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SCRUTINY & PETITIONS COMMITTEE THURSDAY, 8 DECEMBER 2022

A MEETING of the SCRUTINY & PETITIONS COMMITTEE will be held VIA MICROSOFT TEAMS
on THURSDAY, 8 DECEMBER 2022 at 10.00 am

J. J. WILKINSON,
Clerk to the Council,

29 November 2022

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute	5 mins
	(a) Minute - 20 October 2022 (Pages 3 - 4) Consider Minute of the Meeting held on 20 October 2022 for approval and signature by the Chair. (Copy attached.)	
	(b) Scrutiny Action Sheet (Pages 5 - 8) Consider Scrutiny Business Action Sheet. (Copy attached.)	
5.	Management and Maintenance of Public Halls (Pages 9 - 16) Consider report by Director Resilient Communities. (Copy attached.)	15 mins
6.	Any Other Items Previously Circulated	
7.	Any Other Items the Chair Decides are Urgent	

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.**

Membership of Committee:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson, P. Brown, J. Cox, M. Douglas, J. PatonDay, E. Robson, S. Scott and F. Sinclair

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**SCOTTISH BORDERS COUNCIL
SCRUTINY & PETITIONS COMMITTEE**

MINUTES of Meeting of the SCRUTINY & PETITIONS COMMITTEE held via Microsoft Teams on Thursday, 20 October 2022 at 10.00 am

- Present:- Councillors E. Thornton-Nicol (Chair), N. Richards (Vice-Chair), J. Anderson, P. Brown, J. Cox, M. Douglas, J. PatonDay, E. Robson, S. Scott and F. Sinclair
- In Attendance:- Acting Chief Financial Officer, Principal Internal Auditor, Clerk to the Council, Trainee Democratic Services Officer, and Democratic Services Officer (W. Mohieddeen).

1. MONITORING OF THE 10 YEAR CAPITAL/REVENUE FUNDING OF ROADS MAINTENANCE

- 1.1 Copies of a presentation on capital/revenue funding of roads maintenance had been circulated. The Acting Chief Financial Officer gave a presentation on the information which showed the trend in revenue and capital investment in Roads infrastructure over a 10-year period and highlighted its main points:
- A graph was presented which showed the actual capital spend in Roads from 2017-18 to 2021-22. The graph also reflected the Roads service budget as per the 10-year Capital Plan. Increases in expenditure that related to external grants such as the Strategic Timber Transport Fund, were shown however information on external funding from 2023-24 onwards was not able to be provided.
 - A graph was presented which showed Roads Revenue Funding highlighted actual spend from 2017-18 to 2021-22 and the approved budget from 2022-23 to 2026-27. There was an increase in spend of over £1 million in 2022-23 which explained the spike in funding for the year in the graph which reflect Members' priorities during the financial planning process to improve the road network. Following 2022-23, revenue budget returned to between £4-5 million
 - The difference between capital and revenue expenditure was provided. Capital expenditure was explained as being funding that created a new asset through purchase or construction, or enhances an existing asset that substantially lengthened the useful life of the asset or increased the level of performance to which an asset could be used. This may include bridge strengthening or road resurfacing. Revenue expenditure was explained as being funding used to maintain an existing asset to keep the asset in a usable condition but did not extend its overall life, such as pothole repair for roads.
 - Examples of what the Roads and Bridges Capital Budget was used for was provided. Examples included surface dressing, patching, resurfacing and overlays, walls and structures, footways, drainage and masonry refurbishment.
 - Examples of what the Roads and Bridges Revenue Budget was used for was provided. Examples included routine maintenance work such as planned lining for A and B-class roads, works associated with safer routes to schools, yellow lines, signs and parking bays. Further examples of reactive work were provided that allowed the network to be maintained.
- 1.2 An explanation was given for the differences between capital and revenue spending, with capital spend either creating a new asset or enhancing/lengthening the useful life of an asset, and revenue spend used to maintain an existing asset. There was a very experienced team within the roads section who were quite clear on the financial

requirements so the categorisation of work between revenue and capital worked quite smoothly, with the difference based on the type of work rather than the cost.

- 1.3 With regards to capital funding, Cllr Cox requested that external grants be split in the graphs so that money that was provided by Scottish Borders Council and money from external grants were distinct in how they represented the total budget. The Acting Chief Officer agreed to circulate the distinction in funding between external grants and Scottish Borders Council budget. The Acting Chief Financial Officer further explained that differentiating between capital and revenue works depended on the nature of work required and that ancillary elements such as pavements and footways were included in works related to the road network. The Chair thanked the Acting Chief Officer for the presentation and asked for the slides to be shared with Members and for the distinction in funding between SBC funding and external grants to be circulated as well.

DECISION

NOTED the presentation and AGREED that an updated presentation would be issued to all Elected Members for their information.

The meeting concluded at 10.20 am.

SCOTTISH BORDERS COUNCIL
SCRUTINY BUSINESS ACTION SHEET
SCRUTINY & PETITIONS COMMITTEE

Notes:-

1. Paragraphs Marked with a * require full Council approval before action can be taken
2. Items for which no actions are required are not included

TITLE	DECISION REQUIRING ACTION	DEPARTMENT/ SECTION	RESPONSIBLE OFFICER	Action Update
9 June 2022				
1. Jedburgh Traffic Petitions	Para 1.10 – action (a) AGREED that officers would revisit the use of traffic lights at the Exchange Street junction and share their findings with Jedburgh Community Council and the appropriate committee if required.	Infrastructure & Environment	Brian Young/ Philippa Gilhooly	Complete Not a viable option due to associated delays.
	Para 1.10 – action (b) AGREED that Police Scotland would be asked to ensure better enforcement of the current no entry system to stop vehicles going the wrong way into Exchange Street with the possible use of mobile CCTV to assess the scale of the problem.	Infrastructure & Environment	Brian Young	Request has been made to Police Scotland to pay some passing attention to Exchange Street and if mobile CCTV can be deployed.
	Para 1.10 – action (c) AGREED officers would review the overall signage to ensure a more visible ‘no entry’ sign at the bottom of Exchange Street.	Infrastructure & Environment	Brian Young/ Philippa Gilhooly	Complete
	Para 1.10 – action (d) AGREED officers would ensure dropped kerbs were installed as soon as possible, and that old zebra crossing and zig-zag lines would be burnt off.	Infrastructure & Environment	Brian Young/ Philippa Gilhooly	Complete
2. Scrutiny Business Action Tracker	Para 2.2 – NOTED that the Clerk to the Council would work with the relevant Directors to bring to the Scrutiny Committee after the summer recess a timeline for the outstanding actions.	Finance & Corporate Governance	Jenny Wilkinson	
14 March 2022				

TITLE	DECISION REQUIRING ACTION	DEPARTMENT/ SECTION	RESPONSIBLE OFFICER	Action Update
1. Management and Maintenance of Public Halls	Para 10.3 – action (a) AGREED that the Director Strategic Commissioning and Partnerships would provide a further report to the Committee including a statement of the operating characteristics and funding regime in regard to management and funding of halls across the Borders to develop an understanding of fairness and functioning of management committees.	Resilient Communities	Jenni Craig	On agenda for 8 December 2022 meeting.
13 January 2022				
1. Scrutiny Business Action Sheet	Para 2.4 – action (d) AGREED there would be a discussion at a future meeting of Audit & Scrutiny on the use of school facilities by community groups and how this could be taken forward through the Place Making discussions.	Corporate	Lesley Munro/Jenni Craig/John Curry	A report will be provided to Audit & Scrutiny Committee post-election, likely after summer 2022.
2. Roads and Infrastructure Services Performance	Para 3.6 – action (b) AGREED to request the Director Finance & Corporate Governance considered the need to monitor the 10 year capital/revenue trend in funding for roads maintenance.	Finance	David Robertson	Completed.
9 December 2021				
1. Community Funding Evaluation Process	Para 3.2 – action (b) AGREED to add the review of Festival Funding to the Action Tracker.	Resilient Communities	Jenni Craig	A report on a review of Festival Funding will be taken to the Executive Committee post-election, with funding for 2022/23 based on existing arrangements.
2. Rural Proofing Policy	Para 4 – action (b) AGREED that the UN Sustainable Development Goals and Integrated Impact Assessment Goals checklists would be strengthened to ensure that elements of rurality were fully incorporated, and that the draft checklists be considered by the Committee prior to submission to Council.	Corporate	Jenny Wilkinson/ Jenni Craig	Scheduled for 12 January 2023 meeting.
3. Waste & Recycling Communications Update	Para 5 – action (b) AGREED to ask Communication Officers to attend the March meeting of the Committee to allow Members to have a discussion about a programme of communication in regard to climate change, including waste and recycling.	Infrastructure & Environment	Ross Sharp-Dent	

TITLE	DECISION REQUIRING ACTION	DEPARTMENT/ SECTION	RESPONSIBLE OFFICER	Action Update
29 June 2021				
1. Scrutiny Work Programme	(a) Public transport and communities – An evaluation of the current situation and future plans for supporting rural communities to set up their own community transport where there was demand and current transport inadequate. (Initial Scrutiny hearing to determine best methodology and reporting)	Infrastructure & Environment	John Curry	A review of the bus network is currently underway which will form part of the wider network review. Members were recently provided with an update on passenger transport issues. Given the pressures the service is currently under it is proposed that this item be brought forward in 2023.

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MANAGEMENT AND MAINTENANCE OF PUBLIC HALLS
Report by Director - Resilient Communities

SCRUTINY & PETITIONS COMMITTEE
8 December 2022

1 PURPOSE AND SUMMARY

- 1.1 At its meeting of 14 March 2022, the Audit and Scrutiny Committee requested a report outlining the operating characteristics and funding regime in regard to the management and funding of halls across the Borders to develop an understanding of fairness and functioning of management committees. For the purposes of this report the term 'Halls' will cover town halls, village halls and community centres. In summary:**

Funding	SBC provides annual funding to the Federation of Village Halls of approx. £50k per annum.
Facilities / Leases	SBC has 45 leases in place for 'Halls'. 20 of these are leased to Live Borders.
Maintenance	Each individual lease determines the level of maintenance/repair obligation including where Communities/Voluntary Management Committees have obligations and responsibility for the maintenance or repair.
Management	'Halls' are often run by independent voluntary management committees, who take the bookings, keep the hall clean and undertake the obligations of the lease.
Oversight	The Scottish Borders Village & Community Halls (SBVCH) group currently has 95 halls as members of the SBVCH. This includes approx. 50 owned by individual communities or held in private trusts.

- 1.2 There is inconsistency in regard to the lease arrangements, maintenance obligations, funding and management arrangements for 'Halls'.

2 RECOMMENDATIONS

2.1 It is recommended that the Scrutiny & Petitions Committee:

- (a) Notes the findings of this report; and**
- (b) Notes that the planned work to review and update of the Scottish Borders Cultural Strategy and action plan– the remit of which will also include lease, maintenance, funding and management options for 'Halls'.**

3 BACKGROUND

- 3.1 At the Scrutiny & Audit meeting of 14th March 2022, the committee considered a report on the management and maintenance of public halls. The findings of that report were noted and the committee requested that a further paper be presented to outline the operating characteristics and funding regime for halls.
- 3.2 Village Halls host regular local events and activities, they provide space for local clubs and societies to run activities and play a major role during emergency responses and elections. Village halls are often run by independent voluntary management committees, taking bookings for the hall, ensuring that it is clean and maintained. The social aspect of village halls contributes to keeping Borderers fit, healthy and better connected; and that our communities remain resilient and vibrant.
- 3.3 For the remainder of this document the term 'Halls' will be used as a catch-all for Town Halls, Village Halls and Community Centres.

4 VILLAGE HALL FEDERATIONS & FUNDING

- 4.1 An umbrella organisation called Scottish Borders Village & Community Halls (SBVCH) brings together four Federations of Village Halls (FVH) in the Borders. These Federations have been in place since the days of the District Councils.
- 4.2 Collectively there are 95 halls in the Borders who are members of the FVH, the role of the FVH to support the halls in their respective areas, but it is not a requirement for any hall to be a member of the FVH. The FVH area-split is shown in the table below:

Federation of Village Halls Area	Number of Halls
Berwickshire	26
Central Borders	23
Roxburgh	32
Peeblesshire	14
	95

- 4.3 SBC has lease arrangements in place for 45 'Halls', therefore based on the Federation having 95 members, the *majority* of 'Halls' (who are part of the FVH) will be owned by their individual communities or held in private trusts.
- 4.4 All village halls leased from SBC have a responsibility to run as community enterprises and to fundraise as required. In addition to this, SBC provides annual funding to all members of the FVH of approximately [£50,000](#) per year, split:

Area	No' Halls	20/21 SBC Funding (£)	Avg. funding per hall	Award administered by
Berwickshire	26	13,502	£519	BAVS
Central Borders	23	14,470	£629	The Bridge
Roxburgh	32	13,869	£433	The Bridge
Peeblesshire	14	8,184	£584	The Bridge
	95	50,025	£526	

4.6 This funding formula was devised by SBC many years ago where each FVH receives a share based on:

- 50% on the number of Halls in the respective Federation
- 50% on the rural population for each area (excluding certain towns and villages which now have Halls run by Live Borders)

4.7 The FVH uses 5-6% of the annual grant to pay for secretariat (provided by either The Bridge or by BAVS). The secretariat undertakes the administration of the grant and the reporting to SBC. Community Development support to the FVH is provided free of charge by The Bridge and BAVS, in their role with the Borders TSI. The FVH also provides and updates a Village Halls Handbook for use by village hall committees, covering all of their legal areas of responsibility.

5 LEASE ARRANGEMENTS

5.1 As mentioned in 4.3 above, SBC has lease arrangements in place for 45 'Halls'. 20 of these are leased to Live Borders and 25 leased to local community groups/committees.

5.2 The maintenance obligations, the duration and the annual cost of the leases (which have been developed over a number of years on a case by case basis), are inconsistent. Some leases are 'Internal repairing Only', whereas others are 'Full repairing and Insuring'. Lease duration ranges from 1 year to 100 years and similarly the annual cost ranges from £0 to £735:

Lease maintenance obligation		Duration	Annual Cost
FRI	Full Repairing and Insuring	Anywhere between 1 and 100 years	Anywhere between £0 and £735
FRO	Full Repairing Only		
IRI	Internal Repairing and Insuring		
IRO	Internal Repairing Only		

6 MANAGEMENT

6.1 The 25 leases that SBC has with Live Borders are broadly split 50/50 between community centres and town halls. For the Town Halls, all bookings are made via a central Live Borders mailbox and the bookings are controlled and managed by Live Borders.

- 6.2 For Community Centres leased to Live Borders, the method of booking very much depends on the individual community centre and management committee. The community centre management committees generally manage the day-to-day running of the centre, including bookings, rates charged and income generated.
- 6.3 In regard to cleaning, for the community centres leased to Live Borders, cleaning support is generally provided through caretakers employed by Live Borders. However, this is not always the case for example in Langlee and Newcastleton Community Centres, SBC provides the cleaning support.
- 6.4 For those community centres leased to Live Borders, each community centre management committee pays an annual contribution to Live Borders equating to 65% of income from lets. This is intended to cover utility and maintenance costs.

7 SCOTTISH BORDERS CULTURAL STRATEGY

- 7.1 The SBC Council Plan 2022-23, under the 'Good Health and Wellbeing' theme contains an action to Review the [Cultural Strategy](#) for the Scottish Borders. This work is scheduled for early 2023.
- 7.2 As can be seen in sections 4, 5 and 6 above there are inconsistencies in how 'Halls' are leased, funded and managed. It is proposed that the upcoming work to refresh the Cultural Strategy also explores options to improve consistency in regard to lease arrangements, funding for 'Halls' and the management arrangements for 'Halls'.

8 IMPLICATIONS

8.1 Financial

There are no costs attached to any of the recommendations contained in this report. Any financial implications of changes to lease terms should be identified as part of the work to review and update the Cultural Strategy.

8.2 Risk and Mitigations

There is a risk that the current variability of leases that SBC has with community groups/committees may result in inequality. The existing arrangements may also result in tenants not voluntarily renegotiating their leases to Full Repairing and Insuring terms. However, a number of the recently renewed leases have been done so on FRI terms (see 4.8) – often to meet grant funder requirements where grant recipients must have a lease of at least 20 years duration.

There remains the ongoing risk to community centre viability (as highlighted in the previous report) as a result of how sustainable voluntary management committees are. Anecdotal evidence suggest that a number of Committee members are 65+ and that attracting new (particularly <65) members to voluntary committees is a challenge.

8.3 Integrated Impact Assessment

No IIA has been carried out at this stage as this report is for information and no decision are required. Depending on the outcome of the Cultural Strategy review, IIAs may be required

8.4 Sustainable Development Goals

Checklist completed

8.5 Climate Change

Checklist completed

8.6 Rural Proofing

Not applicable.

8.7 Data Protection Impact Statement

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

8.8 Changes to Scheme of Administration or Scheme of Delegation

Not applicable.

9 CONSULTATION

9.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications have been consulted and any comments have been incorporated into the final report.

Approved by

Jenni Craig

Director - Resilient Communities Signature.....

Author(s)

Name	Designation and Contact Number
Graeme McMurdo	Programme Manager

Background Papers:

Previous Minute Reference: [Item No. 14 - Management of Halls - AuditScrutiny-Mar22.pdf \(modern.gov.co.uk\)](#)

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

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