

# Public Document Pack



## EXECUTIVE COMMITTEE TUESDAY, 18 JANUARY 2022

A MEETING of the EXECUTIVE COMMITTEE will be held VIA MS TEAMS on TUESDAY, 18 JANUARY 2022 at 10.00 am

J. J. WILKINSON,  
Clerk to the Council,

11 January 2022

BUSINESS		
1.	<b>Apologies for Absence</b>	
2.	<b>Order of Business</b>	
3.	<b>Declarations of Interest</b>	
	<b>EDUCATION BUSINESS</b>	
4.	<b>Learning for Sustainability - COP26 and Beyond</b> (Pages 3 - 8)  Consider presentation by Debbie Matthewson, Learning for Sustainability Development Officer. (Copy attached).	15 mins
5.	<b>Education Attainment 2020-21</b> (Pages 9 - 22)  Consider report by Director – Education & Lifelong Learning. (Copy attached).	10 mins
6.	<b>Proposal to Increase the Hourly Rate Paid by Scottish Borders Council to Funded Early Learning and Childcare Providers</b> (Pages 23 - 28)  Consider report by Director – Education and Lifelong Learning. (Copy attached).	10 mins
	<b>OTHER BUSINESS</b>	
7.	<b>Minute</b> (Pages 29 - 34)  Minute of the meeting held on 7 December 2021 to be approved for signature by the Chairman. (Copy attached).	2 mins
8.	<b>Corporate Debts - Write Offs in 2021/22 Mid Year Update</b> (Pages 35 - 40)  Consider report by Director – Finance and Corporate Governance. (Copy attached).	10 mins
9.	<b>Any Other Items Previously Circulated</b>	

10.	<b>Any Other Items which the Chairman Decides are Urgent</b>	

#### **NOTES**

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

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**Membership of Committee:-** Councillors M. Rowley (Chairman), S. Aitchison (Vice-Chairman), G. Edgar, C. Hamilton, S. Hamilton, S. Haslam, E. Jardine, J. Linehan, S. Mountford, R. Tatler, G. Turnbull and T. Weatherston

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Please direct any enquiries to Declan Hall, Democratic Services Officer  
Tel: 01835 826556 Email: [declan.hall@scotborders.gov.uk](mailto:declan.hall@scotborders.gov.uk)

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# Learning for Sustainability Learning for a Better World

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**Debbie Matthewson**  
**Principal Teacher Stow Primary School**  
**Learning for Sustainability Development Officer**  
**Scottish Borders Council**

Agenda Item 4

# COP 26

- P2-7 pupils from Stow Primary School presented at an event at Strath Union Glasgow on November 2<sup>nd</sup>
- The pupils worked with Daydream Believers, Lego, Pecha Kucha, Whitespace, Ellen McArthur Foundation and Napier University both prior and during the event
- The pupils performed a rap, song and poem highlighting the necessity for climate action and asking world leaders to #GetOnWithIt
- Using Pecha Kucha pupils from P6/7 shared their own presentations all linked to climate action
- These are now being viewed globally
- Several SBC high schools also attended COP26

# Impact of COP26

- Stow Pupils x 3 to present
- Global platform
- National partnerships
- Links made with senior pupils from Galashiels Academy
- Collaborative opportunities between high schools and primary schools

# Learning for Sustainability

- Leavenseat recycling resource being piloted in several primary schools
- 9 primary schools and 2 high schools have been identified to take part in a multi service pilot with SBC catering and cleaning to reduce food waste and recycle properly. This pilot will use learning from Stow Primary School
- SCOTDEC will support pilot schools and offer professional learning opportunities to staff and link these with the Sustainable Development Goals
- Training opportunities with schools, NQTs and individuals
- Sessions offered to Parent Councils
- Dandelion Festival

# Learning for Sustainability Partnership Working

- SBC services
- External agencies ( Borders College  
Tweed Foundation, RHET, Countryside  
Day)
- Nationally - Education Scotland, GTCS
- Good practice shared through social  
media platforms and weekly updates



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## Education Attainment 2020-21

### Report by Director, Education and Lifelong Learning

## EXECUTIVE COMMITTEE

18<sup>th</sup> January 2022

### 1 PURPOSE AND SUMMARY

- 1.1 **The purpose of this report is to inform the Executive Committee of the progress schools are making in the Broad General Education for P1 to P7 and Senior Phase S4–6 Scottish Qualifications Examinations for session 2020-21**
- 1.2 Academic session 2020-21 was unique with further school closures across Scotland as a result of the COVID-19 pandemic. As well as a second period of extended home learning, all SQA examinations were cancelled and replaced with an Alternative Certification Model. Despite the interruptions to the school year, the pandemic enabled us to rapidly adopt digital solutions to ensure excellent home learning through the Inspire Learning Programme. Staff across the education family worked incredibly hard to provide high quality learning for children and support for families, whilst up-skilling themselves at pace – they were a credit to the profession. The pandemic strengthened our relationship with families, increased collaboration of staff and increased partnership working across services to support children
- 1.3 In the Broad General Education (P1-S3) attainment data in Literacy and Numeracy is submitted to the Scottish Government annually, in June, reporting the percentage of pupils in P1, P4, P7 and S3 who have achieved the national benchmarks. Due to the impact of COVID-19 there was no requirement to report this data in session 2019/20 and only for P1, P4 and P7 in session 2020/21.  
  
We are committed to continuous improvement and the data from 2016-2019 demonstrates this however the data for 2020/21 does show a decline across both Literacy and Numeracy at all levels.
- 1.4 The Senior Phase SQA exam results for 2020 are part of the attainment journey in the Scottish Borders for young people in S4–6. The exam diet of 2021 was suspended due to COVID 19 and an alternative model was put in place by SQA across all schools in Scotland. An alternative certification model (ACM) required a bespoke approach by secondary schools to validate their evidence gathered to confirm levels of attainment in the senior phase. A seconded secondary Depute

Head Teacher led this work for Scottish Borders supported by 28 subject leads who led moderation sessions from January to May 2021. Scottish Borders approach to moderation was externally validated as robust and reliable by Education Scotland and led to high quality professional learning for staff.

We are committed to promoting both attainment and achievement and exam results tables are only a small part of the work carried out in schools. The Education Service will give a further update to the Executive Committee on attainment and achievement in March 2022 when all the data is available for leavers from May 2021.

- 1.5 Our ambition is that young people in the Senior Phase have the greatest opportunity to attain the highest level of qualification and, as a consequence, we encourage a positive presentation policy rather than a narrowing of opportunity. The number of presentations across the Scottish Borders was consistent with 2021 with approximately 6,000 at National 5, approximately 4,000 at Higher and 620 at Advanced Higher. Schools continue to accredit a broad range of subjects and qualifications at the more challenging SCQF Level 5 award with an increase of young people gaining qualifications at SCQF Levels 1-3.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that the Education Committee note the trends and progress that schools are making, in the Broad General Education and Senior Phase in terms of attainment and the identified areas for improvement.**
- 2.2 It is recommended that the Education Committee note the intention to bring the Equity Strategy for Education to the committee in the near future. This strategy is currently in the development stage.**

### 3 ATTAINMENT

#### 3.1 Attainment in the Broad General Education

- (a) The Broad General Education is from 3–15 years of age. There are National Benchmark levels that most pupils in this phase of their education have to meet in Literacy and Numeracy. The achievement of these levels is based on teacher judgements, which are quality assured through moderation activities around teacher planning and pupil work. The National Stretch Aim is that by 2022 85% of all pupils will attain their relevant benchmarks.
- (b) The National Benchmark Levels are set out below:

Level	Achieved by most pupils by the end of
Early Level	Primary 1
First Level	Primary 4
Second Level	Primary 7
Third Level	Secondary 3
Fourth Level	some pupils by end of S3

#### 3.2 Primary

The tables below show the percentage of children who have achieved the national benchmark in Literacy and Numeracy for a particular level. The evidence is based on the judgement of the class teacher and the standard is moderated by other staff in the school and with other schools within the cluster. From 2016-19 there is a clear demonstration of improvement and a progression towards the Scottish Government's Stretch Aim of, by 2022, 85% of pupils attaining the appropriate levels. Allowing for variations in different cohorts it is clear that COVID-19 has had a negative impact on Attainment in the Broad General Education. This is a picture which is reflected nationally.

P1 Achieved Early Level				
Year	Listening	Reading	Writing	Numeracy
2016/17	83.4%	80.5%	80.5%	80.1%
2017/18	88.25%	82.14%	80.02%	82.72%
2018/19	88.43%	83.97%	80.87%	86.07%
2020/21	84.1%	76.8%	74.8%	81%
National 2020/21	84%	77%	74%	81%

<b>P4 Achieved First Level</b>				
Year	Listening	Reading	Writing	Numeracy
2016/17	87.7%	83.8%	76.8%	77.3%
2017/18	88.00%	80.64%	76.39%	81.08%
2018/19	86.02%	80.72%	76.09%	77.09%
2020/21	78.2%	72.4%	65.5%	67.8%
National 2020/21	82%	73%	67%	72%

<b>P7 Achieved Second Level</b>				
Year	Listening	Reading	Writing	Numeracy
2016/17	84.8%	78.2%	72.6%	69.2%
2017/18	87.22%	81.29%	76.53%	75.17%
2018/19	89.9%	83.2%	80.4%	78.5%
2020/21	83.7%	75.1%	67.8%	70.7%
National 2020/21	82%	76%	69%	72%

Achievement of Curriculum for Excellence Levels (ACEL) data for 2020/21 lays bare the disruption caused by the coronavirus crisis.

It shows the number of primary pupils achieving the expected levels in literacy and numeracy has reduced but despite the reduction pupils in SBC are achieving around the national average.

### 3.3 Achievement in Senior Phase S4–6 Qualifications

#### (a) Presentations

The number of exams sat across the Borders in May 2021 remains in line with the previous year at 13,000 in total: approximately 4,086 at Higher, 614 at Advanced Higher and a small drop at National 5 to 5,977.

There is an increasing wide range of qualifications available for young people in Scottish Borders, not just in the traditional National Qualifications In May 2021 pupils were achieving from the following :

- 7 SCQF level 2 qualifications
- 20 SCQF level 3 qualifications
- 44 SCQF level 4 qualifications
- 12 SCQF level 4 courses with Borders College

- 60 SCQF Level 5 courses
- 12 SCQF level 5 courses with Borders College
- 7 Foundation Apprenticeship Frameworks
- 44 SCQF Level 6 courses
- 15 SCQF level 6 courses with Borders College
- 23 SCQF Level 7 courses

New Subject examples :



(b) **Overall National Qualification Attainment**

	2020		2021		Variance	
	A-C%	A-D%	A-C%	A-D%	A-C%	A-D%
Nat 5	81.7	92.4	85.1	92.3	3.4	-0.1
Higher	79.6	92.6	85.4	92.6	5.8	0
Adv. Higher	84.5	94.1	88.8	96.1	4.3	2

The overall pass rate (A-C) for S4 pupils at SCQF Level 5 has improved in 2021 by 3 percent to 88.3 percent

- 83.8% for learners in Quintile 1.
- 94.7% of S4 learners achieved an award at A-D for Nat 5

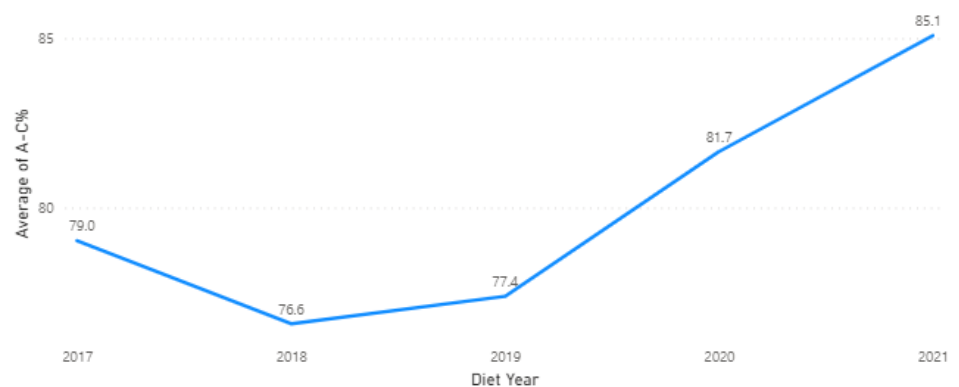
Learners in Quintile 1 are from mostly from Hawick High, Selkirk High and Galashiels Academy.

The overall attainment at SCQF Level 6 remains broadly in line with previous years at 85.4 percent for A-C passes

- 80.3% of learners in Quintile 1 achieved an A-C pass at Higher .
- 92.6% of learners achieved an award at A-D for Higher

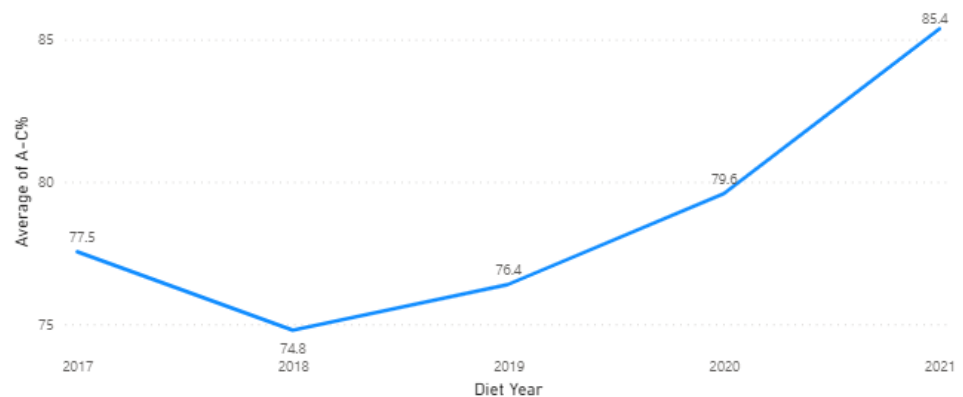
## National 5 Trend

Average of A-C% by Diet Year

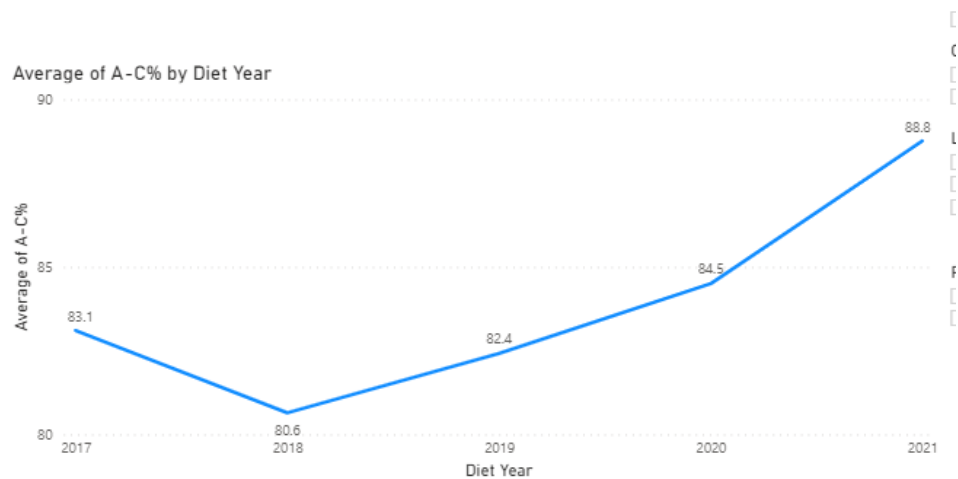


## Higher Trend

Average of A-C% by Diet Year



## Advanced Higher Trend



(c) **Literacy and Numeracy**

**S4 : ALL CANDIDATES**

- 99% achieved a Literacy award
- 99% achieved a National 5 English award
- 91% achieved a numeracy award
- 85% achieved a National 5 award in a Maths course
- 93.3 % of learners in Quintile 1 achieved an award at Nat 5 Maths
- 98% of learners in Quintile 1 achieved a Literacy award at Nat 5

**S5 ; ALL CANDIDATES**

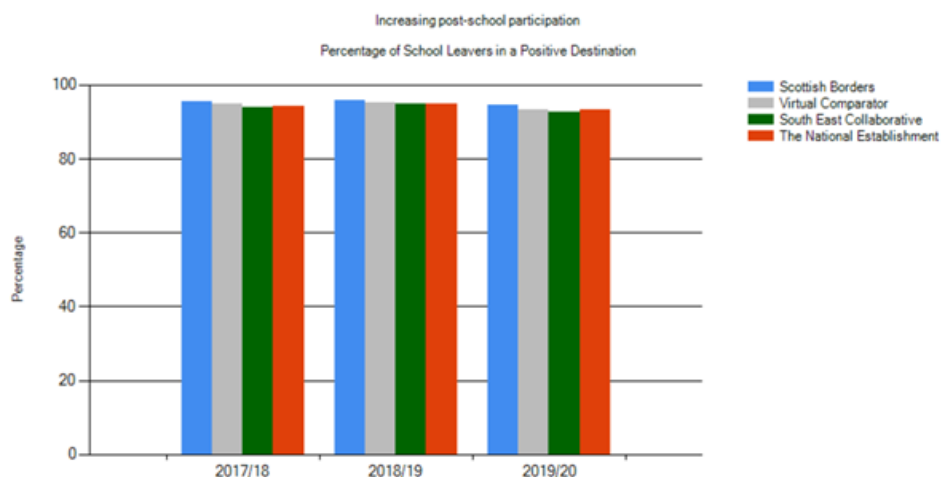
- 93.4% achieved an A-C pass Higher English Award
- 97.9% achieved an A-D award at Higher English
- 76% achieved an A-C pass at Higher Maths
- 82% achieved an A-D award at Higher Maths

**S6 : ALL CANDIDATES**

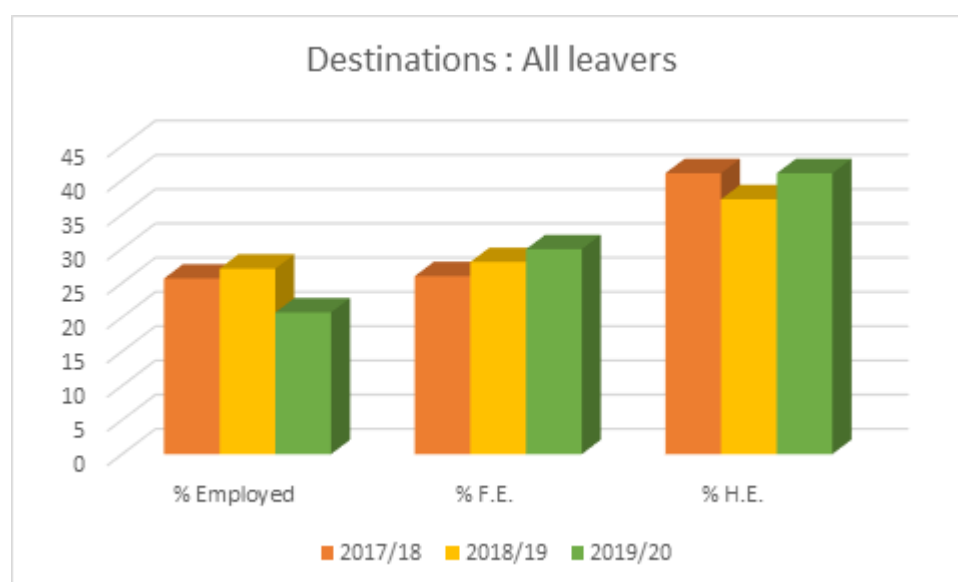
- 81.5% achieved an A-C pass at Advanced Higher level
- 73% achieved an A-C pass at Higher

(d) Positive Destinations

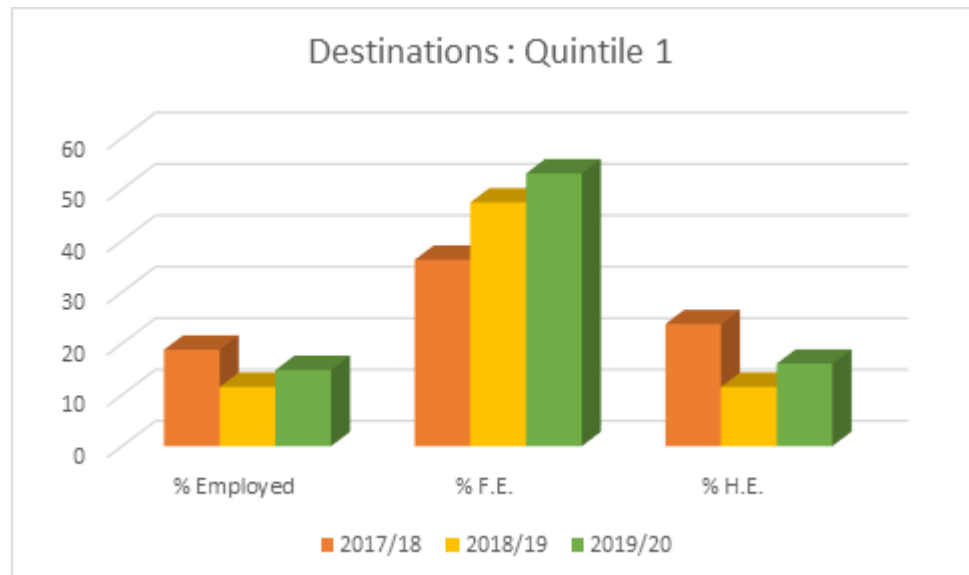
Scottish Borders remains in the top quartile nationally, and well above the Scottish average, with 94.64 percent of young people achieving a positive and sustained destination for session 2019-20. This remains in line with previous years.



DESTINATIONS : ALL LEAVERS 2020



DESTINATIONS : QUINTILE 1 LEAVERS



### Participation Measure

The Scottish Government's Opportunities for All commitment offers a place in learning or training to every 16-19 year old who is not in employment, education or training.

- (g) Skills Development Scotland worked with the Scottish Government to develop a measure of participation which allows us to identify the participation status of the wider 16-19 cohort.

The latest (published August 2021) participation measure report sees Scottish Borders at 93.8% and nationally at 92.2%.

### Next Steps

A thorough data analysis of SQA exam data has been done with each secondary school after the release of the Scottish Government Insight benchmarking tool in September. This tool is used by senior officers to analyse each secondary schools attainment data and to identify success, areas for improvement and any target setting. Schools will then do their own detailed analysis.

For primary schools, senior education staff will meet with Headteachers on a termly basis to monitor attainment levels in literacy and numeracy. Primary Headteachers also hold attainment meetings with class teachers at each stage.

As part of education recovery, senior officers have provided direct support to schools to enable them to review their curriculum approaches. This has ensured that schools are making the best use of their attainment data to build a recovery curriculum which is age and stage appropriate and focuses on literacy, numeracy and health and wellbeing.

The recently published strategies for literacy and numeracy are being implemented across all school to ensure continuous improvement in the key areas of reading, writing and numeracy. This is being supported by high quality professional learning at all levels and effective practice is being shared across learning networks such as Quality Assurance and Moderation groups.

We have employed an additional 15 teachers in the primary sector with a core remit of closing the poverty related attainment gap. These teachers have been allocated to our schools which have the widest attainment gap.

A pilot study is being conducted across three communities: Selkirk, Galashiels and Hawick to support schools with their raising attainment plans. This is being led by the Equity and inclusion officer and is being supported by our Scottish Government Attainment Advisor.

Recently developed Data Dashboards will allow Headteachers and Senior Officers greater insight into the BGE data which will lead to identifying areas for improvement and appropriate target setting.

The launch of the Literacy and Numeracy Frameworks and the associated professional development will impact positively on the teaching of these subject areas with attendant improvement in attainment.

The development of the new Equity Strategy for Education will also support our learners and schools in closing the poverty related attainment gap. This strategy will be shared with wider stakeholders in the near future.

## **4 IMPLICATIONS**

### **4.1 Financial**

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

### **4.2 Risk and Mitigations**

There are no risks associated with this Report.

### **4.3 Equalities**

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.

### **4.4 Acting Sustainably**

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

### **4.5 Carbon Management**

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

### **4.6 Rural Proofing**

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

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

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

### **5 CONSULTATION**

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

#### **Approved by**

**Lesley Munro**

**Director - Education and Lifelong Learning**

**Signature .....**

Author(s)

Name	Designation and Contact Number
Catherine Thomson	Quality Improvement Officer
James Marshall	Quality Improvement Officer

**Background Papers:** SCQF Framework

**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. Catherine Thomson can also give information on other language translations as well as providing additional copies.

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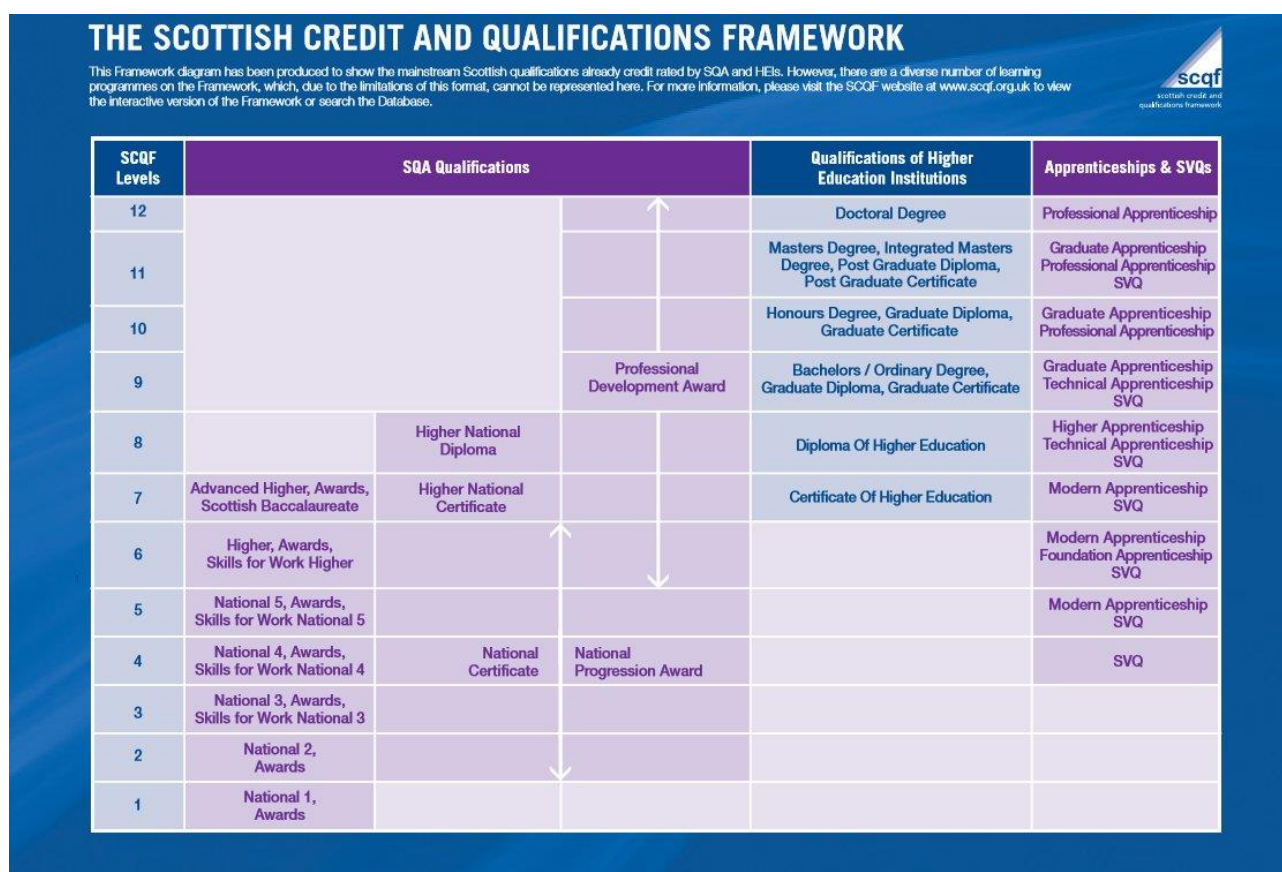
## Appendix 1

### SCQF Framework

The Scottish Qualifications Framework ( SCQF) is the national qualifications framework for Scotland which helps everyone understand and compare the various Scottish qualifications such as National Qualifications at National 5 and Higher to National Progression Awards, Youth Achievement , Higher National Certificates etc.

All secondary schools are beginning to look at different courses and awards to accredit learning in the widest sense, not just for the traditional examinations. This gives young people a wide range of learning but which is benchmarked within a standardised level in the framework and should also have equal parity of esteem. Education in Scotland use the terminology of SQCF levels for all accredited awards so as to recognise the relevant level of learning no matter the award.

It should be noted that not all awards are benchmarked within this framework. A example would be Dike of Edinburgh Awards who, as an organisation, are not keen for their award to sit within this framework. This does not diminish the learning for our young people though.



The framework aims to:

- Help learners plan their learner journey through school and beyond;

- Help learners understand qualifications they are not familiar with;
- Help employers understand different types of qualifications and also supports effective recruitment and workforce development;
- education and training providers of all kinds to identify the level that has been studied in a particular subject and make it easier to transfer credit points between different learning programmes; and
- Provides recognition of a very wide range of learning programmes including wider achievement or vocational awards

## **SCQF Levels**

The Scottish Credit and Qualifications Framework has 12 levels. Secondary schools generally work between Level 1 and Level 7 on the framework. Level 1 is National 1 level awards which can be accessed by young people with complex learning needs, to level 7 which is equivalent to Advanced Higher and HNC's.

The different levels indicate the level of difficulty of a particular qualification. The Level Descriptors outline the general outcomes of learning at SCQF levels under five broad headings:

- knowledge and understanding;
- practice (applied knowledge and understanding);
- generic cognitive skills (e.g. evaluation, critical analysis);
- communication, numeracy and IT skills; and
- autonomy, accountability and working with others.

The Descriptors allow broad comparisons to be made between qualifications and learning and allow learners, employers and the public in general to understand the range of skills and learning that should be achieved at each level.

## **Equality of qualifications**

The SCQF promotes equality of qualifications. For instance, an Outward Bound Adventure and Challenge Award sits at level 5 on the SCQF which is the same level as a National 5. They might be very different types of learning but learners still have to use the same level of skills to achieve them. This is why it's really important to include all the learning young people achieve on a profile or CV with the SCQF level.

## **The SCQF School Ambassador Programme?**

The SCQF School Ambassador programme offers schools the opportunity to learn more about the benefits of the SCQF and the wider ways in which it supports learners such as recognising wider achievement, developing Senior Phase learning pathways in line with the Developing the Young Workforce strategy and giving equality between vocational and academic qualifications.

A few of our schools are currently involved in the SCQF Ambassador programme

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## **PROPOSAL TO INCREASE THE HOURLY RATE PAID BY SCOTTISH BORDERS COUNCIL TO FUNDED EARLY LEARNING AND CHILDCARE PROVIDERS**

**Report by Director - Education and Lifelong Learning**

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**Education Executive**

**18<sup>th</sup> January 2022**

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### **1 PURPOSE AND SUMMARY**

- 1.1 This report proposes an **increase in the hourly rate paid by Scottish Borders Council to providers in the voluntary and private sectors for funded Early Learning and Childcare (ELC).**
- 1.2 Summary of the main points of the report:
  - 1.2.1 Approximately one third of children eligible for a funded Early Learning and Childcare place, access their place in the private and voluntary sector in Scottish Borders. The Council is dependent on these places to fulfil its statutory duty. Therefore, settings in this sector need to remain financially viable and the Scottish Government requires Councils to establish and pay a rate that ensures this sustainability
  - 1.2.2 If a sustainable rate is not paid, there is a risk of services in the private and voluntary sector closing which would incur capital and revenue costs for the Council, would reduce choice and local provision for parents, particularly in more rural areas and would impact on communities. The closure of some services who also provide childcare paid for by the parents would have a negative impact on the local economy, with parents not being able to access work or college.

### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Committee:**
  - (a) **Agrees to increase the hourly rate paid to providers in the private and voluntary sectors for the provision of funded ELC to £5.97 for 2 year olds and £5.57 for 3 & 4 year olds from 1<sup>st</sup> April 2022;**
  - (b) **Agrees to an annual increase of the hourly rate for the remainder of the duration of the ELC Contract from 1<sup>st</sup> April 2022 – 31<sup>st</sup> July 2026 to provide long term security for the provision of funded ELC in line with the Fees and Charges increases**

### 3 BACKGROUND

- 3.1 In November 2017, the Executive Committee approved the Council's plan relating to the delivery of the expansion of funded ELC which include agreement to increase the hourly paid to ELC providers in the private and voluntary sectors over a 3 year period. This took the rate for 3 – 5 year olds from £3.65 an hour in 2017 to £5.31 an hour in 2020. For 2 year olds the increase was from £4 an hour in 2017 to 5.65 an hour in 2020, reflecting the higher staff ratio required. This was in line with recommendations from an Ipsos Mori report commissioned by Scottish Government.
- 3.2 Scotland Excel was commissioned by Scottish Government to develop a suite of operational guidance, published in 2019, which included establishing and setting sustainable rates for delivery of the funded entitlement. Scottish Borders Council, along with a number of other local authorities in Scotland, commissioned Scotland Excel to work with providers in the private and voluntary sector and produce a report on sustainable rates. The report concluded that the average hourly sustainable rate based on the capacity of providers, in 2020, was calculated at £5.95 an hour for 2 year olds and £5.68 an hour for 3-5 year olds. The average sustainable rate based on confirmed enrolments at that time was £5.32 for 2 year olds and £6.77 for 3-5 year olds. See Appendix 1.
- 3.3 Officers from the Council's Finance Department have carried out further in depth analysis of the operating costs of funded ELC providers in Scottish Borders to better understand what would constitute a sustainable rate. This information is contained in Appendix 2.
- 3.4 Following the Tender process, Scottish Borders Council awarded Contracts to be on the Framework of Providers of funded ELC provision in August 2021. At this time, some providers queried whether or not there would be an increase in the hourly rate with concerns that no increase will impact on their ability to pay staff the Real Living Wage, a requirement of the National Standard.
- 3.5 The new Contract is for 6 years – an initial 4 years with an option to extend for a further 2 years. Giving an affordable annual increase in rates for this period will demonstrate commitment from the Council and will support private and voluntary sector providers to have sustainable long term plans in place.
- 3.4. Approximately one third of children in Scottish Borders access their funded ELC entitlement with providers in the private and voluntary sectors. If these providers cease to be sustainable, there would be significant work and resource required to increase the number of local authority places to ensure that the Council meets its statutory duty.
- 3.5 As a result of continuing concerns by funded providers, Scottish Government are also carrying out work on reviewing the sustainability of the sector and published the Financial Sustainability Health Check of the Childcare Sector in Scotland on 31<sup>st</sup> August 2021:

Scottish Government have confirmed that they will not set a national rate and have stated that a number of local authorities continue to pay £5.31 an hour with no credence paid to an inflation uplift which was built into the quantum.

## **4 SUBJECT MATTER**

### **4.1 RATIONALE**

Quality of provision is at the heart of Early Learning and Childcare to improve outcomes for children and reduce the attainment gap. Therefore, as well as meeting the requirements of the National Standard to pay staff the real Living Wage, settings in the private and voluntary sector need to be able to recruit and retain staff, support staff training and invest in their services. Commitment to an annual rate increase would provide reassurance to providers, protect jobs and enable providers invest in their services and to put effective business plans into place.

The Scottish Government requires Councils to establish and pay a rate that ensures this sustainability. By not increasing the rate, the Council risks reputational damage, risks losing funded ELC places and the breakdown of the good working and partnership arrangements it has with organisations in the private and voluntary sector - see Risks section below.

## **5 IMPLICATIONS**

### **5.1 Financial**

- (a) The hourly rate paid has increased incrementally by £0.55 a year to achieve the rate of £5.31 an hour in 2020.
- (b) An analysis of the cost of increasing the rate, based on the current numbers of children accessing funded ELC in the private and voluntary sector can be found at Appendix 3

### **5.2 Risk and Mitigations**

- (a) If the Council does not increase the hourly rate to a level that enables providers in the private and voluntary sectors to be sustainable, there is the risk that:
  - (i) There will be insufficient places in Scottish Borders to enable parents to access their children's funded ELC entitlement which will incur additional cost for the Council as it will need to expand existing services and/or open new services;
  - (ii) There will be a risk to the Scottish Government policy of Funding Follows the Child which is part of the National Standard;

- (iii) There may be reputational damage to the Council if services close due to not being sustainable leading to loss of local provision, choice and flexibility for families, loss of employment and community based services.
- (iv) Providers in the private and voluntary sector may not be able to recruit and retain staff or meet the National Standard, if they are not able to pay the Real Living Wage;
- (v) Potential reduction in the quality of service provided if qualified and experienced staff cannot be recruited.

### **5.3 Integrated Impact Assessment**

An integrated impact assessment is included at Appendix 4

### **5.4 Sustainable Development Goals**

The following Sustainable Development Goals are relevant to this proposal:

Goal 4: Quality Education – Providers need to be adequately resourced to employ and retain qualified staff and deliver a high quality service;

Goal 8: Decent Work and Economic Growth –paying a sustainable rate protects jobs and enables staff to be paid the Real Living Wage.

### **5.5 Climate Change**

There is no potential impact as a result of the recommendations in this report

### **5.7 Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

## **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 will be highlighted in the committee meeting.

**Approved by**

**Lesley Munro**

**Director, Education and Lifelong Learning**

**Signature .....**

**Author(s)**

Margot Black	Early Learning and Childcare Manager
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Contact us at: Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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## **SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE**

MINUTE of Meeting of the EXECUTIVE  
COMMITTEE held via Microsoft Teams on  
Tuesday, 7 December 2021 at 10.00 am

Present:- Councillors M. Rowley (Chairman), G. Edgar, C. Hamilton, S. Hamilton,  
E. Jardine, S. Mountford, R. Tatler, G. Turnbull and T. Weatherston.

Also Present:- Councillor McAteer

In Attendance:- Chief Executive, Director Finance and Corporate Governance, Director  
Infrastructure and Environment, Director Resilient Communities, Principal  
Officer (Housing Strategy, Policy and Development), Lead Officer (G.  
Johnstone), Democratic Services Officer (W. Mohieddeen).

### **CHAIRMAN**

Councillor Rowley welcomed members to the Meeting and noted thanks to outgoing  
Leader and Chairman of the Executive Committee Councillor Haslam.

#### **1. MINUTE**

There had been circulated copies of the Minute of the Meeting held on 16 November  
2021.

### **DECISION**

**AGREED to approve the Minute for signature by the Chairman.**

#### **2. SCOTLAND LOVES LOCAL GIFT CARD**

2.1 There had been circulated copies of a report by Director of Resilient Communities seeking  
approval to join the Scotland Loves Local Gift Card scheme which was a national initiative  
designed to encourage all Scottish Local Authorities develop their local supply chains and  
to help support local retailers and high streets. The Gift Card was launched in July 2021  
by Scotland's Towns Partnership with a view to providing opportunities for people to help  
support local businesses by purchasing local produce and keeping more spend within the  
Local Authority area. Holders of the gift card would only be able to spend credit on  
participating businesses inside the Scottish Borders. After initial support from Scotland  
Loves Local, Scottish Borders Council would be responsible for the marketing and  
promotion of the initiative and it was estimated that there would be an annual cost of  
approximately £10,000 to undertake this work along with the appropriate officer time. It  
was the understanding of Officers that Dumfries & Galloway and Midlothian councils were  
already signed-up and that East Lothian Council also had a gift card scheme in place  
which they believed to be worthwhile.

2.2 In response to a question from Councillor Mountford, the Director of Resilient  
Communities advised that the scheme would likely be launched in early 2022 and that the  
Christmas period should be included as part of a full evaluation with a report likely to be  
presented in early 2023. Councillor Rowley requested that a six-month progress report  
was presented to understand uptake of the cards and effectiveness of communication.

### **DECISION**

**AGREED to:**

- (a) **Approve the development of the gift card proposal within the Scottish  
Borders and allow officers the opportunity to engage with Scotland's Towns**

**Partnership with a view to launching the scheme; and**

- (b) Receive an interim progress report 6 months after the launch of the scheme with a further report in twelve months on the operation of the scheme.**

**3. REQUEST FOR APPROVAL OF THE ROAD CONSTRUCTION CONSENT FOR MAIN STREET, CHIRNSIDE**

- 3.1 There had been circulated copies of a report by Director Infrastructure and Environment seeking approval of the road construction consent, reference 21/00860/RCC, associated with the housing development at Main Street, Chirnside. Planning permission for 57 affordable dwellings at Main Street, Chirnside (application 18/00147/FUL) was granted by the Planning & Building Standards Committee on 15 October 2019 to Springfield Properties Plc. The subsequent application for road construction consent, dated 21 May 2021, generated 28 objections during the consultation period. A further 3 objections had been received since the end of that statutory 28 day period.
- 3.2 In response to Councillor Jardine, the Senior Roads Planning Officer advised that on completion, the site would have a footpath with dropped kerbs on opposite sides of Main Street resulting in less road to cross. The road had been designed for a 30 miles per hour (mph) speed limit and if this would be reduced to 20mph then this would not reduce visibility of the proposed junction which would remain as designed. The construction plan did not highlight major concerns for car parking and there were no parking restrictions proposed. Parking bays were proposed for the entrance of the development which would accommodate parking for Main Street and there was a considerable distance to drive from the junction to reach housing. The impact of construction vehicles on Main Street had been considered including mud on the road and movement of large vehicles. A roads planning inspector would raise issues associated with construction traffic. Councillor Rowley suggested that discussions take place with the developer to produce an agreed plan for access, egress, road management and mud management. Mr Scott agreed to add the suggestion to the recommendations.

**DECISION**

**AGREED to approve the road construction consent, reference 21/00860/RCC, for the development off Main Street, Chirnside, subject to a construction management plan being agreed with constructors ahead of construction taking place incorporating a plan for site access, egress, road management and mud management.**

**4. PROPOSAL TO INTRODUCE EMPTY HOMES GRANTS**

- 4.1 There had been circulated copies of a report by the Director Infrastructure and Environment seeking approval to allocate £500,000 from the second homes Council Tax affordable housing investment budget to provide grant assistance to owners of empty properties to help bring them back into use as housing. The Housing (Scotland) Act 2001 placed a statutory requirement on Local Authorities to develop a Local Housing Strategy (LHS). The strategy set the strategic direction for housing investment and service delivery and identified the need to bring empty properties back into effective use. The most common hurdle for empty home owners was the financial cost of bringing property back into use. The report proposed to contribute to strategic objectives for empty homes highlighted in the Local Housing Strategy, as well as objectives of the Strategic Housing Investment Plan and the Rapid Re-housing Transition Plan. With reference to paragraph 4 of the Minute of the Meeting held on 20 April 2021, 1,543 homes were registered as long-term empty, accounting for 2.6% of total housing stock in the Scottish Borders, compared to the national average of 1.8%. Grant Assistance was suggested to incentivise the creation of new affordable homes. On average, there were over 1,200 lets every year among the four Scottish Borders Registered Social Landlords and collectively there were 21,602 bids made for available properties, an average of 16 bids per property, in 2019-20. Costs required by second home owners to bring properties back into use typically ranged from £6,000 to £25,000. Amongst the conditions of grant, property must

have had significant equity as the grant sum would have been secured against the property with conditions.

- 4.2 In response to questions from Members, Ms Bogdanovic advised that the grant would be for residential buildings. Ms Bogdanovic advised that they would assess that the grant would follow the procurement strategy adding that it is the responsibility of owners to secure three quotes. Mr Robertson added that they would encourage owners to follow procurement guidance but that it would not be mandated. The grant would be a Borders-wide grant and funded by Second Home Council Tax. The grant was not proposed to be means tested as assumption would be made that appropriate equity would be associated with properties.
- 4.3 In response to a question from Councillor Mountford, Mr Robertson advised that properties being occupied would offset funding from Second Homes Council Tax to fund the grant and that a six-month progress report would be made available from when the grant was established and asked that a further recommendation be added to delegate powers to himself and the Director of Environment and Infrastructure to allow the allocation of more than £25K should exceptional circumstances arise. Members agreed to approve this request. Establishment of the grant was anticipated to be from March 2022.

#### **DECISION AGREED:**

- (a) To allocate an initial £500k from the second homes council tax affordable housing investment budget to provide grant assistance to owners of empty properties to help bring them back into use as housing, subject to conditions,**
- (b) To Note that should grant assistance prove successful, Officers would bring back proposals recommending an ongoing annual allocation from the revenues raised from second homes council tax,**
- (c) That Officers provide a progress report after six months from the grant having been established; and,**
- (d) That powers be delegated to the Director of Environment and Infrastructure in consultation with the Director of Finance and Corporate Governance to approve grants in excess of £25k where there were exceptional circumstances.**

#### **5. ECONOMIC DEVELOPMENT UPDATE**

- 5.1 There had been circulated copies of a report by Director Resilient Communities providing Members with an update on a number of projects that had an economic development related theme. A Borders Railway Prospectus had recently been produced by the Borderlands Partnership. The prospectus identified and highlighted the development of the Tweedbank to Carlisle railway as the best solution to improve transport connectivity in the Scottish Borders. In addition, a Borders Railway Reference Group had recently been initiated to help progress the project and a meeting with the Cabinet Secretary for Finance and the Economy was held in October to specifically discuss the Borders Railway project. Within the Borderlands Inclusive Growth Deal, work was ongoing in relation to the various business cases impacting on the Scottish Borders. The programme was overseen by the Borderlands Partnership and meetings were usually held on a quarterly basis. Scottish Borders Council and South of Scotland Enterprise (SOSE) agreed to form a strategic partnership in relation to the delivery of the Business Gateway Service in November 2020, with the service transferring to SOSE in April 2022. A Scottish Borders Local Employability Partnership had been established to meet the requirements of the Scottish Government's No One Left Behind (NOLB) policy agenda. This involved local authorities

being given a lead role in coordinating employability services in partnership with other local bodies, together with a new funding regime which was to start in the next financial year 2022-23. The Partnership had to produce a Delivery Plan setting out the plans for employability services in the Scottish Borders over the three financial years 2022-23 – 2023-24. The Partnership was planning to use 2022-23 as a transitional year. The Community Renewal Fund (CRF) was a one off revenue fund designed to support public bodies, voluntary groups and communities to pilot new ideas and approaches to better support economic development-related activities. The UK Government intended that the CRF will lead to the introduction of a UK Shared Prosperity Fund which would replace Structural Funds that were issued through the European Union. Scottish Borders Council administered the application process with a total of 29 applications received and reviewed by an independent panel, with 14 applications having been approved for submission to the UK Government by Scottish Borders Council at the end of June 2021.

- 5.2 In discussion of the paper, Members welcomed the work by officers and the Chairman in progressing the scheme to extend the Borders Railway.

**AGREED to:**

- (a) Welcome and endorse the Economic Development updates; and,**
- (b) Recommend nominating a Substitute Member for the Borderlands Partnership which would be considered at the next meeting of Scottish Borders Council.**

**6. ANNUAL COMPLAINTS PERFORMANCE REPORTS 2019-20 AND 2020-21**

- 6.1 There had been circulated copies of a report by Director Resilient Communities presenting a summary of Scottish Borders Council's "Complaints Annual Performance Report for 2019/20 and 2020/21". This set out how many complaints had been received, how effectively complaints had been dealt with, trends over time and how Scottish Borders Council (SBC) compared to other similar rural Local Authorities and the national average. The Director Resilient Communities advised that the reports had been delayed due to the impact of the pandemic. The Annual Report was a requirement of all Local Authorities and allowed the Scottish Public Services Ombudsman (SPSO) to assess the effectiveness of Councils' Complaint Handling Procedures (CHP). It also ensured an ongoing focus on learning from complaints received to inform continuous improvement. During 2019/20, SBC received 1034 complaints, of which 725 were defined as valid and during 2020/21, SBC received 1076 complaints, of which 780 were defined as valid. Live Borders complaints performance for 2019-20 were included in the report. There was no 2020-21 performance information to report due to the service interruptions Live Borders experienced as a result of the Covid-19 pandemic. The Complaints Annual Performance Report 2019-20 contained benchmarking information, comparing Scottish Borders Council to the performance for Scotland and its Family Group of similar Scottish Local Authorities which included Aberdeenshire, Argyll & Bute, Dumfries & Galloway, Na h-Eileanan an Iar, Highland, Orkney Islands, Scottish Borders, and Shetland Islands. In 2019-20, Scottish Borders Council received slightly more complaints per 1,000 citizens, at 6.3, than the Family Group average of 6.0, which was also fewer than the Scottish average of 10.34. Scottish Borders Council's average response time for Stages 1 and 2 was quicker compared to both the Family Group and Scotland overall, but slower than both at Escalated from Stage 1. Notably at Stage 1, the average time for Scottish Borders Council to respond was significantly quicker at 5.3 days (Family Group – 8.1 days, Scotland – 10.2 days). Scottish Borders Council's proportion of Stage 1 complaints closed within timescales was 77% which was quicker than the average for the Family Group and Scotland however for Stage 2, this was lower than both Scotland and the Family Group. The Director Resilient Communities advised that complaints in this stage tended to cover complex areas which affected performance. Compliments were recorded as part of the reporting process. 50 complaints had been escalated to the SPSO with one being fully

investigated and resulted in the complaint not being upheld.

- 6.2 Members discussed the report. In response to a question from Councillor Jardine, Director Resilient Communities advised that work was being undertaken to support Members receiving complaints. In response to Councillor Hamilton, the Director Resilient Communities further advised that work was being undertaken to make the complaints process as efficient as possible.

## **DECISION**

**AGREED to note the performance of handling complaints for the periods 1 April 2019 to 31 March 2020 and 1 April 2020 to 31 March 2021.**

## **7. EVENTS STRATEGY REPORT**

- 7.1 There had been circulated copies of a report by Director of Resilient Communities providing Members with an update on a proposed new Scottish Borders Strategic Events Plan following a recent review by industry experts and made interim recommendations on a suggested direction of travel. Strategic events were recognised as an important part of the social and economic fabric of communities in the Scottish Borders and had the potential to enrich the lives of local residents, attract visitors and improve the economic viability of an area. It had previously been estimated that events could generate and contribute over £7 million per year to the local economy in the Scottish Borders. Scottish Borders Council had traditionally helped support a number of strategic events throughout the region such as the Melrose 7s, the Tour of Britain cycling event, the Borders Book Festival and the Jim Clark Rally. These events were considered to be very important for the local economy and could provide worldwide exposure on a regular basis. The Scottish Borders Strategic Events Plan was produced in 2014 and covered the period from 2014 to 2020. A refresh of the current document was recommended, primarily to take account of changes since 2014 which had an impact on the events industry, including the effects of the Covid-19 pandemic and placing more emphasis on environmental sustainability and collaborative working across the South of Scotland. Mr Johnstone highlighted key recommendations of considering additional resources to support the part-time events Officer and to nominate an events champion from the Members.
- 7.2 In response to questions from Members, the Director Resilient Communities advised that the Events Strategy was for major events and that community events were treated differently. Councillor Edgar raised that the report did not reference Border town festivals of historical and economic importance that would require significant organisation to arrange road closures and work of partner agencies to deliver. The Director Resilient Communities advised that reference to Border town festivals may be made in the strategy and that a separate policy existed covering their funding. Councillor Rowley advised that a calendar may be useful for coordinating events with festivals in the Borders.

## **DECISION**

### **AGREED:**

- (a) Noted the proposals contained within the report; and**
- (b) That additional work to further develop the new Strategic Events Plan in collaboration with Elected Members and key stakeholders should be undertaken, with the results of this work brought back to Committee at an appropriate date.**

*The meeting concluded at 12.00 noon.*

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## **CORPORATE DEBTS – WRITE OFFS IN 2021/22 MID YEAR UPDATE**

**Report by Director – Finance & Corporate Governance**

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### **EXECUTIVE COMMITTEE**

**18 January 2022**

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

- 1.1 **As required by the Financial Regulations, this report details the aggregate amounts of debt written off during the first 6 months of 2021/22 under delegated authority.**
- 1.2 The report covers the areas of Council Tax, Non-Domestic Rates, Sundry Debtors, Housing Benefit Overpayments and aged debt from the balance sheet.
- 1.3 The total value of write-offs between 1 April 2021 and 30 September 2021 is £212.1k

#### **2 RECOMMENDATIONS**

- 2.1 **It is recommended that the Executive Committee note the debtor balances written off under delegated authority for the period 1 April 2021 to 30 September 2021.**

### 3 BACKGROUND

- 3.1 Financial Regulations give the Director – Finance & Corporate Governance authority to write-off individual irrecoverable debts up to £100,000. Any debt in excess of £100,000 may only be written off as irrecoverable following approval by the Executive Committee. No write-offs have fallen into this category in 2021/22.
- 3.2 Financial Regulations also require that the Director – Finance & Corporate Governance shall report to the Executive Committee annually on the aggregate amounts written off under delegated authority and this report adds to that remit for financial year 2021/22.

### 4 LEVEL OF WRITE OFFS

- 4.1 The total net amounts which were written off during the period 1 April 2021 to 30 September 2021 are shown in table 1 below. Figures for the same period in 2020 are shown for comparison

Table 1

<b>Category</b>	<b>Net amount written off (£'000)  01/04/21- 30/09/21</b>	<b>Net amount written off (£'000)  01/04/20- 30/09/20</b>
Council Tax	137.6	142.1
Non Domestic Rates	0	141.1
Sundry Debts	58.3	32.1
Housing Benefits Overpayments	16.2	55.8
Aged debt from balance sheet	0	0
<b>Total</b>	<b>212.1</b>	<b>371.1</b>

- 4.2 The 'write-offs' are net of any amount 'written back on'. This occurs where a debt has been written off and subsequent information is received, such as a new forwarding address, which would enable the Council to again pursue a debt previously considered irrecoverable. In these circumstances, the write-off will be reversed by a write-on and the debtor will then be pursued for the debt.
- 4.3 In all cases, a debt will only be written off when at least one of the following occurs: -
- Legislation prevents its recovery;
  - It is uneconomic to pursue;
  - The Debtor becomes insolvent;
  - All options of recovery have been exhausted, which includes the use of the Council's Legal team and the appointed Sheriff Officers, Walker Love;

- After a professional assessment of the debt concludes that recovery is unlikely. For example, if Sheriff Officers advise that there are no assets, or the debtor has left the area and cannot be traced.

- 4.4 The amount of Housing Benefit written off has decreased significantly. This is due to staff resource for this work being redirected to support other areas of work and due to a separate initiative on historical debt being suspended.

Although the annual level for 21/22 is expected to remain lower than 20/21 that reduction is expected to reverse during 22/23 should business operating conditions return to "normality".

Housing Benefit Overpayments attract 100% subsidy from the Department of Work and Pensions which, combined with established recovery procedures, minimises the financial loss to the Council.

- 4.5 The categories of Council Tax write offs processed in the first 6 months of 2021/22 are detailed below.

The level of write offs is similar for the period however there is a variation in the amounts written off within the categories. Gone Away's have dramatically reduced and Sequestrations have increased.

Gone Away's appear low for the period as much of the resource dealing with this work stream have been highly involved in Business Grants and other Covid-19 related work which remains ongoing.

The Sequestration write offs have increased due to a targeted resource dealing with a backlog of these cases.

Table 2

<b>Reason for write off: Council Tax</b>	<b>Net amount written off (£'000)</b>	<b>Net amount written off (£'000)</b>
	<b>01/04/21- 30/09/21</b>	<b>01/04/20- 30/09/20</b>
Small Balance under £10	2.5	-0.1
Deceased	44	45.7
Gone Away	14.2	61.1
Sequestered	57.2	19.7
Miscellaneous	5.8	0.6
Surcharge	13.9	15.1
<b>Total</b>	<b>137.6</b>	<b>142.1</b>

- 4.6 There have been no categories of Non-Domestic Rates write offs processed in the first 6 months of 2021/22.

Much of the resource which would normally deal with this work has been highly involved in Business Grants and other Covid-19 related work which remains ongoing. That together with temporary new reliefs introduced over the past year means we would not expect write off levels to exceed those reached in 2020/21.

Table 3

<b>Reason for write off: Non Domestic Rates</b>	<b>Net amount written off (£'000)</b>	<b>Net amount written off (£'000)</b>
	<b>01/04/21- 30/09/21</b>	<b>01/04/21- 30/09/21</b>
Sequestered	0	130.5
Surcharge	0	10.6
<b>Total</b>	<b>0</b>	<b>141.1</b>

- 4.7 Levels of write-offs for Sundry Debt are higher at this point in time compared with the same period of time last year. This is mainly due to a higher amount of debt now being time barred (debt unrecoverable if no formal contact from customer has been established with five years) due to restrictions imposed on commencing legal proceedings during the Covid 19 pandemic.

Table 4

<b>Reason for Write-off: Sundry Debt</b>	<b>Net amount written off (£'000)</b>	<b>Net amount written off (£'000)</b>
	<b>01/04/21- 30/09/21</b>	<b>01/04/20- 30/09/20</b>
Deceased	1.5	7.6
Gone Away	0.1	4.8
Bankruptcy	1.1	9.1
Uneconomic to Pursue	1.2	4.2
Sheriff Officer Unable to Collect	1.2	6.4
Time Barred	53.2	0
<b>Total</b>	<b>58.3</b>	<b>32.1</b>

## 5 IMPLICATIONS

### 5.1 Financial

An annual budget provision for sundry bad debts of £125k and £635k for Council Tax is maintained, which is regularly reviewed and if necessary will be revised in future.

### 5.2 Risk and Mitigations

It is expected that the level of debts written off in 2021/22 in some areas will vary as they are still being affected by heightened risk factors, particularly Covid 19. Performance in this area continues to be closely monitored and management action, including the approved policy on debt recovery and supporting procedures, are in place to minimise risk.

The Council maintains an appropriate bad debt provision to help manage these risks.

### 5.3 **Integrated Impact Assessment**

There is no impact or relevance to Equality Duty or the Fairer Scotland Duty for this report. This is a routine financial monitoring report which is required to comply with the Financial Regulations. Nevertheless, a light touch assessment has been conducted and this will be published on SBC's Equality and Diversity Pages of the website as in doing so, signifies that equality, diversity and socio-economic factors have duly been considered when preparing this report.

### 5.4 **Sustainable Development Goals**

There are no environmental implications directly associated with this report.

### 5.5 **Climate Change**

There is no impact on the Council's carbon emissions.

### 5.6 **Rural Proofing**

There are no changes in policy or strategy in relation to rural areas.

### 5.7 **Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

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

There are no changes to the Scheme of Administration or the Scheme of Delegation.

## 6 **CONSULTATION**

- 6.1 Director – Finance & Corporate Governance, 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 their comments have been incorporated into this report.

### **Approved by**

**David Robertson**

**Director - Finance & Corporate Governance**

**Signature.....**

### **Author(s)**

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### **Background Papers:**

**Previous Minute Reference:** Executive Committee 01 December 2020

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

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

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