

# Public Document Pack

## SCOTTISH BORDERS COUNCIL

MINUTE of Meeting of the SCOTTISH COUNCIL held in Via Microsoft Teams on Thursday, 26th August, 2021 at 10.00 am

-----

Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, H. Anderson, S. Bell, K. Chapman, C. Cochrane, G. Edgar, J. A. Fullarton, J. Greenwell, S. Hamilton, S. Haslam, E. Jardine, H. Laing, J. Linehan, 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

Apologies:- Councillors J. Brown, C. Hamilton

In Attendance:- Chief Executive, Executive Director (Finance and Regulatory), Service Director Assets & Infrastructure, Service Director Customer & Communities, Chief Social Work and Public Protection Officer, Chief Operating Officer – Adult Social Work & Social Care, SB Cares, Chief Legal Officer, Clerk to the Council.

-----

### 1. **CONVENER'S REMARKS.**

1.1 The Convener congratulated those Borderers who competed in the Olympics in Tokyo -

- Harry Leask, silver medal as part of the men's quadruple sculls rowing team,
- Sarah Robertson, bronze medal as part of the women's hockey team,
- Lucy Hope (Swimming),
- Scott Brash (Individual Show jumping),
- Lisa Thomson (Rugby 7s),
- Maddie Arlett (Rowing) selected as a reserve within the Great Britain squad, and
- Clark Laidlaw, coached New Zealand men's rugby sevens squad to the gold medal match (won by opponents Fiji).

1.2 He also wished the best of luck in the Paralympics, which started the previous day (Wednesday) to:

- Sammi Kinghorn (Athletics),
- Libby Clegg (Athletics), and
- Stephen Clegg (Swimming)

### **DECISION**

**AGREED that congratulations be passed to those concerned.**

### 2. **MINUTE**

The Minute of the Meeting held on 17 June 2021 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)	Major Contracts Governance Group	1 June 2021
(b)	Audit & Scrutiny	3 June 2021
(c)	Innerleithen Common Good Fund	3 June 2021
(d)	Sustainable Development	4 June 2021
(e)	Jedburgh Common Good Fund	7 June 2021
(f)	Executive	8 June 2021
(g)	Teviot & Liddesdale Area Partnership	8 June 2021
(h)	Selkirk Common Good Fund	9 June 2021
(i)	Community Planning Strategic Board	10 June 2021
(j)	Peebles Common Good Fund	10 June 2021
(k)	Berwickshire Area Partnership	10 June 2021
(l)	William Hill Trust	15 June 2021
(m)	Lauder Common Good Fund	15 June 2021
(n)	Kelso Common Good Fund	15 June 2021
(o)	Tweeddale Area Partnership	15 June 2021
(p)	Hawick Common Good Fund	18 June 2021
(q)	Eildon Area Partnership	24 June 2021
(r)	Planning & Building Standards	28 June 2021
(s)	Audit & Scrutiny	29 June 2021
(t)	Berwickshire Area Partnership	1 July 2021
(u)	Tweeddale Area Partnership	13 July 2021
(v)	Teviot & Liddesdale Area Partnership	22 July 2021
(w)	Eildon Area Partnership	22 July 2021
(x)	Civic Government Licensing	23 July 2021
(y)	Planning & Building Standards	2 August 2021
(z)	Tweeddale Area Partnership	4 August 2021

#### **DECISION**

**APPROVED** the Minutes listed above.

### 4. **EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION DEAL REGIONAL GROWTH FRAMEWORK UPDATE**

This item was withdrawn from the agenda.

#### **DECISION**

**NOTED.**

### 5. **EXPRESSION OF INTEREST FOR BORDERLANDS CITY OF CULTURE 2025**

- 5.1 There had been circulated copies of a report by the Service Director Customer & Communities seeking endorsement of a City of Culture 2025 Expression of Interest (EOI) to the UK Government for the Borderlands area. To comply with bid timescales, an EOI had been submitted by South of Scotland Enterprise (SOSE) on behalf of the Borderlands' five partner Local Authorities. Council's endorsement of the EOI was sought and the outcome should be known by early September. If successful considerable work would be required by officials to take a bid to the next stage by January 2022. A Council member governance structure was proposed to oversee and support the work if required from a Scottish Borders' perspective. The report explained that the UK City of Culture was a UK Government programme which was administered as a competition by the Department of Digital, Culture, Media, and Sports (DCMS). The competition had been run every four years and the current one was for the UK City of Culture 2025. For the first time, the competition was open to areas and places joining together to apply for the title to be awarded to their local area. There were three stages to the competition, with the first one being the submission of an expression of interest with a decision made on a 'long list' of six in early September. At the end of June 2021, SOSE identified the opportunity to submit a South of Scotland expression of interest for the City of Culture 2025 with the

deadline for applications being 19 July 2021. Following deliberations it was considered the most effective approach was to submit a bid for the Borderlands area. This led to an expression of interest being submitted by SOSE on behalf of the five Local Authority areas of Dumfries and Galloway, Scottish Borders, Carlisle City, Cumbria, and Northumberland which make up the Borderlands Partnership.

- 5.2 The bid was aligned to the theme of a 'Just Transition to Net Zero'. By using the Borderlands region's heritage, culture and creativity, the bid would aim to create opportunities for future development and hopefully bring investment into the region. The UK Government was providing £40,000 to each bid that made the 'long list' of six applicants for the next stage of the competition. It was considered that more resources would likely be required in addition to this award to develop an exciting and innovative plan of cultural activities for the year that would be a key feature in the longer application required for the next stage. The Service Director advised that Councillor Aitchison should have been included as a Member of the Group to oversee the bid. Members welcomed the application and highlighted the impact a successful bid would bring to the Scottish Borders.

## **DECISION**

### **AGREED:-**

- (a) **to endorse the Expression of Interest for the Borderlands to be UK City of Culture 2025, as described in the report, that was submitted to the UK Government by SOSE on behalf of the five local authority areas of Dumfries and Galloway, Scottish Borders, Carlisle City, Cumbria and Northumberland which made up the Borderlands Partnership; and**
- (b) **that the following Members:**
- **Councillor Shona Haslam;**
  - **Councillor Mark Rowley;**
  - **Councillor Sandy Aitchison**
  - **Councillor Simon Mountford;**
  - **Councillor Carol Hamilton;**
  - **Councillor Stuart Bell;**
  - **Councillor Euan Robson; and**
  - **Councillor Euan Jardine**
- as outlined in the report oversee, advise, and support any further work involving the Council in the Borderlands bid for the UK City of Culture 2025.**

## **6. PLACE MAKING NEXT STEPS**

- 6.1 With reference to paragraph 14 of the Minute of 17 June 2021, there had been circulated copies of a report by the Service Director Customer & Communities providing an update on progress in implementing the recommendations of the Place Making report considered by Council in February 2021. It proposed a framework, based on initial engagement with Area Partnerships and partner organisations, for transforming joint working with Communities across the Borders. The report explained that the experience of joint working with Partners and Community Resilience Teams during the pandemic showed how small but significant interventions could come together to improve people's lives. The proposals aimed to build upon that experience, and the lessons learned, to transform the working relationship between the Council and the communities it served. The proposals also built on the Place Principle agreed between CoSLA and the Scottish Government, in particular:

"A more joined-up, collaborative and participative approach to services, land and buildings, across all sectors within a place, enables better outcomes for everyone and increased opportunities for people and communities to shape their own lives."

- 6.2 The proposals set out in the report aimed to make the Place Principle a reality for people in communities and provided a baseline for how we recognised and valued the importance of place in the way decisions were made. It provided a challenge to the assumptions that were made about places without community participation by asking for answers to straightforward questions before decisions were taken about what to do and what to stop doing. Details were provided of progress from the first preparation and planning phase, and gave proposals for the next phase based on engagement with, and feedback from, Area Partnerships and Community Planning Partners. Members discussed the report in detail and emphasised the need to work with all communities and were pleased to note the additional resources including staffing which were being provided to support this work. Some concerns were expressed regarding the initial short list of communities and it was noted that the criteria would continue to be developed. It was appreciated that this work would take place over a number of years but Members encouraged officers to progress this work as soon as possible.

## **DECISION**

### **AGREED:-**

- (a) to note progress since February Council and the feedback from Area Partnerships summarised at Section 4 and detailed in Appendices 1 to 5 to the report;**
- (b) to endorse the proposed draft joint principles set out in Section 5 for discussion and refinement with Area Partnerships and Partners;**
- (c) to endorse the proposed Framework as set out in the report;**
- (d) to endorse the proposed draft criteria set out in the report for prioritising community-based place making activity and the associated proposed communities identified for discussion and refinement with Area Partnerships and Partners;**
- (e) to support proposals on how Council resource would be deployed to support this work in a way that supported and complemented partnership and community resources;**
- (f) how Service Redesign activity, as agreed by Council in June 2021, would form part of the proposed Place Making arrangements as set out in the report; and**
- (g) the next steps and outline action plan contained in the report.**

## **7. PROPOSED AMENDMENT TO SCHEME OF ADMINISTRATION - MAJOR CONTRACTS GOVERNANCE GROUP**

With reference to paragraph 15 of the Minute of 17 December 2021, there had been circulated copies of a report by the Chief Executive proposing changes to the functions referred to the Major Contracts Governance Group. It sought to clarify the arrangements for Elected Member oversight of the CGI contract and proposed the monitoring of the Live Borders agreement sit wholly with the Executive Committee. At its meeting on 17 December 2020, Scottish Borders Council approved a Motion from Councillor Thornton-Nicol requesting officers provide a report to Council with amendments to the Scheme of Administration to specify the remit of the Major Contracts Governance Group in respect of the performance of the Live Borders agreement and the CGI contract. This would give clarity to Elected Members as to their monitoring role on the Group. The current functions delegated to the Major Contracts Governance Group (MCGG), a sub-committee of Council, related mainly to the monitoring of the Council only significant trading organisation SB Contracts. There was also an overview role for the Group with respect to the contract with CGI and the management agreement with Live Borders. The present scheme of administration provided no detail on how this function should be carried out.

Officers had looked at a number of options for consideration to provide clarity and further detail for Members when monitoring the Live Borders Agreement and the CGI contract. These options were:

- (a) Enhance the functions of the Major Contracts Governance Group to give explicit detail for Members to monitor CGI as well as SB Contracts performance and move Live Borders monitoring to the Executive Committee.
- (b) Amend the functions of the Major Contracts Governance Group to generalise the monitoring of SB Contracts, Live Borders, and CGI.
- (c) Reinststate the Trading Operations Sub-Group to monitor SB Contracts, transfer the monitoring of the Live Borders agreement and CGI contract to the Executive Committee and disband the Major Contracts Governance Group.

Members welcomed the report and agreed that option (a) was the preferred way forward.

#### **DECISION**

**AGREED to approve changes to the functions referred to the Major Contracts Governance Group as set out in Option (a) above and that the necessary amendments would be made to the Scheme of Administration.**

#### **8. OPEN QUESTIONS**

The questions submitted by Councillors Bell and Moffat were answered.

#### **DECISION**

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

#### **9. 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**

#### **10. MINUTE**

The private section of the Council Minute of 17 June 2021 was approved.

#### **11. COMMITTEE MINUTES**

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

***The meeting concluded at 11.30 am***

This page is intentionally left blank

**SCOTTISH BORDERS COUNCIL  
26 AUGUST 2021  
APPENDIX I**

**Question from Councillor Bell**

To Executive Member for Economic Regeneration and Finance

My recollection of the 2016 agreement between SBC and CGI was that it included a commitment to set up and maintain a second UK Service Delivery Centre in the Borders with a commitment to the retention of 49 roles transferring under TUPE legislation and the creation of 100 new jobs within 5 years of service transfer.

Where are we now in regards to delivery of new IT jobs and fulfilling of the agreement?

Reply from Councillor Rowley

The Contract between the Council and CGI was revised with the agreement of Council in 2020 and as part of this change the timescales for completion of the delivery of the jobs commitment was revised to 2027.

The original contractual commitment for CGI to deliver 147 jobs with a further 10 Modern apprenticeships, with an overall aspiration to 250 jobs, was not amended by the 2020 agreement and remains in place.

Currently CGI has 71 members of staff working on the SBC contract, including 9 Borders based graduates who joined the company during the month of August.

The new office which will house the CGI Borders Service Centre at Tweedbank is now due to be completed for occupation in December 2021. The project was delayed by COVID 19 and this provided the rationale for revising the job creation timescale. The new facility at Tweedbank should drive a step change in CGI's staffing complement in the Borders.

CGI has confirmed they have 56 open vacancies that are currently being advertised across a breadth of roles in the Scottish Borders. The roles currently out to advert are shown in the table below.

J0721-0317	Business Analyst	1
J0721-0950	CISO	1
J0721-0513	DevOps Engineer	1
J0721-0661	Digital Consultant	4
J0721-0693	Director Consulting Services - Strategic Growth	1
J0721-0659	Lead Digital Consultant	2
J0721-2756	Senior Cyber Security Consultant	1
J0721-2757	Senior Security Manager	1
J1120-1898	Senior Software Developer	1
J0821-0477	Senior Software Developer C# .Net	1
J0721-1255	Senior Solutions Architect	1
J0721-2871	Software Engineer	2
J1120-1908	Software Engineer	4
J1120-1871	Test Automation Analyst	10
J0821-0549	Director Consulting Services	1
J0121-2403	IT Support Analyst (GTO)	23
J0721-1341	Transition & Project Manager (GTO)	1
		56

All 56 roles will be based in Scottish Borders but these roles will service both Scottish Borders Council and other CGI clients from across Scotland and the wider UK.

CGI has confirmed that if they can fulfil the 56 currently open roles, they will achieve a headcount of 127 jobs by the end of this year and anticipates they will deliver their contractual commitments by 2027.

#### Supplementary

Councillor Bell commented on the fact that the majority of discussions around the CGI contract at the Major Contracts Governance Group were held in private and asked Councillor Rowley as Chairman of the Group if he could give consideration whether more of the business could be considered in public. Councillor Rowley advised that he would discuss this with officers as he was guided by them in such matters.

#### **Questions from Councillor Moffat**

##### 1. To Executive Member for Wellbeing, Sport and Culture

BREST Duns Swimming Pool Trust have due to local support and the tireless work of Kirsty Inkpen and Rosalyn Gresham over the last 24 years carried out two major upgrades totalling 1.8 million pounds sourced through many grants. They have faced many challenges over the years and supported three Olympians with one silver medal winner. In 2010 they were promised £60,000 a year in revenue support which they appreciated and when it was passed by Council it was to be index linked to inflation. This has never been done which is not in my view acceptable. The gas renewal contract has increased by £20,000 so I think it's about time the Council made good its agreement to fund this pool more fairly and increase the revenue grant given that a pound in 2010 is worth around 72 pence now. Can the Executive Member advise if this additional funding will be provided?

##### Answer from Councillor Jardine

The total revenue support provided by the Council to BREST in each of the last 5 years is as follows

2017/18	£62,600
2018/19	£64,200
2019/20	£69,558
2020/21	£85,648
2021/22	£60,000

In total revenue support provided to BREST over the last 5 years by the Council therefore totals £342,006. This includes core revenue grant funding each year of £60,000. Officers are not aware of an agreement that this core grant funding was to be index linked. The approach is consistent with that adopted for both Live Borders and the Jedburgh Leisure Trust.

The total capital support provided to BREST by the Council in each of the last 5 years is as follows.

2017/18	£26,682
2018/19	£11,832
2019/20	£26,379
2020/21	£17,659
2021/22	£19,592

In total capital grant support to BREST over the last 5 years therefore totals £ 102,144.

Total revenue and capital grant support provided to BREST therefore totals £444,150 over the last 5 years.

In addition, the Trust as a registered Charity, receives 100% relief from Non Domestic Rates Liability totalling £41,598. 80% (£33,278) of this is mandatory relief and the other 20% (£8,320) is discretionary relief topped up by SBC.

The Council has protected the cash grant to BREST since 2010, at a time when significant savings have been required in other budgets and there are no plans to change this position in the current year.

#### Supplementary

Councillor Moffat considered that in comparison with the grant paid to the Jedburgh Swimming Pool and Live Borders the Duns Swimming Pool was being unfairly treated and asked that they be provided with equality of funding. Councillor Jardine disputed this assessment but undertook to visit the pool and discuss funding with them. Funding levels would remain unchanged at present.

#### 2. To Executive Member for Sustainable Development

Regarding grass cutting in Coldstream over this summer I have had a steady stream of complaints about the Leet Green and the Tweed Green riverside walks. Tourists and locals are appalled at what one resident named Jurassic Park and the fact you cannot get near the Leet or the Tweed for weeds. It is not a great advert for the first true Border town or tourism. Mums and grannies taking the kids with a net and a bucket cannot gain access to catch minnows etc. The only easy access is at the cauld which is not the safest place for kids .Will the Council look again at grass cutting in places such as Coldstream bearing in mind its often got TV cameras here at every election or political visit not the best advert for the Borders on national and international TV?

#### Answer from Councillor Aitchison

Scottish Borders Council made changes in 2018 to its grass cutting regime on the basis of financial and environmental sustainability. Areas identified as appropriate were changed to a reduced grass cutting regime to allow for greater plant and pollinator diversity.

From a biodiversity perspective, the Council like many other Local Authorities in Scotland and the UK is doing this to help both minimise emissions and enhance biodiversity. The biodiversity value of these grassland areas may not improve overnight but will gradually develop into more meadow-like habitat in time. This is important as habitat loss is on the rise. The Council has a duty under legislation to further the conservation of biodiversity.

Riverside margins can be vitally important habitat corridors for pollinators, so these areas are often prioritised in adopting this approach. This is consistent throughout the Scottish Borders region. Areas of general amenity are still managed to allow access and recreation. It is always a balancing act between public amenity and environmental sustainability, but we cannot simply do as we have always done. The Council has recently declared a Climate Emergency, which makes this ever more pressing.

I appreciate there are concerns regarding the appearance of these areas. It can be challenging when we are going through a period of change and feedback from local residents and visitors is important, to help us strike the right balance.

#### Supplementary

Councillor Moffat considered that the views of local people needed to be taken into account and asked Cllr Aitchison to take another look at the policy in this area. Councillor Aitchison advised that biodiversity was needed everywhere. The policy was constantly being looked at and compromise was needed as there were strong views on both sides of the argument.