

Public Document Pack

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held in Council Chamber, Council Headquarters, Newtown St. Boswells and via Microsoft Teams on Thursday, 27th April, 2023 at 10.00 am

- 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, N. Mackinnon, S. Marshall, D. Moffat, S. Mountford, A. Orr, D. Parker, J. PatonDay, J. Pirone, N. Richards, E. Robson, M. Rowley, S. Scott, F. Sinclair, E. Small, A. Smart, Steel, R. Tatler, V. Thomson, E. Thornton-Nicol and T. Weatherston
- Apologies:- Councillors J. Linehan and C. Ramage
- In Attendance:- Chief Executive, Director Education and Lifelong Learning, Director Resilient Communities, Director Social Work and Practice, Director Strategic Commissioning and Partnerships, Chief Officer Health and Social Care, Acting Chief Financial Officer, Acting Chief Corporate Governance Officer, Clerk to the Council.

1. **CONVENER'S REMARKS.**

The Minute of the Meeting held on 30 March 2023 was considered.

DECISION

AGREED that the Minute be approved and signed by the Convener.

2. **MINUTE**

The Minute of the Meeting held on 30 March 2023 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:-

Cheviot Area Partnership	1 February 2023
Berwickshire Area Partnership	9 February 2023
Local Review Body	20 February 2023
Peebles Common Good Fund	28 February 2023
Peebles Common Good Fund	7 March 2023
Innerleithen Common Good Fund	8 March 2023
Pension Fund	9 March 2023
Pension Board	9 March 2023
Chambers Institution Trust	15 March 2023
Local Review Body	20 March 2023

Peebles Common Good Fund
Eildon Area Partnership
Planning and Building Standards

22 March 2023
23 March 2023
27 March 2023

DECISION

APPROVED the Minutes listed above.

4. **COMMUNITY WEALTH BUILDING CONSULTATION**

There had been circulated copies of a report by the Director Resilient Communities seeking approval for a response to the Scottish Government's Consultation on Community Wealth Building. The report explained that the Scottish Government's consultation on Community Wealth Building (CWB) opened on 31 January 2023 and would close on 9 May 2023. The consultation provided the opportunity to express views on the creation of a statutory duty related to Community Wealth Building, as well as on potential legislative and non-legislative developments which could facilitate the creation of community wealth in Scotland. The Council's response highlighted support for CWB as a strategic objective. It noted however that the Council would not support the creation of statutory duty pertaining to CWB due to a lack of commensurate funding supporting said duty and a multiplicity of other such statutory obligations. The Council also made a number of suggestions which could improve the creation of CWB, notably calling for a simplified policy landscape, the publication of further non-statutory guidance on CWB, and assistance to enable suppliers to access public sector contracts. The Director advised that although the three options were contained in the consultation paper these had not been clearly articulated in the report and they were as follows:-

- **Option A** - a duty requiring Scottish Ministers and prescribed public sector bodies to embed the CWB model of economic development into their corporate plans and wider strategies;
- **Option B** - a duty requiring those public sector bodies statutorily obliged to be involved in community planning to produce a collective CWB place-based strategy and action plan which contained specific actions across the five CWB pillars to advance the CWB model of economic development in their local authority area (This requirement could be taken forward at a regional level if neighbouring local authorities and their community planning partners had a preference for that approach); and
- **Option C** - a combined option – featuring a union of both options set out above

The proposed response to the consultation paper was contained in the Appendix to the report and this indicated No Duty should be taken forward. Members supported the response and agreed that this was not something which should be covered by legislation as there were different requirements in different areas. It was noted that the Council was already doing a lot of work in this area and it was included in the Council Plan.

DECISION

AGREED to approve the response, as set out in Appendix 1 to the report, to the Scottish Government's consultation on Community Wealth Building.

5. **TEVIOT DAY CENTRE**

With reference to paragraph 6 of the Minute of 27 October 2022, the Chief Officer Health and Social Care provided an update of the provision of day services in Hawick. Mr Myers advised that over a 7 week period there had been engagement with 120 people. Sessions had been held in Denholm, Bonchester Bridge, Newcastleton and Hawick and had included current service users, families and carers, community councils and members of the public. This had focussed on what current provision was available, where were the gaps, how easily could people access information, what type of service people wanted and how it should interact with other services in the community. In terms of the feedback, lack of transport was cited as a barrier to accessing current services; there was a lack of activities for those who needed a lot of support; there was a need for respite for carers of

those with dementia and complex needs; services needed to provide social interaction and stimulation; and, with the exception of those from Newcastleton, Hawick was considered the most appropriate location for the service. Stage 1 of the Inequality Impact Assessment had been completed with work on Stage 2 underway. With regard to the venue for the Service, Mr Myers confirmed that the Katherine Elliot Centre would require significant works to make it suitable. However, the Day Room at the Hawick Community Hospital had been identified as a suitable location which would only need minor adaptations and would provide capacity for 14 individuals. It was noted that Care Inspectorate Registration could take up to 6 months. A market sounding exercise had been carried out but there was a low level of interest. An options appraisal was planned and this would inform the Business Case and a report would be presented to the H&SC Integrated Joint Board on 17 May to allow approval of the recommended option. A further update would be provided to Council on 29 June 2023. Mr Myers answered Members' questions and confirmed that the service move to the Community Hospital would have no impact on the Katherine Elliot Centre as there were a number of other services provided from that location which would continue. The provision of the service from the Hawick Community Hospital would allow for a more holistic service to be provided. Members asked that the Care Inspectorate be encouraged to provide registration sooner than 6 months. With regard to provision for Newcastleton, Mr Myers confirmed that the level of need in that area was being established which would allow further consideration.

DECISION

NOTED the update.

6. CHILDREN AND YOUNG PEOPLE'S PLANNING PARTNERSHIP

There had been circulated copies of a report by the Director Social Work and Practice seeking approval to the inclusion of an Elected Member onto the Children and Young People's Planning Partnership (CYPPP). The report explained that the implementation of the new CYPPP offered a unique opportunity to reset the way the Council supported and worked with children, young people and families in Scottish Borders. It also allowed the Council to reconsider and develop their practice as a multi-agency partnership, including strategic monitoring and evaluation of Corporate Parenting responsibilities. Of significance was ensuring that the Council empowered the voices of those with lived experience to be at the heart of everything it did. In order to ensure that there was appropriate membership and engagement on delivering the Promise and the Strategic Corporate Parenting agenda, it was essential that an Elected Member from Scottish Borders Council attended and supported the development of the CYPPP. Governance and accountability for the CYPPP had been agreed by the Strategic Community Planning Partnership and would align under that structure. Mr Easingwood answered Members' questions and highlighted the various ways in which Members could feed their views into the Partnership. This was a reset of the whole way in which the Council engaged with all children and families and could best be described as an umbrella policy to demonstrate that the Council was doing its best for all children and young people in the Borders.

DECISION

AGREED to approve the inclusion of the Council's Executive member for Developing Our Children & Young People onto the newly formed Children and Young People's Planning Partnership (CYPPP).

7. REPRESENTATIVE ON OUTSIDE BODY

Councillor Jardine nominated Councillor Greenwell to be the Council's representative for Southfield Community Centre to replace Councillor Rowley and this was seconded by Councillor Moffat.

DECISION

AGREED that Councillor Greenwell be appointed as the representative for Southfield Community Centre.

8. **OPEN QUESTIONS**

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

DECISION

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

MEMBER

Councillor Rowley left the meeting.

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.

10. **COMMITTEE MINUTES**

Members approved a report by the Director People Performance & Change on the recruitment process for appointments to Director posts.

11. **RECRUITMENT TO DIRECTOR POSTS**

Members approved a report by the Director People Performance & Change on the recruitment process for appointments to Director posts.

The meeting concluded at 11.00 am

**SCOTTISH BORDERS COUNCIL
27 APRIL 2023
APPENDIX I**

OPEN QUESTIONS

Questions from Councillor Begg

1. To the Executive Member for Environment and Transport

Can the Executive Member advise how much reimbursement is provided to bus operators for the over 60s and under 22s bus passes?

Response from Councillor Jardine in the absence of Councillor Linehan

The reimbursement rates for 2023/24 were laid in Parliament on 27 January 2023 and came into force on 1 April 2023.

The rates are as follows:

- Older & Disabled Persons Free Bus Travel Scheme: reimbursement rate is 55.9%,
The scheme cap is set at £216.2 million

Young Persons Free Bus Travel Scheme: reimbursement rates are:

- 5-15 year olds is 43.6%
- 16-21 year olds is 81.2%

The scheme will not be capped in 2023/24

Feedback from local transport operators on the under 22 scheme is that there are significant numbers of young people in the Borders taking advantage of the scheme and using it to make journeys across the local network for employment and leisure.

Take up of the scheme regionally is good with around 75% of young people between the ages of 12 and 18 having applied for the travel entitlement.

The objective now is to continue to work with operators to grow the under 22 use whilst also trying to encourage use of public transport by Adults. The passenger Transport Team has applied for funding to run a marketing campaign which will run alongside the Scottish Governments forthcoming campaign to encourage people to use public transport.

Supplementary

Councillor Begg asked if Councillor Jardine considered if the rate of reimbursement was suitable for rural services. Councillor Jardine advised he would need to check with Border Buses and other operators. The first step was getting people to use buses and then the funding could be looked at, but at the moment Councillor Jardine could not either agree or disagree.

2 To the Executive Member for Health and Wellbeing

Can the Executive Member advise how much social care funding for people in Scottish Borders has been held on to by Scottish Government to fund the National Care Service so far?

Response from Councillor Parker

I can confirm that there is no funding within the Local Government settlement held back to fund the National Care Service.

3 To the Executive Member for Service Delivery and Transformation

Can the Executive Member advise why businesses received notification of their rates so late this year? Small businesses in particular have been affected badly by the threshold changes. What action is Scottish Borders Council taking to support them?

Response from Councillor Rowley

The Non Domestic Rates bills were posted to customers on 12 April 2023. This mirrored the issue date in 2022 and was slightly earlier than in 2021, allowing for payment to commence on 1 May as determined by legislation.

Due to the impact of the Scottish Government's legislative changes to the Small Business Bonus Relief scheme it has not been possible to accurately calculate the bills for small businesses and therefore all impacted businesses have been contacted directly and given an indication of their estimated liability. The reason for this approach was to maximise the payment term available to businesses to help keep their monthly instalments as low as possible. We anticipate revised bills being issued during May which will detail Small Business Bonus Relief awards and Transitional Relief where applicable.

No action will be taken against any of the affected business that prefer to wait for an accurate bill before making payment however it must be noted that this will have an impact on their remaining instalments.

Advice and guidance on changes to the rules, the next steps, what to apply for and when is available on the Council's website. The Council's Customer Support team can also offer advice to any business that is worried about the increase in their liability and again contact details are available on the website.

Supplementary

Councillor Begg asked if we could give businesses more notice in future so they can plan for their future liabilities. Councillor Rowley agreed that early notice was helpful which was why businesses had been notified directly of their estimated liability. However, the current changes were by the Scottish Government and out-with Council control.

Question from Councillor Scott

To the Executive Member for Estate Management and Planning

Can the Executive Member give me an update/possible time line on when the proposed Skateboard Park, in the "Dip" Jedburgh might commence please?

Response from Councillor Mountford

It is anticipated that work will commence here in Sept / Oct 2023 & expect completion to be early in the New Year, weather permitting.

We are currently awaiting a second price for the electricity cabling before finalising the Tender cost.

Officers intend to prepare a Play Parks Programme information webpage, similar to that recently launched for the Peebles High School Project that sets out the significant investment planned over the next 7-years. This will clarify what the Council intend to achieve through the programme of investment, and provides progress updates and timelines to raise the profile and awareness of the programme.'

Question from Councillor Anderson

To the Executive Member for Service Delivery and Transformation

The SBC HQ remains significantly under occupied during the working week.

Will the Chief Executive look at the situation and bring to Council evidence of the stated improvement in work being done by staff, with a comparison to works completed in the year 2022/23 to works completed in 2018/19 for Elected Members to debate? This report I would request not be just about monetary improvement, but people served, level of services and customer satisfaction.

Response from Councillor Rowley

The Council has, since the commencement of the first COVID 19 lockdown, operated a hybrid staffing model whereby those office based staff who can effectively carry out their duties using online technology such as Microsoft Teams have been encouraged to work either at home, or in a council office where home working is not practicable.

These working arrangements have been enacted under the Council's flexible working policy which is available online and can be accessed using the link below.

<https://scotborders.sharepoint.com/sites/intranet/IntranetContent/Flexible%20working%20Policy%20Aug%202022%20published.docx>

The flexible working policy applies to approximately 1,500 people of who approximately 400 were previously based in Council HQ. The remainder of the Council's 4,168 Full Time Equivalent staff work in schools, social work centres, care homes, and other front line functions such as care at homes and roads. On-line, flexible working arrangements are not appropriate to these staff due to the time-critical, face to face client-focussed, or locality specific, nature of the services they provide to the public.

The impact of this policy has meant that the Council Headquarters building has recently been required to accommodate a significantly reduced number of staff when compared to previous arrangements. Occupancy varies throughout the week but checks this week have indicated around 60 - 70 staff signing in to HQ each day.

Providing the option of hybrid working has assisted the Council in meeting a range of recruitment challenges in its central functions. I am informed by our Human Resources Team that this flexibility is one of the key benefits employees are now looking for when looking for a new role and considering which organisations they wish to work for in an increasingly competitive labour market.

It has also provided environmental benefits in reducing journeys to and from a workplace in line with the Council's agreed carbon reduction commitments, as well as lost working time due to travelling to meetings. The beneficial impact of such an approach on staff travel mileage and the Council's overall carbon footprint can be evidenced by from work conducted by the Education Service, which showed the weekly meeting of (one small team) education officers which would have previously happened in person at HQ, now happens via teams saves a collective travel time of 10 hours 40 minutes a week and avoids 400 miles being driven, allowing more time to be spent directly working in and supporting schools.

The current situation, where the majority of previously HQ based staff have worked successfully from home, has also allowed the refurbishment of the building to take place including , toilet refurbishment, re-cabling and an upgrade of wi-fi capability across the building. The purchase of any new furniture has been kept to a minimum as part of these works and where ever possible existing furniture has been reused.

The post-covid operating environment has also allowed the re think of the way in which the HQ building will be used in future. Officers are currently considering whether it would be possible to create a multi-agency civic centre, including staff from the Council, Health, the Integration Joint Board, the Emergency Services, Live Borders and the third sector. Staff from the Joint Learning Disability team are already relocated into the HQ building from Earlston and this building is now on the market. A report on the further works on the future strategy for HQ has also been requested by the Executive Committee and will be provided in May.

Comprehensive data on the performance of the Council is published annually. Information is available online through the Local Government Benchmarking Framework hosted by the Improvement Service along with comparable data for other Scottish Local Authorities.

Comprehensive Information is available comparing Council and showing the performance of each Council including SBC over time and includes a variety of quantitative and qualitative measures including the satisfaction of service users. The link to the most recently published comparative data is provided below.

[For the public | Benchmarking \(improvementservice.org.uk\)](https://www.improvementservice.org.uk)

Information on the Council's performance during 2022/23 was regularly reported to the Executive Committee and the reports and information are available online through Modern.gov and already readily accessible by Elected members to debate and for scrutiny by the Public.

The most recent performance report for Q3 2022/23 is available using the link provided below and information on the final quarter will be provided and reported to Elected members alongside financial information as part of the outturn process in June 2023 as soon as this is available.

[Scottish Borders Council Council Performance Report Q?? – 2022/23 \(moderngov.co.uk\)](https://www.moderngov.co.uk)

The Council continues to serve its 115,000 population to the best of its ability with the finite resources at its disposal with no evidence of a diminution in service caused by flexible working. The period both during and post the COVID 19 pandemic has in fact seen a significant increase in the reporting requirements from Government.

The information sought by the question is readily available, pulling this together in the format requested by Councillor Anderson would in my view not be a productive use of officer time and I see no reason to request a further report on this matter from the Chief Executive.

Supplementary

Councillor Anderson advised that a number of elected Members were unhappy with the working from home strategy and requested that in future decisions on where staff should work be brought to Council for discussion and decision. Councillor Rowley advised it was not a working from home strategy but a flexible working policy and staff could chose to work from home if it suited the requirements of the service. He further advised that this option aided the Council in recruitment and made it easier to meet sustainability goals.

Question from Councillor Steel

To the Executive Member for Developing Our Children and Young People

Does the Executive member agree with the objectives of the Wave Trust, whose aim is to reduce the maltreatment of children by 70% by 2030?

Response from Councillor C. Hamilton

The Wave Trust is an international educational charity based in the UK whose objectives are to reduce the root causes of interpersonal violence: child neglect and maltreatment. As the Executive Member, I agree with the fundamental need to deliver effective prevention and early intervention to ensure that we can reduce child abuse and neglect and to engage parents, carers and communities in this process.

The Wave Trusts agenda is consistent with 'The Promise' which aims to deliver a full system shift from across the multi-agency landscape to promote early and effective intervention and prevention for every child in Scotland. Locally, 'The Promise' work is incorporated within the Scottish Borders Children and Young People's Planning Partnership (CYPPP) which had its inaugural meeting last Friday and as Executive Member, I attend this forum and fully support its work.

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