

# Public Document Pack

## SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH BORDERS COUNCIL held via MS Teams on Thursday, 23rd June, 2022 at 10.00 am

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Present:- Councillors W. McAteer (Convener), J. Anderson, D. Begg, P. Brown, C. Cochrane, J. Cox, L. Douglas, M. Douglas, J. Greenwell, C. Hamilton, S. Hamilton, E. Jardine, J. Linehan, N. Mackinnon, S. Marshall, D. Moffat, S. Mountford, A. Orr, D. Parker, J. PatonDay, J. Pirone, C. Ramage, N. Richards, E. Robson, M. Rowley, S. Scott, F. Sinclair, E. Small, A. Smart, Steel, V. Thomson, E. Thornton-Nicol and T. Weatherston.

Apologies:- Councillors R. Tatler

In Attendance:- Director Education & Lifelong Learning, Director Finance & Corporate Governance, Director Infrastructure & Environment, Director Resilient Communities, Director Social Work & Practice, Director Strategic Commissioning & Partnerships, Director Health & Social Care, Chief Legal Officer, Clerk to the Council.

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### CHAIR

The Convener welcomed everyone to the meeting and advised that the public business in this meeting was being livestreamed for public view and also recorded. By participating in the meeting, attendees have given consent for this. The recording would be available through the link to the event livestream on the Council website for public viewing for 180 days afterwards. The recording would then be automatically deleted after this time. Everyone was reminded that the Council did not allow any other recording of the meeting than this one.

### 1. CONVENER'S REMARKS.

- 1.1 The Convener commented on the success of Common Ridings being able to return to normal and congratulated those who had already held successful events and wished those who had still to be held every success.
- 1.2 The Convener congratulated Emma Gibson from HR who was the Hawick Cornet's Lass and Abbie Hood from Corporate Management Support who was the Galashiels Braw Lass and wished them well as they carried out their duties over the summer.
- 1.3 The Convener advised that Douglas Scott, Senior Policy Adviser was to retire after over 40 years with the Council. He highlighted the dedicated service given by Douglas and wished him well for the future.
- 1.4 The Convener commented on two very successful events which had been held in the Borders over the weekend, namely the Book Festival in Melrose and the Sir Jackie Stewart Classic Car Event at Thirlestane Castle, and congratulated the organisers and volunteers.

### DECISION

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

### 2. MINUTES

- 2.1 The Minutes of the Meetings held on 31 March, 19 May and 26 May 2022 were considered.

- 2.2 With regard to paragraph 6 of the Minute of 26 May 2022, it was noted that amendments were required which had not been shown and an amended Appendix was attached to this Minute.

#### **DECISION**

**(a) AGREED that the Minutes be approved and signed by the Convener.**

**(b) NOTED the amended Appendix I to this Minute listing the appointments to other bodies.**

#### **3. COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

Major Contracts Governance Group	1 March 2022
Local Review Body	7 March 2022
William Hill Trust	8 March 2022
Lauder Common Good Fund	8 March 2022
Berwickshire Area Partnership	3 March 2022
Sustainable Development	11 March 2022
Audit & Scrutiny	14 March 2022
Hawick Common Good Fund	15 March 2022
Chambers Institution Trust	16 March 2022
Peebles Common Good Fund	16 March 2022
Pension Fund	17 March 2022
Pension Board	17 March 2022
Local Review Body	21 March 2022
Jedburgh Common Good Fund	21 March 2022
Kelso Common Good Fund	22 March 2022
Teviot & Liddesdale Area Partnership	22 March 2022
Cheviot Area Partnership	23 March 2022
Planning & Building Standards	28 March 2022
Civic Government Licensing	29 March 2022
Hawick Common Good Fund	29 March 2022
Tweeddale Area Partnership	29 March 2022
Galashiels Common Good Fund	30 March 2022
Eildon Area Partnership	31 March 2022
Local Review Body	18 April 2022
Civic Government Licensing	22 April 2022

#### **DECISION**

**APPROVED the Minutes listed above.**

#### **4. EMERGENCY POWERS REPORT**

There had been circulated for information a copy of a report by the Director Finance and Corporate Governance which had been approved under emergency powers to provide financial support to the Disasters Emergency Committee to help fund its members UK-based activities. In turn this would enable resources to be freed for their efforts to support the humanitarian crisis caused by the Russian invasion of Ukraine. Scottish Borders Council had approved a Motion at its meeting on 10 March 2022 recording its horror at the events in Ukraine and the suffering and devastation being inflicted on the Ukrainian people by the ongoing war. During consideration of that Motion, Members expressed a wish for the Council to make a donation to the Disasters Emergency Committee, should that be allowed by legislation. The report provided background to the legislation relating to charitable donations by the Council and provided detail of similar support provided by other Councils. A contribution of £10,000 had been made and was funded from financial year 2021/22 year end budget flexibility.

#### **DECISION**

**NOTED the report.**

**5. REVIEW GROUP UPDATE IN CONNECTION WITH INDEPENDENT INQUIRY ACTION PLAN**

With reference to paragraph 4 of the Minute of 10 March 2022, there had been circulated copies of a report by the Chief Executive providing the first update from the Inquiry Review Group which was established to progress the work identified following the independent investigation into the Council's handling of concerns raised about a former Scottish Borders Council employee. The Review Group was chaired by the Chief Executive and included the Director of People, Performance and Change, the Director of Education and Lifelong Learning, and the Director for Social Work and Practice, who also undertook the statutory role of the Chief Social Work Officer. The previously titled "Education" Portfolio Member was invited to attend all meetings. Invitations had now been extended to Councillor Leagh Douglas in her role as Portfolio Holder for Education & Lifelong Learning. The first Review Group meeting was held on 23 March 2022 where the Terms of Reference (contained in Appendix 1 of this report) had been agreed. Six subsequent, fortnightly, meetings of the Review Group had taken place but due to the recent local elections, this was the first opportunity to update Council. Work had commenced in respect of all actions, as listed in the Action Plan and details of the progress made was contained in the report. A number of Actions were now considered to be complete and these were detailed in Appendix 2 to the report. Members welcomed this first update report of this critically important piece of work.

**DECISION**

**AGREED:-**

- (a) to record the progress of the Review Group as detailed in the report;**
- (b) to approve the following actions from the Action Plan as being complete:**
  - **Action 1(a): establishment of Review Group;**
  - **Action 2 (a): establishment of communication with Care Inspectorate;**
  - **Action 3 (a): Provide reporting to the Critical Services Oversight Group (CSOG) for the delivery of the Inquiry Action Plan;**
  - **Action 5 (a): incorporation of Action Plan outcomes into ongoing collaborative review;**
  - **Actions 6(a), (b), (c) and (d): review of the Disciplinary Procedures and Guidelines to reinforce the requirement to report to Child Protection Unit;**
  - **Action 7 (a) and (b): review of the Disciplinary Procedures and Guidelines to ensure investigating officers are appropriately advised of the scope of their appointment;**
  - **Action 8 (a), (b) and (c): review of practice and procedures to ensure investigations are carried out by appropriately qualified personnel;**
  - **Action 13 (a), (b) and (c): revisiting the Council's actions in terms of the Vulnerable Groups (Scotland) Act 2007**
  - **Action 14(e): create a cycle of continuous improvement to culture, by putting in place an Annual Employee Survey and regular engagement with staff to address areas identified for improvement.**

6. **MOTHBALLING POLICY**

There had been circulated copies of a report by the Director Education and Lifelong Learning seeking approval for the adoption of a Mothballing Policy, to be adopted by Education and Lifelong Learning, in respect of schools where the pupil roll was either zero or very low and the Council and/or the Community considered that while the school was not presently viable, there was a reasonable prospect that the number of pupils in the area would increase, to allow the school to re-open in the near future. The report explained that there was no statutory process for mothballing a school. However, the Statutory Guidance that accompanied the Schools (Consultation) (Scotland) Act 2010 (the Act) made specific reference to mothballing. The proposed policy, a copy of which was appended to the report, has been prepared on the basis of the Statutory Guidance to the Act and to ensure that:-

- a) the mothballing process was a consultative process that involved the families and community; and
- b) a review framework was incorporated in the process to ensure that there was a regular review of the numbers of potential pupils in the area and a dialogue between Council officers and the community about the future of the school.

Members noted the need for such a policy. In response to a question on the need for trigger points within the Policy, Mrs Munro advised that these were contained within the Small Schools Policy which was currently being reviewed. This latter Policy also contained information on preventative work to try and stop schools reaching this point. The importance of the involvement of parents at every stage was highlighted. Members welcomed the policy and noted that a briefing on the process leading up to the mothballing of schools would be provided by the Director of Education and Lifelong Learning.

**DECISION**

**AGREED to approve the adoption of the new Mothballing Policy, as contained in the Appendix to the report, with immediate effect.**

7. **PROPOSAL TO MOTHBALL EDDLESTON PRIMARY SCHOOL**

There had been circulated copies of a report by the Director Education and Lifelong Learning seeking to mothball Eddleston Primary School in accordance with the terms of the Council's Mothballing Policy agreed at paragraph 6 above. This recommendation was being made following a significant drop in the school roll at Eddleston Primary School (the School). At the start of the 2021/22 school year there were 24 pupils enrolled at the School, which in accordance with Scottish Government Regulations equated to a single composite class. This resulted in a number of placement requests being submitted by parents. The school roll reduced throughout the school year and there were currently 4 pupils enrolled at the School. Council officers had been working closely with the parents at the School, who had now approached the Council asking for the School to be mothballed until there were sufficient number of children to allow the School to re-open. The alternative school for pupils would be Newlands Primary School. Members reluctantly agreed that the school should be mothballed but expressed the hope that this would be a temporary situation and that all avenues would be explored to allow the school to be re-opened. In response to a request on early engagement with the community on how the school might re-open as a school/community hub, Mrs Munro confirmed that this work would start immediately and noted that a local Action Group had been set up.

**DECISION**

**AGREED:-**

- (a) the recommendation to mothball the School in accordance with the Council's Mothballing Policy;

- (b) the temporary re-zoning of the catchment zone to Newlands Primary School; and**
- (c) the review of the mothballed status of the School on at least an annual basis.**

**8. UK GOVERNMENT SHARED PROSPERITY FUND**

There had been circulated copies of a report by the Director Resilient Communities seeking the agreement of Council to the approach to submission of the UK Shared Prosperity Fund (SPF) bid to the UK Government by 1 August 2022. The report explained that the Shared Prosperity Fund (SPF) was a central pillar of the UK Government's Levelling Up policy agenda. A Prospectus for UKSPF was published on 13 April 2022 setting out its investment priorities which were communities and place, business support, people and skills, and Multiply which was about improving numeracy for employability purposes. Each local authority in Scotland had been given two separate allocations over the financial years 2022/23 – 2024/25 for their administrative areas to be used to meet SPF investment priorities and Multiply objectives respectively. The Scottish Borders funding allocation was £4,442,628 for SPF and £927,345 for Multiply. This funding was divided into around 85% revenue and 15% capital. To access the monies local authorities were required to submit an investment plan setting out measurable outcomes and interventions to meet their priorities to the UK Government between 30 June 2022 and 1 August 2022. It was anticipated that these would be agreed in October 2022. There was a need to work collaboratively on the investment plan with local partners and to receive support for this work by the local Members of Parliaments. There was also strong encouragement to develop investment plans using regional economic geographies. It was proposed to submit a Scottish Borders investment plan by 1 August 2022. This plan would use the investment priorities of the South of Scotland Regional Economic Strategy (RES) and its Delivery Plan which was overseen by the South of Scotland Regional Economic Partnership (REP). It would also link into the opportunities provided by the Regional Prosperity Framework of the Edinburgh and South East Scotland City Region Deal Partnership and the work of the Borderlands Inclusive Growth Deal. The Multiply part of the investment plan would be developed from the employability work being carried out by Scottish Borders Council and its local partners through the Scottish Borders Local Employability Partnership. It was planned to gain input of the REP as part of the development of the investment plan. The investment plan would need to be put together during Scottish Borders Council's summer recess period and a proposal for delegating the development and agreement of the local investment plan was set out in the report's recommendations. Mrs Craig answered Members' questions and advised that the position beyond the next 3 years was not known but gave the assurance that as much as possible would be done and all collective opportunities were being considered.

**DECISION**

**AGREED to:-**

- (a) lead the development of a local investment plan for the Scottish Borders for accessing the UK Shared Prosperity Fund based on the priorities in the South of Scotland Regional Economic Strategy and use the governance structure of the South of Scotland Regional Economic Partnership to assist in this process; and**
- (b) delegate authority to the Chief Executive, Director Resilient Communities and Director of Finance & Corporate Governance, in consultation with the Council Leader, the Executive Member for Community and Business Development, the Convener and Leader of the Opposition, the responsibility to oversee the development and agreement of the Scottish Borders UK Shared Prosperity Fund Investment Plan for submission to the UK Government by 1 August 2022.**

9. **GYPSY TRAVELLERS - SITE PROVISION**

With reference to paragraph 9 of the Minute of 16 December 2021, there had been circulated copies of a report by the Director Social Work and Practice providing an update on the facilities and amenities for Gypsy/Traveller families in Scottish Borders. It had become apparent that the Council needed to review the arrangements in place for this group, specifically the provision of stopping places and sites. Experience during the COVID restrictions had confirmed existing provision was neither adequate nor flexible enough to meet the requirements. For some time the designated site for Gypsy/Travellers in the Scottish Borders had been an area at the Tweedside Caravan Park, Innerleithen. There were nine specific pitches for Gypsy/Traveller families. This was a seasonal site with no access during the winter months, and this seasonal accessibility therefore designated the site as temporary provision. The site was leased on a commercial basis to the site operator, with the lease arrangements commercially sensitive and confidential. Pitch numbers had reduced during the Covid restrictions. It was generally accepted that rent arrears and/or previous tenancy difficulties would be grounds to refuse access. In 2019, Scottish Borders Council formalised the approach to Gypsy/Traveller unauthorised encampments by appointing an officer (Community Safety Policy Officer) in a support role as Gypsy/Traveller liaison. Based within the Safer Communities Team, this role was to ensure a consistent approach and compliance with Scottish Government guidance. During the COVID restrictions the Scottish Government issued the *COVID-19 Framework for Local Decision Making on Gypsy/Traveller Support – June 2020*. This set out the need for access to sanitation, services and healthcare while minimising unnecessary travel and Victoria Park, Selkirk had been utilised for this purpose. Updated guidance and a lifting of restrictions had enabled the site to be decommissioned as a COVID response and returned for commercial tourism from 30<sup>th</sup> June 2022. Since early 2020 much of the work relating to Gypsy/Travellers had been led from within the Safer Communities Team, with the original remit restricted to unauthorised encampments. The report provided updates to the position of sites contained in the December report and proposed a way forward. Mr. Easingwood and Mr. Jones answered Members' questions including the operation of the Innerleithen site. Members generally welcomed the paper but asked that a timescale for a further report be added. Councillor Thornton-Nicol therefore proposed the addition of an extra recommendation (e) "that a paper was brought to Council in October 2022 detailing the outcome of the consultation and providing an indicative timescale for the next steps and actions". This was seconded by Councillor Pirone and unanimously approved.

**DECISION**

**AGREED:-**

- (a) to note the use of Victoria Park, Selkirk as a temporary Gypsy/Traveller site during the COVID response would end on 30<sup>th</sup> June 2022;
- (b) to note the progress made with the operator of Tweedside Caravan Park, Innerleithen who had introduced an occupancy agreement for Gypsy/Travellers that met the Scottish Government's minimum standards for Gypsy/Traveller sites, and Scottish Housing Charter requirements as regulated by the Scottish Housing Regulator;
- (c) to support the design of a consultation process with existing Gypsy/Traveller families and national Gypsy/Traveller representatives in developing the Local Housing Strategy and future need as per the requirements of the Housing (Scotland) Act 2001;
- (d) that Galafoot ceased to be a credible option as a site to consider for additional Gypsy/Traveller capacity for the reasons outlined in the report; and
- (e) that a paper would be brought to Council in October 2022 detailing the outcome of the consultation and providing an indicative timescale for the next steps and actions.

10. **APPOINTMENTS**

10.1 **Pension Fund Board**

Councillor Jardine, seconded by Councillor Parker, moved that Councillor Pirone be appointed to the Pension Fund Board and this was unanimously approved.

**DECISION**

**AGREED that Councillor Pirone be appointed to the Pension Fund Board.**

10.2 **Playpark Members Oversight Group**

Councillor Jardine, seconded by Councillor Greenwell, moved that Councillor Parker be appointed as Chair of the Playpark Members Oversight Group. Councillor Jardine, seconded by Councillor S. Hamilton, moved that the remaining 5 Members to be appointed, one representing each Area Partnership, were Councillors Moffat, Mountford, Linehan, Smart and Small. All of these appointments were unanimously approved.

**DECISION**

**AGREED the membership of the Playpark Members Oversight Group as follows:-**

**Councillor Parker (Chair)**

**Councillor Moffat**

**Councillor Mountford**

**Councillor Linehan**

**Councillor Smart**

**Councillor Small**

11. **OPEN QUESTIONS**

The questions submitted by Councillors Begg, Robson and Steel were answered.

**DECISION**

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

12. **PRIVATE BUSINESS**

**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 III to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.**

**SUMMARY OF PRIVATE BUSINESS**

13. **MINUTE**

The private section of the Council Minute of 31 March 2022 was approved.

14. **COMMITTEE MINUTES**

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

15. **EMERGENCY POWERS APPROVAL**

Members noted approval under Emergency Powers of a report on Strategic Events Investment.

16. **UK GOVERNMENT LEVELLING UP FUND BIDS FOR SCOTTISH BORDERS**

Members approved a report by the Director Resilient Communities on the bids for the UK Government Levelling Up Fund.

17. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the items dealt with in the following paragraphs should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

18. **LEASE OF ORMISTON INSTITUTE**

Members approved a report by the Director Infrastructure and Environment on an extension to the lease of Ormiston Institute, Melrose.

19. **STAFFING MATTER**

Members considered a staffing matter.

***The meeting concluded at 1.00 pm***



**APPENDIX I****REPRESENTATIVES ON OTHER BODIES****2022-2027**

	<b>Other Body</b>	<b>No. of Reps</b>	<b>Councillors</b>
1	A Working Countryside (within Community Planning Partnership)	One	Cllr Caroline Cochrane
2	A7 Action Group	One	Cllr Clair Ramage
3	APSE (Association for Public Service Excellence)	One	Cllr Mark Rowley
4	Berwickshire Association for Voluntary Service	One	Cllr John Greenwell
5	Borderlands Partnership Board	Three (Leader + 2 subs)	Cllr Euan Jardine, Cllr Scott Hamilton, Cllr Jenny Linehan
6	Internal SBC Borderlands Members Reference Group	Six (Leader, Portfolio holder for Community & Business Development + 4 others incl a member of the Opposition)	Cllr Euan Jardine Cllr Scott Hamilton Cllr Jenny Linehan Cllr Simon Mountford Cllr Elaine Thornton Nicol Cllr Euan Robson
7	BREST (Berwickshire Recreation Educational Sports Trust)	One	Cllr Donald Moffat
8	Central Borders Citizens Advice Bureau	One	Cllr John Paton Day
9	Chambers Institution Trust, Peebles	Six	All six Elected Members from Tweeddale East and Tweeddale West Wards
10	Edinburgh & South East Scotland City Deal Joint Committee	Two(Leader + Sub)	Cllr Euan Jardine Cllr Scot Hamilton
11	Edinburgh & South East Scotland City Deal Elected Members Oversight Committee	Two	Cllr Elaine Thornton Nicol Cllr Marshall Douglas Cllr Euan Robson
12	<b>Champions</b> Armed Forces and Veterans	One	Cllr John Greenwell
13	Opportunities for Young People	One	Cllr J Anderson
14	Education & Young People	One	Cllr A Smart
15	Deaf Community	One	Cllr Elaine Thornton Nicol
16	Dementia Champion	One	Cllr Elaine Thornton Nicol
17	Energy Efficiency	One	Cllr Neil Mackinnon
18	Equalities	One	Cllr M Rowley
19	Wellbeing & Safety	One	Cllr Pam Brown
20	Learning & Physical Disabilities	One	Cllr Aileen Orr
21	Older People	One	Cllr Elaine Thornton Nicol
22	Voluntary Sector	One	Cllr V Thomson

23	Clubsport Berwickshire	Two	Cllr John Greenwell/Cllr Donald Moffat
24	Clubsport Ettrick & Lauderdale	Two	Cllr Euan Jardine/Cllr Leagh Douglas
25	Clubsport Roxburgh	Two	Cllr Pam Brown/Cllr Neil Richards
26	Clubsport Tweeddale	Two	Cllr Robin Tatler/Cllr Drummond Begg
<b>Community Centres: Live Borders</b>			
27	Abbey Row	One	Cllr Simon Mountford
28	Argus	One	Cllr Leagh Douglas
29	Eyemouth	One	Cllr Carol Hamilton
30	Focus	One	Cllr Fay Sinclair
31	Langlee	One	Cllr Neil Mackinnon
32	Newcastleton No 8 Club	Two	Cllr J Cox/Cllr A Smart
33	Newtown Community Wing	One	Cllr Leagh Douglas
34	Peebles Community Centre	One	Cllr Marshall Douglas
35	Southfield	One	Cllr Mark Rowley
36	Tweedbank	One	Cllr David Parker
<b>Community Centres: Linked to the School</b>			
37	Innerleithen	One	Cllr Marshall Douglas
38	Philippaugh	One	Cllr Elaine Thornton-Nicol
<b>Community Centres: Privately Managed</b>			
39	Chirnside	One	Cllr James Anderson
40	COSLA – Convention (representing party political balance within Council)	Four	Cllr Euan Jardine Cllr Scott Hamilton Cllr David Parker Cllr Elaine Thornton Nicol
41	Health & Social Care Board	One	Cllr David Parker
42	Community Wellbeing Board	One	Cllr Julie Pirone
43	Environment & Economy Board	One	Cllr Scott Hamilton
44	Children & Young People Board	One	Cllr Leagh Douglas
45	Disabled Soldiers and Sailors for Peeblesshire	One	Cllr John Greenwell
46	Drumelzier Hall	Three	All Tweeddale West Ward Elected Members
47	Eastern Borders Development Authority (EBDA)	Two	Cllr Mark Rowley, Cllr Aileen Orr
48	Eastgate Theatre and Arts Centre	One	Cllr Julie Pirone
49	EDF Energy Torness Power Station Liaison Committee	Two	Cllr John Greenwell, Cllr Aileen Orr
50	Edinburgh Airport Consultative Committee	One	Cllr Carol Hamilton

51	Edinburgh, Lothians, Borders & Fife Shadow Joint Committee for Roads Maintenance	One	Cllr John Greenwell
52	Eyemouth Museum Trust	Two	Cllr Carol Hamilton, Cllr Aileen Orr
53	Eyemouth Harbour Trust	Three	Cllr Carol Hamilton, Cllr Aileen Orr, Cllr James Anderson
54	Galashiels Policies and Langlee Woods Management Committee	Four	All 4 Elected Members from the Galashiels & District Ward
55	Galashiels Local Relief Fund Committee	Four (Gala Members)	All 4 Elected Members from the Galashiels & District Ward
56	Jim Clark Memorial Trophy Room Trust	Two	Cllr Mark Rowley, Cllr Donald Moffat
57	Live Borders Trust/Board	Three	Cllr Neil Richards, Cllr Tom Weatherston, Cllr Pam Brown
58	Live Borders Executive/Board Liaison Group (from Portfolio holders with responsibility for Culture, Sport, Youth, Communities, HR and Corporate Performance)	Two	Cllr Euan Jardine Cllr Julie Pirone Cllr Mark Rowley
59	Lowland Reserve Forces & Cadets Association	One	Cllr John Greenwell
60	Ormiston Institute Management Committee	Three	All 3 Elected Members from the Leaderdale & Melrose Ward
61	Peebles & District Citizens' Advice Bureau Board	One	Cllr Viv Thomson
62	Peeblesshire Charitable Trust	Two (One each from Tweeddale East & West Wards)	Cllr Robin Tatler, Cllr Eric Small
63	Pension Board	One	Cllr Julie Pirone
64	Roxburgh & Berwickshire Citizens' Advice Bureau	Two	Cllr Pam Brown, Cllr James Anderson
65	Roxburgh Federation of Village Halls	Two	Cllr Jane Cox, Cllr Pam Brown
66	St Abbs & Eyemouth Voluntary Marine Reserve	One	Cllr Carol Hamilton
67	SBC appointment to NHS Board	One	Cllr David Parker
68	Scotland Excel	Two (1 + sub)	Cllr Mark Rowley, Cllr Robin Tatler

69	Scottish Borders Disability Sports Group	One	Cllr Leigh Douglas
70	Scottish Local Government Forum Against Poverty.	One	Cllr Fay Sinclair
71	Scottish Councils Committee on Radioactive Substances (SCCORS)	One	Cllr Euan Robson
72	Selkirk Hill Management Group	One	Cllr Leigh Douglas
73	Selkirk Silver Band	One	Cllr Caroline Cochrane
74	Selkirk Town Centre BID Board	One	Cllr Caroline Cochrane
75	SESTRAN (South East of Scotland Transport Partnership)	Three (2 + sub)	Cllr Jenny Linehan, Cllr Jane Cox, Cllr Annette Smart
76	South of Scotland Convention	Three (Leader + Portfolio holder for Community & Business Development + 1 sub)	Cllr Euan Jardine Cllr Scott Hamilton Cllr David Parker Cllr Elaine Thornton Nicol
77	South of Scotland Regional Economic Partnership	Five (4 + sub)	Cllr Euan Jardine Cllr Scott Hamilton Cllr Simon Mountford Cllr Elaine Thornton Nicol Cllr Euan Robson
78	South East Scotland Area Support Team (Children's Hearings)	One	Cllr Pam Brown
79	Southern Upland Partnership	One	Cllr Mark Rowley
80	Stobo Village Hall Trustee	One	Cllr Viv Thomson
81	Teviotdale Indoor Bowling Club	One	Cllr Stuart Marshall
82	Trimontium Trust & Trimontium Museum Trust	One	Cllr Jenny Linehan
83	Tweeddale Access Panel	No limit	Cllr Robin Tatler Cllr Eric Small
84	Tweeddale Citizen of the Year Award Selection Committee	One	Cllr Eric Small
85	Timber Transport Group	Four	Cllr Jane Cox, Cllr Clair Ramage, Cllr Elaine Thornton Nicol, Cllr Marshall Douglas

Automatic Appointment or Required by Deed/Constitution
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**SCOTTISH BORDERS COUNCIL**  
**23 JUNE 2022**  
**APPENDIX II**

**Questions from Councillor Begg**

1. To the Executive Member for Roads Development and Maintenance  
What are the current maintenance arrangements for our cemeteries?

Response from Councillor Greenwell

The maintenance arrangements within our 154 cemeteries take place throughout the year and include planned activities such as grass cutting, weed killing, litter bin and other waste material removal, planned works also include inspections of trees and headstones and other ad hoc property based assessments. We also undertake some seasonal tasks such as pruning of ornamental trees/shrubs and seasonal removal of wreaths around the new year.

We then undertake reactive tasks and these centre around the function of the cemetery so we inter the remains of the deceased and in doing so have to erect soil boxes as part of the process, and deal with surplus materials which is left over. We address issues of sunken lairs as part of the recent burial process having inspections and follow up actions at approximately 12 and 24 weeks post interment to manage the settlement of the lair.

During winter months the service tries to deliver cemetery improvements identified to us through the year through feedback from the community, our staff and members. The largest issue of which is the restoration of historical sunken lairs which creates problems for us when undertaking grass maintenance for example.

The services are delivered directly by our own employees, through the Infrastructure and Environment Department. Some specialist services are provided by third parties for example the tree survey.

Supplementary

Councillor Begg appreciated that Council Workers were doing their best in the face of cuts but asked Councillor Greenwell if he was prepared to meet to discuss cemetery maintenance using West Linton as an example. Councillor Greenwell confirmed he was happy to meet Councillor Begg and to include senior officers in that meeting.

2. To the Executive Member for Environment and Transport  
Is the current 2045 carbon net zero target set by Scottish Borders Council an urgent enough response to the climate emergency?

Response from Councillor Linehan

I have a 5 part answer to Councillor Begg's question. However, it is long and complex, reflecting a climate change context which is vast and complex. I will give that full answer to Councillor Begg, but for the purposes of this meeting, I will limit myself to reading out the most immediately relevant parts of the response (parts 4 and 5).

**4. SBC's climate goals and the Law.** In the report 'Responding to the Climate Emergency' agreed on 25 September 2020, the Council's commitment was framed in terms of '*....a target for achieving a reduction in the Council's carbon emissions, which is at least consistent with the Scottish Government's target of net zero by 2045 and the intermediate targets set out in the Climate Change (Emissions Reduction Targets)(Scotland) Act 2019.*'

By virtue of the Climate Change Act Amendment Order 2020, from November 2022, public bodies (including this Council) are also required to:

- a target date for achieving zero direct emissions of greenhouse gases;
- targets for reducing indirect emissions of greenhouse gases;

- evidence for how we will align our spending plans and use of resources to contribute to reducing emissions and delivering its emissions reduction targets; and
- evidence of our progress to achieving our emissions reduction targets

Compliance with the law remains the Council's backstop position. Net Zero is the law. The aforementioned Act sets a legally-binding "net-zero" target of all greenhouse gases by 2045, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040.

However, the Council's emphasis remains on making urgent progress – sooner than 2045 if achievable - and to make that progress both organisationally, and as a region. With this in mind, two critical phases of work are being developed currently. These are:

1. Scoping work with respect to an evidence-based emissions inventory to provide a baseline for Scottish Borders Council estate and services, supported by a clear and accessible carbon measurement and monitoring methodology, to help improve SBC's corporate net zero plan.
2. Scoping of climate and carbon data repository for the South of Scotland (with our partners in SOSE and Dumfries & Galloway Council) that includes science-led and evidence-based data that can inform decision making for both mitigation and adaptation actions on an area-wide basis.

**5. Conclusion.** By building on existing baselining work, these workstreams will increase our understanding of our emissions reduction pathway and thereby strengthen our ability to plan and deliver actions, potentially enabling Council to accelerate its Net Zero target date.

#### Supplementary

Councillor Begg asked if Councillor Linehan agreed that having declared a Climate Emergency progress was too slow in comparison with some other Councils. Councillor Linehan acknowledged that constituents were concerned, with the Council committed to listening through the work of the Sustainable Development Committee, and undertook to check what more could be done, including looking at what other Councils were doing.

#### Questions from Councillor Robson

##### 1. To the Executive Member for Service Delivery and Transformation

What progress has been made on creating a searchable database or file of questions asked at Council meetings?

#### Response from Councillor Rowley

Officers are currently uploading previous Council Questions and responses to the Members' Enquiries portal which is under development. The search part has still be set up and the whole site tested. It is hoped this will be available to Members after the summer recess.

#### Supplementary

Councillor Robson asked if it would be available to members of the public. Councillor Rowley agreed to raise this with officers.

##### 2. To the Executive Member for Roads Development and Maintenance

What is the life expectancy of batteries used in electric cars in the Council's fleet, what is the cost of their replacement, and when will that replacement likely occur?

#### Response from Councillor Greenwell

We currently have 61 electric vehicles on the fleet, of these 14 are three or more years old. The battery warranty on these vehicles is seven years with an expected lifespan of over ten years, we have not needed to change any batteries as yet and generally we do not intend to keep the vehicles beyond the battery warranty period.

New Batteries cost between £4500 and £9000 dependant on size.

Supplementary

Councillor Robson asked that should the Council decide to keep a vehicle beyond battery life a battery disposal policy would be needed and this should also include disposal by members of the public. Councillor Greenwell undertook to discuss this with officers and issue a briefing note to Members.

**Questions from Councillor Steel**

1. To the Executive Member for Environment and Transport

Are you aware of the inadequacy of the X95 bus service to and from Edinburgh from Stow and Heriot in my Ward, as raised with me by Stow and Heriot Community Councils? What representation has the Council made or could the Council make to Border Buses to improve the situation?

Response from Councillor Linehan

Transport Officers at Scottish Borders Council have been in regular discussions with Borders Buses with regards to service levels across the network.

Current service levels are driven by demand and also the availability of drivers.

The X95 continues to be affected by low passenger numbers particularly North of Galashiels and South of Hawick. Borders Buses are keen to reinstate services across the network however due to ongoing issues with driver recruitment, service levels have had to be scaled back in order to reduce the number of cancellations.

Transport officers will continue to engage with Borders Buses and I will raise the points above with the operator at our next meeting.

2. To the Executive Member for Service Delivery and Transformation

How many equal pay claims has the Council received since September 2017 and how many are currently ongoing?

Response from Councillor Rowley

The Council has not received any equal pay claims since September 2017.

Supplementary

Councillor Steel asked if the Council had carried out a co-pay audit and if so when was it reported to Council. Councillor Rowley undertook to check with officers.

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