in place to confirm records are being correctly updated.

Please detail what management steps are in progress to improve the maintenance of these records, and by whom?

Response from Councillor C. Hamilton

Internal Audit has now conducted a review on the operation of Education Maintenance Allowances and their draft report including recommendations they consider necessary to improve the maintenance of EMA records.

These will be agreed with management and any actions that should be taken, including any improvements required by Schools, to improve the administration of the EMA process will be reported to the Audit and Scrutiny Committee on 8 February 2021.

The value of Education Maintenance Allowances paid out to Students in 2019/20 was £230,952 with 304 pupils receiving an EMA payment during the financial year.

During the 2019/20 statutory audit process, Audit Scotland raised 21 queries with regards to the Administration of the EMA process. Of these 21 queries, only 2 errors were identified and corrected.

With respect to the other 19 questions, all were answered and followed up as required.

7 of these initial questions related to study periods, which qualify for EMA purposes, but are not recorded in Seemis as the students do not attend classes. 12 questions regarding lateness, self-certification and attendance were resolved.

Supplementary

Councillor Scott commented that it was disappointing that this had been raised for the last 3 years and hoped things would now improve. Councillor Hamilton advised that she would follow this up.

2. To Executive Member for Public Protection

Section 40 of 'Transport Scotland's Good Practice Guide on 20mph Speed Restrictions', states that, *"Any decision to lower the speed limit to 20mph should seek to avoid the need for extensive police enforcement, as 20mph speed limits will not routinely be enforced, unless it is necessary and in the interest of casualty reduction. The only exception to this is the enforcement of 20mph speed limits outside schools, which takes place on a regular basis."*

- On how many occasions in 2020 has the CAT monitored the 20mph speed limits outside schools?
- What steps will the CAT Strategic Oversight Group take to ensure this level of enforcement is maintained and enhanced?
- Can details of future speed checks outside schools be included on CAT reports to give parents confidence that enforcement of the 20mph speed limit outside schools is being taken seriously?

Response from Councillor Turnbull

- The CAT have not undertaken any 20mph speed checks outside schools in the Borders during 2020. This was against a back drop of extended school closures due to Covid from March to August. The CAT have however responded to complaints relating to parking, specifically Peebles, Duns and Selkirk since September 2020.
- If a specific complaint is made in relation to speeding and or parking outside a school liaison takes place with the Safer Routes to School Coordinator and Education staff and an assessment is made of the situation. Based upon the options available enforcement may be necessary and fed into the CAT tasking process.
- Information on speed check activity is already provided to members who participate in the CAT Oversight Group.

Supplementary

Councillor Scott asked that more effort be put into this work as it was a Government recommendation and asked for more CAT activity at schools in future. Councillor Turnbull confirmed he would take these comments back to officers.

Question from Councillor Robson

To the Leader

Can I be advised when and in what way the Staff Directories in @Work are to be updated?

Response from Councillor Haslam

The directories will be maintained through regular interfaces between Business World and CGI systems. If members are unsure of the correct Officer to contact for an issue they should e mail the members enquiries mail box.

Supplementary

Councillor Robson asked that they be kept up-to-date as it was difficult to trace some people in the organisation. Skype also needed to be updated. Councillor Haslam advised that this was a big task for officers at the current time when there was such a demand for front line support.

Question from Councillor Ramage

To Executive Member for Adult Wellbeing

When will the Teviot Day Centre reopen in Hawick?

Response from Councillor Weatherston

This pandemic has unfairly impacted on some groups of the population much more than others, and those people that used the Teviot Day Centre are included within this group. We continue to regularly review the potential of opening of the centre in the light of evolving Scottish Gov't guidance.

As we work and live through this second wave, we need to be reminded just how virulent and highly infectious this virus is. We are still right in the middle of our response and recovery efforts and we must continue to be vigilant in what we can and can't do.

The Borders has in the main done very well, with limited outbreaks, because of the measures that have been put in place but it is essential that we continue with great care to protect those groups who are at most serious risk. Opening the Teviot Day Centre now for these very vulnerable families, would be simply be too risky at present.

"Managers and staff teams across the Health & Social Care Partnership are however doing as much as they can to alleviate the hardship brought by Covid 19. Our Community Assistance Hubs provide advice and information about the wide range of support that is available and they work closely with Third Sector colleagues like the Borders Carers Centre and Alzheimer's Scotland on specific support for older people and family carers.

Our Local Area Co-ordinators and RVS Social Centre Co-ordinators maintain contact with our vulnerable households and we are looking closely at what may be possible in terms of opening some form of social centre day support for our learning disability and mental health communities, as well as older people. These will follow Scottish Government guidance linked to the number of households that can meet safely indoors.

“Should anyone be looking for advice and support in the meantime, they can contact the Council’s Community Assistance Hubs on 0300 100 1800 or at www.scotborders.gov.uk/cahs.”

Supplementary

Councillor Ramage advised she had received distressing calls from carers who had no support. A letter was sent by Scottish Government stating that Day services for adults could reopen with local agreement and she asked why was this not happening at Teviot Day Centre. Councillor Weatherston advised that he would raise this with officers.

Question from Councillor Bell

To Executive Member for Adult Wellbeing

Councillors recently had an informative and reassuring private briefing from officers on how the management of Covid-19 outbreaks in council run care homes and associated care facilities has developed as a consequence of responding to recent events.

I think it is in the public interest that the general learnings we heard about are made public.

Whilst clearly there should be no publicity about specific individuals or specific situations; could the general learnings be made public through the usual channels?

Response from Councillor Weatherston

Throughout the pandemic the Council has operated within the strongest possible response, recovery and debrief models. At every stage officers have sought to utilise all learning available and from each separate outbreak.

At this stage I think it is helpful to highlight seven points of general learning:

1. The incubation period of the virus can be up to 14 days in all including older people and a significant proportion of positive cases can be asymptomatic or have symptoms which are not the typical four core COVID symptoms.
2. Symptoms in the elderly can also include: new or worsened confusion and delirium. Diarrhoea and or vomiting. Marked fatigue and tiredness, muscle aches, a sore throat, abdominal pain, a persistent headache and a rash. Staff are now trained to be looking for these symptoms as well as the normal COVID symptoms
3. The Infection Control Team from NHS visit the setting and ensure strict infection control measures are in place pertaining to PPE, PPE stations, Waste Stations and that enhanced cleaning regimes are implemented.
4. Daily multi- disciplinary staff meetings are implemented with the staff managing any outbreak to reinforce key messages and operating procedures.
5. As soon as a COVID outbreak occurs the defined COVID response team follow detailed guidance and :
 - a. Develop urgent staffing contingency plans assuming a worst case scenario for a loss of up to 50% of staff,

- b. Staff are asked as to their ability to move to 12 hour shifts which reduces the staff numbers in any home in a 24 hour period, increases the staff on any shift and allows a smaller number of staff to be required to provide the necessary care.
 - c. Staff are cohorted into dedicated teams to care for COVID and Non-COVID patients to further improve infection control.
6. Staff and Clients in defined areas that are close to any COVID positive cases are all tested to identify any further spread.
 7. District Nursing in the local area are contacted and a response implemented immediately to support clients and staff.

Each of these key elements of learning and many more detailed points result in improved care for those we look after and reduced risks for them and our staff. We will continue to do everything possible to learn at every opportunity and improve our response to COVID 19.

Extract from Minute of Audit & Scrutiny Committee – 10 December 2021

4. POLICE COMMUNITY ACTION TEAMS GOVERNANCE

- 4.1 With reference to paragraph 13 of the Minute of the Audit and Scrutiny Committee of 22 October 2020, there had been circulated copies of a report by the Executive Director, Finance & Regulatory, which provided further details of potential amended governance arrangements for the Police Community Action Teams (CATs). As had been reported previously, the performance monitoring of the CATs could be moved from the CAT Member/Officer Oversight Group to the Executive Committee and be reported through the Executive Committee on a quarterly basis. This would allow a more public view of the work of the CATs, with reports being published committee papers and available on the Council website. A workshop could be held for members of the Police, Fire & Rescue, and Safer Communities Board to explain the process used to decide on the work of the CATs, including when issues are passed to Police Scotland. This would allow members of that Board to gain an insight into the governance of the CATs. It may also be helpful to consider whether the CAT Oversight Group and the Police, Fire & Rescue and Safer Communities Board should meet informally, in private, once per year to discuss the work of the CATs and raise any concerns. The Clerk to the Council explained the potential amendments contained within the report and, following discussion, Councillor Harry Scott sought to simplify the recommendations as follows:-
- 4.2 Councillor Harry Scott, seconded by Councillor Anderson proposed the following motion:-
- (i) that the tasking of the Police Community Action Teams remains with the CAT Member/Officer Oversight Group.
 - (ii) that the performance monitoring of the Police Community Action Teams be moved from the CAT Member/Officer Oversight Group to the Executive Committee, with reporting on a quarterly basis; and
 - (iii) that a workshop be held for members of the Police, Fire & Rescue and Safer Communities Board to explain the process of tasking for the Police Community Action Teams.
- 4.3 Councillor Fullarton, seconded by Councillor Greenwell, proposed as an amendment that the recommendations contained within the report be approved as follows:
- (i) Notes that those involved in the current CAT Member/Officer Oversight Group consider it to be working effectively, therefore it remains the officer view that no changes are required to the governance arrangements.
 - (ii) Agrees to make recommendations to Council on the current Police Community Action Teams governance arrangements, potentially:
 - (1) that the tasking of the Police Community Action Teams remained with the CAT Member/Officer Oversight Group;
 - (2) that the performance monitoring of the Police Community Action Teams be moved from the CAT Member/Officer Oversight Group to the Executive Committee, with reporting on a quarterly basis; and

- (3) the Police, Fire & Rescue and Safer Communities Board and the CAT Member/Officer Oversight Group meet informally, in private, on an annual basis, to discuss the work of the Police Community Action Teams.
- (c) Agrees to recommend that a workshop be held for members of the Police, Fire & Rescue and Safer Communities Board to explain the process of tasking for the Police Community Action Teams.

VOTE

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion – 4 votes

Amendment – 4 votes

Abstain – 1 vote

As there was an equality of votes, the Chairman exercised his casting vote in favour of the amendment.

The amendment was accordingly carried

DECISION

- (a) **DECIDED to NOTE that those involved in the current CAT Member/Officer Oversight Group consider it to be working effectively, therefore it remained the officer view that no changes were required to the governance arrangements.**
- * (b) **DECIDED to RECOMMEND to Council the following changes to the current Police Community Action Teams governance arrangements:**
- (i) **that the tasking of the Police Community Action Teams remained with the CAT Member/Officer Oversight Group;**
 - (ii) **that the performance monitoring of the Police Community Action Teams be moved from the CAT Member/Officer Oversight Group to the Executive Committee, with reporting on a quarterly basis; and**
 - (iii) **the Police, Fire & Rescue and Safer Communities Board and the CAT Member/Officer Oversight Group meet informally, in private, on an annual basis, to discuss the work of the Police Community Action Teams.**
- * (c) **DECIDED to RECOMMEND that a workshop be held for members of the Police, Fire & Rescue and Safer Communities Board to explain the process of tasking for the Police Community Action Teams.**

POLICE COMMUNITY ACTION TEAMS GOVERNANCE

Report by Executive Director, Finance & Regulatory

AUDIT & SCRUTINY COMMITTEE

10 December 2020

1 PURPOSE AND SUMMARY

- 1.1 This report provides further details of the potential amended governance arrangements for the Police Community Action Teams.**
- 1.2 At its meeting held on 22 October 2020, the Audit & Scrutiny Committee requested a further report be brought back with details on enhancing transparency and performance monitoring of the Police CATs to the Executive Committee and investigating a mechanism for improving communications between the Oversight Group and the Police, Fire & Rescue and Safer Communities Board.
- 1.3 As previously reported, the performance monitoring of the CATs could be moved from the CAT Member/Officer Oversight Group and be reported through the Executive Committee on a quarterly basis. This would allow a more public view of the work of the CATs. Reports are published committee papers and available on the Council website.
- 1.4 A workshop could be held for members of the Police, Fire & Rescue, and Safer Communities Board to explain the process used to decide on the work of the CATs, including when issues are passed to Police Scotland. This would allow members of that Board to gain an insight into the governance of the CATs. It may also be helpful to consider whether the CAT Oversight Group and the Police, Fire & Rescue and Safer Communities Board should meet informally, in private, once per year to discuss the work of the CATS and raise any concerns.

2 RECOMMENDATIONS

- 2.1 **I recommend that the Committee:-**
 - (a) NOTES that those involved in the current CAT Member/Officer Oversight Group consider it to be working effectively, therefore it remains the officer view that no changes are required to the governance arrangements.**

- (b) CONSIDERS, however, whether to make any recommendations to Council on the current Police Community Action Teams governance arrangements, potentially:**
- (i) that the tasking of the Police Community Action Teams remains with the CAT Member/Officer Oversight Group;**
 - (ii) that the performance monitoring of the Police Community Action Teams be moved from the CAT Member/Officer Oversight Group to the Executive Committee, with reporting on a quarterly basis; and**
 - (iii) the Police, Fire & Rescue and Safer Communities Board and the CAT Member/Officer Oversight Group meet informally, in private, on an annual basis, to discuss the work of the Police Community Action Teams.**
- (c) AGREES to RECOMMEND that a workshop be held for members of the Police, Fire & Rescue and Safer Communities Board to explain the process of tasking for the Police Community Action Teams.**

3 BACKGROUND

- 3.1 At its meeting on 22 October 2020, the Audit and Scrutiny Committee considered a report regarding the possibility of the Policy Community Action Team Officer/Member Strategic Oversight Group being included in the Scheme of Administration as a formal committee of Council. Officers explained that due to the intelligence information being provided by Police Scotland to the CAT Member/Officer Oversight Group it was not possible in its current form for the Strategic Oversight Group to be included in the Scheme of Administration.
- 3.2 While the recommendation in that report was to take no further action, an option was given to change the governance structure to allow performance management of the CATs to be carried out through the Executive Committee, with operational tasking of the CATs carried out by a new Member/Officer Reference Group. Following discussion at the meeting, the Committee requested a further report be brought back with details on enhancing transparency and performance monitoring to the Executive Committee and investigating a mechanism for improving communications between the Oversight Group and the Police, Fire & Rescue and Safer Communities Board. A workshop could also be considered if required.

4 CAT GOVERNANCE

- 4.1 Should Members wish to suggest changes to the governance arrangements currently in place for the Police CATs, consideration will need to be given to how best this can be achieved. As previously reported, the performance monitoring of the CATs could be moved from the CAT Member/Officer Oversight Group and be reported through the Executive Committee on a quarterly basis. This would allow a more public view of the work of the CATs. Reports are published committee papers and available on the Council website.
- 4.2 The current Member/Officer Oversight Group would continue to work under its current rules to oversee the tasking of the CATs. This would ensure that police intelligence information was restricted to that Group. As currently happens, all Elected Members would still be able to feed in any issues within their own Wards to the CATs by raising these with members of the Oversight Group, the Safer Communities & Community Justice Manager, or the CAT Sergeants.
- 4.2 A workshop could be held for members of the Police, Fire & Rescue, and Safer Communities Board to explain the process used to decide on the work of the CATs, including when issues are passed to Police Scotland. This would allow members of that Board to gain an insight into the governance of the CATs. It may also be helpful to consider whether the CAT Oversight Group and the Police, Fire & Rescue and Safer Communities Board should meet informally, in private, once per year to discuss the work of the CATS.
- 4.3 As previously advised, it is the view of all that are involved in the process that the current arrangements with the Strategic Oversight Group seem to be working well and is successful.

5 IMPLICATIONS

5.1 Financial

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

5.2 Risk and Mitigations

There is a risk that while some Members may feel excluded from information being provided to the current Police CATs Strategic Oversight Group, there are currently 9 Elected Members on the Group who can give assurance to the work of the CATs. Performance statistics are also provided each quarter to the Executive Committee.

5.3 Integrated Impact Assessment

No IIA has been carried out as it is considered there will be no unlawful discrimination, harassment or victimisation, or any impact on equality of opportunity for those who do or do not share a characteristic of age, disability, gender re-assignment, trans/transgender identity, marriage or civil partnership, pregnancy and maternity, race groups, religion or belief, sex-gender identity, and sexual orientation.

5.4 Acting Sustainably

There will be no economic, social or environmental effects arising from the recommendations in this report.

5.5 Carbon Management

There are no effects on the Council's carbon emissions arising from the recommendations in this report.

5.6 Rural Proofing

There is no impact on those living in rural areas arising from the recommendations in this report.

5.7 Changes to Scheme of Administration or Scheme of Delegation

Any changes which are required to the Scheme of Administration will require Council approval.

6 CONSULTATION

- 6.1 The Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR & Communications, and Corporate Communications have been consulted and any comments received have been incorporated into the final report. Police Scotland were also consulted.

Approved by

David Robertson

Executive Director, Finance & Regulatory

Signature

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to the Council Tel: 01835 825004

Background Papers: Scheme of Administration

Previous Minute Reference: Audit & Scrutiny Committee, 22 October 2020

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

Contact us at Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel: 01835 825004 Email: jjwilkinson@scotborders.gov.uk

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UNION CONNECTIVITY REVIEW – CALL FOR EVIDENCE

Report by Executive Director, Corporate Improvement and Economy

SCOTTISH BORDERS COUNCIL

28 January 2020

1 PURPOSE AND SUMMARY

- 1.1 This report seeks the approval of the response set out in Appendix 1 to the UK Government’s Union Connectivity Review and the submission of the response by 29 January 2021.**
- 1.2 The review is being led by Sir Peter Hendy CBE and is focused on gathering information and views from across the United Kingdom on the status of cross border strategic infrastructure and its ability to maximise local economic potential, improve quality of life and help deliver aspirations for net zero greenhouse gas emissions.
- 1.3 The proposed response set out in **APPENDIX 1** has been drafted, building on responses from Scottish Borders Council individually and with partners to recent Scottish Government consultations in relation to the National Transport Strategy, the reports of the Infrastructure Commission and Strategic Transport Projects Review 2, and is designed to be consistent with Borderlands Inclusive Growth Deal and the Edinburgh & South East Scotland City Deal.
- 1.4 The response therefore strongly reflects the aspiration to extend the Borders Railway, improve key trunk roads and invest in public transport connection to the north of England.
- 1.5 As of 1 January 2021, the UK is no longer part of the Trans-European Transport Network and the review requests parties to consider ‘if’ and ‘how’ this should be replaced.
- 1.6 A question is also asked in respect of the means to improving linkages to Northern Ireland.

2 RECOMMENDATIONS

2.1 I recommend that Scottish Borders Council:-

- (a) Approves the draft consultation response provided in APPENDIX 1 and its submission to UK Government by 29th January 2021**

3 BACKGROUND

- 3.1 The union connectivity review is a UK Government consultation that will provide independent advice to create an overview of how connectivity between the nations of the United Kingdom can support economic growth and improve quality of life. It is also examining ways to bring forward funding to accelerate infrastructure projects.
- 3.2 Much recent transport investment has been the result of an appraisal methodology that prioritises large numbers of travellers saving time spent on travel. This naturally favours travel to and from major conurbations. Sir Peter Hendy CBE is responsible for the review and has noted "this review is about – and I am interested in – what can be done to invest in and widen the benefits of growth and cohesion across the UK."
- 3.3 The review will focus on transport's ability to maximise economic potential and to improve quality of life, and will outline a series of specific recommendations that will individually and collectively contribute to this outcome.
- 3.4 The terms of reference for the UCR were published on 5 October 2020 and require the review to consider the following:
- the quality and reliability of major connections across the UK
 - likely current and future demand for transport links
 - the environmental impact of policy options (including with regard to climate change)
 - existing work completed by the government on cross-UK connectivity
- 3.5 In carrying out this study, the government asked Sir Peter to consult widely with:
- industry
 - the general public
 - relevant government agencies, including the Department for Transport (DfT) and its modal teams, Scotland Office, Wales Office, Northern Ireland Office and the National Infrastructure Commission
 - the Scottish, Welsh and Northern Irish governments, local authorities and their infrastructure commissions
- 3.6 This call for evidence set out in the consultation is the first opportunity for individuals and organisations to provide detailed information on the need for additional connectivity between the nations of the United Kingdom and to direct the review's attention to areas in which multi-nation journeys within the UK have the potential to be improved
- identify the importance of transport connectivity more generally
 - set out strategic opportunities for improvements in cross-border transport
- 3.7 It seeks information on the following topics:

- the importance of cross-border transport links to existing growth strategies
- appraisal methodologies and how these can support investment in cross-border transport
- specific journeys with the potential for improvement, and the cost and feasibility of these
- the potential development of a pan-UK strategic transport network
- non-physical changes to support cross-border connectivity such as service provision or financial support
- the social and environmental impact of additional or improved transport links
- the UK's ability to deliver a truly national transport strategy
- the feasibility and need for a fixed link between Northern Ireland and Great Britain
- any other relevant information

3.8 The call for evidence is part of a wider review of information and evidence gathering. Information from a variety of sources will form part of a wider understanding of cross-border transport connectivity and will begin to identify areas for further examination. No further detail has been provided on the wider review at this point.

3.9 The intention is to deliver an interim report in January 2021 and a final report setting out recommendations in summer 2021

4 SUMMARY OF DRAFT RESPONSE

4.1 The proposed response provided in **Appendix 1** sets out answers to the set questions in a manner that addresses the key national strategic transport issues but which also reflects the interests of Scottish Borders Council and the south of Scotland more widely.

4.2 The original consultation period ran from 5th October to 30 December 2020, but due to other competing priorities an extension has been granted to Scottish Borders Council to submit a response by 29 January 2021. This will also allow sufficient time for a joint response on behalf of the Edinburgh and South East Scotland City Region Deal to be agreed.

4.3 The proposed response to the consultation provide a distillation of information that has already been submitted to Government for the development of:

- Indicative Regional Spatial Strategy
- Borderlands Growth Deal Draft Economic Strategy;
- Borderlands Growth Deal Draft Energy Strategy;
- Edinburgh & South East Scotland City Region Deal Draft Regional Growth Framework;
- Edinburgh & South East Scotland City Region Deal response to the U19 free bus travel consultation;
- National Planning Framework 4 Call for Ideas, and

- Strategic Transport Projects Review 2.

4.4 The report addresses key connectivity issues for Scottish Borders and South of Scotland. These include:

- The importance of UK national infrastructure connectivity as an engine of economic growth and tool of net zero ambitions/green recovery
- Linkage between strategic spatial planning and economic strategies
- Extension of the Borders Railway
- The importance of north/south connections
- The importance of east/west connections, including across the south of Scotland
- The necessity of regional interconnectedness between the nation's cities and primary economic hubs and wider regions, including the south of Scotland.
- The need for a fundamental change to the assessment/appraisal approach for investment in infrastructure/connectivity which recognises the wider development needs and requirements of rural areas and regions
- Recognising the importance of digital and mobile connectivity.
- Inclusive growth, community wellbeing and sustainability.

4.5 Responses from the Campaign for Borders Rail and SEStran are referenced in the Council's proposed response and are appended to this report as respectively Appendix 2 and Appendix 3.

4.6 Finally, the Council's proposed response notes the need for co-operation between the UK and Scottish Governments in delivering enhanced connectivity and that co-operation will require sensitivity to the division of responsibilities in the current devolution settlement.

5 IMPLICATIONS

5.1 Financial

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

5.2 Risk and Mitigations

If a response is not provided by Scottish Borders Council it has the following effects:

1. Loss of opportunity to set out Scottish Borders Council and South of Scotland priorities,
2. Inability for Edinburgh & South East Scotland City Region Deal to get a region wide response agreed at Joint Committee,
3. If there is going to be a replacement to of the Trans-European Transport network it is essential that we take every opportunity to highlight the importance of the extension to the Borders Railway and improvements to other strategic routes.

The approval of the draft response to the Union Connectivity Review will mitigate these risks.

5.3 Integrated Impact Assessment

The report only highlights/collates current priorities in the Scottish Borders and South of Scotland, by referencing Strategies, Policies, Plans being delivered by Scottish Government, Regional Transport partnerships, Local Authorities, Borderlands Growth Deal, City Region Deal, South of Scotland Enterprise etc. Individual Strategies, Policies, Plans should contain IIA assessments which promote positive impacts.

5.4 Acting Sustainably

The draft response promotes the change of key national strategic routes focusing on inclusive growth, just transition, community wellbeing and delivering the net zero ambition.

5.5 Carbon Management

The draft response promotes the role that strategic routes will have on delivering the net zero ambition.

5.6 Rural Proofing

NA.

5.7 Changes to Scheme of Administration or Scheme of Delegation

NA

6 CONSULTATION

6.1 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 the final report.

Approved by

**Name
Title**

Signature

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Background Papers:

- Appendix 1 – SBC response to Union Connectivity Review
- Appendix 2 - Campaign for Borders Rail response to Union Connectivity Review
- Appendix 3 - SEStrans response to Union Connectivity Review

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

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Union connectivity review: call for evidence

Consultation questions

Assessing the need for cross-border connectivity

1. If you represent a place, what is your current strategy for growing the economy and improving the quality of life there?

Please provide a summary, but you are welcome to append or link to published strategies.

Answer

Scottish Borders Context

The Scottish Borders comprises 4,732 square kilometres, and is home to 115,270 people, making it the 6th largest and 7th most sparsely populated council area in Scotland (at 24 people per square km). Using the Scottish Government Urban Rural Classification 2016, the Scottish Borders is characterised as a rural area, having only 5 settlements with a population in excess of 5,000.

The rural nature of the Scottish Borders is one of our biggest assets with the quality of our natural environment and the quality of our landscape being key drivers behind people choosing to live and work in the area. This is augmented by excellent access to open space, from lochs to sweeping valleys, rolling hills and dramatic coast.

Yet, the area suffers from a significant out-migration of young people and shrinking workforce – between 2008 and 2018, the percentage of 16 to 64 years olds fell by 4%, and the proportion of the population defined as “working age” decreased from 63% in 2007 to 59% in 2018. By contrast, the number of older people continues to grow with the number of over 65s having grown by 25% over the same period; worsening the region’s dependency ratio which at 69.21 is significantly higher than the Scottish level of 55.71 (2018).

GVA in the Scottish Borders for 2018 was £1.6 billion or £13,604 per head of population, the 2nd lowest of the 21 NUTS3 areas in Scotland. Weekly wages for full-time workers are significantly below the national median of £542.9. (2018). The median weekly wage for all full-time workers in the Scottish Borders was £462.7, making it 31st out of Scotland’s Local Authorities.

With regards to tenure: 62% of households in the Borders are of owner occupation, 14% are living in the private rented sector and 24% in the social housing sector. These figures are similar to that of Scotland

with approximately the same proportion of owner occupation. However, the Borders has a lower percentage of social rented households and a higher proportion of privately rented properties.

The degree of inequality in rural areas like the Scottish Borders can be overlooked: with the sparsely populated nature of our region, obscuring the extent of deprivation. Although SIMD is urban focused it does show that the Borders does have areas of particular challenge: 6% of SIMD data-zones in the Borders are in the 20% most deprived data-zones in Scotland (typically concentrated in the larger towns), while almost a quarter of the Borders data-zones are part of the 40% most deprived in Scotland. A recent Scottish Government report entitled 'Children in families with limited resources 2014 - 2016' showed that 24% of children in the Scottish Borders live in families with limited resources. In other words, a much greater proportion of families is at risk of deprivation than for comparable rural areas.

For our observations about the national transport network, please see our answer to question 3. Transport has been highlighted as a key challenge by communities across the Scottish Borders. The Borders has a number of trunk roads and arterial routes, which are entirely single carriageway. Indeed, there are only a few miles of dual carriageway in the whole region in a part of the A1 in Berwickshire. Rail services were restored to the Scottish Borders in 2015, when the Borders Railway was completed to Tweedbank, and reopening of Reston Station on the East Coast Mainline is being taken forward. We refer you to the [Borders Transport Corridor Study](#) and the [South West Corridor Study](#) which detail a series of specific projects that would materially improve the connectivity for the south of Scotland.

Public Transport is a particular challenge in the Borders. With a weak internal transport market, increasing operating costs, and pressures on public sector budgets, more and more services have been reduced or cut altogether. This has affected journeys between key towns and throughout the region. As a result, car usage in the Borders has remained high, and the energy consumption for transport grew faster than the national average from 2005-2017. Travel to work by car is higher in the Borders than Scotland as a whole, while travelling to work by bus is 1/3 of the national level.

The rurality of the Scottish Borders has been a challenge also for Digital Connectivity, where provision of Broadband and Mobile Phone Coverage has lagged behind more urban areas.

Key investments in Broadband Infrastructure have made important strides in the provision of Superfast Broadband, with 85% of households in the Borders now able to access superfast broadband speeds. This, however, remains behind the Scottish level of 92% of households.

In relation to Mobile Phone Coverage there is a similar disparity in provision. 83% of the geographic area of the Borders has 4G coverage from at least one operator, and only 52% has 4G coverage from all operators. Indeed 8% of the geographic area in the Borders has no mobile coverage at all. It is unclear when any 5G coverage will be available. There is a need to ensure the UK Government's Shared Rural Network proposals with mobile network operators (MNOs) develops comprehensive coverage for the Scottish Borders. There is provision in the Borderlands Inclusive Growth Deal to tackling gaps in provision but there will be a need for close working between government and MNOs on this.

Lastly, the Oxford Economics Vulnerability Index considers a local authority's economic diversity, business environment and digital connectivity to consider how able, or not, an area is to withstand and respond to the economic shock resulting from COVID-19. According to this measure, the Scottish Borders is the 3rd most vulnerable local authority in the country, reflecting in particular the

comparatively higher share of small firms and self-employment in the region and its lower levels of digital connectivity.

Strategy for Growing the Economy

The establishment of South of Scotland Enterprise and a Team South of Scotland approach

Set against these challenges, the Scottish Borders has real economic strengths and opportunities. It has particular strengths in food and drink production, manufacturing and tourism and cultural services, while its size and outlook enable strong public sector partnerships and strategic links with its nearest neighbours in Scotland and in the north of England in areas like tourism, energy, digital connectivity and natural capital. The region's physical geography means it is particularly well placed to benefit from national transition to a net zero economy both in respect of renewable energy production and carbon storage, and from the development of future farming, and land management practice following the UK's departure from the EU. An active further and higher education sector provides a strong base from which to develop the skilled workers of the future.

The unique opportunities and challenges facing the south were key drivers for the creation of **South of Scotland Enterprise (SOSE)** which assumed its legal responsibilities across the Dumfries and Galloway and Scottish Borders Council areas (which make up the South of Scotland) on 1 April 2020. The overarching aims of SOSE are to drive inclusive growth and ensure the South of Scotland benefits from a new approach that supports a diverse and resilient economy, sustains and grows communities, and harnesses the potential of people and resources.

Led by the two councils and the SOSE, partners have recently established **the South of Scotland Regional Economic Partnership (REP)**, which brings together stakeholders, including the wider public sector and representatives from business, higher and further education and the third sector. The REP's key purpose is shaping regional agenda for the South of Scotland and a future **Regional Economic Strategy (RES)**. The RES will set out agreed goals for all partners to work towards, providing the direction needed to enable national and local agencies to align and coordinate their efforts, in direct response to the needs of the area, to create jobs and to pursue a Just Transition through investment-led sustainable, green growth.

At the same time, **the Convention of the South of Scotland**, a forum composed of all public sector partners, and Scottish Government, seeks to ensure effective public sector partnership working and delivery, assessing and planning for existing and future challenges, and driving inclusive growth and regional priorities.

The two South of Scotland local authorities have developed an **Indicative Regional Spatial Strategy (IRSS)** seeking to align spatial strategy with a number of initiatives and strategies including the Edinburgh and South-East Scotland City Deal and Borderlands Inclusive Growth Deal, the Strategic Transport Projects Review and the emerging Regional Economic Strategy.

With a focus on ways to make the area more attractive to investors, visitors and those who may wish to come and live here, the **Borderlands Inclusive Growth Deal (BIG Deal)** brings together the five cross-border local authorities of Carlisle City Council, Cumbria County Council, Dumfries and Galloway Council, Northumberland County Council and Scottish Borders Council to promote the inclusive economic growth of the area that straddles the Scotland-England border.

Edinburgh and South-East Scotland City Deal – comprising the local authority authorities of Edinburgh, East Lothian, Midlothian, West Lothian, Fife and Scottish Borders, together with regional universities, colleges and the private sector, is a mechanism for accelerating growth by pulling in significant government investment.

The following strategies and plans provide additional vital context with particular reference to connectivity:

- **National Transport Strategy 2** <https://www.transport.gov.scot/publication/national-transport-strategy-2/>
- **National Transport Strategy 2 – Delivery Plan – 2020 to 2022**
<https://www.transport.gov.scot/publication/national-transport-strategy-nts2-delivery-plan-2020-to-2022/>
- **SEStran Regional Transport Strategy - Main Issues Report 2020**
<https://sestran.gov.uk/publications/sestran-rts-main-issues-report/>
- **Infrastructure Commission Key Findings Report – January 2020**
<https://infrastructurecommission.scot/page/key-findings-report>
- **Strategic Transport Projects Review 2 (STPR2)**
 - **Borders Transport Corridor Study** <https://www.transport.gov.scot/media/41887/borders-stag-pre-appraisal-draft-v30.pdf>
 - **Edinburgh & South East - STPR2 Initial Appraisal: Case for Change Report**
<https://www.transport.gov.scot/publication/initial-appraisal-case-for-change-edinburgh-and-south-east-scotland-stpr2/>
 - **Draft report - Initial appraisal: Case for change - South West Scotland Transport Study**
<https://www.transport.gov.scot/publication/draft-report-initial-appraisal-case-for-change-south-west-scotland-transport-study/>
- **South of Scotland – Indicative Regional Spatial Strategy – September 2020**
<https://scottishborders.moderngov.co.uk/documents/s45978/Item%20No.%2011%20-%20IRSS%20Report%20-%20South%20of%20Scotland.pdf>

a) What is necessary to achieve this strategy and what evidence do you have that improved connectivity is needed in this instance?

We expect that transport is not the only factor necessary to achieve regional strategies and would like to understand what else might need to be in place to see benefits from improvements in connectivity.

Answer

If the Scottish Borders and wider South of Scotland are to enjoy the economic, social and sustainability benefits experienced by others, then the region must be more effectively integrated into national and regional infrastructure.

Strategic planning must recognise and respond to the lack of connectivity and affordable public transport options within the Scottish Borders and across the region's boundaries, leaving communities disconnected from places of work and opportunity. In response, we must prioritise digital and physical connectivity, delivering a level of service and connectivity which is industry leading and internationally competitive. Radical improvement in public and low carbon transport options is also needed. Strategic public transport hubs are essential but we need to consider how people get to those hubs and plan for that. This will require installation of thousands of electric vehicle chargers across domestic, commercial and public settings. It will require an integrated and properly resourced public transport system, unachievable without significant central government support.

The Indicative Regional Spatial Strategy developed by the two South of Scotland Authorities highlights and sets out a framework to respond to these issues, while presaging future collaboration between the South of Scotland Local Authorities. As noted, there are also synergies between the IRSS and the developing Regional Economic Strategy.

The National Transport Strategy 2, the Strategic Transport Projects Review 2 (STPR2) and the Borders Transport Corridors Study will provide enhancements to the key strategic corridors in the south of Scotland, but do not address the fragmented quality of the local transport networks and the poor connectivity to the national strategic networks. The 21 proposals within the Transport Corridor Study report will be assessed as part of the STPR2 process, measured against priorities across the country. The full picture of transport poverty in the Scottish Borders and across the SEStran region is clearly documented in the [SEStran-Main-Issues-Report 2020](#) and in particular sections:

- 4.2 – Inclusiveness - that demonstrates that the majority of the region is in Medium and High Transport Poverty;
- 4.4 – Bus use – that identifies the majority of the population has access to between 0-5 buses per hour (Scottish Bus Accessibility Indicator) the lowest in the SEStran region, compared with some parts of Edinburgh at 160+ services per hour (in each direction).
- 4.11 – Transport Expenditure – identifies the Scottish Borders average spend on transport per annum is between 13-20% of income compared to 9% in the centre of Edinburgh.

Extension of the Borders railway has an essential role to play in reducing the number of car journeys between the Borders, other parts of Scotland, Northern England and beyond. We have had sight of the submission of the Campaign for Borders Rail on this issue, and support their comprehensive representations on the matter. The connection of all points, including Hawick, between Edinburgh and Carlisle will be transformative in terms of access and will, together with the opening of a new railway station at Reston on the East Coast mainline, mean that the Scottish Borders is directly connected into cross regional rail infrastructures for the first time in many decades. Wider issues and opportunities are provided in [SBC Local Access and Transport Strategy 2015](#).

In the Scottish Borders (as in other places) progress depends on balancing a number of issues where inherent tensions exist. On the one hand, this means promoting economic growth and vitality in the region using the 'growth corridors' which link prime economic hubs within the Scottish Borders to national infrastructure. These corridors run along our key infrastructural routes: Borders Railway, East Coast Mainline, A1, A7, and A68. Extension of the railway to Carlisle promises to leverage opportunities all along the line throughout the Borders, providing new opportunities to Tweedbank, and offering to

open up new growth in Hawick and throughout Teviot and Liddesdale to the English Border. This would enable easier access to Carlisle airport and Carlisle railway station and future H2 connections. Similarly, the opening of Reston Railway Station will present new opportunities in Berwickshire.

All such initiatives must reflect compliance with the principles of sustainable development, inclusive economic growth and the Place Principle. This means that growth is facilitated and supported in ways which are sustainable and that planning fully and explicitly supports this. In the Scottish, it means ensuring that developments enhance rather than detract from those very things, which people so value about the Scottish Borders: its natural environment, its rural character, its function as open air sporting arena (e.g. cycling, fishing or walking). The aim should be to enhance access to these attributes both for residents of the region and people beyond it.

Active travel has a vital role to play in future providing better safer connections between settlements and within settlements, using the sustainable travel hierarchy. Rural areas provide some significant challenges, but design of networks which promote dedicated cycle routes, and use of electric bikes with appropriate charging opportunities can play an important role.

With the appropriate infrastructure in place, appropriately managed and financially supported it will allow the Scottish Borders to seek to improve the distribution of key sectors and jobs and assets - building on the region's core sectoral strengths which include tourism, creative industries, food & drink, and manufacturing. But there is also a very strong need to attract in new businesses with high skills demands and commensurate pay levels, such as life sciences, data science, tech, finance, fintech. This will have the knock-on benefit of supporting affordable housing building that generates significant benefits for the economy. Each new home built in Scotland supports four jobs across the economy. In addition, the cumulative impact of new affordable homes will raise additional council tax revenue. Investment in housing, and ensuring this investment can be realised in rural areas and support local employment and skills development is critical.

In common with other rural areas, digital connectivity in the Scottish Borders has typically developed more slowly than in Scotland's more urban areas. If our region is to enjoy the economic, social and sustainability benefits experienced by others, it is essential that connectivity here does not perpetually trail that delivered in other parts of the country and in other countries. There have been developments through the R100 programme and there is a programme of work to reduce the gaps and provide access to superfast, this needs to be delivered in parallel with a commitment to develop mobile phone coverage in the region to deliver the reduction of 'not-spots' through the delivery of 4G and potentially 5G in selected hubs within the South of Scotland.

It is essential that the energy networks in the region have the capacity and resilience not merely to respond to demand but to enable the region to secure opportunity and innovation across the energy/renewables sector. This requires working with and influencing and suppliers and other partners at both the national and regional level.

The Scottish Borders needs to leverage its linkages to developments in neighbouring areas – Edinburgh and South East Scotland, South of Scotland and Northern England. This means taking a strategic view of the connections between regions, and the need for plans which facilitate more equitable distribution of the benefits of growth. This will play a vital role in promoting an approach which is focused not only on traditional economic hubs, but, again, on spreading opportunities, and improving the contribution that

Scottish Borders makes to national economic wealth and wellbeing in a sustainable way. Growth corridors based on the concepts of connectivity and sustainability provide a means of linking hubs of economic activity and generating stronger outputs and improved outcomes for the Scottish Borders.

The Council is of the view that government, national agencies, public and private utilities need to recalibrate their understanding of what infrastructure means in a rural context. Infrastructure is overwhelmingly conceived as something which extends 'out' from cities, and it is assumed that networks exist predominantly to serve the interests of cities. While this perspective is understandable in terms of critical mass and cost efficiency, it tends to obscure an understanding of the strategic infrastructure requirements of rural and less densely populated areas. If rural areas are to maximise their contribution to Scotland's National Ambition for Inclusive Economic Growth, then we must take a new approach to national transport infrastructure. The question becomes one of how you integrate the economy of the Scottish Borders and, more broadly, the South of Scotland more effectively into the national and economic infrastructure? This means thinking about the infrastructure requirements across rural areas with low population densities punctuated by small settlements. It implies, for example, that consideration should be given not only to improving the North-South transport links within the South of Scotland, such as the A1, A68 and A7 Trunk Road networks, but also East-West links which require significant investment.

A new mind-set is needed which recognises that if rural and less urbanised parts of Scotland are to make the economic and societal contributions that we and Governments aspire to, then strategic infrastructure must also address their needs and unlock the potential of these regions. Thus, to extend the benefits of an inclusive economy beyond existing urban centres to smaller towns and rural areas requires a bipartite approach which develops and enhances 'locally' functioning hubs, and, at the same time, ensures effective and low carbon infrastructural connections between places, creating conduits for entrepreneurship, workers, skills, training, goods and services.

A well-defined and strongly supported national infrastructure is essential, but it must integrate with regional transport arrangements if outcomes are to be maximised.

2. Please provide any information you hold about current multi-nation journeys within the United Kingdom.

In your answer, please provide information relating to:

- current journey volumes or levels
- assessments of future demand
- journey reliability
- locations or corridors of particular strategic importance
- the reasons for importance

Answer

A summary of the main corridors through the Scottish Borders can be found at:
<https://www.transport.gov.scot/publication/borders-transport-corridors-pre-appraisal/>

It should be added that there are many more local routes that cross the border to the North of England and support the rural economy.

The government, national agencies, public and private utilities need to recalibrate their understanding of what infrastructure means in a rural context. Infrastructure is overwhelmingly conceived as something which extends 'out' from cities, and it is assumed that networks exist predominantly to serve the interests of cities. While this perspective is understandable in terms of critical mass and cost efficiency, it tends to obscure an understanding of the strategic infrastructure requirements of rural and less densely populated areas. If rural areas are to maximise their contribution to Scotland's National Ambition for Inclusive Economic Growth, then we must take a new approach to national transport infrastructure. The question becomes one of how you integrate the economy of the Scottish Borders and, more broadly, the South of Scotland more effectively into the national and economic infrastructure? This means thinking about the infrastructure requirements across rural areas with low population densities punctuated by small settlements. It implies, for example, that consideration should be given not only to improving the North-South transport links within the South of Scotland, such as the railways, A1, A68 and A7 Trunk Road networks, but also East-West links which require significant investment.

3. In general terms, is there a need for new or improved transport links between the nations of the United Kingdom?

If so, please:

- explain why and provide evidence to support your view
- ensure that your response relates specifically to multi-nation transport links and not to improvements in connectivity in general

Answer

National Network

The Scottish Borders location on the Anglo-Scottish Border means that the scope of the present Review is of considerable importance to our region. However, the Council recognises that the issue of 'new or improved transport links between the nations of the UK' is not simply a question of how Borderers or Northumbrians cross the national boundary.

At issue is a more fundamental question of how Scotland/the UK develop and improve connectivity to optimise sustainable and inclusive economic growth and a 'wellbeing economy'. There are two aspects to this, which should be a focus of the current Review. The first is clearly the sustainable and inclusive economic growth itself. The second is the national imperative of net zero greenhouse gas emissions (by

2045 in Scotland), which is widely recognised as a critical element of that growth in delivering a green recovery.

In the different regions of the UK, we see the issue of connectivity very much through the prism of our regional requirements. That is right and proper. But a well-defined and supported national infrastructure has an essential role in creating the platform on which effective regional connectivity, prosperity and sustainability are built.

In the South of Scotland, but more broadly across the country, this requires understanding and maximising the return on investment and potential benefits of HS2 services by providing direct onward rail connectivity – from a Scottish Borders perspective, particularly from the HS2 hub at Carlisle linked to an extension of the Borders Railway. In terms of road, this means addressing constraints such as those on the A75 to Stranraer as well as on the A1.

For the Scottish Borders, there is a very practical aspect to ‘new or improved transport links between the nations of the United Kingdom’. When EDF Renewables UK selected Eyemouth Harbour as preferred location for its Operations & Maintenance base to support Neart na Gaoithe Offshore Wind Farm, Eyemouth’s connectivity to national infrastructure and its geographic positioning within that infrastructure were vital considerations. Eyemouth is barely 5 minutes from the A1. Edinburgh to the North is around an hour away, while Newcastle-upon-Tyne is a little more than an hour away. The large populations and hinterlands which surround those cities are readily accessible. What is true for Eyemouth should also be true for the wider Scottish Borders with the central belt in the case of Scotland’s capital, the wider North-East conurbation in the case of Newcastle, their airports and onward connections, and access to their skills and markets all within ready reach.

There is a need for new (e.g. extension of the Borders Railway) and improved (dualling of the A1) to improve the transport links between Scotland and England to build inclusive economic and sustainable ‘green’ growth already referred to. Developing these points a little further:

- a) The Scottish Borders is one of those places where this needs to happen. It is the place where Scotland and England meet. Yet, the potential benefits of more effectively connecting the central belt and Northern England have not been optimised.
- b) As noted in answer to question in this response, the Scottish Borders must garner benefit from new and improved connectivity. Currently, our region underperforms against most traditional economic measures. To maximise the Scottish Borders’ contribution to National Ambition for Inclusive Economic Growth, it must be more effectively integrated into national and economic infrastructure.

Borders Railway

The Borders Railway has an essential role to play in strengthening rail continuity and resilience particularly between the north of England and southern Scotland, as well as helping to deliver Net Zero aspirations by reducing the number of car journeys between the Borders, other parts of Scotland and Northern England. The connection of all points, including Hawick, between Edinburgh and Carlisle will be transformative in terms of connectivity, reducing inequalities and creating economic opportunities.

Both the UK and Scottish Governments have committed to an appraisal to progress the extension of the Borders Railway through the Borderlands Inclusive Growth Deal. Under the terms of the BIG Deal Heads of Terms, £5m of funding is due to be provided by each of the UK Government and Scottish Government to support the feasibility work. The appraisal report is due to be delivered in 2021 and should look to build on the unprecedented success of the patronage figures of the line from Tweedbank to Edinburgh, which vastly exceeded the original business case estimates as highlighted in the Evaluation Reports referred to in our answer to question 5.

Rail - General

There are rail carriage capacity issues on the east coast mainline that limit the patronage on the line and limits the stations that can be served on the route. This creates a negative effect on local communities that would benefit from more regular services or even the provision of a station in their community. This is evidenced in the STPR2 Delivery Plan for the South of Scotland (yet to be published).

Roads

Road linkages into the north of England are hindered by the lack of overtaking, tortuous geometry and high HGV numbers that make the routes inefficient for the transfer of people and goods across the border.

Bus

Cross border services typically serve remote rural communities and in some instances are the only connection to jobs and services in the region like healthcare and shopping. There is poor infrastructure and limited service provision in place to serve the passengers and with nearly a third of the adult population of Scotland living with a long-term limiting illness (4 Scottish health survey: results for local areas 2014 to 2017 <https://www.gov.scot/publications/scottish-health-survey-results-local-areas2014-2015-2016-2017/pages/4/>) it creates accessibility problems across the region. This is exacerbated with the fragmented approach to information, ticketing and high cost of rural travel, thus increasing inequalities between urban and rural communities. A clear approach to Mobility as a Service, real-time information and a national investment programme in local infrastructure would create a coordinated service that is fit for the future, attracts more patronage, becomes more financially sustainable, helps deliver Net Zero and strengthens inclusive growth. This is supported by the finding in [SEStran-Main-Issues-Report 2020](#). Overall this has can only be successful with investment in digital connectivity. Please see our response to Question 12.

4. What are the main obstacles and challenges in improving transport connectivity between the nations of the UK?

Please provide evidence relating to any specific challenges that prevent or hinder the development of additional or improved transport links. Please consider socio-economic, political, organisational and practical issues

Answer

[SEStran-Main-Issues-Report 2020](#) highlights the principal obstacles that hinder development of additional or improved transport links. The approach across regions is fragmented, inconsistent and lacks positive investment, resulting in a negative spiral of infrastructure condition and service provision to meet the future needs of the region as a key route between Scotland and England.

When delivering cross border projects, multiple sets of permissions may be required from/for neighbouring authorities.

5. What evidence exists to demonstrate the potential impacts of improved transport connectivity between the nations of the United Kingdom?

Please ensure that your answer:

- relates directly to transport connectivity between the nations of the UK and not to transport connectivity in general
- considers economic, social and cultural impacts
- provides documents or links
- highlights specific potential growth areas such as housing or wages

Answer

The most persuasive evidence lies in patronage figures from use of the Borders Railway from Edinburgh to Tweedbank. The data overwhelmed all planning predictions, setting new parameters for usage levels and the distances passengers were prepared to travel to access the service in the Scottish Borders.

Year 1 Evaluation report

<https://www.transport.gov.scot/media/39335/sct04173824741.pdf>

Figure 2.2 shows clearly that the Borders stations exceeded the business case between 300-500%

Year 2 Evaluation report

<https://www.transport.gov.scot/media/41659/sct02189915561.pdf>

This report confirms that there was continued growth in Year 2.

The potential around extension of the Borders Railway is obvious.

We have had sight of SEStran's response to the review, which touches on matters of national connectivity between the nations of the UK. As a member of SEStran, Scottish Borders Council is happy to align itself with that response.

Transport connectivity is a fundamental element of The Borderlands (Dumfries & Galloway, Scottish Borders, Northumberland, Carlisle and Cumbria) Growth Deal and the indicative Regional Spatial

Strategy (iRSS) for the South of Scotland. Full information is available at <https://www.borderlandsgrowth.com/> and

<https://dumfriesgallowayintranet.moderngov.co.uk/documents/s23664/South%20of%20Scotland%20Regional%20Spatial%20Strategy%20-%20Appendix.pdf>

The combined investments of the UK and Scottish Governments will commit up to £350 million to the Borderlands Inclusive Growth Deal. Local authority partners will contribute up to £44.5 million towards the deal. Taken together this will result in a significant overall growth deal package worth up to £394.5 million for the region

The Growth Deal recognises the following key points in relation to transport:

- Transport Connectivity is vital for joining up the communities and maximising the economic potential of the Borderlands region.
- The UK and Scottish Governments will work together through the deal to consider the potential to extend the Borders Railway.
- Up to £5 million of funding will be made available by each Government through the deal to progress the evidence base, options appraisal and feasibility work on Carlisle to Tweedbank rail options.
- The Scottish Government will progress the evidence base through the Strategic Transport Project Review process already under way through Transport Scotland. The UK Government Department for Transport will progress complementary feasibility work on these options with a wider UK perspective.
- The two Governments will work together to align their work, enabling a shared understanding of the cross border benefits and challenges of these options.

6. When making transport investment decisions that aim to improve connectivity between the different nations of the UK, does the current appraisal framework capture all the potential impacts?

Please provide evidence such as links to existing reviews or analysis that may have already considered this.

Answer

Please see the recommendations of the [Infrastructure Commission for Scotland - Phase2: Delivery Findings Report](#) which promote:

- Prioritising an Inclusive Net Zero Carbon Economy
- Enabling Sustainable Places
- Delivering a Thriving Construction Sector

This independent review acknowledges the need for a significantly different method of prioritising, planning and delivering infrastructure investment if current biases in methodological outcomes are not to be perpetuated.

This also requires a fundamentally different approach to the Treasury Green Book, Design Manual for Roads and Bridges, Scottish Transport Analysis Guide, Governance for Railway Investment Projects and Department for Transport – Transport Business Case assessment process. There must be a focus on ensuring the wider development needs and requirements of rural areas and regions are fully recognised in government investment appraisals of projects and programmes and decentralising the benefits of investment during the construction process, and the wider socio/economic/environmental consequences of improvement.

We highlight the particular salience of the National Transport Strategy 2 (February 2020). This promotes a whole transport approach system (people and freight) underpinned by four Priorities:

- Reducing inequalities
- Taking Climate Action
- Helping to deliver inclusive economic growth
- Improving Health and Wellbeing

<https://www.transport.gov.scot/media/47052/national-transport-strategy.pdf>

It is fundamentally important that the delivery phase of Infrastructure investment reflects the principles of the original business case at every decision point in the development of the solution. Therefore, it should be acknowledge that the outcome and client based approach to infrastructure delivery is supported by the Institution of Civil Engineers ‘Empowerment’ model approach to infrastructure project, published in December 2020, and proposes delivery based on 8 fundamental principles to put the user and client at the heart of every decision. Further information can be found here

<https://ice.org.uk/news-and-insight/latest-ice-news/ice-report-calls-for-technological-focus>

Opportunities for improved transport connectivity between the nations of the UK

7. Which specific journeys would benefit from new or improved transport links?

In your answer, please:

- identify 2 or more specific points within the UK for each journey
- provide details as to why each journey has been identified
- list these journeys in order of priority
- ensure that these journeys traverse 2 or more nations of the UK.

If none then please go to [question 8](#).

Answer

Please see our response to question 3.

a) What would be the benefits of improvements to these specific journeys?

In your answer, please:

- provide evidence of the benefit that these proposed improvements would deliver
- consider wider economic, social and cultural benefits
- consider specific areas such as potential improvements in housing and productivity

Answer

Borders Railway – Edinburgh to Carlisle

- Supporting wider modal shift from road to rail through the extension of train services into areas of high car-dependency and poor public transport provision.
- Increasing the social and economic integration of the Scottish Borders into wider national transport networks, notably the West Coast Main Line (WCML).
- Releasing capacity on the WCML for long-distance high-speed passenger services by provision of a reliable electrified freight route between Carlisle and the central, east and north-east Scotland freight terminals.
- Regenerating communities across the region, currently constrained by limited public transport services; for example by facilitating access to employment and educational opportunities and encouraging the development of tourism and inward investment.
- Maximising the return on investment and potential benefits of HS2 services by providing direct onward rail connectivity from the HS2 hub at Carlisle into the Borders region.
- Increasing network resilience through provision of a diversionary route between Carlisle and Edinburgh for the WCML.
- Potential for placing the transport of timber from the extensive cross-border forestry plantations on a sustainable basis by providing direct rail access to the logging areas and removing dangerous and polluting HGV movements from local roads.

East Coast Main Line

We draw to your attention Invest East Coast Rail's latest research 'The case for investment in the East Coast Main Line', which can be found at <https://investineastcoast.co.uk/wp-content/uploads/2020/11/ECMA-Research-doc.pdf>

Bus – Edinburgh to Central Borders to North of England

Strong supporting evidence is contained in the [SEStran-Main-Issues-Report 2020](#).

b) Are you aware of any work that has been done to assess the need or feasibility of improvements to all or part of these specific journeys?

Please provide evidence.

Answer

Please refer to our answer to 7.a) and 1 above.

c) How would the costs and benefits of the identified improvements be distributed?

Please consider the economic, social and geographic distribution of these costs and benefits, and provide evidence to support this.

Answer

Please refer to our answer to our answer to 6. above.

Scottish Borders Council support the four core principles for distributing benefits in the [National Transport Strategy 2](#):

- Reduces Inequalities
- Takes climate Action
- Helps Deliver Inclusive Economic Growth
- Improves our Health and Wellbeing

d) How will demand for these journeys change in the future?

In your answer, please consider the:

- next 20 to 30 years in your response and set out the reasons why demand will change
- potential impact of COVID-19
- potential impact of the UK's departure from the EU

Answer

The 'new normal' created by COVID 19 will see a more blended approach to work and education. There are already capacity issues on the East Coast Mainline and Borders Railway that may be mitigated temporarily, but as a region, the Scottish Borders continues to suffer significant levels of access deprivation ([SEStran-Main-Issues-Report 2020](#)) and there is 9% of the population (10,000 people) that have no access to public transport. Prioritising the creation of improved and effective linkages to the main corridors of transport will increase the viability of the local networks and provide continued potential to grow the national strategic corridors. An approach from bottom up will help reduce inequalities, address inclusive growth and create a modal shift to help deliver Net Zero.

e) In your opinion, what is the preferred means by which to improve these journeys?

In your answer, please consider:

- specific transport modes such as rail, road, air and maritime
- details of any new infrastructure requirements
- whether there is an opportunity to promote active travel, such as walking or cycling, or environmentally friendly modes of transport

Answer

Please refer to our answer to 7. d).

Scottish Borders Council support the transport hierarchy in the [National Transport Strategy 2](#).

For the Scottish Borders the extension to the Borders Railway, improved capacity on the East Coast Mainline and investment in the A1, A68 and A7 will deliver enhanced inclusive growth benefits to the region if dovetailed with local network improvements to promote the hierarchy of integration in [National Transport Strategy 2](#).

f) What would be the environmental impact of improving these journeys in the way that you have identified?

In your answer, please provide evidence and consider:

- positive and negative impacts
- possible mitigations of these
- the context of the UK's domestic and international targets for greenhouse gas and carbon emissions

Answer

Extension of the Borders railway has an essential role to play in wider modal shift from road to rail in an area with high car-dependency and limited public transport provision. Connecting all points between Edinburgh and Carlisle will be transformative in terms of access and will, together with the opening of a new railway station at Reston on the East Coast mainline, mean that the Scottish Borders is directly connected into cross regional rail infrastructures for the first time in many decades.

These improvements in parallel with the full electrification of train lines and the potential development of hydrogen rolling stock would remove thousands of car miles per year and contribute toward net-zero.

g) Are there any interdependencies with other policies that may impact the deliverability of the identified improvements?

In your answer, please:

- consider all relevant national and regional policies, and those set by devolved administrations
- provide your assessment as to how these policies may need to change to facilitate delivery of the identified improvements

Answer

Please refer to our answer to Question 1 and the list of legislation and policies.

8. Is there a need for the development of a national strategic transport network to replace the [European Trans-European Transport \(TEN-T\) network](#) following the end of the UK-EU transition period?

Please consider the specific strategic benefits of a replacement national network, which would connect strategically important regions and places in the UK in order to support economic growth and quality of life. View maps of the existing TEN-T [inland waterways and ports](#) and [railways and airports](#) network within the UK.

a) How should such a network be defined?

In your answer, please consider:

- which criteria should be considered when identifying transport links for inclusion
- how these criteria should be assessed
- which specific transport modes should be included

b) What would be the potential impact of such a network?

In your answer, please consider possible economic, social and environmental impacts.

c) How should a network of this nature be managed or financed?

In your answer, please consider the role of:

- UK government
- devolved administrations
- local transport authorities

d) Do you have any further comments on the development of a national strategic transport network?

Answer

SEStran and Transport Scotland's respective strategies are seeking to improve connections between sea and air ports, urban and industrial areas, and creating multimodal platforms to improve logistics; principles that are core to TEN-T.

The freight sector tends to lead on new freight sector innovation, with a need for the public sector to provide supportive infrastructure / investment in sustainable links to / from freight and commerce locations.

It is important that any 'replacement' to TEN-T extends to cover all of Scotland and therefore links the whole country to the broader UK-wide network, and that it covers all modes, including ports within the SEStran region.

Connections to Northern Ireland

9. With reference to the unique geographical position of Northern Ireland, please set out how best to improve cross-border transport connectivity with other UK nations

In your answer, please:

- consider all possible transport options, including maritime, air and rail or road via a fixed link
- provide evidence as to the cost, benefits and environmental impact of these options

Answer

There should be good road/rail/freight connections between the SEStran region and Northern Ireland to link into broader national network. In this regard, improvements to the A75 would improve connections from the region to Cairnryan and beyond to Northern Ireland.

10. Other than geographic, are there any other specific restrictions to improving connectivity between Northern Ireland and other UK nations?

In your answer, please consider:

- legal, policy and practical restrictions
- set these out and provide evidence as to how they may limit opportunities for improved transport connectivity
- the above in the context of the UK's departure from the EU

Final questions

11. What else can be done to support greater transport connectivity between the nations of the UK?

Please consider legal, political, structural and economic factors in your response, as well as other opportunities for the UK government to directly support improvements to transport connectivity.

Answer

Close working and co-operation between the UK and Scottish Governments will be vital to delivery of greater transport connectivity highlighted in this response and (we anticipate) in the responses of others.

As a Scottish local authority, geographically located on the boundary between Scotland and England, we are mindful of the division of responsibilities between the UK and Scottish Governments as defined in the current devolution settlement. Proposals or actions that emerge as outcomes from the Union Connectivity Review will need to be sensitive to the division of devolution responsibilities, and the responsibilities and authority of the Scottish Parliament.

12. Do you have any further comments?

Answer

We endorse the response of SEStrans to this question, highlighting the vital relationship between future physical transport connectivity, and digital (and mobile) connectivity.

While it may seem counter-intuitive to draw any positives from experience of COVID, the pandemic has highlighted both the need and potentiality of digital connectivity, as well as reinforcing the necessity and opportunity for progress on net zero greenhouse gas ambitions.

We particularly share SEStrans' view on the following:

1. 'Digital infrastructure requires to be built into major transport infrastructure investment, with consideration of sensor and Internet of Things based opportunities for more productive use of existing infrastructure, and provision of real-time data on usage, asset condition and traffic status to both reduce inspection revenue costs and information decision making on maintenance and investment.'
2. Public Transport with rail and bus in particular has been hit hardest with the pandemic and it is likely operators will need to change business models significantly to return to some degree of normality. The role of national and local government may also be required to radically change its relationship with the private sector. Greater flexibility of services, increases in demand responsive services and more effective contractual arrangements mitigating risks will all likely have to play a part in the new normal for operators

We would add that planning of future connectivity must take a broader holistic perspective which includes digital connectivity. Progress on net zero requires such a perspective.

UNION CONNECTIVITY REVIEW

Submission on behalf of The Campaign for Borders Rail

About us

Campaign for Borders Rail (CBR) is an independent community-based association operating in the cross-border region of Scotland and England. We work to promote the benefits of modern train services for communities across the Borderlands as a means of social, economic and environmental renewal.

Founded in 1999, our successful grass-roots campaign secured its initial goal with the 2015 re-opening of the Borders Railway between Edinburgh and Tweedbank, connecting the Scottish Borders to the national rail network for the first time since the closure of the 'Waverley Route' in 1969. We are now lobbying to re-establish the region's links with The South by extending the route through to Hawick and Carlisle.

CBR is run by a committee and office-bearers elected by the membership at the annual general meeting. We are supported by over 1,000 members from across the Borderlands, the UK and beyond. We are independent of any political party or commercial interest but seek to work with all bona-fide individuals and organisations who share our aims.

For more information about CBR please see <https://campaignforbordersrail.org>

This submission has been prepared on behalf of the officers and committee of Campaign for Borders Rail by:

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Christopher Norton treasurer@campaignforbordersrail.org

The submission reflects the views and policy of CBR which has evolved through discussion and debate within the organisation over recent years.

Our 2017 publication *Summary Case for a New Cross-Border Rail Link* contains further detailed information about our proposals https://campaignforbordersrail.org/wp-content/uploads/2019/12/CBR_SummaryCase.pdf

Proposal Summary

CBR's aim is the economic and social regeneration of the Borderlands through the creation of a new cross-border rail link. This exciting project would complete the Edinburgh – Scottish Borders – Carlisle railway, delivering significant strategic benefits central to the Union Connectivity Review's objectives.

The proposal would involve extending the existing Borders Railway from its present terminus at Tweedbank through Hawick to a connection with the West Coast Main Line (WCML) near Carlisle.

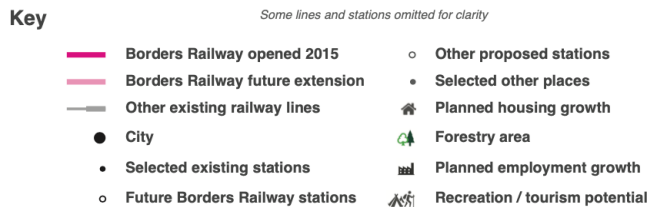
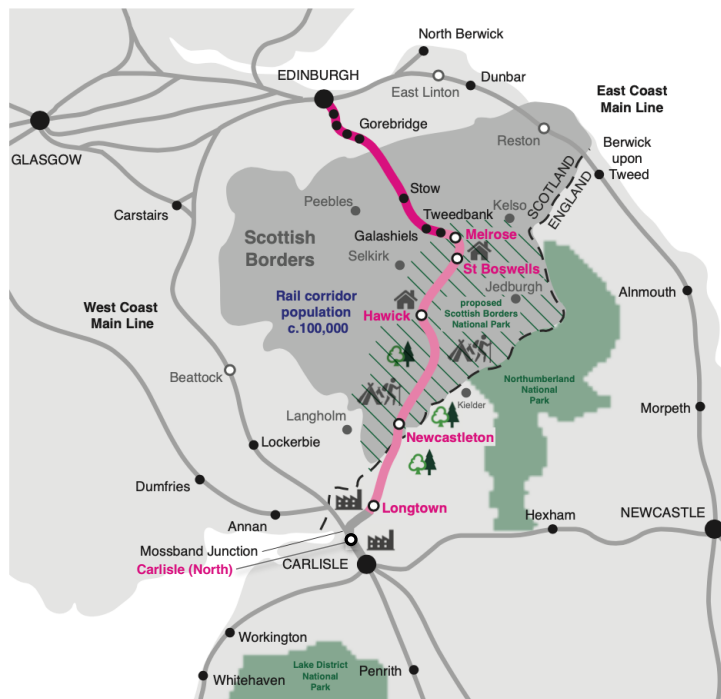
A key strategic driver for the extension is the planned introduction of HS2 services to Scotland via the WCML, requiring an additional freight route between Scotland and England to provide the necessary capacity on the WCML and meet growing demand for cross-border rail freight.

An important additional driver is the need to strengthen transport links within the cross-border region in support of the Borderlands economic regeneration and regional growth agenda.

The popularity of the existing Borders Railway, with passenger numbers far exceeding expectations, provides ‘proof of concept’ that new railways are an effective driver for regional economic regeneration. Building on this success with a new Scotland - England through route will help the region fulfil its economic potential whilst simultaneously strengthening UK-wide transport networks and supporting cross-border integration.

Key Benefits

- Releasing capacity on the WCML for long-distance high-speed passenger services by provision of a reliable electrified freight route between Carlisle and the central, east and north-east Scotland freight terminals.
- Maximising the return on investment and potential benefits of HS2 services by providing direct onward rail connectivity from the HS2 hub at Carlisle into the Borders region. With Carlisle – London journey times reduced to around 2½ hours, travel times from the Borders towns to London and other major cities in England will be dramatically improved.
- Increasing network resilience through provision of a diversionary route between Carlisle and Edinburgh for the WCML. This would be of benefit during emergency disruption or when extended engineering possessions may be required, for example to carry out climate-change mitigation work and re-engineering.
- Reinforcing the role and increasing the zone of economic influence of Carlisle as the regional centre of the English and Scottish Borderlands by improving access from the Scottish Borders area. The railway will also support the further development of employment and industrial zones on the northern side of Carlisle.
- Regenerating ‘left behind’ communities across the region, currently limited by slow and unreliable bus services, for example by providing access to employment and educational opportunities in the Carlisle and encouraging the development of tourism and inward investment.
- Placing the transport of timber from the extensive cross-border forestry plantations on a sustainable basis by providing direct rail access to the logging areas and removing dangerous and polluting HGV movements from local roads.
- Supporting wider modal shift from road to rail through the extension of train services into areas of high car-dependency and poor public transport provision. The railway will become the spine of an integrated public transport network for the region through the provision of rail-bus interchange facilities, park and ride sites, and linkages with walking and cycling routes.



Project Details

To enable its use as part of an extended through-route the capacity of the existing c.30-mile Borders Railway would be enhanced through the provision of additional double track and signalling.

The c.56-mile extension from Tweedbank to Carlisle would largely utilise the available formation of the closed ‘Waverley Route’ with deviations where necessary, such as the connection to the WCML. The railway would be double track or passive provision shall be made for double track.

In line with Transport Scotland’s electrification programme and the wider decarbonisation agenda, the railway should be electrified. It is also assumed that the Edinburgh South Suburban Railway would be electrified to provide onward connectivity for freight trains towards the central Scotland terminals.

The proposed traffic specification considered for each direction is:

- 6 trains per hour, Edinburgh to Gorebridge
- 4 trains per hour, Gorebridge to Hawick
- 3 trains per hour, Hawick to Carlisle

This assumes capacity for up to two freight trains per hour between Carlisle and Edinburgh.

There would be a new half-hourly all-stations service between Edinburgh and Gorebridge serving the large and growing population in Midlothian.

The existing half-hourly Edinburgh – Tweedbank service would be extended to Hawick and accelerated by omitting some of the stops at intermediate Midlothian stations.

Every second Hawick service would be extended to provide an hourly service through to Carlisle.

New stations would be constructed at Melrose, Newtown St Boswells, Hawick, Newcastleton, Longtown and Carlisle (North).

Carlisle (North) is a concept for a new station which could be located on the WCML (slow lines) close to the Kingstown industrial area and the Carlisle Northern Relief Road and would be served by Borders and Dumfries Line services.

Freight facilities could include trackside loading points and/or a dedicated terminal for timber between Hawick and Newcastleton; direct access to Kingmoor Yard in Carlisle; a central Borders freight terminal capable of handling intermodal traffic and bulk loads e.g., aggregates.

Based on our initial assessments, we would expect total project costs of £1.5-2bn including construction of the new line and stations, upgrading of the existing Borders Railway, and electrification throughout.

Assessing the Need for Cross-Border Connectivity

Question 1. If you represent a place, what is your current strategy for growing the economy and improving the quality of life there? What is necessary to achieve this strategy and what evidence do you have that improved connectivity is needed in this instance?

Question 2. Please provide any information you hold about current multi-nation journeys within the United Kingdom.

Question 3. In general terms, is there a need for new or improved transport links between the nations of the United Kingdom?

The new cross-border rail link that we proposed would address significant connectivity needs at national, regional and local levels. Although CBR's primary focus is a prosperous and sustainable future for the Borderlands area, we recognise that a project on the scale of the proposed railway must demonstrate wider strategic benefits in order to attract support and investment.

National connectivity needs

The project would meet a strategic need for increased England – Scotland rail capacity as a result of several long-term factors.

The planned introduction of HS2 services to Scotland via the WCML which will require intensive utilisation of the line, particularly north of Carlisle where services for Glasgow and Edinburgh will divide. Demand for HS2 Long Distance High-Speed services (LDHS) can be expected to increase significantly as journey time improvements and carbon reduction policies result in the majority of the London – Scotland travel market shifting from air to rail. This in turn will require additional paths on the WCML to be allocated for LDHS services.

The WCML also carries a large and increasing volume of all types of freight. Cross-border rail freight has seen strong growth, particularly in the intermodal (containers) sector with traffic between English deep-sea ports and inland terminals and the freight distributions centres in the Scottish Central Belt. This growth trend is expected to continue, driven by financial and environmental factors. Consequently, demand for freight paths on the WCML, which is already high, will soon exceed supply, especially when demand for additional passenger services is taken into account.

There is also demand for improved local services north of the border on both the West and East Coast Main Lines. On the ECML plans are well advanced for new stations at East Linton and Reston, while on the WCML there is a strong campaign to reopen a station at Beattock and calls for extra services at Lockerbie.

It is well understood that mixing LDHS services with others that have very different speed and stopping characteristics results in very inefficient utilisation of the theoretically available line

capacity. Maximising capacity in such circumstances is operationally very challenging and it can be difficult to deliver the reliability and punctuality required by both passenger and freight customers.

A further consideration is network resilience. Extreme weather exacerbated by climate-change will have an increasing impact on cross-border routes, particularly given the nature of the terrain. In response it will be necessary to re-engineer existing lines to better withstand prevailing conditions and this will be more efficiently delivered by temporarily closing routes for several weeks or months at a time. That is only possible if there are suitable diversionary routes available to ensure that both freight and passenger services can continue to operate in a near-normal fashion. The need for an alternative route was demonstrated in late 2015 during the lengthy closure of the Lamington Viaduct on the WCML following storm damage. Whilst an alternative route for Glasgow services was available via Dumfries, Edinburgh services required bus replacement for several months which would have been avoided had an alternative through route via the Borders been available.

Taken together, these factors show that the likely future demand for rail services of all types on the existing cross-border main lines is such that additional capacity will be required. Electrification, capacity enhancements and gauge clearance on the existing Glasgow & South Western (GSW) route via Dumfries and Kilmarnock, together with additional and extended freight loops on the WCML, offer a partial remedy. However, the potential of these interventions would not on its own provide all the capacity needed and would require significant disruption to existing services to deliver. A reinstated and electrified route between Carlisle the Central Belt via the Borders and Edinburgh offers a significant increase in capacity, resilience and reliability for cross-border services, whilst simultaneously delivering substantial regional and local benefits.

Regional connectivity needs

The Scottish Borders has very poor transport links to surrounding regions, especially into England. The closure of the Waverley Route main line and its numerous branches in the 1960s left the entire region without any railway stations. The main cross-border rail and road corridors – the ECML/A1 and the WCML/M74 – bypass the region and most of its population of over 100,000. The region's A7 and A68 trunk roads – connecting with Carlisle and Newcastle – are single carriageway, relatively slow and vulnerable to bad weather. Bus services on cross-border routes, particularly those towards Carlisle, are sparse and offer considerably extended journey times compared with the train services they replaced over 50 years ago. Consequently, the region suffers from a considerable deficit in through-transport connectivity when compared to other strategic corridors in the Scottish context. For example, the Aberdeen – Inverness and Perth – Inverness corridors both have through rail-routes and parallel dual-carriageway roads, despite serving smaller intermediate populations and end points.

The consequence of this connectivity deficit has been the marginalisation and decline of the Borders over many decades. The region has been unable to attract sufficient inward investment and tourism to offset the loss of jobs from traditional industries such as textiles, while the population of its towns has declined as young people leave to pursue education, employment and lifestyle opportunities elsewhere.

Opening the Borders Railway between Edinburgh and Tweedbank in 2015 has been a first step towards addressing these problems. The restoration a northward rail connection from the Central Borders has considerably improved the region's fortunes. New investment has been attracted to the Galashiels and Tweedbank areas, creating jobs. Supported by a strong marketing campaign, the region's tourism industry has successfully exploited its newfound accessibility from Edinburgh. The same accessibility has enabled the renowned Heriot-Watt School of Textiles and Design in Galashiels to attract more applicants, while further- and higher-education students from the Central Borders can access colleges and universities in Midlothian and Edinburgh without the need to move away from home. The rail link has attracted new residents to the area seeking an improved quality of life and more affordable housing whilst maintaining access to employment in Edinburgh.

Despite these successes it is clear that for the region to fulfil its economic potential and achieve equality of opportunity with other comparable areas it will also require a direct rail link to the South. Considerable economic and social problems remain beyond the immediate catchment of the existing Borders Railway. The region's largest town, Hawick remains isolated and in decline, being 17 miles from the railhead at Tweedbank. The southern part of the region, including Hawick, is closer to Carlisle than to Edinburgh but access to its jobs market, educational facilities, services and transport connections is severely constrained by poor quality cross-border links.

As with the Borders Railway connection to Edinburgh, a southern link with the North West of England would attract new residents to the area and enable new housing development, attract inward investment and tap into the substantial Cumbrian tourism market centred around the Lake District, Hadrian's Wall and Carlisle.

Local connectivity needs

A new Borders through-route would deliver much needed local connectivity improvements along its entire length. Of relevance to this consultation are the cross-border transport needs of communities in the southern Borders, for example the village of Newcastleton, located just three miles from the border and twenty-five miles from Carlisle. Dependent on Cumbria for many of its services and employment opportunities, the village also serves as a local centre for outlying communities on the English side of the border, for example Kielder and Roadhead.

Further evidence of the beneficial impacts of the restoration of the rail route at a local level can be found in the submissions made to you by Hawick Community Council and Newcastleton & District Community Council/ Newcastleton & District Community Trust/ Newcastleton Business Forum.

Implementation

Question 4. What are the main obstacles and challenges in improving transport connectivity between the nations of the UK?

Question 5. What evidence exists to demonstrate the potential impacts of improved transport connectivity between the nations of the United Kingdom?

Question 6. When making transport investment decisions that aim to improve connectivity between the different nations of the UK, does the current appraisal framework capture all the potential impacts?

The border areas of Southern Scotland and Northern England – the Borderlands, as they have become known – share a rich and, at times, turbulent history and culture. It has often been commented that communities on both sides of the border have more in common with each other than they do with the rest of either England or Scotland. It is certainly the case that the border itself does not impinge significantly on normal life. People cross it daily to work, attend school, access medical care, to socialise and for a whole host of other reasons.

It is also the case that communities on both sides of the border face many of the same challenges and this is particularly so in relation to economic development and transport infrastructure. Lying at the extremities of separate jurisdictions in London and Edinburgh, it can be difficult to achieve the alignment of policy, resources and organisation required to solve joint problems. If the solutions to these problems require investment in new cross-border infrastructure, it is often unclear where commissioning responsibility belongs.

It was a recognition of these issues that led Westminster's Scottish Affairs Committee to hold an inquiry which resulted in the "Our Borderland - Our Future" report in 2014. Amongst its many recommendations it urged "the UK Government to work with the Scottish Government and with

key agencies on both sides of the border to extend the Borders Railway southwards from Galashiels, to Hawick and onwards to Carlisle” (para. 41).

The publication of the report was influential in the establishment of the Borderlands Inclusive Growth Deal, which includes local authorities on both sides of the border and is jointly funded by the UK and Scottish Governments. It aims to strengthen the shared identity of the Borderlands region through cross-border cooperation and investment. The programme has been allocated £10m funding for feasibility work on the Borders Railway extension, completion of which would do more than any other initiative to deliver the Deal’s objectives.

CBR is keen to see the project be taken forward through the existing Borderlands partnership arrangements that have been put in place, believing these to provide a sound-basis for cross-border, multi-agency working. Given the project’s wider benefits, its recognition as an objective of strategic importance at a UK level would be extremely valuable and we would welcome its adoption as a UK Government policy objective. The provision of funding and legal powers will require close cooperation between the UK and Scottish governments.

Implementation will also require close cooperation between the UK Department for Transport and Transport Scotland, so that the project can be coordinated with the latter’s Strategic Transport Projects Review process. This will build on the evidence base provided by Transport Scotland’s Border Transport Corridors Study. The evidence base for the project should also be supported by the analysis, policies and initiatives of the Cumbria Local Enterprise Partnership and the newly formed agency, South of Scotland Enterprise.

Current appraisal methodologies for transport investment decisions appear inadequate for assessing projects intended to bring about wide-ranging socio-economic benefits, particularly out with metropolitan areas. Traditional benefit-to-cost-ratio methods allow for a basic return-on-investment comparison between alternative proposals but lack qualitative discrimination based on other measures of value. Appraisal methods also need to provide greater weighting for hard-to-quantify benefits such as inequality reduction, increased public transport accessibility levels, and other objectives of the ‘levelling-up’ agenda. We note that the need for an alternative approach is acknowledged in recent Department for Transport policy concerning rail reopening schemes. We also note HM Treasury’s recent reassessment of the ‘Green Book’ which seeks to reform the tendency of cost-benefit-analysis methods to prioritise investment in areas that already enjoy high levels of productivity and investment. Both of these developments would suggest greater potential to prioritise cross-border infrastructure projects with complex business-cases, such as extension of the Borders Railway.

Impact of Covid

We do not expect the impact of the Covid pandemic to have any significant long term impact on the strategic drivers for this project. In the short term there has been a significant reduction in demand for passenger rail travel due to infection control regulations. Demand may remain at lower levels for some time after the pandemic ends, partly due to the increase in home working. However, in the medium to longer term we would expect growth to return. Whilst many people may reduce their commute to 3 or 4 days a week, there may well be a compensating increase in overall commuter numbers as the ability to work from home for some of the week increases the viability and appeal of longer-distance commuting. Demand for leisure, shopping and tourism travel is likely to return to previous levels while growth in the intermodal freight sector will also continue. Most significantly of all, the imperative to decarbonise the transport system will require a substantial modal shift from road and air to rail, driving significant expansion of rail capacity even in the event of lower overall travel demand.

Journey Case Studies

Question 7. Which specific journeys would benefit from new or improved transport links?

Example One. Hawick to London

This journey is chosen to illustrate the difficulties faced by people living in the Scottish Borders to carry out straightforward journeys.

This journey can currently be undertaken as follows.

Option A – via Berwick

Travel by car to Berwick upon Tweed Station 1 hrs 10 mins

Allow parking and transfer time at Berwick 30 mins

Travel by train to London Kings Cross. 4 hrs

Total journey time = c. 5½ hours

The above assumes access to a car and if travelling for more than one day, the issue of secure overnight parking.

There is no direct bus service to Berwick upon Tweed unless a change is made at Galashiels thus resulting in a 3-hour journey time for that leg. Thus, without access to a car this is not a realistic option.

Option B – via Carlisle

Travel to Carlisle can be achieved by bus in 1 hrs 30 mins or by car in about 1 hr.

Allow parking and transfer time at Carlisle 30 mins

Travel by train from Carlisle to London Euston takes approx. 3 hrs 30 mins

Total journey time = c. 5½ hours

Unless there is access to a car a journey there and back in one day is not feasible.

Other Options

Travel by bus or car to Galashiels/ Tweedbank 40 mins. Then Train to Edinburgh 55 mins and Edinburgh to London Kings Cross 5 hrs. Very convoluted and no time saving.

The only practical way to make this journey within the day would be to make the outward or return journey using the Caledonian Sleeper Service from Edinburgh or Carlisle.

It can be seen that communication from this community of c.15,000 is highly restrictive.

With Hawick – Carlisle Rail Link

Travel to Carlisle by train - 45 mins.

Allow interchange time at Carlisle - 15 mins

Onward connections using HS2 to London Euston 2 hrs 36 mins (projected)

Total journey time = c. 3½ hours

Example Two. Local Journey Newcastleton to Carlisle.

Carlisle is the largest shopping and employment hub in the area and the distance is 25 miles. This journey can be undertaken by bus at very limited times throughout the day, Mondays to Fridays, and takes up to 1hr. Early morning and late afternoon services provide a basic commuting option for factory workers in the Kingstown industrial area on the north side of Carlisle. On Saturdays, journeys to Carlisle require a change of bus at Canonbie. There are no early morning commuter services on Saturdays. There are no evening or Sunday services.

With a re-opened rail link this would become a straightforward journey taking approximately 30 mins to the centre of Carlisle. A new station on the WCML at Carlisle (North), served by Borders and Dumfries services, would allow commuting from Newcastleton to Kingstown in around 25 mins. Together with higher frequencies, evening and weekend rail services, this would assist the expansion of the community and have a positive impact upon its economic viability.

Example Three. Melrose to Manchester Airport

Melrose is a historic town which is the tourism hub of the Scottish Borders, also home to the internationally renowned Borders Book Festival and Melrose Rugby Sevens events. Manchester Airport is a major arrival point for overseas visitors to the UK.

This journey would currently involve:

Travel north to Tweedbank (10 mins by car or taxi) or Galashiels by bus (approx. 20 mins)

Allow parking/transfer time 15 mins

Travel by train to Edinburgh takes approx. 55 mins.

Allow interchange time at Edinburgh 20 mins

Travel by train to Manchester Airport 3 hrs 30 mins (direct service)

Total journey time = c. 5 hrs 15 mins

An alternative would be a lengthy (1hr 45 min) bus journey to Berwick upon Tweed and thence to Manchester, most likely with a further change at Newcastle or York. Both options are circuitous.

An extended Borders railway would provide the opportunity of boarding a train in Melrose heading directly south to Carlisle in approx. 1 hr. The journey time from there to Manchester Airport being approx. 2hrs (direct service/ no use of HS2 assumed). Thus, a total journey time with a good connection at Carlisle of around 3 hrs 15 mins from Melrose to Manchester Airport would be achievable.

National Strategic Transport Network

Question 8. Is there a need for the development of a national strategic transport network to replace the Trans-European Transport Network (TEN-T) following the end of the UK-EU transition period?

In principle we would agree that there is a need for a UK-wide strategic transport network to replace the TEN-T designations since the responsibility for cross-border transport infrastructure between England and Scotland is fragmented at present. We would like to emphasise the potential role a reinstated Borders Railway through route between Carlisle and Edinburgh can play as part of UK-wide strategic passenger and freight networks.

Northern Ireland

Questions 9 and 10 (Connections to Northern Ireland)

We have not addressed these questions on the basis they are beyond the remit our Campaign's aims. We would only note that were the upgrading of links to Northern Ireland to require an expansion or reopening of rail links west of Dumfries, it would further enhance the role of Carlisle as a major hub for rail services. One consequence would be additional capacity demand on the existing network through the Carlisle area including the section of the WCML from there to Gretna.

Campaign for Borders Rail

29th December 2020

Union Connectivity Review

Response on Behalf of SEStran

Assessing the need for cross-border connectivity

- 1. If you represent a place, what is your current strategy for growing the economy and improving the quality of life there? Please provide a summary, but you are welcome to append or link to published strategies.**

This response is made on behalf of the South East Scotland Transport Partnership (SEStran) established in terms of the Transport (Scotland) Act 2005.

All RTPs have as one of their functions the production of a Regional Transport Strategy (RTS). In terms of the Act, these are set out at [section 5\(2\)](#). In summary, the Strategies should set out how transport in their area should be provided, developed or improved having regard to various issues including well-being, social inclusion, sustainable development and 'to integrate with transport elsewhere.'

SEStran's RTS Executive Summary can be found [here](#). This is now to be further refreshed in the light of the most recent [Main Issues Report](#), published in June this year.

There is strong alignment between the RTSs and the [National Transport Strategy for Scotland](#) (NTS2).

- a) What is necessary to achieve this strategy and what evidence do you have that improved connectivity is needed in this instance?** We expect that transport is not the only factor necessary to achieve regional strategies and would like to understand what else might need to be in place to see benefits from improvements in connectivity.

The [Delivery Plan](#) for SEStran's current RTS sets out what is necessary to achieve the Strategy.

- 2. Please provide any information you hold about current multi-nation journeys within the United Kingdom.**

Please provide information relating to current journey volumes, assessments of future demand, journey reliability and locations/corridors of particular strategic importance. In particular, please provide information about current journey levels, assessments of future demand, locations of important strategic transport corridors and the reasons for importance

[Tactran's Monitoring Framework 2018 Progress Report](#) contains information regarding travel to/from major destinations in Scotland (pages 27 to 33).

3. In general terms, is there a need for new or improved transport links between the nations of the United Kingdom?

If so, please explain why and provide evidence to support your view. Please ensure that your response relates specifically to multi-nation transport links and not to improvements in connectivity in general.

Rail

The north of England and Scotland will be severely disadvantaged if the benefits of HS2 infrastructure being gradually extended northwards in increments from a London base do not reach the north of England and Scotland until well into the 2040s. An earlier investment in high speed rail infrastructure in the north of England should align with the Scottish Government's ambition for high speed rail in Scotland to release the latent economic growth potential that is being suppressed by relatively poor connectivity.

Sea and Air

There are detailed responses from other Scottish respondents which cover the Scottish position in general. However, in relation to SEStran, protecting and enhancing the role of Edinburgh Airport will be important.

In addition, developing the role of the ports in the region - particularly Grangemouth, Rosyth, and Leith, will have positive benefits for the transition to low carbon and sustainable modes of transport both for passengers and freight.

Restoration of the passenger and freight ferry to Rosyth would provide a direct link to mainland Europe from the region.

In addition, cross-border connectivity corridors of interest would be

- Cross Rail services including sleeper services - increase in sleeper services
- Freight access by rail in and out of Scotland, issues with network constraints, limited existing rail services to Grangemouth intermodal rail terminal
- Potential for direct ferry routes from the East of Scotland to near continent ports with early forward investment by Government to enable viability.
- Access to deep sea ports by rail or road or from existing port facilities such as Rosyth and Grangemouth.
- Improvement of the A1 corridor (see below).

Multimodal Hubs: Developing a network of multimodal hubs across Scotland and the UK, serving rail, road and water traffic, to allow for the consolidation of freight and movement through sustainable modes of transport.

Rail Freight Enhancements: Interventions to remove the barriers preventing the growth of rail freight in Scotland, particularly with regards to improving capacity alongside passenger

services, and putting gauge enhancements in place to allow the transportation of larger containers.

4. What are the main obstacles and challenges in improving transport connectivity between the nations of the United Kingdom?

Please provide evidence relating to any specific challenges that prevent or hinder the development of additional or improved transport links. Please consider socio-economic, political, organisational and practical issues.

The [Borders Transport Corridors Study](#), published in March 2019 by the Scottish Government, sets out, in some detail, the context for the appraisal of transport options for the Scottish Borders and its key connections to Edinburgh, Newcastle and Carlisle.

5. What evidence exists to demonstrate the potential impacts of improved transport connectivity between the nations of the United Kingdom?

Please ensure that your answer relates directly to transport connectivity between the nations of the United Kingdom and not to transport connectivity in general. Please consider economic, social and cultural impacts and provide documents or links. Please also highlight specific potential growth areas such as housing or wages.

Major housing expansion is anticipated across the SEStran area over the next 10 – 20 years.

Fuller reference to evidence to support the contention that transport connectivity improves the economy is referenced in the joint RTP response to this consultation.

Transport connectivity is a fundamental element of The Borderlands (Dumfries & Galloway, Scottish Borders, Northumberland, Carlisle and Cumbria) Growth Deal and the indicative Regional Spatial Strategy (iRSS) for the South of Scotland. Full information is available at <https://www.borderlandsgrowth.com/> and <https://dumfriesgallowayintranet.moderngov.co.uk/documents/s23664/South%20of%20Scotland%20Regional%20Spatial%20Strategy%20-%20Appendix.pdf>

The combined investments of the UK and Scottish Governments will commit up to £350 million to the Borderlands Growth Deal. Local authority partners will contribute up to £44.5 million towards the deal. Taken together this will result in a significant overall growth deal package worth up to £394.5 million for the region worth about £350,000 in total

The Growth Deal recognises the following key points in relation to transport:

- Transport Connectivity is vital for joining up the communities and maximising the economic potential of the Borderlands region.
- The UK and Scottish Governments will work together through the deal to consider the potential to extend the Borders Railway.

- Up to £5 million of funding will be made available by each Government through the deal to progress the evidence base, options appraisal and feasibility work on Carlisle to Tweedbank rail options.
- The Scottish Government will progress the evidence base through the Strategic Transport Project Review process already under way through Transport Scotland. The UK Government Department for Transport will progress complementary feasibility work on these options with a wider UK perspective.
- The two Governments will work together to align their work, enabling a shared understanding of the cross border benefits and challenges of these options.

As regards the penultimate bullet point, the STAG appraisal already undertaken by consultants on behalf of the Scottish Government identifies differing appraisal and delivery mechanisms for transport schemes between the two national transport authorities, as well as other differences in such things as planning policies and funding sources, as potential restraints. That makes the last bullet point even more relevant.

Similar evidence linking the need for transport infrastructural improvements to help drive other economic benefits can be found e.g. in the Edinburgh City Deal strategies. It is understood that the Edinburgh City Deal Joint Committee is making its own response to this consultation.

6. When making transport investment decisions which aim to improve connectivity between the different nations of the United Kingdom, does the current appraisal framework capture all the potential impacts?

Please provide evidence such as links to existing reviews or analysis that may have already considered this.

A robust and consistent appraisal framework would be required that would be suitable for the whole of the UK.

The Scottish Government are currently consulting on a Draft Infrastructure Investment Plan which covers the financial years 2021/22 to 2025/26 and outlines their approach to delivering on the National Infrastructure Mission, recognising the role infrastructure has to play in enabling inclusive, net zero and sustainable growth. The full consultation is available through <https://www.gov.scot/publications/national-mission-local-impact-draft-infrastructure-investment-plan-scotland-202122-202526/>

Opportunities for Improved Transport Connectivity between the nations of the United Kingdom

7. Which specific journeys would benefit from new or improved transport links?

Please identify two or more specific points within the United Kingdom for each journey and provide details as to why each journey has been identified. Please list these journeys in order of priority. Please ensure that these journeys traverse two or more nations. If none than please go to Question 8.

Two key journeys for the SEStran region would be, firstly, the journey both north and south to Aberdeen and London which is principally served by the East Coast

Main Line; and, secondly, the connection between the region and the cities in the north east of England such as Newcastle, which is principally served by road.

Both of these journeys are crucial to the economic well-being of the region.

As regards the rail based journey to Aberdeen and London, SEStran has seen, and is supportive of, the Transport North East (TNE) response to this consultation. The work undertaken by East Coast Mainline Authorities (ECMA) identifies the interventions required and the benefits this will bring to the economy. It is understood that ECMA will be responding separately to this call for evidence, and rather than duplicate that response, it is noted that it is supported.

As regards the road based journey to the north eastern English cities, again the TNE response and the Borderlands study referenced above make the case for improved links. Specifically, the A1 between Newcastle and Edinburgh is a key route and would, ideally, be dualled completely.

A fully sustainable road/dedicated public transport/Active Travel link which is future proofed for the low carbon EV, autonomous and High Speed Rail future should be a UK wide priority delivered at RTP level. Future infrastructure will need to blend an enhancement of existing networks as well as new, bold and sustainable solutions.

Specifically, an improved EV charging network that ensure compatibility throughout the whole of the UK, and consideration of how to incorporate the rapidly evolving hydrogen based technologies into future developments would be beneficial.

There are interdependencies across all public policy areas from Climate Change, Planning, Transport to Public Health. An assessment of how they need to change is the remit of devolved administrations.

8. Is there a need for the development of a national strategic transport network to replace the European TEN-T network within the UK?

Please consider the specific strategic benefits of a replacement national network which would connect strategically important regions, and places in the United Kingdom in order to support economic growth and quality of life. View maps of the existing TEN-T [inland waterways and ports](#) and [railways and airports](#) network within the UK.

a) How should such a network be defined?

Please consider which criteria should be considered when identifying transport links for inclusion and how these should be assessed. Please also consider which specific transport modes should be included.

b) What would be the potential impact of such a network?

Please consider possible economic, social and environmental impacts

c) How should a network of this nature it be managed or financed?

Please consider the role of the Government, Devolved Administrations and local transport authorities in your response.

d) Do you have any further comments on the potential development of a national strategic transport network?

SEStran and Transport Scotland's respective strategies are seeking to improve connections between sea and air ports, urban and industrial areas, and creating multimodal platforms to improve logistics: principles that are core to TEN-T.

The freight sector tends to lead on new freight sector innovation, with a need for the public sector to provide supportive infrastructure / investment in sustainable links to / from freight and commerce locations.

It is important that any 'replacement' to TEN-T extends to cover all of Scotland and therefore links the whole country to the broader UK-wide network, and that it covers all modes, including ports within the SEStran region.

Connections to Northern Ireland

9. With reference to the unique geographical position of Northern Ireland please set out how best to improve cross-border transport connectivity with other nations

Please consider all possible transport options including maritime, air and rail or road via a fixed link and provide evidence as to the cost, benefits and environmental impact of these options.

There should be good road/rail/freight connections between the SEStran region and Northern Ireland to link into broader national network. In this regard, improvements to the A75 would improve connections from the region to Cairnryan and beyond to Northern Ireland.

10. Other than geographic, are there any other specific restrictions to improving connectivity between Northern Ireland and other nations in the United Kingdom?

Please consider legal, policy and practical restrictions. Please set these out and provide evidence as to how they may limit opportunities for improved transport connectivity. Please also consider this in the context of the United Kingdom's departure from the European Union.

As above.

Final questions

11. What else can be done to support greater transport connectivity between the nations of the United Kingdom?

Please consider legal, political, structural and economic factors in your response as well as other opportunities for the UK Government to directly support improvements to transport connectivity.

Clearly close working between the UK and Scottish Governments will be crucial to some of the suggested improvements being delivered.

12. Do you have any further comments?

Whilst this review focuses on physical transport connectivity, the COVID pandemic and pre-existing gaps in digital infrastructure provide a clear argument for digital connectivity to both property and premises level to be a significant economic enabler. For communities which experience issues of physical connectivity to the wider UK geography and economy, investment in reliable digital infrastructure can enable the creation of new, and growth of indigenous, businesses, supporting local jobs and supply chain opportunities.

The pandemic and attendant reduction in travel has yielded significant carbon reduction and efficient digital infrastructure reduces both the need for routine business travel, and maintenance expenditure for road infrastructure. This needs to be sustained in the future and form part of future investment decision-making.

In the new 'normal' it is likely mobility in all its forms will need to address safety and public health for all modes of travel with capacity issues a major concern particularly for the private sector operators and impact on revenues. Public Transport with rail and bus in particular has been hit hardest with the pandemic and it is likely operators will need to change business models significantly to return to some degree of normality. The role of national and local government may also be required to radically change its relationship with the private sector. Greater flexibility of services, increases in demand responsive services and more effective contractual arrangements mitigating risks will all likely have to play a part in the new normal for operators.

Building on the UK Government's smart motorways investment programme, digital infrastructure requires to be built into major transport infrastructure investment, with consideration of sensor and Internet of Things based opportunities for more productive use of existing infrastructure, and provision of real-time data on usage, asset condition and traffic status to both reduce inspection revenue costs and information decision making on maintenance and investment.

PEEBLES HIGH SCHOOL – UPDATE REPORT

Report by Service Director Assets & Infrastructure

SCOTTISH BORDERS COUNCIL

28 January 2021

1 PURPOSE AND SUMMARY

- 1.1 This report provides an update on the progress with the Peebles High School project following the report to Council on 17 December 2020.**
- 1.2 The report to Council on 17 December 2020 advised that the feasibility study to replace the parts of the school lost during the fire in November 2019 had been completed. The report identified that Officers had reservations on the findings of this study on the basis of it being part new build/part refurbishment.
- 1.3 A feasibility study for a possible new build option has now been completed allowing a more comprehensive review of the advantages and disadvantages of the options to be considered.
- 1.4 Officers recommend that the new build option presents advantages in terms of saving time and minimising disruption. Subject to Council approval, the new build option should be taken forward to the Capital Investment Plan 2021/22.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:-**
 - (a) Notes the contents of this report.**
 - (b) Approves that the option to provide a new build solution provides the most advantageous benefits and, subject to the Capital Investment Plan 2021/22 affordability, should be taken forward to delivery.**

3 BACKGROUND

- 3.1 The report to Council on 17 December 2020 provided Members with an update on the feasibility study for the replacement of the parts of the school lost during the fire of November 2019. The report also discussed the likely outcome of the settlement of the insurance claim with the Council's Insurance provider.
- 3.2 In addition, the report identified that Officers had concerns about the limitations of the benefits that the partial new build / partial refurbishment project would provide. From this, a follow on feasibility study was suggested that would consider a new build solution for the substantive part of the school.
- 3.3 This short life feasibility study has now been completed allowing a comparison of the advantages and disadvantages of both solutions.

4 OUTCOME OF NEW BUILD FEASIBILITY STUDY

- 4.1 Officers have concluded the feasibility study for the new build option validating the wording within the report to Council on 17 December 2020.
- 4.2 This study confirms that there is sufficient land within the existing school boundary to accommodate the construction of a new school building whilst retaining the existing school buildings during the construction period. There would be a loss of external playing facilities. The reduced buildings and temporary classrooms put in place following the fire in November 2019 can remain operational during the entire construction process for the new build. This would be referred to as a tandem build arrangement.
- 4.3 Following the construction of the new building, the school can decant into this enabling the remaining old buildings to be demolished. This results in minimising disruption to young learners.
- 4.4 Within this option, the existing Sports Block constructed in 2013/14 would be retained. It would however be extended to provide the additional gymnasium, dance and changing facilities lost to the November 2019 fire.
- 4.5 The area of ground that the current school building sits on would be replaced with a mixture of hard, soft landscaping and rationalised car parking.
- 4.6 Similar to the partial new build/partial refurbishment option, there is sufficient area of land within this option to provide a 3G synthetic surface playing field.
- 4.7 Overall, the completed school would consist of an entirely new school building, external landscaping and 3G pitch along with the existing Sports Block and 2G synthetic pitch providing a level of equivalence to the facilities completed at Kelso HS and Jedburgh Grammar Campus.
- 4.8 Officers have also validated the £46M cost estimate referred to in the report to Council on 17 December 2020. This is based on the new building option including the demolition of the old buildings, diversion of a water main, landscaping and the 3G synthetic pitch.

- 4.9 Given the entire new build principle of this option, it is expected that construction would take 24 months from the start of building works to the point where the building would be operational allowing young learners to move in. There would be a follow on phase for the demolition of the old buildings and making good of the ground with hard and soft landscaping but this would not have an impact on young learners.
- 4.10 The Council has been successful with the bid to Scottish Government's Learning Estate Investment Programme (LEIP). It would be reasonable to state the complete new build option would provide for a better way to achieve as low as possible energy usage targets. This is one of 4 key funding criteria within the LEIP.

5 COMPARISON OF OPTIONS

Capital Cost

- 5.1 The report to Council on 17 December 2020 identified that the partial new build/partial refurbishment option would be to a base cost of £36m for the new build. The capital cost increases for refurbishment works that would be required to the Millennium Wing. For the purposes of a project forecast within the 2021/22 Capital Investment Plan process, a budget of £43M has been allowed for.

Disruption During Construction

- 5.2 For the part new build/part refurbishment option the report to Council on 17 December 2020 noted that to support more flexible collaborative learning it would be envisaged that the existing cellular classroom arrangement in the Millennium Wing would be adapted so the building is more consistent with the layout and style of Jedburgh Grammar Campus.
- 5.3 Undertaking these alterations will place a pressure on the current teaching spaces within the school. The Millennium Wing contains 34 teaching spaces out of the original 94. 32 teaching spaces were lost to the November 2019 fire. With the provision of temporary modular cabins, the school is operating at high level of capacity meaning that there is very little free space available within the school. This means that the refurbishment of the Millennium Wing will be disruptive and need careful management.
- 5.4 In addition, it would be entirely appropriate to introduce a fire suppressant system, probably through sprinklers, within the Millennium Wing. This would be significantly invasive as a retro-fit.

Indicative Construction Programme

- 5.5 The feasibility study for the part new build/partial refurbishment option identified that it would take 32 months to complete the new build part. This is largely driven by the phased approach to the construction given that it joins on to the Millennium Wing.
- 5.6 Completing the refurbishment to the Millennium Wing after the completion of the new build element would need a further period of approximately 7 – 8 months. The work would need to progress at a slow rate to maximise the number of teaching spaces available.
- 5.7 Undertaking this refurbishment at the end of the construction process means that overall it will take some 40 months to complete the project from start of finish in terms of a fully operational school. This is over 1

year longer than the new build option and would place a greater level of disruption to the young learners than the stand alone new build option.

	Part New Build / Part Refurbishment	New Build
Capital Cost	£43M	£46M
Disruption During Construction	3 phase construction to opening	1 phase construction to opening
Construction Period to opening	40 months	24 months
Sustainability Options	Limited ability to upgrade the Millennium Wing without significant stripping back	Positive ability to design and implement a range of material and energy saving features

6 WAY FORWARD

- 6.1 Officers recognise that the complete new build option is £3m more expensive than the part new build/part refurbishment option. However, the overall benefits of time saving and minimised disruption are significant enough for Officers to recommend that the new build option is taken forward as part of the Capital Investment Plan 2021/22.

7 COMMUNITY AND STAKEHOLDER ENGAGEMENT

- 7.1 The recommendations contained within the report to Council on 17 December 2020 in terms of digital consultation remain valid for the new build option. Subject to the Capital Investment Plan 2021/22, Officers will commence community based consultation that will be digital themed.
- 7.2 On the basis that the new build option can be located within the existing school boundary. Subject to this being validated, there will not need to be a formal consultation in accordance with Schools (Consultation) (Scotland) Act 2010.
- 7.3 The project, however, will be over 2 hectares and will require a Proposal of Application Notice (PAN) under planning legislation. This will take place during 2021 and will involve community consultation. This will be in advance of a full planning application.

8 IMPLICATIONS

8.1 Financial

- (a) The revised budget forecast has been calculated at £46M. This is £16M greater than the budget contained within the 2020/21 Capital Investment Plan which also assumed a £10M insurance settlement. As a result an additional £20M is required to deliver this project which will be included as part of the 2021/22 Capital Investment Plan process.

- (b) The capital cost of this project will need to be funded directly by the Council. However, the successful bid to the Scottish Government's Learning Estate Improvement Programme means that Scottish Government support will be provided over a 25 year period to help with the running cost of the building provide that certain criteria are met. The funding criteria are;
- Energy consumption
 - Indoor air quality
 - Digital
 - Economic growth

8.2 Risk and Mitigations

- (a) The report to Council on 17 December 2020 identified that there was a risk associated with the part new build/part refurbishment option not achieving the high standard of facility that the Council aspires to. This risk will be mitigated with the new build option where the project team will be less constrained by having to work with the existing Millennium Wing.
- (b) The report to Council on 17 December 2020 identified the phased nature of the construction of the part new build/part refurbishment option. This would have created a disruption risk to young learners and extend the projects delivery programme by 16 months. This risk will be minimised with the new build option.
- (c) The report to Council on 17 December 2020 identified a budget risk for the part new build/part refurbishment option in terms of the Capital Investment Plan 2020/21. This risk remains for the new build option. A revised budget for the project will be assessed as part of the Capital Investment Plan for 2021/22.

8.3 Equalities

- (a) An Integrated Impact Assessment has not been carried out on this report.
- (b) It is anticipated that there are no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals in this report.

8.4 Acting Sustainably

It is noted that a new build option for Peebles HS will provide significant advantages in terms of the ability to design the build holistically. The new build option will provide improved opportunities to achieve the Scottish Government's funding criteria on energy consumption and air quality. The project will also have improved ability to consider a range of different and sustainable materials to that available for the part new build / part refurbishment option given the need to blend and coordinate in with the Millennium Wing.

8.5 Carbon Management

The new build option will also allow for greater ability to design the building so as to consider carbon management in the material choices, the construction process and the energy demands/sources.

8.6 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.

8.7 Changes to Scheme of Administration or Scheme of Delegation

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

9 CONSULTATION

9.1 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 the final report.

Approved by

John Curry

Service Director Assets & Infrastructure Signature

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Background Papers: Report to Scottish Borders Council 17 December 2020

Previous Minute Reference: Nil

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Contact us at PlaceProjects@scotborders.gov.uk



PROPOSED RESPONSE TO CONSULTATION ON DRAFT REVISION TO COUNCILLORS' CODE OF CONDUCT

Report by Executive Director Finance and Regulatory

SCOTTISH BORDERS COUNCIL

28th January 2021

1 PURPOSE AND SUMMARY

- 1.1 This report proposes that the Draft Consultation Response attached as Annex 1 to this report is accepted by Council and submitted to Scottish Government in response to its consultation on a possible revision to the Councillors' Code of Conduct.**
- 1.2 Section 1 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the Act) requires the Scottish Ministers to issue a Code of Conduct for Councillors (the Code). The aim of the Code is to set out clearly and openly the standards that councillors must comply with when carrying out their council duties. The current version of the Code was originally issued in 2010 following a limited review of the pre-existing Code in 2009. A further amendment was published in 2018 - again following a very limited review. Scottish Ministers consider that many developments have occurred over the last ten years since the Code was last substantially reviewed and have therefore launched this consultation into a proposed revised Code. Their stated aim is "to amend the Councillors' Code of Conduct to bring it up to date and make it more user friendly."
- 1.3 In order to consider the content of the proposed revised Code a short life working group was established. This group met before and after the Christmas vacation and the draft response contained in the Annex 1 to this report is the output of that group. Consultation responses must be submitted to Scottish Government by the 8th February 2021.

2 RECOMMENDATIONS

- 2.1 **It is recommended that Council:-**
 - (a) approves the content of the Draft Consultation Response attached as Annex 1 to this report as the formal response of the Scottish Borders Council to the Consultation; and**
 - (b) directs the Chief Legal Officer (Monitoring Officer) to submit it to Scottish Government on its behalf before 8th February 2021**

3 BACKGROUND

- 3.1 The Ethical Standards in Public Life etc. (Scotland) Act 2000 requires Scottish Ministers to issue a Code of Conduct for Councillors. The first such Code to be issued under the Act was issued in 2003. It has been amended twice since then, in 2010 and 2018. Both amendments took place, however, following only limited reviews of the Code. As is noted in the consultation document, the Scottish Government considered that many developments had occurred since the Code was last substantially reviewed and it was important to take account of such changes. In addition to the general aim to bring the Code up to date and to make it more user friendly, it aims "to strengthen the Code to reinforce the importance of behaving in a respectful manner and to make it clear that bullying and harassment is completely unacceptable and should not be tolerated".
- 3.2 A proposed revised Code has therefore been drafted. It can be seen in Annex 2 to this report, which contains the full consultation document. That consultation documents the following as being the principle changes being proposed:
- A general rewrite changing the Code to the first person and adopting plain English wherever possible.
 - A greater emphasis on addressing discrimination and unacceptable behaviour.
 - Stronger rules around accepting gifts.
 - A substantial rewrite of Section 5 establishing three clear and distinct stages to determine a declaration – Connection – Interest – Participation.
 - Significantly liberalises the guidance/rules around being a council-appointed representative on an outside body. The exceptions to this are for quasi-judicial matters and other situations where such appointments would create a clear conflict of interest
 - Makes more clear the rules around access and lobbying
 - Section 7 has been substantially reworked in order to provide a more generic approach that can cover all types of applications and decisions, and not be so heavily focussed on planning matters

4 DRAFT RESPONSE AND NEXT STEPS

- 4.1 Representatives of the Standards Commission held a training session with SBC Members toward the end of 2020. They encouraged the Council to make known its views on the proposed Code and advised that all submissions will be carefully considered. Following that meeting, the Chief Legal Officer (Monitoring Officer) wrote to all Members seeking volunteers for a short term working group to consider the Draft Code and to prepare a response to that. A group was then formed consisting of Cllrs Haslam, C Hamilton and H Anderson. The group were assisted by the Chief Legal Officer (Monitoring Officer) and the Principal Solicitor. The output of that working group is the Draft Response contained in Annex 1 of this report.
- 4.2 It should be noted that Members are also free to respond directly to this Consultation, and the submission of an SBC response does not dilute that option.

- 4.3 It should be further noted that Ministers can only issue an amended Code after it has been laid before and approved by a resolution of the Scottish Parliament. It may not be possible for this to be achieved before the dissolution of Parliament. It is hoped that the process could be instigated early in the new parliamentary session.

5 IMPLICATIONS

5.1 Financial

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

5.2 Risk and Mitigations

If SBC does not submit a response to the draft Code, its views will not be taken into account in the finalising of any revised Code.

5.3 Integrated Impact Assessment

- (a) The proposals in this report do not give rise to any adverse equality impact. It is noted that Code itself prohibits unlawful discrimination, harassment and victimisation and requires Members to advance equality of opportunity. It therefore contributes to the Council meeting its obligations under the Equality Act.

5.4 Acting Sustainably

The proposals in this report do not give rise to any economic, social or environmental effects.

5.5 Carbon Management

The proposals in this report do not give rise to have no effects on carbon emissions.

5.6 Changes to Scheme of Administration or Scheme of Delegation

The proposals in this report do not require any changes to either the Scheme of Administration or the Scheme of Delegation.

6 CONSULTATION

- 6.1 The Executive Director (Finance & Regulatory), 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

David Robertson

Signature

Executive Director Finance & Regulatory Services

Author(s)

Name	Designation and Contact Number
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Background Papers:

Previous Minute Reference:

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ANNEX 1

Draft SBC Response to Consultation on New Proposed Code of Conduct

Q1. Do you agree there is a need to revise the Code of Conduct?

A Yes

The Code of Conduct has remained largely unaltered for many years and needs to be updated to reflect changes that have occurred. Social Media plays a much greater part of the life of a Councillor now than it did in 2010. It is felt further guidance is needed on that. It is also considered that the Code needs revision as regards Bullying and Harassment. It is also felt that much of the Code is complex and a rewrite should provide greater clarity.

It is, however, considered that there is little evidence to suggest that the areas of Gifts and Hospitality have created difficulty or controversy for the office of Councillor and it is not readily apparent that the changes proposed in that section are either necessary or helpful.

Q2. Do you have any comments on the changes proposed for Section 1: Introduction to the Code of Conduct?

A

It is considered that the provisions of the Councillors Code of Conduct are more onerous than those standards required of MPs and MSPs and this disparity is questioned. The provisions regarding respect, for example, apply to a much narrower group of people in the MSP's Code. Importantly, in that regard, the MSPs Code makes it very clear that an MSPs private an family life is not covered by the Code. By contrast, the wording in this draft Code for Councillors created the possibility of its terms impacting on that private life of Councillors.

It is considered that the provision at 1.5 of the Code is problematic. It provides that:

“I will comply with the provisions of this Code in all situations where I am acting as a councillor, have referred to myself as a councillor or could reasonably be perceived as acting as a councillor.”

In small communities, most people will be aware who their local Councillors are. The public will often consider that anything their local Councillor does is done while they are “acting as a Councillor”. This wording therefore has a very real prospect of affecting a Councillor even while they are acting in a purely private capacity. This is considered to be too intrusive and the wording should be changed to ensure that it is clear that a Councillor is not bound by the provisions of the Code while acting in their private capacity.

Q3. Do you have any comments on the changes proposed for Section 2: Key Principles of the Code of Conduct?

A Yes

It should be more clearly stated that breach of the Key Principles will not, of itself, amount to a breach of the Code of Conduct and that a complaint alleging only a breach of one of these principles will not be accepted for investigation.

In addition, SBC would suggest that a further sentence be added to the end of the paragraph headed Leadership. It should read:

“This may at times might mean questioning the council’s decisions and/ or decision making process.”

Q4. Do you have any comments on the changes proposed for Section 3: General Conduct?

A Yes

(1) It is noted that the part of Section 3 pulls together a variety of elements of the older Code under the one broad heading of Respect and Courtesy. SBC regrets that the variety of topic headings which are used in the current Code have disappeared. It is felt they make it easier to find particular elements and add emphasis.

(2) 3.1 provides:

“I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am representing the Council and when I am online and using social media”

Whilst SBC welcomes the clarification that the requirement to treat people with courtesy and respect extends to everyone, the loss of particular reference to members of the public is regretted. Perhaps a combined approach could be

“I will treat my Colleagues, Council employees, members of the public and everyone I have contact with as a Councillor with respect. This includes etc...”

(3) It is regretted that the Code has not taken the opportunity to provide further guidance on the use of Social Media and we would ask for this gap to be addressed.

(4) SBC has a number of comments to make in respect of the areas of bullying and harassment. It welcomes the expansion of the Code in this area as it considers that the Code should do all it can to seek to eradicate such behaviour. It welcomes the fact that the Code now details that the Code can be breached by a single incident or by a course of conduct.

(5) SBC would welcome this area being further modified. In general, it would welcome the introduction of a separate definition for each of the following terms:

- i. Disrespect (the definition should note this could be unconscious or unintentional)
- ii. Bullying (the definition should make reference to the integral role of power in this type of behaviour)
- iii. Harassment
- iv. Sexual Harassment

SBC considers it is important to clarify that each of these behaviours is different from the others – and not just a continuum of the same behaviour.

- b. It is aware that an individual can tolerate behaviour over a period, but that at some point a further instance of that continuing behaviour will reach a breaking point for its victim. It is considered that it should be made clear that this also amounts to bullying or harassment.

- c. It is understood that identification of bullying and harassment is largely based on a subjective test – that it will be identified based on the impact upon the victim irrespective of the intention of the person whose behaviour is complained of. However, this does leave a significant gap. Where an individual is particularly robust they may be able to personally experience behaviours, which would cause many other people distress, but they themselves may not experience that impact. A complaint of bullying or harassment would therefore fail to be established. This is problematic because the behaviour itself may have been played out in a public forum – be that a meeting or social media. In turn, this can not only bring the office of Councillor into disrepute, but can act as a deterrent to others becoming involved in local democracy; that is, when such behaviour is left unchallenged and deemed therefore to be acceptable, others will not become involved as they would not want to be subjected to this type of behaviour. It is therefore considered that, in addition to the subjective test for identifying such unacceptable behaviour, an objective element should be built in. Paragraph 3. 3 in the draft Code states that:

“I will not engage in any conduct that could amount to bullying or harassment (including sexual harassment).

I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.”

This wording appears to be capable of incorporating an objective test. However perhaps it would avoid any doubt on the issue if this was amended to read:

“I will not engage in any conduct that either amounts to, or could reasonably be considered to amount to, bullying or harassment (including sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.”

- d. It is considered that the Code should create an obligation on those who witness harassment or bullying to report that behaviour and an obligation on those who are on the receiving end of the behaviour to consider reporting the conduct.
- e. It is considered that paragraph 3.5 could be further strengthened by adding the words “and I will attend training on these subjects offered by the Council or third parties” after the words that it is ““my responsibility to understand what constitutes bullying and harassment”

Gifts and Hospitality

Gifts and Hospitality

Scottish Borders Council considers that the current rules regarding hospitality work very well and do not require to be changed. It further considers that while it can see some merit in clarifying the rules regarding gifts, it considers the changes proposed in the draft code add confusion rather than clarity.

The wording at 3.19 is too strict. Scottish Borders Council does not agree that any offer of hospitality to local Councillors should be refused. To do so would be to weaken the important link between local Councillors and their own local community. Those occasions where hospitality is offered to Councillors arise, in the main, because of that key link between the Councillor and their Communities. The events are likely to be to events of significance to that local community and the attendance of local Councillors is considered to be important. It is

not considered that this gives rise to any perception of a Councillor seeking to obtain benefit from their role. In fact, in many circumstances, it is seen to be quite the opposite and attendance at these events is considered to be akin to a duty of the Councillor.

There does of course require to be safeguards in the system, but it is considered that those safeguards could be stated simply as:

“I will never ask for hospitality nor will I accept hospitality from a person seeking to do business with the Council or seeking a decision from it.

I will not allow the offer of, nor the provision of, hospitality influence me in the performance of my duties as a Councillor.”

Gifts

The wording on the draft Code at 3.13 is complex and indeed perhaps contradicts the wording at 3.17. It is considered that a simpler approach would be to adopt broadly the approach taken in 3.17 but with that modified to retain the monetary value as in the current Code. It would therefore read:

“I will refuse any gift offered unless it is:

- a) a minor item or token of modest intrinsic value (not exceeding £50) offered on an infrequent basis; or
- b) a civic gift being offered to the Council”

It is assumed that the monetary cap could be modified over time without need to resort to the full parliamentary process.

SBC also considers that the safeguards recognised as being necessary for hospitality are necessary in respect of gifts.

3.20 SBC considers that Councillors should continue to maintain their own registers of Gifts and hospitality (both accepted and refused) and that the Monitoring Officer should have access to each Member’s registers.

Q5. Do you have any comments on the changes proposed for Section 4: Registration of Interests?

A Yes

4.23 SBC considers that Members should continue to maintain a record of hospitality and their own record of offers of gifts that they have refused. It is understood that it may be necessary for the Monitoring Officer to be able to view all of these Registers (to identify if there is any pattern of offers cross the Council), however, it is felt that it is useful for Members to keep their own record so they can readily identify when previous offers have been made.

6. Do you have any comments on the changes proposed for Section 5: Declaration of Interests?

A Yes

This 3 stage approach is considered to be clear and helpful. 5.3 f (advising that appointment by the Council as a representative to an outside body is not a connection) is welcomed.

It is suggested that it could be further clarified by slightly modifying 5.4 to read:

“5.4 I understand that a connection will become an interest when the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard my connection to a particular matter as being so significant that it would be considered as being likely to prejudice the discussion or decision-making. I will declare any such interest at the earliest stage possible in meeting.”

7. Do you have any comments on the changes proposed for Section 6: Lobbying and Access?

A Yes

This section is more difficult to understand than some other parts of the revised Code. In particular, 6.2 provides:

“6.2 In deciding whether to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to prejudice my, or the Council’s, decision-making role”

It is assumed that this applies only to those categories of lobbying identified at 6.1 c, but it is not clear as the term “lobbying” is also used generically at 6.1. This should be clarified.

Similarly, Paragraph 6.6 should be clarified to make it clear when this obligation does arise - as it does not apply to all decisions which Council will take.

The inclusion of the statement “I am not obliged by the Code to respond to every contact” at 6.3 is welcomed

Q8. Do you agree to the changes proposed for Section 7: Taking Decisions on Quasi-Judicial or Regulatory Applications?

A Mostly

This section of the Draft Code is generally improved and easier to read and understand. The adoption of a more generic set of rules is welcomed.

However it is considered that the text in paragraph 7.8 under “I will not” is problematic. It reads:

- “a) do anything or be motivated to do anything that is connected or linked in any way with my personal involvement in a policy or strategic matter;
- b) express any view that suggests I have a closed mind on the policy or strategic issue”

In paragraph (a) the wording is too widely drafted. It would prevent a Councillor from expressing a view on such strategic matter where they have had a community involvement in a particular issue. Councillors – **in shaping the strategy of the Council** – should remain free to bring to that views they have gathered in community involvement both before and since becoming a Member.

It is considered this restriction should only apply where a Councillor has a financial interest in the policy or strategic matter which will form the framework for future decisions.

Similarly, it is not clear why paragraph b is considered necessary in the context of this part of the Code and it is considered that it should be removed.

Q9. Overall, how clear do you find the proposed revised Code?

- A Very clear
- Mostly clear x
- Sometimes unclear
- Very unclear

10. Do you have any other comments or suggestions about any aspect of the revised Code?

- A No

The Councillors' Code of Conduct

Consultation on possible revision of the Code



Background

Section 1 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 requires the Scottish Ministers to issue a Code of Conduct for Councillors (the Code). The current version of the Code was originally issued in 2010 and amended in 2018. It can be found at:

<https://www.standardscommissionscotland.org.uk/uploads/files/1531127491CllrsCodeofConductJuly2018.pdf>

The current version of the Code was originally issued following a limited review of the Code that the Scottish Government carried out in 2009. A further amendment was published in 2018 which addressed the specific issue of councillors' membership on regional transport partnerships.

The 2000 Act states that Ministers shall issue a councillors' code only after it has been laid before and approved by a resolution of the Scottish Parliament. The same applies to any revision or re-issue of the Code.

The aim of the Code is to set out clearly and openly the standards that councillors must comply with when carrying out their council duties. All local authority councillors in Scotland are obliged to comply with the Code and with any guidance on the Code issued by the Standards Commission for Scotland. The current guidance was issued in 2015 and can be found at:

<https://www.standardscommissionscotland.org.uk/uploads/files/1545151725181218CCfCouncillorsGuidanceDec2018.pdf>

Purpose of this consultation

The Scottish Government considered that many developments have occurred over the last ten years since the Code was last substantially reviewed and it was important to take account of such changes and to provide users with the opportunity to comment on the review. We are looking to make the Code easier to understand, to take account of developments in our society such as the role of social media. We also aim to strengthen the Code to reinforce the importance of behaving in a respectful manner and to make it clear that bullying and harassment is completely unacceptable and should not be tolerated. We aim to produce a Code that is fit for purpose and will ensure the highest standards of conduct by our councillors to maintain and strengthen the trust of those they are elected to serve.

The proposal

The proposal is to amend the Councillors' Code of Conduct to bring it up to date and make it more user friendly.

A copy of the Code is included below. The key changes to note are:

- A general rewrite changing the Code to the first person and adopting plain English wherever possible. This makes it easier to understand and encourages councillors to take ownership.

- A greater emphasis on addressing discrimination and unacceptable behaviour.
- Stronger rules around accepting gifts, both to protect councillors and to build confidence in their impartiality amongst the general public.
- A substantial rewrite of Section 5 establishing three clear and distinct stages to determine a declaration – Connection – Interest – Participation.
- Significantly liberalises the guidance/rules around being a council-appointed representative on an outside body. The exceptions to this are for quasi-judicial matters and other situations where such appointments would create a clear conflict of interest
- Makes more clear the rules around access and lobbying.
- Section 7 has been substantially reworked in order to provide a more generic approach that can cover all types of applications and decisions, and not be so heavily focussed on planning matters.

Standards Commission Guidance

Whilst not forming part of this consultation, the Standards Commission proposes to issue new guidance along with the revised Code. Details of this revised guidance will be available on the Commission's website.

Responding to this consultation

We are inviting responses to this consultation by 08 February 2020.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at <https://consult.gov.scot/housing-and-social-justice/the-councillors-code-of-conduct>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 08 February 2020.

If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form to:

Councillor Code of Conduct Consultation
 Local Government Policy and Relationships
 Local Government and Analytical Services Division
 The Scottish Government
 Area 3G North
 Victoria Quay
 Edinburgh. EH6 6QQ

Handling your response

If you respond using the consultation hub, you will be directed to the “About You” page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our privacy policy: <https://beta.gov.scot/privacy/>

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at (<http://consult.gov.scot>). If you use the consultation hub to respond, you will receive a copy of your response via email. Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or to: CCCReview@gov.scot.

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work. You can find all our consultations online: (<http://consult.gov.scot>). Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

For Information

Due to the current pandemic, Brexit negotiations and the fact that the current Scottish Parliament will require to close down next year to allow for the election of new MSPs it seems very likely that we will be unable to secure Parliamentary time for scrutiny and approval of the Code. If this is the case then the Scottish Government will take the required actions to ensure the Code and related Regulations are laid before a new Parliament at the earliest possible time.

Code of Conduct for Councillors

Code of Conduct for Councillors

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Section 1: Introduction to the Code of Conduct

1.1 The public has a high expectation of councillors and the way in which they should conduct themselves in undertaking their duties in the Council.

1.2 [The Ethical Standards in Public Life etc. \(Scotland\) Act 2000](#) (the “Act”):

- a) provides for the introduction of new codes of conduct for local authority councillors and members of relevant public bodies;
- b) imposes on Councils and relevant public bodies a duty to help their members to comply with the relevant code; and
- c) established an independent body to oversee the new framework and deal with alleged breaches of the codes.

1.3 The first Councillors’ Code of Conduct came into force in 2003. The Code has since been reviewed, and re-issued in 2010 to reflect legislative changes. The 2020 Code has been issued by the Scottish Ministers following consultation, and with the approval of the Scottish Parliament, as required by the Act. This Code applies to every elected member of a local authority in Scotland. It is also directed at co-opted members of committees and sub committees who are not elected councillors.

1.4 The provisions of the Code which follow have been developed in line with the key principles listed in Section 2 and set out how the principles should be interpreted and applied in practice.

Explanatory Note: (These are to help you for the consultation and will not appear in the final version.)

Attempts have been made to ensure the provisions in the Code are in plain English so that they are easier to understand.

Where possible, any unnecessary content (including any duplication and any information that is only there for guidance, as an explanation or to provide context), has been removed from Sections 3 - 7. This is to ensure the Code is as succinct and as easy to understand as possible. It is hoped that the changes will also make it easier to interpret the Code and for complaints about any potential breach to be investigated and adjudicated upon.

Any guidance, explanatory and background information removed from the existing Code will be included in the Standards Commission’s guidance on the revised Code.

My Responsibilities

1.5 I will comply with the provisions of this Code in all situations where I am acting as a councillor, have referred to myself as a councillor or could reasonably be perceived as acting as a councillor.

1.6 I will comply with the provisions of this Code in all my dealings with the public, employees and fellow councillors, whether formal or informal.

1.7 I understand that it is my personal responsibility to be familiar with the provisions of the Code and that I must also comply with the law and my Council's rules, standing orders and regulations. I will also ensure that I am familiar with any guidance issued by the Standards Commission.

1.8 I will not, at any time, advocate or encourage any action contrary to the Code. I will meet the public's expectations by ensuring that my conduct is above reproach.

1.9 I understand that no written information whether, in the Code itself or the associated Guidance, can provide for all circumstances and if I am uncertain about how the rules apply, I will seek advice from senior Council employees. I note that I may also choose to seek external legal advice on how to interpret the provisions of the Code.

Explanatory Note: The Code is now presented in the first person to encourage councillors to accept and endorse its content and to emphasise that it is their personal responsibility to be aware of, and comply with, its provisions.

All the general responsibilities previously outlined in Sections 1 and 2 of the existing Code now appear in this version in the 'My Responsibilities' section above to give the more prominence and to distinguish them from any background or introductory information about the Code.

The statement outlining when the Code applies has been moved to this section (it is at paragraph 3.1 in the existing version). This is to make it clear that **all** provisions in the Code, and not just the rules of good conduct in Section 3, apply in the circumstances outlined.

Enforcement

1.10 Part 2 of the [Act](#) sets out the provisions for dealing with alleged breaches of the Code, including the sanctions that can be applied if the Standards Commission for Scotland finds that there has been a breach of the Code. More information on how complaints are dealt with and the sanctions available can be found at Annex C.

Section 2: Key principles of the Code of Conduct

2.1 The key principles upon which this Code of Conduct is based should be used for guidance and interpretation only. These key principles are:

Duty

I have a duty to uphold the law and act in accordance with the law and the public trust placed in me. I have a duty to act in the interests of the Council as a whole and all the communities served by it and a duty to be accessible to all the people of the area for which I have been elected to serve, and to represent their interests conscientiously.

Selflessness

I have a duty to take decisions solely in terms of the public interest. I must not act in order to gain financial or other material benefit for myself, family or friends.

Integrity

I must not place myself under any financial or other obligation to any individual or organisation that might reasonably be thought to influence me in the performance of my duties.

Objectivity

I must make decisions solely on merit when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

Accountability and Stewardship

I am accountable to the public for my decisions and actions. I have a duty to consider issues on their merits, taking account of the views of others, and I must ensure that the Council uses its resources prudently and in accordance with the law.

Openness

I have a duty to be as open as possible about my decisions and actions, giving reasons for my decisions and restricting information only when the wider public interest clearly demands.

Honesty

I have a duty to act honestly. I must declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

I have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of the Council and its councillors in conducting public business.

Respect

I must respect all other councillors and all Council employees and the role they play, treating them with courtesy at all times. Similarly I must respect members of the public when performing my duties as a Councillor.

Section 3: General Conduct

Respect and Courtesy

3.1 I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am representing the Council and when I am online and using social media.

Explanatory Note: The respect provision has been extended to everyone a councillor could come into contact or engage with when acting as such including, for example, contractors and employees of other bodies as well as other elected members, Council employees and members of the public.

3.2 I will advance equality of opportunity; not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; and will seek to foster good relations between different people.

3.3 I will not engage in any conduct that could amount to bullying or harassment (including sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.

3.4 I accept that disrespect, bullying and harassment can be a one-off incident, part of a cumulative course of conduct, or a pattern of behaviour. I understand that how, and in what context, I exhibit certain behaviours can be as important as what I communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.

3.5 I accept that it is my responsibility to understand what constitutes bullying and harassment (including sexual harassment) and will utilise resources, including the Standards Commission's guidance and advice notes, Council policies and training material (where appropriate) to ensure that my knowledge and understanding is up to date.

Explanatory Note: The provisions concerning respect, bullying and harassment have been extended to make it clear that such behaviour can be a one-off or a course of conduct, and can be physical and non-verbal in nature.

3.6 I will not become involved in operational management of the Council's services as I acknowledge and understand that is the responsibility of its employees.

3.7 I will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public.

3.8 I will not take, or seek to take, unfair advantage of my position in my dealing with employees or bringing any undue influence to bear on

employees to take a certain action. I will not ask or direct employees to do something which I know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.

Explanatory Note: These provisions have been moved from the Protocol on Relations Between Employees and Councillors, that is at Annex C in the existing Code (now Annex A), to increase awareness and to emphasise that a breach of them will be treated as a contravention of the Code.

3.9 I will follow the Protocol for Relations between Councillors and Employees at Annex A and note that a breach of the Protocol will be considered a breach of this Code. I will also comply with any internal protocol my Council has on councillor / employee relations.

3.10 I will respect and comply with rulings from the chair or convener during meetings of:

- a) the Council, its committees or sub-committees; and
- b) any outside organisations that I have been appointed or nominated to by the Council or that I represent the Council on.

Explanatory Note: The provision requiring a councillor to respect the chair / convener and to comply with their rulings has been extended to apply to the chair / convener of any outside body the councillor has been nominated or appointed to by the Council.

Remuneration, Allowances and Expenses

3.11 I will comply with the rules, and my Council's policies, on the payment of remuneration, allowances and expenses.

Gifts & Hospitality

3.12 I will never ask for any gifts or hospitality.

3.13 I will never accept any gifts (including money raised via crowdfunding or sponsorship), hospitality, material benefits or services that are offered which might place me, or which would reasonably be regarded by a member of the public with knowledge of the relevant facts as placing me, under an improper obligation or which might influence, or might reasonably appear to influence, my judgement.

3.14 I will consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to me could or would influence my judgement.

3.15 I will not allow the promise of money or other financial advantage to induce me to improperly perform any Council function. I accept that the money or advantage (including gifts or hospitality) does not have to be given to me. The offer of monies to

others, including community groups, may amount to bribery, if the intention is to induce me to improperly perform a function.

3.16 I will never accept any gifts or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, the Council.

3.17 I will refuse any gifts offered unless it is:
a) a minor item or token of modest intrinsic value offered on an infrequent basis; or
b) a civic gift being offered to the Council.

3.18 If I consider that declining an offer of a gift would cause offence, I will accept it and hand it over to the Council at the earliest possible opportunity and ask for it to be registered.

3.19 I will refuse any hospitality offered other than that which would normally be associated with my duties as a councillor.

3.20 I will advise the Council's Monitoring Officer if I am offered (but refuse) any gifts or hospitality of any significant value and / or if I am offered any gifts or hospitality from the same source on a repeated basis, so that the Council can monitor this.

Explanatory Note: The provisions concerning gifts and hospitality have been amended to make it clear that they should not be sought or accepted unless it is a minor gift (such as a pen or notepad), or is hospitality that a councillor would normally be expected to be offered in their everyday role (such as tea or coffee at a local event, or a sandwich lunch included as part of a daily rate charged and provided to all delegates at a training event or conference).

Councillors will no longer be allowed to accept gifts and hospitality that members of the public would otherwise have to pay for, such as tickets to the theatre or sporting events, unless such an invitation has been made to the council and they have been asked by the council to attend on its behalf. The intention is to avoid any perception that councillors are using their role to obtain access to benefits that members of the public would otherwise be expected to pay for, and also to prevent them from being influenced (inadvertently or otherwise) into making decisions for reasons other than the public interest (for example, by serious organised crime gangs seeking to obtain contracts and licences to facilitate money laundering).

The requirement for councillors to advise their Council's Monitoring Officer of any offers of any gifts or hospitality of significant value or gifts and hospitality from the same source on a repeated basis is intended to ensure the council can take action if it appears the same individual or organisation is attempting to influence its elected members and decision-making.

Confidentiality

3.21 I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the

express consent of a person authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain consent, I will assume it is not given.

3.22 I accept that confidential information can include discussions, documents, information which is not yet public or never intended to be public, and information deemed confidential by statute.

3.23 I will only use confidential information to undertake my duties as a councillor. I will not use it in any way for personal or party political advantage or to discredit the Council (even if my personal view is that the information should be publicly available).

Explanatory Note: The provisions concerning the obligation to keep certain information confidential have been clarified and amended to make it clear they apply to all confidential information, not just information deemed to be confidential by statute. The amended version also makes it clear that the onus is on the councillor to check whether they have consent to disclose such information and that they cannot assume it can be disclosed if they are unable to obtain such consent.

Dealings with and Responsibilities to the Council

3.24 I will only use Council resources, including employee assistance, facilities, stationery and IT equipment for carrying out Council duties in accordance with all my Council's relevant policies.

3.25 I will not use, or in any way enable others to use, council resources:

- a) imprudently;
- b) unlawfully;
- c) for any party political or campaigning activities or matters relating to these;
or
- d) improperly for private purposes.

3.26 I will not use, or attempt to use, my position or influence as a councillor to:

- a) improperly confer on or secure for myself, or others, an advantage;
- b) create or avoid for myself, or others, a disadvantage; or
- c) improperly seek preferential treatment or access for myself or others.

3.27 I will avoid any action which could lead members of the public to believe that preferential treatment or access is being sought.

Explanatory Note: The provisions on using council resources have been extended to cover their imprudent and unlawful use. Provisions preventing councillors from using their position as an elected member for their own advantage have been moved from the Protocol on Relations Between Employees and Councillors that is at Annex C in the existing Code (now Annex A) into the main body of the Code. These provisions have also been extended to state that councillors should not use their position to obtain a benefit for themselves or others and that they should also avoid doing anything that could lead the public to reasonably consider they were doing so, in

order to maintain the public's confidence in the role of elected members and the Council as a whole.

3.28 I will advise employees of any connection I may have to a matter, when seeking information or advice from them.

Explanatory Note: This provision has been included to ensure that there is an onus on councillors to advise officers of any potential conflict of interest they may have in a matter when seeking advice or information out with any formal Council meeting.

3.29 I will not participate in certain decisions concerning Council tax issues if I am in two months arrears in respect of the payment of Council tax.

Explanatory Note: The requirement in the existing Code for councillors to repay any debts they owe to the Council at the earliest possible opportunity has been removed on the basis that it was unfair for councillors to be treated differently to other members of the public in this regard. It was considered, in any event, that it would be very difficult to establish what was 'the earliest possible opportunity'. The requirement in the existing Code that immediately followed on from that (for councillors to avoid situations that might lead members of the public to consider preferential treatment to be sought), has been moved to paragraph 3.26 above.

Appointments to Outside Organisations

3.30 If I am appointed or nominated by the Council as a member of another body or organisation, I will abide by the rules of conduct, and will act in the best interests of, that organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of the body or organisation.

3.31 I accept that if I am a director of a company or charitable trust, as a nominee of the Council, I will be responsible for identifying, and taking advice on, any conflict of interests that may arise between the company or charitable trust and the Council.

Section 4: Registration of Interests

Explanatory Note: This section has been amended to reflect changes made elsewhere in the Code.

4.1 The following paragraphs set out what I have to register, when I am elected and whenever my circumstances change. The register will cover the period commencing from 12 months prior to and including my current term of office.

4.2 I understand that regulations made by Scottish Ministers describe the detail and timescale for registering interests; including a requirement that a councillor must register their registerable interests within one month of becoming a councillor, and register any changes to those interests within one month of those changes having occurred.

Explanatory Note: This paragraph has been amended to ensure it reflects the requirement in the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003 for any changes to registrable interests to be made within one month (and not just once a year).

4.3 Annex B contains key definitions and explanatory notes to help me decide what is required when registering my interests under any particular category. The interests which I am required to register are those set out in the following paragraphs and relate to me. I understand it is not necessary to register the interests of my spouse, or cohabitee.

Category One: Remuneration

4.4 I will register any work for which I receive, or expect to receive, payment or reward. I have a registrable interest where I receive remuneration by virtue of being:

- a) employed;
- b) self-employed;
- c) the holder of an office;
- d) a director of an undertaking;
- e) a partner in a firm;
- f) appointed or nominated by the Council to another body; or
- g) engaged in a trade, profession or vocation, or any other work.

4.5 I do not have to register any work I carry out on behalf of the Council in my capacity as a councillor.

Explanatory Note: This provision has been extended to cover all work undertaken as a councillor, not just being a member of a statutory board or joint committee composed exclusively of councillors.

4.6 I understand that if a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under category two "Other Roles".

4.7 I must register any allowances I receive in relation to membership of any organisation under category one.

4.8 When registering employment, I must give the name of my employer, the nature of its business and the nature of the post I hold in the organisation.

4.9 When registering remuneration from the categories listed in paragraph 4.4 (b) to (g) above, I must provide the name and give details of the nature of the business, organisation, undertaking, partnership or other body, as appropriate.

4.10 Where I otherwise undertake a trade, profession or vocation, or any other work, I must include information about the nature of the work and its regularity.

4.11 When registering a directorship, I must provide the registered name and number of the undertaking in which the directorship is held and provide information about the nature of its business.

4.12 I understand that registration of a pension is not required as this falls outside the scope of the category.

Category Two: Other Roles

4.13 I will register any unremunerated directorships where the body in question is a subsidiary of an undertaking in which I hold a remunerated directorship.

4.14 I will register the name and number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which I am a director and for which I receive remuneration.

Explanatory Note: The title of this category has been amended, to provide clarity.

Category Three: Contracts

4.15 I have a registrable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.20 below) have made a contract with my Council:

Explanatory Note: The requirement to publicly register a specific address has been removed due to concerns that it could compromise a councillor's personal safety.

- a) under which goods or services are to be provided, or works are to be executed; and
- b) which has not been fully discharged.

4.16 I will register a description of the contract, including its duration, but excluding the value.

Category Four: Election Expenses

4.17 I will register any single donation of more than £50, or any donations from the same source that amount to more than £50, towards election expenses received within the period commencing from 12 months prior to, and including, my current term of office.

Explanatory Note: This provision has been extended to cover situations where a number of small donations that cumulatively amount to more than £50 are made.

Category Five: Houses, Land and Buildings

4.18 I have a registrable interest where I own or have any other right or interest in houses, land and buildings in Scotland, such as being an owner or a tenant, including council tenant.

4.19 I understand I am only required to provide details of the Council ward in which the property sits for the publicly available Register of Interests. I will, however, provide the full address of the property to the Council's Monitoring Officer, but understand this will be kept confidential.

Category Six: Interest in Shares and Securities

4.20 I have a registrable interest where I:

- a) own or have an interest in more than 1% of the issued share capital of the company or body; or
- b) where the nominal value of any shares and securities I own or have an interest in is greater than £25,000.

Category Seven: Gifts and Hospitality

4.23 I understand the requirements of paragraphs 3.12 to 3.20 regarding gifts and hospitality. As I will not accept any gifts or hospitality, other than under the limited circumstances allowed, I understand there is no longer the need to register any.

Explanatory Note: This section has been amended in light of the changes to the 'Gifts and Hospitality' provisions in Section 3.

Category Eight: Non-Financial Interests

4.24 I may also have other interests and I understand it is equally important that relevant interests such as membership or holding office in public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described. In this context, I understand non-financial interests are those which members of the public might reasonably think could influence my actions, speeches or votes in the Council which could include appointments to Committees or memberships of other organisations.

Section 5: Declaration of Interests

5.1 For each particular matter I am involved in as a councillor, I will first consider whether I have a connection to that matter.

5.2 I understand that a connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.

5.3 A connection includes anything that I have registered as an Interest.

A connection does not include:

- a) Being a council tax payer when the council tax is being set
- b) Being a rate payer when that rate is being set
- c) Being a Council House Tenant when Council house matters generally are being considered
- d) Being a Council Tax/Rate Payer, Council House Tenant or member of the public when Services delivered to the public generally are being considered or when the council's budget is being set
- e) Being a Councillor when Councillors remuneration, allowances, expenses, support services or pensions are being considered
- f) Being a member of a body to which I have been appointed or nominated by the Council as a Councillor representative unless:
 - the matter is quasi-judicial or regulatory; or
 - I have a personal conflict by reason of my actions or my legal obligations.

5.4 I will declare my connection as an interest at the earliest stage possible in meetings where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard my connection to a particular matter as being so significant that it would be considered as being likely to prejudice the discussion or decision-making.

5.5 I will not remain in the room (if physically present) or meeting (if online) nor participate in any way in those parts of meetings where I have declared an interest.

5.6 I will consider whether it is appropriate for transparency reasons to state publicly where I have a connection.

5.7 I note that I can apply to the Standards Commission and ask it to grant a dispensation to allow me to take part in the discussion and decision-making on a matter where I would otherwise have to declare an interest and withdraw (as a result of having a connection to the matter that would fall within the objective test). I note that such an application must be made in advance of any meetings where the dispensation is sought and that I cannot take no part any discussion or decision-making on the matter in question unless, and until, the application is granted.

Explanatory Note: The proposed revised section:

Establishes three clear and distinct stages – Connection – Interest – Participation

The general exemptions are contained at Stage 1 – connection...where it is stated what is NOT a connection

Significantly liberalises being a council appointed representative on an outside body except for quasi-judicial matters or for times when duties as a director etc or other reasons create an actual conflict. This can even include when making funding decisions about the outside body.

Use Guidance to elaborate on what a connection might be

The Objective Test is contained at Stage 2 and is allowed to remain central- a connection only becomes an interest if it meets the objective test

Participation is unconditionally linked to declaring at Stage 2 – i.e. if you have an interest there is no participation

Remove Council Appointments to Outside Bodies from the Register of Interests and provide a separate List of Council Appointments to Outside Bodies

Transparency Statements to be made for connections which are not interests

Use Guidance to offer advice on other aspects currently contained in the code

There is no Gifts & Hospitality register anymore – elsewhere in section 3 of the code a shift has been made so that gifts and hospitality is either reasonable and modest and therefore allowed/no need to declare it OR simply can't be accepted if it's not reasonable and modest

Put reference to Section 20(3) of the Housing (Scotland) Act 1987 in Guidance and, specifically, while it precludes a member of a local authority from a decision on the allocation of local authority housing, or of housing in respect of which the local authority may nominate the tenant, where-

(a) the house in question is situated; or

(b) the applicant for the house in question resides, in the electoral division or ward for which that member is elected

that neither this provision, nor the amended Code would, in situations where members are asked to consider houses in multiple wards for a particular applicant, preclude members from the other wards from taking part in the decision because it is not known at that point which of those wards the individual will actually move to (i.e. would not be connection and / or fall within objective test)

Section 6: Lobbying and Access

6.1 I understand that I may be lobbied by a wide range of people including individuals, organisations, companies and developers and that I must distinguish between:-

- a) my representative role in dealing with constituent enquiries;
- b) any community engagement where I am working with local individuals and organisations to encourage their participation and involvement; and
- c) lobbying, which is where I am approached by any individual or organisation who is seeking to influence me for financial gain or advantage, particularly those who are seeking to do business with the Council (for example contracts/procurement) or who are applying for a consent from the Council.

6.2 In deciding whether to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to prejudice my, or the Council's, decision-making role.

6.3 **Constituent enquiries-** I will comply with data protection legislation, which includes keeping the personal information of any constituent secure and only, in general, using it for the purpose of assisting with the enquiry. I will seek the constituent's consent in advance if I am in a multi-member ward and feel it is more appropriate for another councillor to handle the enquiry. I note that there may be circumstances in which it is best not to respond to a constituent, and that I am not obliged by the Code to respond to every contact.

6.4 **Community engagement** - I will only undertake such work in public and will not express an opinion on a quasi-judicial or regulatory application that I might later be asked to determine. I accept that if I do express such an opinion, I will have to declare an interest and will not be able to take part in the decision-making.

6.5 **Lobbying** - If I am approached directly by an individual or organisation who is seeking to do business with the Council or who is involved in a quasi-judicial or regulatory matter (such as an applicant or an objector), I will either:

- a) decline to meet the individual or organisation and instead will advise them to send their representations to employees; or
- b) ask an appropriate Council employee, such as a planning officer, to attend any meeting with me. I will advise the individual or organisation that while I can meet and listen to their representations (with or without an employee being present), I cannot formulate an opinion or support their position if I am going to take part in the decision-making on the matter; or
- c) meet with the individual or organisation and publicly support their position but will thereafter declare an interest and take no part in the decision-making on the matter.

6.6 I will not formulate an opinion or support a position if I am going to take part in the decision-making on the matter. I will direct any representations I receive to the appropriate Council employee or department.

6.7 I accept that if I choose to be an advocate for or against a particular cause or application, whether in response to lobbying or otherwise, I will forfeit my right to be a decision-maker in a regulatory or quasi-judicial decisions regarding that cause or application.

6.8 I will not lobby or otherwise exert pressure or influence on employees, other councillors, or members of a quasi-judicial or regulatory committee, to recommend or make a specific decision in respect of a quasi-judicial or regulatory matter. I understand that I am entitled to seek information from employees but that I must not to lobby them, to either make or recommend a particular decision.

6.9 I accept that political group meetings should not be used to decide how councillors should vote on such applications or on individual staffing matters, such as the appointment or discipline of employees. I will not comply with political group decisions on such matters if these differ from my own views.

Explanatory Note: Note in Guidance that lobbying refers to contact by those who are seeking to do business with the Council (for example contracts/procurement) or who are applying for a consent (or opposing a grant), from the Council. And that, as a general rule, it is unwise to engage with such lobbyists for the following reasons:-

- Direct discussions between applicants/agents and Councillors about matters which should be handled by employees, breaches the rule about not engaging in operational management. This is particularly the case where an application would normally be determined under delegated powers.
- The aim of such lobbying may be to get them to exert pressure or influence on employees, other Councillors, or on Members of a Regulatory Committee, to achieve a specific decision. This would be a breach of the Code of Conduct duty not to lobby such employees or Members of a Regulatory Committee.
- Developers and their agents may give you selective information in favour of their proposals. Regulatory processes such as planning, licensing and appeals have legal rules on how such applications must be determined. There is a danger of these rules not being followed, by only having regard to incomplete information, or by considering irrelevant considerations;

Further explain that;

- If information is given privately to Members, it may not get to employees and may not be fully addressed in the report to Committee;
- councillors need to be aware that while commercial developers and their agents are motivated by financial gain, a councillor's priority should always be what is good for the Council area as a whole, in the long-term public interest;
- Private meetings with developers or their agents can undermine the integrity of the planning or licensing process, which relies on everything being above board, out in the open and transparent. They can also undermine public trust

in the Members involved, and confidence that applications will be dealt with fairly in future;

- If someone bidding for a Council contract seeks to influence a councillor, it is likely this will disqualify them from the tender process;
 - Having a meeting may involve the offer of hospitality, which would be hard to justify against the Code's rules on acceptance of gifts and hospitality; and
 - Community benefits which are not required to enable a proposal to proceed cannot be taken into account in determining an application. In particular, the promise of money to the local community (e.g. from wind turbines) can never be a consideration in deciding a planning application. This runs contrary to the principle that planning permission can never be bought or sold. Granting an application contrary to policy because of the money on offer can also result in Councillors being subject to criminal charges for bribery.
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Section 7: Taking decisions on quasi-judicial or regulatory applications

Explanatory Note: Section 7 has been substantially reworked in order to provide a more generic approach that can cover all types of applications and decisions, and not be so heavily focussed on Planning matters. The detail of different planning scenarios provided previously within this section of the Code has been removed and can be provided for in associated Guidance. The forthcoming changes within the new Planning Act in any event made parts of this Section obsolete eg “Full Council Decisions”.

The core principles of fairness, equity and impartiality required when Councillors are performing a quasi-judicial, regulatory decision-making role are retained. Repetition is a feature of the current Code that has been removed and condensed in this section. All of the existing expectations largely remain but the format of “I Will” and “I will not” is intended to provide clarity and simplicity of presentation within the Code to promote better understanding and adherence to the provisions of the Code.

Introduction

7.1 I need to be especially vigilant when I am making a decision on a quasi-judicial or regulatory applications. For these applications, I need to ensure there is a proper and fair hearing of the application and I must avoid any impression of bias in the whole decision-making process.

7.2 I will deal with many types of quasi-judicial or regulatory applications. Depending on the type of application that is made, there will be often be a formal, statutory decision-making process for its consideration and outcome. There may also be formal legal routes to challenge decisions made on these applications and for this reason I must be aware that my own personal responsibility to ensure a proper and fair hearing has wider consequences for my Council’s reputation and financial liabilities in the event of any successful challenge.

7.3 The types of decisions which involve quasi-judicial or regulatory decisions typically involve:-

- a) Planning or other applications in terms of planning legislation;
- b) Applications for alcohol licensing matters;
- c) Applications for betting and gaming premises;
- d) Applications for taxi licences and all other forms of civic licensing;
- e) Actions where my Council is involved in any form of statutory enforcement procedure;
- f) Any actions where my Council is an Employer and is involved in any disciplinary issues that I may have a remit to deal with;
- g) Any procedures for statutory approval or consent involving my Council and where I have a remit to deal with the matter;

- h) Any appeal procedure where my Council has a role and where I am expected to adjudicate on applications, e.g., Education Appeals Committee for school placements or for school exclusions.

The above list is provided to me only for guidance and is not exhaustive. If I have any doubt as to whether or not my involvement involves a quasi-judicial or regulatory application I will seek the advice of my Council's Monitoring Officer.

7.4 In dealing with these applications I Will:

- a) throughout my involvement with the entire application process act fairly and be seen to act fairly;
- b) declare interests where required in terms of Section 5 of this Code and leave the room (if physically present) or meeting (if online) until the matter has been determined;
- c) deal fairly and impartially with all parties involved in the application;
- d) tell those who may be seeking to influence me out with the proper decision-making process that I will not formulate an opinion on any particular application until all information is available to all decision-makers and has been duly considered at the relevant meeting;
- e) take into account professional advice from Council Officers that is given to me;
- f) seek advice from the relevant Council Officer if I am in doubt as to any material or relevant considerations

7.5 In dealing with such applications I Will Not:

- a) act improperly or do anything which could reasonably create a perception that I have acted improperly;
- b) pre-judge or demonstrate bias or be seen to pre-judge or demonstrate bias;
- c) indicate or imply support or opposition to an application nor to indicate my voting intention prior to the appropriate meeting where the application will be considered;
- d) in advance of the decision-making meeting, attempt to influence Officers to adopt a particular position as that would imply that I am prejudiced in my decision-making;
- e) lobby other Councillors who may be dealing with the application;
- f) express any view on the application before the appropriate meeting where the application will be considered. If I do so I will not participate in any aspect of the decision-making nor vote on the application;
- g) formulate my conclusions on an application until all available information is to hand and has been duly considered by me at the meeting where the application will be considered; and,
- h) express any indicative or provisional views in the course of my involvement in any aspect of the application.

Policy & Strategy

Explanatory Note: Previously this section related only to Planning Matters when clearly there are Policy & Strategic elements in all kinds of Quasi-Judicial and Regulatory applications that Councillors are called upon to decide.

7.6 My role in policy and strategic issues may have a very wide relevance to my Council's area. For example, I have a key role in establishing policies for the benefit of my Council's area and I am fully entitled to express my genuinely held views or to advocate proposals for the adoption of key guidance. It is entirely appropriate that I can express my views on matters of such general importance to my Council area.

7.7 When I am being asked to develop a policy and set a strategy that forms the framework under which individual applications may subsequently be decided, I understand that I can discuss or debate these items of policy or strategy but I will only take into account material considerations affecting the policy or strategic issue and I will have regard to the evidence-base that is required to demonstrate the basis for the adoption of the policy or strategy.

7.8 For policy and strategic issues under which individual applications may subsequently be decided, I Will:

- a) be able to express my views;
- b) be able to advocate proposals that I consider to be of benefit to my Council area;
- c) have regard to the evidence-base behind the formulation of the policy or strategy in question.

I Will Not:

- a) do anything or be motivated to do anything that is connected or linked in any way with my personal involvement in a policy or strategic matter;
- b) express any view that suggests I have a closed mind on the policy or strategic issue.

Representation

Explanatory Note: Clarity provided in the "I will " and "I will not" format has reduced a lengthier narrative into simplified wording to promote better understanding and adherence to the provisions of the Code. Clarification is also offered of the position of a Cllr presenting a case on behalf of a constituent to enable them to remain for the whole duration of the application rather than artificially having to withdraw from the leave the room (if physically present) or meeting (if online) before the whole application had been decided.

7.9 If I intend to be involved in the decision-making for any quasi-judicial or regulatory application I Will Not:

- a) Organise support for or opposition to the application in any way;
- b) Represent or appear to represent individuals or groups who are seeking to make representations for or against an application; or
- c) Compromise myself or the Council by creating a perception of a conflict of interest.

7.10 In circumstances where I am a member of a Committee etc as a decision-maker but have been involved in organising support for or opposition to an application, I Will

- a) declare an interest in the matter, and
- b) withdraw from the room (if physically present) or meeting (if online) without participating in the consideration of the matter.

7.11 In circumstances where I am a member of a Committee etc. as a decision-maker but wish to represent individuals or groups who are seeking to make representations for or against an application, I Will:

- a) Follow procedures agreed by my Council which afford equal opportunity to any parties wishing to make representations to do so
- b) Declare an interest in the matter; and
- c) Only remain in the room (if physically present) or meeting (if online) for that item for the purposes of acting as the representative of the individual or group throughout the duration of their participation
- d) I Will Not:
 - a) participate or attempt to participate as a decision-maker in that application;
 - b) attempt to influence Officers to adopt any particular position relative to the matter;
 - c) lobby other Councillors who may be involved in the decision-making process; and

Site Visits

Explanatory Note: Generalised to cover more than just Planning applications and expanded to reflect the formal nature of this activity in judicious decision-making.

7.12 In respect of any site visits that have been decided upon or agreed by the Committee as a stage in the consideration of the application I WILL:

- a) follow the Council's procedures for such visits as set out by my Council and that with regard to any legislative requirements or notes of guidance or practice;
- b) remember that such site visits are part of the decision-making process and as such are formal in nature and may have procedures as set out by my Council.

Enforcement

Explanatory Note: “Unauthorised developments”, as this part is headed in the current Code has been changed to “Enforcement” which has a wider application than just planning matters and can be more easily understood.

In my role, I may become aware whether by complaint or by direct knowledge of the need for Council intervention by way of appropriate enforcement action. In this event, I will refer the matter for investigation to the appropriate service of my Council.

I Will Also:

- a) advise all subsequent enquirers to deal directly with the relevant Officer of the Council department;
- b) be able to request factual information about the progress of the matter from the relevant Officer.

I Will Not

- a) lobby for a particular outcome;
- b) get involved in the operational detail of any enforcement actions which are subsequently taken by the Council.

Annex A

Protocol for relations between Councillors and Employees

Explanatory Note: The protocol has been moved from its place at Annex C in the existing Code to Annex A, to give it more prominence. Any unnecessary information in the existing protocol that is provided by way of a background has been removed to make it as concise as possible.

Definitions

The reference to ‘employees’ below covers all employees and officers of Councils and all officers and employees of any other body or organisation to which a councillor is appointed or nominated by the Council.

The reference to ‘Convener’ below covers all committee chairs and portfolio leads.

The reference to ‘chief officers’ covers all Chief Executives, Directors and Heads of Service.

The reference to ‘committee’ also covers all forms of executive and scrutiny operating models.

Explanatory Note: The definitions above have been included for clarity and to make it clear the protocol applies regardless of any variations in the terminology and operating models used and adopted by different councils.

Principles

1. This protocol outlines the way in which councillors and employees should behave towards one another. It should be noted that while some scenarios are included, these are not exhaustive. The protocol should be treated, therefore, as applying in all situations where there is interaction between councillors and employees.
2. Councillors and employees should work in an atmosphere of mutual trust and respect, with neither party seeking to take unfair advantage of their position or influence.

Roles

3. Councillors are required to provide strategic leadership and oversight. This involves setting strategy, planning, scrutinising and making major, complex decisions that concern the Council as a whole. Councillors are not, however, responsible for operational management (being the planning, organising and execution involved in day to day activities) as this is the role of employees. Chief

Executives and senior employees have ultimate responsibility to ensure that the Council's meets its responsibilities.

4. Legally, employees are employed by the Council / other body and are accountable to it as an entity. Employees are responsible for serving the Council / other body as a whole, and not any particular political group, combination of groups or individual councillor. It is nevertheless appropriate for employees to be called upon to assist any political group in its deliberations or to help individual councillors fulfil their different roles (see the section on political groups below).

Explanatory Note: More information has been provided on the respective roles of councillors and employees, to assist councillors to distinguish between strategic and scrutiny matters and operational issues.

Office bearers

5. For the Council to perform effectively, it is important that there is a close professional working relationship between a committee convener and the director and other senior employees of any service reporting to that committee. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question an employee's ability to deal with other councillors impartially, or the ability of a convener to deal with other employees impartially.
6. Conveners will have many dealings with employees. While employees should always seek to assist committee chairs, they are ultimately responsible to the relevant chief officer and not to any convener.
7. Conveners will often be consulted on the preparation of agendas and reports. Employees will always be fully responsible, however, for the contents of any report submitted in their name and will always have the right to submit reports to councillors on their areas of professional competence. The Convener does not have a right to veto this course of action.
8. Conveners are recognised as the legitimate elected spokesperson on their committee's area of responsibility. Where authority is delegated to employees, they may choose to consult the relevant convener about any action they propose to take. The employee nevertheless retains responsibility for the final decision (as long as the delegated authority remains in place).

Political groups

9. Most Councils operate through a system of groups of councillors, many of them based on political affiliation. All employees must treat all political groups and individual councillors in a fair and even-handed manner and must maintain political neutrality at all times.

10. Employees can provide political groups with support (such as discussing matters with the convener and vice-convener before a committee meeting or presenting information to a group meeting). While, in practice, such support is likely to be most in demand from whichever political group is in control of the Council, it nevertheless should be available to all political groups. The advice given by employees to different party or political groups should be consistent.
11. Councillors and employees must act in accordance with their Council's rules about the access and support to be provided to political groups (for example, that all requests must be approved by the Chief Executive).
12. Employee support for political groups must not extend beyond providing information and advice in relation to matters of Council business. Employees should not be asked, or be expected, to be present at meetings or parts of meetings when matters concerning party business are being discussed. It is the responsibility of the convener of the political group meeting to ensure that all attending are clear on the status of the meeting and the basis on which any employees are present.
13. Councillors and employees must note that while political group meetings may form part of the preliminaries to Council decision-making, political groups are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings are not Council decisions and it is essential that they are not interpreted or treated as such.
14. Employees can provide information and advice in relation to matters of Council business to political groups. Employees are nevertheless responsible for ensuring that all necessary information and advice is still provided to the relevant committee or sub-committee when the matter in question is considered.
15. Political groups must recognise that information and advice given by employees should be used to enhance discussion and debate at Council and committee meetings. Such information or advice should not be used for political advantage (for example by issuing media briefings before a decision is made), as doing so could devalue the decision-making process and can place employees in a difficult position.
16. Employees should take special care when providing information and advice to a meeting of a political group where other individuals who are not elected members of the Council are in attendance, as such individuals will not be bound by the Councillors' Code (and, in particular, the provisions concerning the declaration of interests and confidentiality).
17. Employees must treat any discussions with a political group or individual councillor as being strictly confidential.
18. Any difficulties or uncertainty about the extent of advice and information that can be provided to political groups should be raised with the Chief Executive (who should then discuss the matter with the group leader).

Councillors as local representatives

19. Councillors should ensure they act in accordance with the provisions of the Councillors' Code and this protocol when performing such a role. Elected members must recognise that, when performing their local representative role, they are representing the Council. Employees must treat all councillors fairly and openly in their role as local representatives.

Communications

- 20 Employees should not normally copy any communications they have with an individual councillor to any other councillor, unless they have been clear in advance that they intend to do so (or this has been agreed).

Human resource issues

21. Where councillors are involved in the appointments of employees they must act fairly and openly, and make decisions solely on merit.
22. Councillors should not become involved in issues relating to any individual employee's pay or terms and conditions of appointment, except while serving on a committee tasked with dealing with such matters.

Explanatory Note: The provisions in the section entitled 'Appointments' under the existing Code have been extended to make it clear that councillors should only become involved in any human resources related issues concerning an individual employee when serving on a committee with formal delegated powers to deal with such matters.

Social relationships

23. The relationship between councillors and employees depends upon trust, which will be enhanced by the development of positive and professional relationships. While councillors and employees may often find themselves in the same social situations, they should take care to avoid close personal familiarity as this can damage the relationship of mutual respect and the belief that employees can undertake their role in an impartial and objective manner. Councillors and employees should, therefore, be cautious in developing close personal friendships while they have an official relationship.

Public comment

24. Councillors and employees both have a responsibility to project a positive image of the Council and should avoid making any public comments that could bring it into disrepute.

25. Councillors should not raise any adverse matters relating to the performance, conduct or capability of employees in public. Employees must ensure they treat councillors with similar respect and courtesy.

Employees supporting councillors

26. Where Councils arrange for employees to provide direct administrative or practical support for individual councillors to help them undertake their duties, particular considerations will apply. While councillors may ask employees to provide such support in a particular way, they must nevertheless remember that the employee is accountable to their line manager. Any issues about conflicting priorities, conduct or performance must be referred to the line manager.

Annex B

Definitions

1. "Employee"; This includes individuals employed:
 - a) directly by the Council;
 - b) by any arms' length external organisation;
 - c) by any other public body;
 - d) as contractors by the Council, any arms' length external organisation or public body; and
 - e) by a contractor to work on any Council premises.

2. "Chair": This includes Committee Conveners or any other individual discharging a similar function to that of a Chair or Convener under alternative decision-making structures.

3. "Committee": This includes all forms of executive and scrutiny operating models.

4. "Gifts": A gift could be any item or service I receive free of charge, or which may be offered to me at a discounted rate or on terms not available to the general public. The category covers benefits such as relief from indebtedness, loan concessions, or provision of property, services or facilities at a cost below that generally charged to members of the public. This will include gifts I may receive directly or gifts received by any company in which I hold a controlling interest in, or by a partnership of which I am a partner.

5. "Hospitality": Can include the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

6. "Confidential Information": This is:
 - a) any information passed on to the Council by a Government department (even if it is not clearly marked as confidential) which does not allow the disclosure of that information to the public;
 - b) information the which the law prohibits disclosure (under statute or by the order of a Court);
 - c) any legal advice provided to the Council; and
 - d) any other information which is reasonably considered would be a breach of confidence should it be made public.

7. "Remuneration": includes any salary, wage, share of profits, fee, expenses, other monetary benefit or benefit in kind. This would include, for example, the provision of a company car or travelling expenses by an employer.

8. "Outside Organisation": Includes all bodies, organisations, charities and community groups to which a councillor has been nominated, appointed or otherwise formally asked by the Council to be a member of or to attend.
9. "Securities": A security is a certificate or other financial instrument that has monetary value and can be traded. Securities includes equity and debt securities, such as stocks bonds and debentures.
10. "Undertaking" means:
 - a) a body corporate or partnership; or
 - b) an unincorporated association carrying on a trade or business, with or without a view to a profit.
11. "Election expenses" means expenses incurred, whether before, during or after the election, on account of, or in respect of, the conduct or management of the election.
12. "A person" means a single individual or legal person.
13. "Spouse" does not include a former spouse. It also does not include any individual from whom you have separated and no longer live with, even if you remain married.
14. "Cohabitee" includes any person, whether of the same sex or not, who is living with you in a relationship similar to that of a partner or spouse.

Annex C

Breaches of the Code

The information in this Annex (which is Annex A in the existing Code) has been extended to include information about:

- the role of the Ethical Standards Commissioner (ESC) in receiving and investigating complaints;
 - the different sanctions available to the Standards Commission, following a finding of a breach of the Code, and what these mean; and
 - the power available to the Standards Commission to impose an interim suspension while any an investigation by the ESC into a complaint about a councillor is ongoing.
-

Introduction

1. The Ethical Standards in Public Life etc. (Scotland) Act 2000 (the 2000 Act) provided for a framework to encourage and, where necessary enforce, high ethical standards in public life. The 2000 Act and the subsequent Scottish Parliamentary Commissions and Commissioners etc. Act 2010 established the Standards Commission for Scotland (Standards Commission) and the post of Commissioner for Ethical Standards in Public Life in Scotland (ESC).
2. The Standards Commission and ESC are separate and independent, each with distinct functions. Complaints of breaches of the Councillors' Code of Conduct are investigated by the ESC and adjudicated upon by the Standards Commission.

Investigation of Complaints

3. The ESC is responsible for investigating complaints about Councillors. It is not, however, mandatory to report a complaint about a potential breach of the Code to the ESC. It may be more appropriate in some circumstances for attempts to be made to resolve the matter informally at a local level.
4. Following investigation, the ESC will report the matter to the Standards Commission if it is considered that a breach of the Councillors' Code of Conduct has occurred.

Hearings

5. On receipt of a report from the ESC, the Standards Commission can choose to:
 - Do nothing;
 - Direct the ESC to carry out further investigations; or
 - Hold a Hearing.
6. Hearings are held (usually in public) to determine whether the Councillor concerned has breached the Councillors' Code of Conduct. The Hearing Panel comprises of three members of the Standards Commission. The ESC will

present evidence and/or make submissions at the Hearing about why it is considered that the councillor has contravened the Code. The councillor is entitled to attend or be represented at the Hearing and can also present evidence and make submissions. Both parties can call witnesses. Once it has heard all the evidence and submissions, the Hearing Panel will make a determination about whether or not it is satisfied, on the balance of probabilities, that there has been a contravention of the Code by the councillor. If the Hearing Panel decides that a councillor has breached the Councillors' Code of Conduct, it is obliged to impose a sanction.

Sanctions

7. The sanctions that can be imposed following a finding of a breach of the Councillors' Code of Conduct are as follows:
 - **Censure:** A censure is a formal record of the Standards Commission's severe and public disapproval of the councillor concerned.
 - **Suspension:** This can be a full or partial suspension (for up to one year). A full suspension means that the councillor is suspended from attending all meetings of the Council. Partial suspension means that the councillor is suspended from attending some of the meetings of the Council.
 - **Disqualification:** Disqualification means that the councillor is disqualified for the period determined (of up to 5 years) from being a councillor (which has the effect of removing them from office. Where a councillor is also a member of a devolved public body (as defined in the Ethical Standards in Public Life etc. (Scotland) Act 2000), other than as a representative or nominee of the Council, the Commission may also remove or disqualify that person in respect of that membership. Full details of the sanctions are set out in section 19 of the 2000 Act.

Interim Suspensions

8. Section 21 of the 2000 Act provides the Standards Commission with the power to impose an interim suspension on a councillor on receipt of an interim report from the ESC about an ongoing investigation. In making a decision about whether or not to impose an interim suspension, a Panel comprising of three Members of the Standards Commission will review the interim report and any representations received from the councillor and will consider whether it is satisfied:
 - That the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken (for example if there are concerns that the councillor or member may try to interfere with evidence or witnesses); or
 - That it is otherwise in the public interest to take such a measure. A policy outlining how the Standards Commission makes any decision under Section 21 and the procedures it will follow in doing so, should any such a report be received from the ESC can be found here.

9. The decision to impose an interim suspension is not, and should not be seen as, a finding on the merits of any complaint or the validity of any allegations against a councillor, nor should it be viewed as a disciplinary measure.

Councillors' Code of Conduct Revision



RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again

in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Councillors' Code of Conduct Revision

Consultation questions

We are specifically seeking your views on the amendments that have been made to the Code, which are highlighted in the accompanying draft document. However, your views on any aspect of the revised Code are welcome.

We ask for your comments on the changes made in each section of the Code. If you wish to comment on a specific provision, rather than on a section as a whole, please provide a reference to that provision(s) as part of your response i.e. (Provision 3.10).

1. Do you agree that there is a need to revise the Councillors' Code of Conduct?

Yes No

Please provide information to support your response:

2. Do you have any comments on the changes proposed for Section 1: Introduction to the Code of Conduct?

Yes No

Please provide your comment:

3. Do you have any comments on the changes proposed for Section 2: Key Principles of the Code of Conduct?

Yes No

Please provide your comment:

4. Do you have any comments on the changes proposed for Section 3: General Conduct?

Yes No

Please provide your comment:

5. Do you have any comments on the changes proposed for Section 4: Registration of Interests?

Yes No

Please provide your comment:

6. Do you have any comments on the changes proposed for Section 5: Declaration of Interests?

Yes No

Please provide your comment:

7. Do you have any comments on the changes proposed for Section 6: Lobbying and Access?

Yes No

Please provide your comment:

8. Do you agree to the changes proposed for Section 7: Taking Decisions on Quasi-Judicial or Regulatory Applications?

Yes No

Please provide your comment:

9. Overall, how clear do you find the proposed revised Code?

- Very clear
- Mostly clear
- Sometimes unclear
- Very unclear

Please tell us where you think the clarity of the Code could be improved, and how:

10. Do you have any other comments or suggestions about any aspect of the revised Code?



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**PROPOSED AMENDMENTS TO COMMITTEE REPORT
IMPLICATIONS SECTION**

Report by Executive Director, Economy and Corporate Improvement

SCOTTISH BORDERS COUNCIL

28 January 2021

1 PURPOSE AND SUMMARY

- 1.1 **This report proposes some changes to the Implications section of committee reports to take account of UN Sustainable Development Goals and Climate Change, and also to include a new statement around Data Protection compliance.**
- 1.2 At its meeting on 25 September 2020, Scottish Borders Council decided that the 'implications' section of Council reports would be reviewed and updated generally, with a specific objective of addressing the UN Sustainable Development Goals. This review and updating was to be overseen by the Sustainable Development Committee and a report on the proposed changes was approved by that Committee at its meeting on 4 December 2020.
- 1.3 The implications section of committee reports covers a number of specific areas: Financial, Risk and Mitigations, Integrated Impact Assessment, Acting Sustainably, Carbon Management, Rural Proofing, and changes to the Schemes of Administration and Delegation. The paragraphs which are being reviewed are the ones relating to Acting Sustainably and Carbon Management.
- 1.4 To ensure officers take account of the UN Sustainable Development Goals when drafting reports, it is proposed that a checklist is completed and details are given in a new section, "Sustainable Development Goals", on the specific UN goals which are being impacted. A checklist is attached as Appendix A to this report. The intention is that report writers complete the checklist and draw the most salient issues into a brief narrative in the 'Sustainable Development Goals' section of the report, explaining relevance and (where appropriate) how the recommendations in the report support progress against the Sustainable Development Goals.
- 1.5 While 'taking urgent action to combat climate change and its impacts' is a UN SDG (SDG 13), it is recognised that national legislation, the Scottish public policy context (e.g. the Programme for Government 2021-2022), and Scottish Borders Council's own commitments manifested in the Responding to the Climate Emergency Report of 25 September 2020 require specific reference to be made to the Council's efforts and progress in this area.

Accordingly, it is proposed that a paragraph in the implications section is retained under the title 'Climate Change' with report writers setting out details of the impact of the report in this area, and (where appropriate) how the recommendations in the report support progress against Climate Change objectives. A checklist to this effect for officer use is attached as Appendix B. Guidance and training for report writers will be provided to ensure they understand and take account of the new requirements.

- 1.6 The Council has obligations under Data Protection legislation and non-compliance could result in substantial fines. If a proposal includes any new processing of personal data, or any change to the way personal data is currently processed, then officers must be able to evidence that the potential impact on the privacy of citizens has been fully considered and that any risk around the process has been identified and mitigated appropriately. It is therefore proposed that a new paragraph is added to the Implications section of committee reports covering Data Protection.

2 RECOMMENDATIONS

- 2.1 **I recommend that Council approves the following changes to committee reports:**

- (a) the amendment of the Acting Sustainably and Carbon Management sections of committee reports to reflect the UN Sustainable Development Goals and Climate Change;**
- (b) that updated guidance/checklists and further training is provided to report writers to ensure they understand and take account of the new requirements; and**
- (c) a Data Protection Impact Statement is added to committee reports to ensure that compliance with Data Protection legislation is confirmed, with further guidance on this provided to report writers and support given by the Data Protection Officer as required.**

3 BACKGROUND

- 3.1 At its meeting on 25 September 2020, Scottish Borders Council considered a report 'Responding to the Climate Emergency'. During the discussion on the report, Councillor H. Anderson, seconded by Councillor Haslam, proposed an amendment, adding a new recommendation "that the 'implications' section of Council reports shall be reviewed and updated generally, with a specific objective of setting out the UN Sustainable Development Goals addressed by the actions proposed in the recommendations of the report. This review and updating will be overseen by the Sustainable Development Committee with recommendations for a finalised format and approach to the 'implications' section of reports to be brought to Council for decision by 31 January 2021 at the latest".
- 3.2 Councillor Aitchison and Councillor Fullarton, the original mover and seconder of the recommendations in the report, agreed to accept the additional recommendation. A further amendment to the recommendations in the report was proposed and seconded by Councillor Jardine and Councillor Edgar. After a roll call vote, the Council decided to accept the recommendations in the report and the new recommendation on the proposed review of the implications section of committee reports to take account of the UN Sustainable Development Goals. The Sustainable Development Committee considered and approved a report on the proposed changes to committee reports at its meeting held on 4 December 2020.

4 ACTING SUSTAINABLY AND CARBON MANAGEMENT – IMPLICATIONS SECTION OF COMMITTEE REPORTS

- 4.1 The implications section of committee reports covers a number of specific areas: Financial, Risk and Mitigations, Integrated Impact Assessment, Acting Sustainably, Carbon Management, Rural Proofing, and changes to the Schemes of Administration and Delegation. When officers are drafting reports they need to consider any implications or consequences of either carrying out or not carrying out the proposals in the report, and detail these in this section. The paragraphs which are being reviewed are the ones relating to Acting Sustainably and Carbon Management.
- 4.2 Guidance currently given to officers on these paragraphs is as follows:
- (a) Acting Sustainably – in order to help meet the duties set out in the Climate Change (Scotland) Act 2009, all reports are required to demonstrate how the three facets of sustainable development (economic, social and environmental) will be taken into account in the development and implementation of your project/activity. The purpose of this section is to demonstrate that you have considered the long term sustainability issues related to your report. You should describe succinctly how your project or activity contributes to each of these elements, or where it specifically undermines any of these goals. This should help the reader check that the overall impacts of a proposal have been considered and that an integrated solution is being recommended.

- (b) Carbon Management - Alongside its duty to 'act sustainably', the Council must also reduce its carbon footprint. As well as meeting key national targets, this is also a major cost issue for the Council now, and in the future. You need to state in this section of the report if there will be any impact on the Council's carbon emissions of doing or not doing what is proposed, and evaluate any impact and/or mitigation efforts. If there are no significant effects on carbon emissions or if these are not known, then say so.

4.3 On 25 September 2015, the Member States of the United Nations agreed on the 17 Sustainable Development Goals (SDG), which will guide global action on sustainable development until 2030. The Goals are:

- SDG1: End poverty in all its forms everywhere.
- SDG2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture.
- SDG3: Ensure healthy lives and promote wellbeing for all at all ages.
- SDG4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all potential.
- SDG5: Achieve gender equality and empower all women and girls.
- SDG6: Ensure availability and sustainable management of water and sanitation for all.
- SDG7: Ensure access to affordable, reliable, sustainable and modern energy for all.
- SDG8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.
- SDG9: Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation.
- SDG10: Reduce inequality within and among countries.
- SDG11: Make cities and human settlements inclusive, safe, resilient and sustainable.
- SDG12: Ensure sustainable consumption and production patterns.
- SDG13: Take urgent action to combat climate change and its impacts.
- SDG14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
- SDG15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.
- SDG16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
- SDG17: Strengthen the means of implementation and revitalise the global partnership for sustainable development.

4.4 On 29 August 2019, in considering the Embedding Sustainable Development Report, Council agreed (inter alia) 'formally to commit to implementing the UN Sustainable Development Goals as they relate to local government'. To ensure officers take account of the Goals when drafting reports, it is proposed that a checklist is completed and details are given in a new paragraph "Sustainable Development Goals" on the specific UN goals which are being impacted. A checklist is attached as Appendix A to this report. The intention will be to replace the current paragraphs on Sustainable Development and Carbon Management in future committee reports.

4.5 While 'taking urgent action to combat climate change and its impacts' is a UN SDG (SDG 13), it is recognised that, national legislation, the Scottish public policy context (e.g. the Programme for Government 2021-2022), and Scottish Borders Council's own commitments manifested in the Responding to the Climate Emergency Report of 25 September 2020 require specific reference to be made to the Council's efforts and progress in this area. Accordingly, it is proposed that within the implications section, the paragraph on 'Carbon Management' is replaced with one on 'Climate Change', with report writers setting out details of the impact of the report in this area, and (where appropriate) how the recommendations in the report support progress against Climate Change objectives. 'Climate Change' better reflects the fact that action on Climate Change is not limited to carbon emission, but must include action to reduce all greenhouse gases, as well as adaptation to those Climate Change impacts such as 'hotter drier summers, warmer wetter winters and increased flooding' that we have already begun to experience. A checklist (Appendix B) and further guidance has also been developed for this Climate Change section for report writers and suitable training will be provided as required.

5 DATA PROTECTION

- 5.1 The Council has obligations under Data Protection legislation and non-compliance could result in substantial fines. In promoting any project proposal which involves personal data, officers need to consider whether a Data Protection Impact Assessment (DPIA) is required. It is recommended that this DPIA is carried out even where the proposal is not regarded as high risk, because the DPIA serves as an important record of the Council's consideration of the data protection implications. This needs to be reflected in committee reports.
- 5.2 If a proposal includes any new processing of personal data, or any change to the way personal data is currently processed, then officers must be able to evidence that the potential impact on the privacy of citizens has been fully considered and that any risk around the process has been identified and mitigated appropriately.
- 5.3 It is therefore proposed that a new paragraph is added to the Implications section of committee reports covering Data Protection and that the following options will need to be considered for inclusion in the report:
- All potential risks of non-compliance with Data Protection legislation have been identified, assessed and recorded within a Data Protection Impact Assessment. The controls to mitigate any potentially negative impacted identified within the Assessment have been/will be implemented to ensure the proposed change to/new data processing complies with Data Protection legislation.
OR
 - There are no personal data implications arising from the proposals contained in this report.
OR
 - It is anticipated that the proposals in this report will have a minimal impact on data subjects and the Data Protection Officer has confirmed that a Data Protection Impact Assessment is not required.

5.4 By including a Data Protection Impact Statement in committee reports, the Council will ensure greater transparency for the public by confirming the way it uses personal information complies with data protection legislation. Guidance is available to officers on how to consider and complete a DPIA and further advice can be gained from the Data Protection Officer.

6 IMPLICATIONS

6.1 Financial

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

6.2 Risk and Mitigations

(a) There is a reputational risk to the Council if it does not address the UN Sustainable Development Goals. By including details in committee reports, this will evidence the seriousness with which the Council is taking its responsibilities.

(b) By including a statement about compliance with Data Protection legislation, the Council will ensure that any new or any proposed changes to the processing of personal data is being considered in a robust manner.

6.3 Integrated Impact Assessment

No Integrated Impact Assessment is required as the report is applicable to everyone.

6.4 Acting Sustainably

The change to committee reports will help address any negative economic, social or environmental impacts.

6.5 Carbon Management

There are no effects on the Council's carbon emissions.

6.6 Rural Proofing

The changes proposed are applicable to everyone.

6.7 Changes to Scheme of Administration or Scheme of Delegation

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

7 CONSULTATION

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

Approved by

Rob Dickson

Executive Director (Economy and Corporate Improvement)

Signature

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to Council Tel: 01835 825004

Background Papers: None

Previous Minute Reference: Sustainable Development Committee, 4 December 2020

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

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

PROPOSED UN SUSTAINABLE DEVELOPMENT GOALS CHECKLIST

Consider each of the UN Sustainable Development Goals below, and decide whether your project/action plan/recommendations will make a difference to any of these. If the answer is yes, then you need to comment on the specific goals and what the impact/difference is likely to be in the Sustainable Development Goals paragraph in your committee report.

	UN SD Goal	Potential SBC Impact examples	YES	NO
1	End poverty in all its forms everywhere	<ul style="list-style-type: none"> • Change to service provision • Encourage local action • Retain or improve local income • Encourage & support community enterprise 		
2	End hunger, achieve food security and improved nutrition and promote sustainable agriculture	<ul style="list-style-type: none"> • Change to service provision • Encourage local action • Promote local food chains, including transport to market • Encourage & support community enterprise • Multi-agency approach to tackle child and adult malnutrition 		
3	Ensure healthy lives and promote wellbeing for all at all ages	<ul style="list-style-type: none"> • Change to service provision • Encourage communitiy involvement • Work with partners • Use planning and public transport to reduce pollution • Manage natural resources and protect the environment • Encourage walking and cycling 		
4	Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all potential	<ul style="list-style-type: none"> • Identify and tackle the barriers to school attendance • Integrate technical and vocational training programmes into local economic development strategies • Reach out to vulnerable and marginalized individuals and communities to ensure access to education and training to meet their needs 		
5	Achieve gender equality and empower all women and girls	<ul style="list-style-type: none"> • Ensure non-discriminatory service provision to citizens • Tackle violence and harmful practices to women • Encourage women into elected office • Mainstream gender equality 		

	UN SD Goal	Potential SBC Impact examples	YES	NO
6	Ensure availability and sustainable management of water and sanitation for all	<ul style="list-style-type: none"> • Ensure natural resource management and urban planning • Ensure private water supplies are fit for purpose • Establish joined up approach to water resources management 		
7	Ensure access to affordable, reliable, sustainable and modern energy for all	<ul style="list-style-type: none"> • Identify gaps in access to affordable energy, particularly to vulnerable groups • Ensure Council buildings are energy efficient, making best use of renewable resources wherever possible • Identify areas for improvement for transport and carbon emissions • Generate energy from renewable resources or waste 		
8	Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all	<ul style="list-style-type: none"> • Generate growth and employment through local economic development opportunities • Provide safe and secure working environments with equal pay for equal work • Work with local communities to develop strategic tourism plans 		
9	Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation	<ul style="list-style-type: none"> • Promote small scale start ups in economic development strategies taking account of local resources, needs and markets • Identify gaps in access to IT and the internet in communities 		
10	Reduce inequalities within and among countries	<ul style="list-style-type: none"> • Build capacity to identify and tackle poverty and exclusion • Promote the participation of minority or under represented groups in public consultations • Provide services in a non-discriminatory way • Align budgets to boost employment opportunities and income in the poorest communities 		
11	Make cities and human settlements inclusive, safe resilient and sustainable	<ul style="list-style-type: none"> • Work to make access to affordable housing attainable • Promote public transport • Provide citizens with safe, green public spaces • Promote re-use and recycling • Protect cultural heritage • Take action to mitigate the effects of climate change 		

	UN SD Goal	Potential SBC Impact examples	YES	NO
12	Ensure sustainable consumption and production patterns	<ul style="list-style-type: none"> • Support short supply chains to reduce transport and carbon emissions • Effect sustainable procurement policies and conditions • Raise awareness of the importance of sustainable production and consumption • Monitor the impact of tourism 		
13	Take urgent action to combat climate change and its impacts	<ul style="list-style-type: none"> • Ensure sufficient capacity to deal with climate related hazards and natural disasters and protect communities • Raise awareness of climate change at local level • Integrate climate change adaptation and mitigation into urban and regional planning 		
14	Conserve and sustainably use the oceans, seas and marine resources for sustainable development	<ul style="list-style-type: none"> • Ensure coasts and rivers are protected from pollution and run off • Develop planning and building regulations to allow construction in suitable areas 		
15	Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss	<ul style="list-style-type: none"> • Protect natural resources and habitats by raising awareness to gain behavioural change in communities • Have biodiversity as an integral part of urban planning and development strategy • Multi agency approach to the creation of biodiversity and wildlife corridors • Encourage involvement of communities in halting biodiversity loss and prevent extinction 		
16	Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels	<ul style="list-style-type: none"> • Tackle corruption and increase public access to information • Expand efforts on participatory budgeting and planning • Encourage local action & decision making • Become more responsive to communities • Reduce violence 		
17	Strengthen the means of implementation and revitalise the global partnership for sustainable development	<ul style="list-style-type: none"> • Direct budget to sustainable development • Develop policies to address poverty reduction and sustainable development 		

	UN SD Goal	Potential SBC Impact examples	YES	NO
		<ul style="list-style-type: none"> Encourage partnerships between public and private sector and communities Ensure local data is available to monitor progress 		



CLIMATE CHANGE IMPLICATIONS - DRAFT CHECKLIST

Any proposal, plan or project must be assessed against the criteria set out below and you must clearly identify opportunities to mitigate and/or enhance the activity in terms of climate change impacts. These mitigations and/or enhancements should be set out in the table below and summarised in the 'Climate Change Implications' section in the report.

The assessment of climate change impact in this section goes beyond carbon management as previously assessed, and impacts include direct and indirect greenhouse gas emissions resulting from the entirety of the project/proposal, as well as the ability of the project/proposal to adapt to a changing climate.

All projects/proposals, no matter which scale and service area, will have some climate change impact, from use of resources and energy to their ability to evolve to meet the needs of changing circumstances, so it is no longer acceptable to state that the project/proposal has no impact across all of the criteria set out in the checklist.

This checklist is the first step in the development of a rigorous climate change assessment process for all Council policies and programmes.

It is intended that training resources will be developed to support officers in the scoping, planning and delivery of projects and proposals, and that analysis of reports will be undertaken initially on a sample basis, to ascertain the effectiveness of the checklist and assessment process going forward.

	Impact	Yes/No	Details of Proposed Mitigation/Enhancement
1	<u>Energy Use/Carbon Emissions</u> Does the proposal:		
	Eliminate the use of unsustainable fuels		
	Ensure optimal efficiency of operation		
	Ensure minimum energy demand		
	Generate energy from renewable sources or waste		
2	<u>Transport</u> Does or could the proposal:		
	Adopt the sustainable transport hierarchy promoted by the National Transport Strategy by encouraging/supporting		

	walking and wheeling or cycling		
	Develop safe routes associated with the project		
	Promote/support use of accessible & shared transport		
	Support the use of ULEV/electric cars and electric bicycles		
	Reduce the need for unnecessary car journeys (pursue options for 20 minute neighbourhoods)		
3	<u>Waste & Resource Use</u>		
	Does or could the proposal:		
	Ensure circular economy principles are embedded to minimise/eliminate waste and support materials reuse and repurposing		
	Ensure minimisation of water use		
	Support accessible and local waste management initiatives		
4	<u>Infrastructure & Land Use</u>		
	Does or could the proposal:		
	Provide/enhance local amenities/services		
	Reuse/conservate buildings and local assets		
	Make use of existing under/disused heritage assets		
	Provide local opportunities for food growing, recreation, education/skills development, health and wellbeing benefits		
5	<u>Biodiversity</u>		
	Does or could the proposal:		
	Ensure protection of species and habitats identified within the Local Biodiversity Action Plan through an ecosystems approach		
	Provide enhancements for species and habitats in the Local Biodiversity Action Plan		

	adopting an ecosystems approach.		
6	<u>Adaptation</u> Does or could the proposal:		
	Ensure that infrastructure/assets will be able to withstand likely changes in climate/weather events		
	Ensure that the geographical location of building or service will be able to adapt to a changing climate in terms of transport/access		
	Ensure that the resilience of the community/stakeholders will be enhanced		



ARRANGEMENTS FOR BY-ELECTION FOR LEADERDALE AND MELROSE WARD

Report by Executive Director, Economy and Corporate Improvement

SCOTTISH BORDERS COUNCIL

28 January 2021

1 PURPOSE AND SUMMARY

- 1.1 **This report provides information on the arrangements for the by-election to be held in the Leaderdale and Melrose Ward, following the sad, untimely death of Councillor Drum.**
- 1.2 The Returning Officer, after consultation with Scottish Ministers and the Chairman of the Electoral Management Board in Scotland, has now fixed the date of poll for the by-election as Thursday 11 March 2021. The by-election will be conducted in accordance with existing rules contained in the Scottish Local Government Elections Order 2011, and in such a way as to ensure the voter has full confidence in the result. This includes measures provide voter confidence around the protection of public health. The safety of the election staff and voters is given priority in the planning of the by-election and appropriate arrangements are being put in place to mitigate risks to health.
- 1.3 There will be 13 polling stations in the Ward: Oxton War Memorial Hall; Lauder Public Hall x 2; Blainslie Village Hall; Earlston Parish Church Hall x 2; Gattonside Village Hall; Tweedbank Community Centre x 2; Smith Memorial Hall, Darnick; Corn Exchange, Melrose x 2; Newstead Village Hall. The Count – which will be an electronic count – will take place in the Volunteer Hall, Galashiels on Friday 12 March 2021, starting at 10.00 a.m. Usually, for a by election, the count would be held at Council HQ in the Chamber and Committee Room 1, but this is not large enough to ensure social distancing rules are met. In the same respect, postal vote verification will also take place in the Volunteer Hall, with opening sessions likely to be on Wednesday 10 and Thursday 11 March.
- 1.4 Early indications are that the cost for the by-election is likely to be between £40k and £45k.
- 1.5 Polling day for the by election is 11 March and the count is being held on 12 March. It is therefore proposed to move the Galashiels Common Good Fund Sub-Committee and Employee Forum meetings from Thursday 11 March to the afternoon of Thursday 18 March; and for the Sustainable Development Committee meeting due to be held on Friday 12 March to be brought forward to Friday 5 March 2021.

2 RECOMMENDATIONS

2.1 I recommend that the Council agrees:-

- (a) to note the arrangements for the by-election for the Leaderdale and Melrose Ward with Polling Day to be held on Thursday, 11 March 2021;**
- (b) to note that the costs associated with the staffing, printing, supplies, venue hire, electronic equipment hire, PPE, and other expenses incurred by the Returning Officer, will be met from existing budgets; and**
- (c) to move the meetings of the Galashiels Common Good Fund Sub-Committee and Employee Forum from 11 March to 18 March 2021, and the Sustainable Development Committee meeting from 12 March to 5 March 2021.**

3 BACKGROUND

- 3.1 Councillor Kevin Drum, member for the Leaderdale and Melrose Ward, sadly died on 7 March 2020. In terms of Section 37 of the Local Government (Scotland) Act 1973, an election to fill the vacancy usually has to be held within three months from that date. However, Section 70 of the Coronavirus Act 2020 allows for the postponement of local authority by elections in Scotland. It enables the Returning Officer to fix a later date for a by election, following consultation with Scottish Ministers and the Convener of the Electoral Management Board in Scotland. The Executive Director, Economy and Corporate Improvement, is currently the Returning Officer for the Scottish Borders Council area until the new Chief Executive takes up her post with the Council on 22 March 2021.
- 3.2 The Scottish Borders remains subject to a wide-ranging set of restrictions to public life to suppress the coronavirus. However, the view of the Electoral Management Board (EMB) is that, to support local democracy, where possible, polls should not be further postponed if they can be held safely. To this effect the EMB has set out a protocol to inform Returning Officer decisions using a risk based approach. The Electoral Commission has also produced guidance and supporting resources for Returning Officers. Advice on workplace arrangements is also provided by Public Health Scotland.
- 3.3 The Returning Officer had initially identified the date of the by-election for the casual vacancy in the Leaderdale and Melrose Ward as Thursday 21 May 2020. The impact of the Covid pandemic and subsequent restrictions required this date to change and, while a new date of 29 October 2020 was initially considered, this was again postponed due to the impact of Covid-19. The Returning Officer, after consultation with Scottish Ministers and the Chairman of the Electoral Management Board in Scotland, has now fixed the date of poll for the by-election as Thursday 11 March 2021.

4 BY-ELECTION ARRANGEMENTS

- 4.1 The by-election will be conducted in accordance with existing rules contained in the Scottish Local Government Elections Order 2011, and in such a way to ensure the voter has full confidence in the result. This includes measures to provide voter confidence around the public health elements of the election. The safety of the election staff and voters is given priority in the planning of the by-election and appropriate arrangements are being put in place to mitigate risks to health. Risk assessments are under constant review in the lead up to the by-election and changes made as appropriate.
- 4.2 A review is currently underway of polling places to take account of any changes required to comply with current requirements on social distancing and PPE e.g. changes to layout, provision of hand sanitisers, masks/visors for staff, etc. Additional staff will be appointed for some polling places to manage the numbers of voters in the building at any given time. On this occasion, only Council staff will be used in the by-election. They will, firstly, complete a confidential workplace risk assessment to ensure they are able safely to fulfil the role. Training of staff will be carried out via MS Teams and using the Elector8 training module.

- 4.3 There will be 13 polling stations in the Ward: Oxton War Memorial Hall; Lauder Public Hall x 2; Blainslie Village Hall; Earlston Parish Church Hall x 2; Gattonside Village Hall; Tweedbank Community Centre x 2; Smith Memorial Hall, Darnick; Corn Exchange, Melrose x 2; Newstead Village Hall.
- 4.4 The Count – which will be an electronic count – will take place in the Volunteer Hall, Galashiels on Friday 12 March 2021, starting at 10.00 a.m. This will allow time on the Thursday night to receive the ballot boxes from the polling stations, check the ballot paper accounts, and verify those postal votes which have been handed in to polling stations during the day. Candidates and agents will be invited to be present on the Thursday evening. Usually, for a by-election, the count would be held at Council HQ in the Chamber and Committee Room 1, but this is not large enough to ensure social distancing rules are met. In the same respect, postal vote verification will also take place in the Volunteer Hall, with opening sessions likely to be on Wednesday 10 and Thursday 11 March.
- 4.5 A communications plan is being drafted to ensure that members of the public are made aware of the by-election and also the potential changes to polling station layout and the social distancing requirements. Voters may also be required to queue outside polling places at busy times. Details will be made available on the Council website and social media channels. Should voters prefer not to attend in person to vote, then they have until 5.00 p.m. on Wednesday 24 February 2021 to apply for a postal vote. Those already registered for a postal vote need not re-apply. The Electoral Registration Officer will be issuing a communication to each household setting out the names of those currently shown on the register of electors and whether they have a postal vote in place. There will also be information pertaining to registration and postal vote application deadlines.
- 4.6 The main dates within the by-election timetable are:
- Publication of notice of election – Thursday 21 January 2021
 - Deadline for the delivery of nomination papers – not later than 4.00 p.m. on Monday 8 February 2021
 - Deadline for the withdrawal of nominations – not later than 4.00 p.m. on Monday 8 February 2021
 - Publication of notice of poll – as soon as practicable after 4.00 p.m. on Monday 8 February 2021
 - Deadline for applications to register to vote – midnight on Tuesday 23 February 2021
 - Deadline for new postal vote applications and for changes to existing postal or proxy votes – not later than 5.00 p.m. on Wednesday 24 February 2021
 - Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies – not later than 5.00 p.m. on Wednesday 3 March 2021
 - Deadline for notification of appointment of polling and counting agents – Thursday 4 March 2021
 - First date that electors can apply for replacements for lost postal votes – Friday 5 March 2021
 - **Polling day – Thursday 11 March 2021 (7.00 a.m. to 10.00 p.m.)**
 - Count – Friday 12 March 2021, starting at 10.00 a.m.

- Last day to submit election spending returns – Friday 16 April 2021
- 4.7 As polling day for the by-election is 11 March and the count is being held on 12 March, it will be necessary to move some committee meetings from those days to avoid a clash. In this respect it is proposed to move the Galashiels Common Good Fund Sub-Committee and Employee Forum from Thursday 11 March to the afternoon of Thursday 18 March; and for the Sustainable Development Committee meeting due to be held on Friday 12 March to be brought forward to Friday 5 March 2021.

5 IMPLICATIONS

5.1 Financial

Early indications are that the cost for the by-election is likely to be between £40k and £45k. These costs include staffing; printing of poll cards, ballot papers and postal packs; venue hire and transport of equipment; setting up of polling stations and cleaning; PPE; electronic equipment hire for postal vote verification and the count; and other ancillary expenses. It is anticipated that this cost can be contained in the current budget for Members, given the reduction in travel expenses this financial year.

5.2 Risk and Mitigations

Under legislation, the Council must make arrangements to hold a by-election to fill the post left vacant following the death of Councillor Drum. A risk assessment has been carried out as part of the normal election project planning process. With regard to the impact of Coronavirus, electors may choose to vote by post but they must firstly be registered to vote at the election and must apply for a postal vote to the Electoral Registration Officer by no later than 5.00 p.m. on Wednesday 24 February 2021. Appropriate precautions will also be taken for those attending and working at polling stations, postal vote verification and the count e.g. provision of hand sanitisers and masks, social distancing, etc.

5.3 Integrated Impact Assessment

No adverse equality implications are anticipated as a result of the by-election for the majority. However, some people with protected characteristics may be in shielding or high risk groups under Covid guidance and could be reluctant or unable to attend a polling station in person. They have the option of appointing a proxy to vote on their behalf or applying for a postal vote.

5.4 Acting Sustainably

There are no economic, social or environmental effects of preparing for and holding the by-election.

5.5 Carbon Management

There should be little impact on the Council's carbon emissions from holding the by-election.

5.6 Rural Proofing

A rural proofing check is not required for the by-election.

5.7 Changes to Scheme of Administration or Scheme of Delegation

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

6 CONSULTATION

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

Approved by

Rob Dickson **Signature**
Executive Director, Economy and Corporate Improvement

Author(s)

Name	Designation and Contact Number
Jenny Wilkinson	Clerk to the Council, Tel: 01835 825004

Background Papers: By-Election timetable.

Previous Minute Reference: N/A

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

Contact us at Jenny Wilkinson, Scottish Borders Council, Council HQ, Newtown St Boswells, Melrose, TD6 0SA.

Tel: 01835 825004

Email: jjwilkinson@scotborders.gov.uk

SCOTTISH BORDERS COUNCIL				
DRAFT CALENDAR OF MEETINGS				
AUGUST 2021 - JULY 2022				
Aug-21	DATE	MONTH	COMMITTEE	TIME
SUN	1	AUG		
MON (SH)	2	AUG	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES (SH)	3	AUG		
WED (SH)	4	AUG		
THUR (SH)	5	AUG		
FRI (SH)	6	AUG		
SAT	7	AUG		
SUN	8	AUG		
MON (SH)	9	AUG		
TUES (SH)	10	AUG		
WED (SH)	11	AUG		
THUR (SH)	12	AUG		
FRI (SH)	13	AUG		
SAT	14	AUG		
SUN	15	AUG		
MON (SH)	16	AUG	LOCAL REVIEW BODY	10.00 a.m.
MON (SH)	16	AUG	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
			EXECUTIVE COMMITTEE	10.00 a.m.
TUES (SH)	17	AUG	(FINANCE/PERFORMANCE/TRANSFORMATION)	
TUES (SH)	17	AUG	HAWICK CGF SUB-COMMITTEE	4.00 p.m.
WED	18	AUG	CHAMBERS INSTITION TRUST	3.00 p.m.
WED	18	AUG	PEEBLES CGF SUB-COMMITTEE	5.00 p.m.
THUR	19	AUG	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
THUR	19	AUG	INNERLEITHEN CGF SUB-COMMITTEE	3.00 p.m.
FRI	20	AUG	LICENSING BOARD	10.00 a.m.
FRI	20	AUG	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	21	AUG		
SUN	22	AUG		
MON	23	AUG		
TUES	24	AUG	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
TUES	24	AUG	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	24	AUG	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
WED	25	AUG		
THUR	26	AUG	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	27	AUG	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	28	AUG		
SUN	29	SEP		
MON	30	AUG		
TUES	31	AUG	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
Sep-21				
WED	1	SEP		
THUR	2	SEP	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.
THUR	2	SEP	EMPLOYEE FORUM	3.30 p.m.
THUR	2	SEP	DUNS CGF SUB-COMMITTEE	5.00 p.m.
THUR	2	SEP	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	3	SEP	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	4	SEP		
SUN	5	SEP		
MON	6	SEP	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	7	SEP	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED	8	SEP		
THUR	9	SEP		
THUR	9	SEP	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	9	SEP	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
THUR	9	SEP	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	10	SEP		
SAT	11	SEP		
SUN	12	SEP		
MON	13	SEP	LOCAL REVIEW BODY	10.00 a.m.
MON	13	SEP	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
TUES	14	SEP	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.

TUES	14	SEP	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
TUES	14	SEP	KELSO CGF SUB-COMMITTEE	5.15 p.m.
TUES	14	SEP	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	15	SEP		
THUR	16	SEP	TRUST FUNDS	10.00 a.m.
THUR	16	SEP	PENSION FUND COMMITTEE/PENSION BOARD	2.00 p.m.
FRI	17	SEP		
SAT	18	SEP		
SUN	19	SEP		
MON	20	SEP	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	21	SEP		
WED	22	SEP	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	23	SEP	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	24	SEP	LICENSING BOARD	10.00 a.m.
FRI	24	SEP	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	25	SEP		
SUN	26	SEP		
MON	27	SEP	PENSION FUND INVESTMENT & PERFORMANCE SUB	1.00 p.m.
TUES	28	SEP		
WED	29	SEP	JCG: TEACHERS	2.00 p.m.
THUR	30	SEP		
Oct-21				
FRI	1	OCT		
SAT	2	OCT		
SUN	3	OCT		
MON	4	OCT	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	5	OCT	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.
WED	6	OCT	JCG: STAFF	2.00 p.m.
THUR	7	OCT		
FRI	8	OCT		
SAT	9	OCT		
SUN	10	OCT		
MON (SH)	11	OCT		
TUES (SH)	12	OCT	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9:30 a.m.
WED (SH)	13	OCT		
THUR (SH)	14	OCT		
FRI (SH)	15	OCT		
SAT	16	OCT		
SUN	17	OCT		
MON	18	OCT	LOCAL REVIEW BODY	10.00 a.m.
TUES	19	OCT	LOCAL LICENSING FORUM	4.00 p.m.
WED	20	OCT		
THUR	21	OCT	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
FRI	22	OCT	LICENSING BOARD	10.00 a.m.
FRI	22	OCT	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	23	OCT		
SUN	24	OCT		
MON	25	OCT		
TUES	26	OCT		
WED	27	OCT		
THUR	28	OCT	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	29	OCT		
SAT	30	OCT		
SUN	31	NOV		
Nov-21				
MON	1	NOV	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	2	NOV	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
TUES	2	NOV	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	3	NOV		
THUR	4	NOV		
FRI	5	NOV	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	6	NOV		
SUN	7	NOV		
MON	8	NOV		
TUES	9	NOV	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9:30 a.m.
WED	10	NOV		

THUR	11	NOV	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	12	NOV		
SAT	13	NOV		
SUN	14	NOV		
MON	15	NOV	LOCAL REVIEW BODY	10.00 a.m.
TUES	16	NOV	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	16	NOV	KELSO CGF SUB- COMMITTEE	5.15 p.m.
TUES	16	NOV	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	17	NOV	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
WED	17	NOV	PEEBLES CGF SUB-COMMITTEE	5.00 p.m.
THUR	18	NOV	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.
THUR	18	NOV	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	19	NOV	LICENSING BOARD	10.00 a.m.
FRI	19	NOV	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	20	NOV		
SUN	21	NOV		
MON	22	NOV	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	23	NOV	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 PM
WED	24	NOV	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	25	NOV	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	26	NOV	PENSION FUND COMMITTEE/PENSION BOARD	10.00 am
SAT	27	NOV		
SUN	28	NOV		
MON	29	NOV	ST ANDREWS DAY HOLIDAY	
TUES	30	NOV		
Dec-21				
WED	1	DEC	JOINT MEETING LICENSING BOARD/LLF	4.00 p.m.
WED	1	DEC		
THUR	2	DEC	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	2	DEC	EMPLOYEE FORUM	3.30 p.m.
THUR	2	DEC	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	3	DEC	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	4	DEC		
SUN	5	DEC		
MON	6	DEC	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	7	DEC	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
TUES	7	DEC	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
WED	8	DEC	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	9	DEC	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
FRI	10	DEC		
SAT	11	DEC		
SUN	12	DEC		
MON	13	DEC	LOCAL REVIEW BODY	10.00 a.m.
TUES	14	DEC	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
TUES	14	DEC	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	14	DEC	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
WED	15	DEC		
THUR	16	DEC	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	17	DEC	LICENSING BOARD	10.00 a.m.
FRI	17	DEC	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	18	DEC		
SUN	19	DEC		
MON	20	DEC		
TUES	21	DEC		
WED	22	DEC		
THUR	23	DEC		
FRI (SH)	24	DEC		
SAT	25	DEC		
SUN	26	DEC		
MON (SH)	27	DEC	PUBLIC HOLIDAY	
TUES (SH)	28	DEC	PUBLIC HOLIDAY	
WED (SH)	29	DEC	OFFICE CLOSED	
THUR (SH)	30	DEC	OFFICE CLOSED	
FRI (SH)	31	DEC	OFFICE CLOSED	
Jan-22				

SAT	1	JAN		
SUN	2	JAN		
MON	3	JAN	PUBLIC HOLIDAY	
TUES	4	JAN	PUBLIC HOLIDAY	
WED	5	JAN		
THUR	6	JAN		
FRI	7	JAN		
SAT	8	JAN		
SUN	9	JAN		
MON	10	JAN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	11	JAN	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	11	JAN	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	12	JAN		
THUR	13	JAN	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
FRI	14	JAN		
SAT	15	JAN		
SUN	16	JAN		
MON	17	JAN	LOCAL REVIEW BODY	10.00 a.m.
TUES	18	JAN	EXECUTIVE COMMITTEE (EDUCATION)	10.00 a.m.
TUES	18	JAN	LOCAL LICENSING FORUM	4.00 p.m.
TUES	18	JAN	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	19	JAN	JCG: STAFF	10.00 a.m.
THUR	20	JAN	STANDARDS COMMITTEE	10:00 a.m.
FRI	21	JAN	LICENSING BOARD	10.00 a.m.
FRI	21	JAN	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	22	JAN		
SUN	23	JAN		
MON	24	JAN		
TUES	25	JAN		
WED	26	JAN	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	27	JAN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	28	JAN		
SAT	29	FEB		
SUN	30	FEB		
MON	31	JAN		
Feb-22				
TUES	1	FEB		
WED	2	FEB		
THUR	3	FEB		
THUR	3	FEB	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	4	FEB	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	5	FEB		
SUN	6	FEB		
MON	7	FEB	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	8	FEB	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRNASFORMATION)	10.00 a.m.
WED	9	FEB	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	10	FEB	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
THUR	10	FEB	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	11	FEB		
SAT	12	FEB		
SUN	13	FEB		
MON (SH)	14	FEB	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES (SH)	15	FEB	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRNASFORMATION)	10.00 a.m.
WED (SH)	16	FEB		
THUR (SH)	17	FEB		
FRI(SH)	18	FEB		
SAT	19	FEB		
SUN	20	FEB		
MON	21	FEB	LOCAL REVIEW BODY	10.00 a.m.
TUES	22	FEB	PENSION FUND INVESTMENT & PERFORMANCE SUB	1.00 p.m.
WED	23	FEB	JCG: TEACHERS	2.00 p.m.
WED	23	FEB	CHAMBERS INSTITUTION TRUST	3.00 p.m.
WED	23	FEB	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.00 p.m.
THUR	24	FEB	SCOTTISH BORDERS COUNCIL (SPECIAL BUDGET)	10.00 a.m.

FRI	25	FEB	LICENSING BOARD	10.00 a.m.
FRI	25	FEB	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	26	FEB		
SUN	27	FEB		
MON	28	FEB		
Mar-22				
TUES	1	MAR	EXECUTIVE COMMITTEE	10.00 a.m.
TUES	1	MAR	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	1	MAR	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
TUES	1	MAR	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
WED	2	MAR	WELLBEING AND SAFETY COMMITTEE	9.30 a.m.
THUR	3	MAR	EDUCATION PERFORMANCE SUB-COMMITTEE	10.00 a.m.
THUR	3	MAR	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
THUR	3	MAR	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	4	MAR		
SAT	5	MAR		
SUN	6	MAR		
MON	7	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	8	MAR	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
TUES	8	MAR	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 pm
WED	9	MAR		
THUR	10	MAR	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	10	MAR	EMPLOYEE FORUM	3.30 p.m.
FRI	11	MAR	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	12	MAR		
SUN	13	MAR		
MON	14	MAR	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	15	MAR	LOCAL LICENSING FORUM	4.00 p.m.
TUES	15	MAR	HAWICK COMMON GOOD FUND SUB-COMMITTEE	4.00 p.m.
WED	16	MAR		
THUR	17	MAR	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
FRI	18	MAR	LICENSING BOARD	10.00 a.m.
FRI	18	MAR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	19	MAR		
SUN	20	MAR		
MON	21	MAR	LOCAL REVIEW BODY	10.00 a.m.
MON	21	MAR	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
TUES	21	MAR	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
TUES	22	MAR	KELSO CGF SUB-COMMITTEE	5.15 p.m.
WED	23	MAR	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	24	MAR	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	25	MAR		
SAT	26	MAR		
SUN	27	MAR		
MON	28	MAR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	29	MAR	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	30	MAR		
THUR	31	MAR	SCOTTISH BORDERS COUNCIL	10.00 a.m.
Apr-22				
FRI	1	APR		
SAT	2	APR		
SUN	3	APR		
MON (SH)	4	APR		
TUES (SH)	5	APR		
WED (SH)	6	APR		
THUR (SH)	7	APR		
FRI (SH)	8	APR		
SAT	9	APR		
SUN	10	APR		
MON (SH)	11	APR		
TUES (SH)	12	APR		
WED (SH)	13	APR		
THUR (SH)	14	APR		
FRI (SH)	15	APR		
SAT	16	APR		

SUN	17	APR		
MON	18	APR	LOCAL REVIEW BODY	10.00 a.m.
TUES	19	APR		10.00 a.m.
TUES	19	APR		5.15 p.m.
WED	20	APR		
THUR	21	APR		10.00 a.m.
FRI	22	APR	LICENSING BOARD	10.00 a.m.
FRI	22	APR	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	23	APR		
SUN	24	APR		
MON	25	APR	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	26	APR		
WED	27	APR		
THUR	28	APR		
FRI (SH)	29	APR		
SAT	30	APR		
May-22				
SUN	1	MAY		
MON (SH)	2	MAY	PUBLIC HOLIDAY	
TUES	3	MAY		
WED	4	MAY		
THUR	5	MAY	LOCAL GOVERNMENT ELECTIONS	
FRI	6	MAY		
SAT	7	MAY		
SUN	8	MAY		
MON	9	MAY		
TUES	10	MAY		
WED	11	MAY		
THUR	12	MAY		
FRI	13	MAY		
SAT	14	MAY		
SUN	15	MAY		
MON	16	MAY		
TUES	17	MAY		
WED	18	MAY		
THUR	19	MAY	SCOTTISH BORDERS COUNCIL (SPECIAL)	10.00 a.m.
FRI	20	MAY		
SAT	21	MAY		
SUN	22	MAY		
MON	23	MAY		
TUES	24	MAY		
WED	25	MAY		
THUR	26	MAY	SCOTTISH BORDERS COUNCIL (SPECIAL)	10.00 a.m.
FRI	27	MAY		
SAT	28	MAY		
SUN	29	MAY		
MON	30	MAY		
TUES	31	MAY		
Jun-22				
WED	1	JUN		
THUR	2	JUN		
FRI	3	JUN		
SAT	4	JUN		
SUN	5	JUN		
MON	6	JUN		
TUES	7	JUN	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.
TUES	7	JUN	HAWICK COMMON GOOD FUND SUB-CTEE	4.00 p.m.
WED	8	JUN	JCG: TEACHERS	2.00 p.m.
WED	8	JUN	CHAMBERS INSTITUTION TRUST	3.00 p.m.
WED	8	JUN	PEEBLES COMMON GOOD FUND SUB-COMMITTEE	5.00 p.m.
THUR	9	JUN	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.
THUR	9	JUN	EDUCATION PERFORMANCE SUB-CTEE	10.00 a.m.
THUR	9	JUN	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.
FRI	10	JUN	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	11	JUN		
SUN	12	JUN		

MON	13	JUN	PLANNING AND BUILDING STANDARDS	10.00 a.m.
MON	13	JUN	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
			EXECUTIVE COMMITTEE	
TUES	14	JUN	(FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	14	JUN	LOCAL LICENSING FORUM	4.00 p.m.
TUES	14	JUN	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	15	JUN	JCG: STAFF	10.00 a.m.
WED	15	JUN	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.
THUR	16	JUN	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	17	JUN	SUSTAINABLE DEVELOPMENT COMMITTEE	10.00 a.m.
SAT	18	JUN		
SUN	19	JUN		
MON	20	JUN	LOCAL REVIEW BODY	10.00 a.m.
TUES	21	JUN	MAJOR CONTRACTS GOVERNANCE GROUP	10.00 a.m.
TUES	21	JUN	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.
TUES	21	JUN	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
TUES	21	JUN	KELSO CGF SUB-COMMITTEE	5.15 p.m.
TUES	21	JUN	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	22	JUN	WELLBEING AND SAFETY COMMITTEE	9.30 a.m.
WED	22	JUN	COLDSTREAM COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
THUR	23	JUN	SCOTTISH BORDERS COUNCIL	10.00 a.m.
THUR	23	JUN	EMPLOYEE FORUM	3.00 p.m.
FRI	24	JUN	LICENSING BOARD	10.00 a.m.
FRI	24	JUN	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	25	JUN		
SUN	26	JUN		
MON	27	JUN	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
MON	27	JUN	MELROSE COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
TUES	28	JUN	PENSION FUND INVESTMENT & PERFORMANCE SUB	2.00 p.m.
WED	29	JUN	PENSION FUND COMMITTEE/PENSION BOARD	10.00 a.m.
WED	29	JUN	EYEMOUTH COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.
			CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	30	JUN	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.
THUR	30	JUN	EILDON AREA PARTNERSHIP	6:00 p.m.
Jul-22				
FRI (SH)	1	JUL		
SAT	2	JUL		
SUN	3	JUL		
MON (SH)	4	JUL	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES (SH)	5	JUL		
WED (SH)	6	JUL		
THUR (SH)	7	JUL		
FRI (SH)	8	JUL		
SAT	9	JUN		
SUN	10	JUN		
MON (SH)	11	JUL		
TUES (SH)	12	JUL	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9.30 a.m.
WED (SH)	13	JUL		
THUR (SH)	14	JUL		
FRI (SH)	15	JUL		
SAT	16	JUL		
SUN	17	JUL		
MON (SH)	18	JUL	LOCAL REVIEW BODY	10.00 a.m.
TUES (SH)	19	JUL		
WED (SH)	20	JUL		
THUR (SH)	21	JUL		
FRI (SH)	22	JUL		
SAT	23	JUL		
SUN	24	JUL		
MON (SH)	25	JUL		
TUES (SH)	26	JUL		
WED (SH)	27	JUL		
THUR (SH)	28	JUL		
FRI (SH)	29	JUL	LICENSING BOARD	10.00 a.m.
FRI (SH)	29	JUL	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	30	JUL		

Committee order as per Scheme of Administration

Meeting		Day	Date	Time	
Scottish Borders Council		Thursday	26-Aug-21	10.00 am	
		Thursday	23-Sep-21	10.00 am	
		Thursday	28-Oct-21	10.00 am	
		Thursday	25-Nov-21	10.00 am	
		Thursday	16-Dec-21	10.00 am	
		Thursday	27-Jan-22	10.00 am	
		Special Budget	Thursday	24-Feb-22	10.00 am
			Thursday	31-Mar-22	10.00 am
		Special	Thursday	19-May-22	10.00 am
		Special	Thursday	26-May-22	10.00 am
		Thursday	23-Jun-22	10.00 am	
Coldstream Common Good Fund Sub Ctee		Wednesday	22-Jun-22	2.00 pm	
Duns Common Good Fund Sub-Ctee		Thursday	02-Sep-21	5.00 pm	
Eyemouth Common Good Fund Sub-Ctee		Wednesday	29-Jun-22	2.00 pm	
Galashiels Common Good Fund Sub-Ctee		Thursday	09-Sep-21	10.00 am	
		Thursday	02-Dec-21	10.00 am	
		Thursday	10-Mar-22	10.00 am	
		Thursday	30-Jun-22	10.00 a.m.	
Hawick Common Good Fund Sub-Ctee		Tuesday	17-Aug-21	4.00 pm	
		Tuesday	23-Nov-21	4.00 pm	
		Tuesday	15-Mar-22	4.00 pm	
		Tuesday	07-Jun-22	4.00 pm	
Innerleithen Common Good Fund Sub-Ctee		Thursday	19-Aug-21	3.00 pm	
		Monday	13-Sep-21	4.30 pm	
Jedburgh Common Good Fund Sub-Ctee		Wednesday	17-Nov-21	4.30 pm	
		Wednesday	21-Mar-22	4.30 pm	
		Monday	13-Jun-22	4.30 pm	
Kelso Common Good Fund Sub-Ctee		Tuesday	14-Sep-21	5.15 p.m.	
		Tuesday	16-Nov-21	5.15 p.m.	
		Tuesday	22-Mar-22	5.15 p.m.	
		Tuesday	21-Jun-22	5.15 p.m.	
Lauder Common Good Fund Sub-Ctee		Tuesday	24-Aug-21	2.00 pm	
		Tuesday	14-Dec-21	2.00 pm	
		Tuesday	01-Mar-22	2.00 pm	
		Tuesday	21-Jun-22	2.00 pm	
Melrose Common Good Fund Sub -Ctee		Monday	27-Jun-22	2.00 pm	
Peebles Common Good Fund Sub-Ctee		Wednesday	18-Aug-21	5.00 pm	
		Wednesday	17-Nov-21	5.00 pm	
		Wednesday	23-Feb-22	5.00 pm	
		Wednesday	08-Jun-22	5.00 pm	
Selkirk Common Good Fund Sub-Ctee		Tuesday	31-Aug-21	3.00 pm	
		Wednesday	08-Dec-21	3.00 pm	
		Wednesday	09-Feb-22	3.00 pm	
		Wednesday	15-Jun-22	3.00 pm	
William Hill Trust Sub-Committee		Tuesday	24-Aug-21	1.30 pm	
		Tuesday	14-Dec-21	1.30 pm	
		Tuesday	01-Mar-22	1.30 pm	
		Tuesday	21-Jun-22	1.30 pm	
Major Contracts Governance Group		Tuesday	14-Sep-21	2.00 pm	
		Tuesday	02-Nov-21	2.00 pm	
		Tuesday	01-Mar-22	2.00 pm	
		Tuesday	21-Jun-22	2.00 pm	
Executive Committee	Finance etc	Tuesday	17-Aug-21	10.00 am	
	Economic Dev	Tuesday	14-Sep-21	10.00 am	
	Education	Tuesday	05-Oct-21	10.00 am	
	Finance etc	Tuesday	16-Nov-21	10.00 am	
	Economic Dev	Tuesday	07-Dec-21	10.00 am	
	Education	Tuesday	18-Jan-22	10.00 am	
	Finance etc	Tuesday	08-Feb-22	10.00 am	
	Finance etc	Tuesday	15-Feb-22	10.00 am	
	no theme	Tuesday	01-Mar-22	10.00 am	
	Economic Dev	Tuesday	21-Mar-22	10.00 am	
	Finance etc	Tuesday	14-Jun-22	10.00 am	
Education Performance Sub-Ctee		Thursday	02-Sep-21	10.00 am	
		Thursday	18-Nov-21	10.00 am	
		Thursday	03-Mar-22	10.00 am	
		Thursday	09-Jun-22	10.00 am	
Audit and Scrutiny Committee	Scrutiny	Thursday	19-Aug-21	10.00 am	
	Audit	Monday	20-Sep-21	10.15 am	
	Scrutiny	Thursday	21-Oct-21	10.00 am	
	Audit & Scrutiny	Monday	22-Nov-21	10.15 am	
	Scrutiny	Thursday	09-Dec-21	10.00 am	
	Scrutiny	Thursday	13-Jan-22	10.00 am	
	Audit & Scrutiny	Monday	14-Feb-22	10.15 am	
	Audit	Monday	14-Mar-22	10.15 am	
	Scrutiny	Thursday	09-Jun-22	10.00 am	
Audit & Scrutiny	Monday	27-Jun-22	10.15 am		
Civic Government Licensing Committee		Friday	20-Aug-21	11.00 am	
		Friday	24-Sep-21	11.00 am	
		Friday	22-Oct-21	11.00 am	
		Friday	19-Nov-21	11.00 am	

	Friday	17-Dec-21	11.00 am
	Friday	21-Jan-22	11.00 am
	Friday	25-Feb-22	11.00 am
	Friday	18-Mar-22	11.00 am
	Friday	22-Apr-22	11.00 am
	Friday	24-Jun-22	11.00 am
	Friday	29-Jul-22	11.00 am
Licensing Board	Friday	20-Aug-21	10.00 am
	Friday	24-Sep-21	10.00 am
	Friday	22-Oct-21	10.00 am
	Friday	19-Nov-21	10.00 am
	Friday	17-Dec-21	10.00 am
	Friday	21-Jan-22	10.00 am
	Friday	25-Feb-22	10.00 am
	Friday	18-Mar-22	10.00 am
	Friday	22-Apr-22	10.00 am
	Friday	24-Jun-22	10.00 am
	Friday	29-Jul-22	10.00 am
Pension Fund Committee Followed by Pension Fund Board	Thursday	16-Sep-21	2.00 pm
	Friday	26-Nov-21	10.00 am
	Tuesday	14-Dec-21	10.00 am
	Thursday	03-Mar-22	10.00 am
	Thursday	29-Jun-22	10.00 am
Pension Fund Investment Performance Sub-Committee	Monday	27-Sep-21	1.00 p.m.
	Monday	22-Feb-22	1.00 p.m.
	Tuesday	28-Jun-22	2.00 pm
Planning & Building Standards Committee	Monday	02-Aug-21	10.00 am
	Monday	06-Sep-21	10.00 am
	Monday	04-Oct-21	10.00 am
	Monday	01-Nov-21	10.00 am
	Monday	06-Dec-21	10.00 am
	Monday	10-Jan-22	10.00 am
	Monday	07-Feb-22	10.00 am
	Monday	07-Mar-22	10.00 am
	Monday	28-Mar-22	10.00 am
	Monday	25-Apr-22	10.00 am
	Monday	13-Jun-22	10.00 am
	Monday	04-Jul-22	10.00 am
Local Review Body	Monday	16-Aug-21	10.00 am
	Monday	13-Sep-21	10.00 am
	Monday	18-Oct-21	10.00 am
	Monday	15-Nov-21	10.00 am
	Monday	13-Dec-21	10.00 am
	Monday	17-Jan-22	10.00 am
	Monday	21-Feb-22	10.00 am
	Monday	21-Mar-22	10.00 am
	Monday	18-Apr-22	10.00 am
	Monday	20-Jun-22	10.00 am
	Monday	18-Jul-22	10.00 am
Standards Committee	Thursday	20-Jan-22	10.00 am
Sustainable Development Committee	Friday	03-Sep-21	10.00 am
	Friday	03-Dec-21	10.00 am
	Friday	11-Mar-22	10.00 am
	Friday	17-Jun-22	10.00 am
JCG: Staff	Wednesday	06-Oct-21	2.00 pm
	Wednesday	19-Jan-22	10.00 am
	Wednesday	15-Jun-22	10.00 am
JCG: Teachers	Wednesday	29-Sep-21	2.00 pm
	Wednesday	23-Feb-22	2.00 pm
	Wednesday	08-Jun-22	2.00 pm
Employee Forum	Thursday	02-Sep-21	3.30 pm
	Thursday	02-Dec-21	3.30 pm
	Thursday	10-Mar-22	3.30 pm
	Thursday	23-Jun-22	3.00 pm
Police, Fire & Rescue, Safer Communities Board	Friday	27-Aug-21	9.30 am
	Friday	05-Nov-21	9.30 am
	Friday	04-Feb-22	9.30 am
	Friday	10-Jun-22	9.30 am
Community Planning Strategic Board	Thursday	09-Sep-21	2.00 pm
	Thursday	18-Nov-21	2.00 pm
	Thursday	03-Mar-22	2.00 pm
	Thursday	16-Jun-22	2.00 pm
Berwickshire Area Partnership	Thursday	02-Sep-21	6.30 pm
	Thursday	02-Dec-21	6.30 pm
	Thursday	03-Feb-22	6.30 pm
	Thursday	03-Mar-22	6.30 pm
	Thursday	09-Jun-22	6.30 pm
Cheviot Area Partnership	Wednesday	22-Sep-21	6.30 pm
	Wednesday	24-Nov-21	6.30 pm
	Wednesday	26-Jan-22	6.30 pm
	Wednesday	23-Mar-22	6.30 pm
	Wednesday	29-Jun-22	6.30 pm
Eildon Area Partnership	Thursday	09-Sep-21	6.00 pm
	Thursday	11-Nov-21	6.00 pm

	Thursday	10-Feb-22	6.00 pm
	Thursday	24-Mar-22	6.00 pm
	Thursday	30-Jun-22	6.00 pm
Teviot & Liddesdale Area Partnership	Tuesday	14-Sep-21	6.30 pm
	Tuesday	16-Nov-21	6.30 pm
	Tuesday	11-Jan-22	6.30 pm
	Tuesday	08-Mar-22	6.30 pm
	Tuesday	14-Jun-22	6.30 pm
Tweeddale Area Partnership	Tuesday	24-Aug-21	7.00 pm
	Tuesday	02-Nov-21	7.00 pm
	Tuesday	18-Jan-22	7.00 pm
	Tuesday	29-Mar-22	7.00 pm
	Tuesday	21-Jun-22	7.00 pm
Local Licensing Forum	Tuesday	19-Oct-21	4.00 pm
	Tuesday	18-Jan-21	4.00 pm
	Tuesday	15-Mar-22	4.00 pm
	Tuesday	14-Jun-22	4.00 pm
Licensing Board/Local Licensing Forum Joint Meeting	Wednesday	01-Dec-21	4.00 pm
Police Community Action Team Member Officer Oversight Group	Monday	16-Aug-21	2.00 pm
	Tuesday	07-Sep-21	9.30 am
	Tuesday	12-Oct-21	9.30 am
	Tuesday	09-Nov-21	9.30 am
	Tuesday	07-Dec-21	2.00 pm
	Tuesday	11-Jan-22	9.30 am
	Thursday	10-Feb-22	9.30 am
	Tuesday	08-Mar-22	9.30 am
	Tuesday	07-Jun-22	2.00 pm
	Tuesday	12-Jul-22	9.30 am
Chambers Institution Trust	Wednesday	18-Aug-21	3.00 pm
	Wednesday	17-Nov-21	3.00 pm
	Wednesday	23-Feb-22	3.00 pm
	Wednesday	08-Jun-22	3.00 pm
Trust Funds	Thursday	16-Sep-21	10.00 am
Wellbeing & Safety	Wednesday	02-Mar-22	9.30 am
	Wednesday	22-Jun-22	9.30 am

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