

Public Document Pack

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held in the Council Chamber, Council Headquarters, Newtown St. Boswells and Via Microsoft Teams on Thursday, 29th June, 2023 at 10.00 am

Present:- Councillors W. McAteer (Convener), J. Anderson, D. Begg, C. Cochrane, J. Cox, L. Douglas, M. Douglas, J. Greenwell, C. Hamilton, S. Hamilton, E. Jardine, J. Linehan, N. Mackinnon, S. Marshall, 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, R. Tatler, V. Thomson, E. Thornton-Nicol and T. Weatherston

Apologies:- Councillors P. Brown and D. Moffat

In Attendance:- Chief Executive, Director Corporate Governance, Director - Education & Lifelong Learning, Director of Finance & Procurement, Director Infrastructure & Environment, Director - Resilient Communities and Director - Strategic Commissioning & Partnerships

1. **CONVENER'S REMARKS.**

- 1.1 The Convener welcomed Mr Jamie Bryson, Headteacher at Selkirk High School together with 3 pupils - Evie Stewart, Clemency Cross and Kady Amos - who had worked with the Harris Trust on their SAS "Who Cares Wins". Councillor Leigh Douglas introduced the pupils and advised that the Harris Trust provided opportunities for the neurodiverse and had supplied a recording studio within the school to provide creative opportunities. The 3 pupils spoke about the impact the Trust Project had had on the school. The Convener thanked them for coming along to speak to Council.
- 1.2 The Convener advised that HRH King Charles and HRH Queen Camilla would be visiting the Great Tapestry in Galashiels and then going on to visit Selkirk on 6th July 2023.
- 1.3 The Convener congratulated Suzy Douglas and Nuala McKinlay on their Director appointments.
- 1.4 The Convener wished Cory Paterson all the best in his role as Braw Lad for the events in Galashiels the following week.
- 1.5 The Convener congratulated the TD1 Youth Hub on winning the Community Based Youth Work Project category at the recent National Youth Work Awards.

DECISION

AGREED that congratulations be passed to those as appropriate.

2. **MINUTE**

The Minute of the Meeting held on 25 May 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:-

Berwickshire Area Partnership	30 March 2023
Local Review Body	17 April 2023
Teviot and Liddesdale Area Partnership	18 April 2023
Peebles Common Good Fund	19 April 2023
Planning and Building Standards	24 April 2023
Chambers Institution Trust	10 May 2023
Local Review Body	15 May 2023
Gibson Trust	15 May 2023
Executive	16 May 2023
Jedburgh Common Good Fund	29 May 2023
External Services Providers	30 May 2023
Scrutiny and Petitions	1 June 2023
Innerleithen Common Good Fund	1 June 2023
Executive	13 June 2023
Galashiels Common Good Fund	15 June 2023

DECISION

APPROVED the Minutes listed above.

4. COMMITTEE RECOMMENDATION - PROPOSED SCRUTINY REVIEW PROGRAMME

There had been circulated copies of an extract from the Minute of the Scrutiny and Petitions Committee held on 1 June 2023 which was seeking approval of their Review Work Programme. Councillor Thornton-Nicol, Chair of the Committee asked Members to support the recommendation and reminded Members that further items could be added if they or their communities had further suggestions.

DECISION

AGREED to approve the Scrutiny Review Work Programme.

5. GALASHIELS ACADEMY NEW BUILD PROJECT

5.1

With reference to paragraph 7 of the Minute of 13 May 2021, there had been circulated copies of a report by the Director Education and Lifelong Learning seeking approval for the relocation of Galashiels Academy to a site comprising the existing Academy site and part of Scott Park following the completion of a public consultation process as set out in the Schools (Consultation) (Scotland) Act 2010 (as amended). The report explained that the statutory consultation in respect of a proposal to relocate Galashiels Academy had taken place between 13 March and 12 May 2023. A proposal paper had been published and advertised detailing the Educational Benefits of the proposal and the reasons for choosing the proposed site. Meetings were held with pupils and staff during May and a public meeting was held on 20 April 2023, where there was an opportunity to discuss the proposals, ask questions and make comments. The Council received 127 responses to the consultation with 66% agreeing with the proposal, 29% against and 5% who were undecided. A Consultation Report, which detailed the consultation process as well as the comments and representations made throughout the consultation process was prepared. The Consultation Report also contained responses to the comments and representations made during the consultation process and a copy was appended to the report. The Report was published on 6 June 2023, with the Council inviting further comments and suggestions regarding the proposal. The last date for comments was 27 June 2023 and the responses were detailed later in the report. Members welcomed the report and supported the proposed relocation.

DECISION

AGREED to approve the proposal to relocate Galashiels Academy to a site comprising the existing school site and part of the town's Scott Park.

5.2

With reference to paragraph 7 of the Minute of 13 May 2021, there had been circulated copies of a report by the Director of Environment and Infrastructure providing an update

on the progress with the new Galashiels Academy Community Campus following the statutory and procurement stages and recommending proceeding to construction. Previous reports to Council on 17 December 2020 and 13 May 2021 provided an update on the project and on the informal engagement undertaken on the range of options for the location of the new school and external sports facilities. The 13 May 2021 report to Council recommended that the project should proceed to the formal statutory stages. Planning consent was granted in September 2022. This allowed the project to proceed to detailed design and procurement. This stage was now complete and the project was ready to proceed to construction. The total approved budget for the Galashiels Academy project was £60.155M. Of this, costs of £5.1M had been incurred to 31 March 2023, including the Enabling Works undertaken to get the project prepared and ready for the main construction. The Director highlighted the impact of construction inflation and following the tender returns, the project team and main contractor Morrison Construction had been working to minimise the over budget position. This work was ongoing with a target date for reaching contract close soon and to allow for this, it was recommended that Officers were given delegated authority to reach a final contract sum within an overall budget maximum of £64.5M. Members agreed to approve the proposed funding increase to allow construction to commence at an early date.

DECISION

AGREED to:-

- (a) note the progress of the project through the statutory planning stage and the completion of the detailed design and procurement stage;**
- (b) note the current budget position that, as a result of the procurement stage, was £4.345M above budget;**
- (c) delegate authority to the Director Infrastructure & Environment, in conjunction with the Chief Financial Officer, to conclude the contract with Hub South East Scotland Ltd at a project budget no greater than £64.5M allowing the project to proceed to construction; and**
- (d) receive update reports as the project proceeded.**

6. SCOTTISH BORDERS PROPOSED GAELIC LANGUAGE PLAN

With reference to paragraph 7 of the Minute of 13 May 2021, there had been circulated copies of a report. With reference to paragraph 12 of the Minute of 17 June 2021, there had been circulated copies of a report by the Director Education and Lifelong Learning recommending that the Council's proposed Gaelic Language Plan, as contained in Appendix A to the report, be forwarded to the Bòrd na Gàidhlig for their agreement in accordance with the Gaelic Language (Scotland) Act 2005. The report explained that all Councils in Scotland had been asked by the Bòrd na Gàidhlig to prepare a statutory Gaelic Plan in accordance with the Gaelic language (Scotland) Act 2005. Gaelic Language Plans were seen as a key part in delivering the National Gaelic Plan to secure the status of Gaelic in Scotland. Following the public consultation, the plan had to be submitted to the Bòrd na Gàidhlig for approval. The outcome of the consultation was contained in Appendix B to the report. Amended recommendations had been circulated before the meeting and following discussion these were approved.

DECISION

AGREED:-

- (a) to approve the Gaelic Plan, as contained in Appendix A to the report, for submission to the Bòrd na Gàidhlig for their approval, subject to the implementation of the Plan being within existing Council budget and resources;**

- (b) that once approval of the Plan had been given by Bòrd na Gàidhlig, to translate the Plan into Gaelic and both copies (English and Gaelic) would be published on the Council's website; and
- (c) that the Director of Education & Lifelong Learning would bring forward a further report to Council should further resources be required for the implementation of the Plan.

7. **ANTI-POVERTY STRATEGY PROGRESS REPORT**

With reference to paragraph 7 of the Minute of 23 September 2021, there had been circulated copies of a report by the Director Resilient Communities on the progress made in delivering the Anti-Poverty Strategy Action Plan, which was adopted by Council on 23 September 2021. The report also gave an update of the work of the Anti-Poverty Members Reference Group, the Financial Inclusion Group and the quarterly Food Conversations. An update report in relation to additional poverty support provided by the £1.2M Cost of Living Fund was also being brought before Members later in the meeting. The report highlighted the actions and progress made against the 11 outcomes of the Anti-Poverty Action Plan which were detailed in the Anti-Poverty Strategy Progress Report contained in Appendix 1 to the report. Councillor Tatler, in his role as Executive Member, expressed his thanks for the report and agreed that a refresh was needed to take account of changes since 2021. He also advised that a Credit Union was to be created in the Borders which helped to combat illegal money lending. Members discussed the report and highlighted the problem of hidden poverty in the Borders.

**DECISION
AGREED:-**

- (a) the Anti-Poverty Strategy 2021 Progress Report;
- (b) to note the work of the Anti-Poverty Members Reference Group, the Financial Inclusion Practitioners Group and the Food Conversations Group; and
- (c) that the Anti-Poverty Strategy and Action Plan (created in 2021) be refreshed.

8. **SCOTTISH BORDERS LOCAL CHILD POVERTY REPORT 2022/23 AND ACTION PLAN 2023/24**

There had been circulated copies of a report by the Director Resilient Communities presenting the Scottish Borders Local Child Poverty Report for 2022/23 and Action Plan for 2023/24, contained in Appendix 1 to the report, for noting before submission to Scottish Government. The report explained that the Child Poverty (Scotland) Act 2017 required Local Authorities and Health Boards to jointly prepare a Local Child Poverty Action Plan Report and an Annual Progress Report. The report contained details of the levels of child poverty in the Scottish Borders, the progress made against the Action Plan for 2022/23 and set out planned actions for 2023/24. Members expressed concern regarding the increase in Child Poverty and noted that a significant amount of work would be required if targets were to be met, along with the need to raise awareness of the support available.

**DECISION
AGREED to note the Scottish Borders Local Child Poverty Report for 2022/23 and Action Plan for 2023/24 before submission to Scottish Government.**

9. **UPDATE ON COST OF LIVING RESPONSE**

With reference to paragraph 4 of the Minute of 25 August 2022, there had been circulated copies of a report by the Director Resilient Communities providing an update in relation to the £1.2m financial support package that was released from Council reserves to provide support to communities during 2022/23. The report explained that Council agreed on 25 August 2022 to approve the creation of a short-term multi-agency Cost of Living Crisis

Strategic Group and an Operational Officers Group in order to provide an enhanced response to the exceptional autumn and winter pressures communities were facing. These groups had reported into the Anti-Poverty Members Reference Group and the Community Planning Partnership and had also considered local requirements and response across each of our five localities. Details of how the funding had been allocated and the remaining balances were contained in the report. The report also provided an update on the allocation of balances in relation to the Financial Hardship Fund. Members commented on the success of projects such as “Low and Slow” and asked for information on the evaluation of projects. Concern around perceived stigma around certain projects was also highlighted. The Director answered Members’ questions and undertook to provide more information for Members at a future Members Briefing. The importance of always thinking “family” was critical to the Councils approach.

**DECISION
AGREED:-**

- (a) to note the Cost of Living spend to date as detailed in the report, and the balances being carried forward to 2023/24:**
- (b) to note the Financial Hardship Fund spend to date as detailed in the report, and the balances being carried forward to 2023/24: and**
- (c) that the Director of Resilient Communities, in consultation with the Anti-Poverty Members Reference Group, consider any further action that was required and provide a further report to Council if there were to be any further financial implications.**

10. INTEGRATION JOINT BOARD DIRECTIONS MAY 2023

There had been circulated copies of a report by the Chief Officer Health and Social Care providing an update on the Directions issued to the Scottish Borders Council from the Health and Social Care Integration Joint Board at their May 2023 meeting. The report explained that the Directions issued by the Integration Joint Board in May 2023 related to the implementation of the new Teviot and Liddesdale Day service in Hawick, the establishment of a Community Integration Group (Locality Working Group) pathfinder in the Eildon locality, the implementation of the homecare night support pathfinder in the Duns area, and the scoping of revenue costs for the Tweedbank and Hawick Care Village programme.

DECISION

NOTED the Directions issued by the Health and Social Care Integration Joint Board to the Scottish Borders Council.

11. TEVIOT DAY CENTRE RE-PROVISIONING

With reference to paragraph 5 of the Minute of 27 April 2023, there had been circulated copies of a report by the Chief Officer Health and Social Care providing an update on progress regarding the provision of Teviot Day Services. The report explained that following the options appraisal the internal option came out overall ranked 1. Due to the number of service users this would be provided 5 days a week, but there was room for further growth if required. The IJB Strategic Planning Group and IJB agreed to commission the internal service provision (SBC Adult Social Care), based on the recommendation of the Task and Finish Group. This was supported by the IJB Strategic Planning Group. Members welcomed the progress being made. The Day Service required to re-register with the Care Commission and recruit staff before it could re-open but Members would be kept updated on progress in this regard.

**DECISION
NOTED:-**

- (a) the decision made by the Integration Joint Board (IJB) on 17 May 2023 regarding the provision of Teviot Day Services; and
- (b) the next steps relating to further considering the levels of need for people in Newcastleton and subsequently across the other four localities.

12. **MAINSTREAMING REPORT AND EQUALITY OUTCOMES PROGRESS REPORT 2021-23**

There had been circulated copies of a report by the Director People, Performance and Change seeking approval of the Scottish Borders Council Equality Mainstreaming Update Report 2021–2023 in order that it could be published to meet legal requirements. The report explained that the Council had statutory obligations under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 to meet the Public Sector Equality Duty and to mainstream equality throughout its functions. As part of this duty the Council was required to publish a report on the progress it had made every two years and update report for the period 2021-2023 required to be published. The draft Update Report was contained in Appendix 1 to the report and provided a range of good practice examples that demonstrated how equality was mainstreamed into working practices and the achievements made against each Equality Outcome. Mr Davidson, Employee Relations Manager, answered Members' questions and agreed to look at evaluating the impact of training.

DECISION

AGREED to approve the Equality Mainstreaming Update Report 2021 – 2023, as set out in the Appendix to the report, for publication.

13. **STRATEGIC TRANSPORT PRIORITIES**

13.1 There had been circulated copies of a joint report by the Director Environment and Infrastructure and Director Resilient Communities providing an overview of current transport policy in Scotland and indicating how the Council was developing short, medium and longer term actions to help deliver national and regional transport strategy aspirations at a local level. The second version of the National Transport Strategy (NTS) had been published in February 2020 and set out the national ambition for the next twenty years, while coordinating objectives and outcomes with planning, economic development and Net Zero strategies to provide a core set of principles for all new development. The Regional Transport Strategy (RTS) which was developed by the South East of Scotland Transport Partnership (SEStran) was approved by Local Authority Members in 2022 and by Transport Scotland in March 2023. The document set out how transport priorities could be delivered across the South East of Scotland and linked directly to the NTS and local priorities. The Scottish Borders was in the unique position of being partners in two Growth Deals and having a South of Scotland Enterprise Agency to support the Council's ambitions. The key national and regional transport policy documents were supplemented by the Regional Economic Strategy for the South (RES) and The Edinburgh and South East of Scotland City Region Deal (City Deal) along with the associated Regional Prosperity Framework (RPF) provided a strong commitment to improving transport in rural areas. Scottish Borders Council had produced local transport strategy documents in the past and in 2015 a Main Issues Report recommended that a Local Access & Transport Strategy (LATS) for the Scottish Borders be refreshed once all of the national and regional strategies were in place. It was hoped that the initiation of a new LATS would commence later in the year. Even in the absence of an up-to-date LATS, there were still a number of strategically important projects being taken forward that delivered national and regional ambition, helped to improve transport connectivity in the area and looked to support the Council's Net-Zero commitments.

13.2 The Bus Network Review was the first full scale review of bus services for circa 30 years and was using data from operators and local businesses to help identify and design services that better met the needs of communities and try to grow patronage in a

sustained period of funding pressures to subsidise services. Changes were likely to include the removal of duplication and delivering services that would make a difference to local communities. It was proposed to have a number of Elected Member briefings during the summer and bring forward proposals to Council in August/September 2023. The development of Active Travel (Cycling, Walking and Wheeling) throughout Scotland was a key plank of national and regional transport policy and The Scottish Government had currently committed to spend at least £320 million, or 10% of the total transport budget on active travel by 2024-25 (up from £39 million in 2017/18). However, in order to access this additional funding, Scottish Borders Council would need an Active Travel Team and develop a bespoke Active Travel Strategy for the area. The Electric Vehicle Charging Expansion Plan acknowledged that Transport Scotland was transitioning away from publicly funding the public charging network and had provided support for Local Authorities to procure private sector investment in infrastructure, operations and services to grow the uptake of EV vehicles in Scotland. A proposed model had been built for the Scottish Borders using significant community engagement to create a proposal that would see an initial charging network delivered to 100 communities in the region, creating an equitable distribution of infrastructure, while demonstrating a viable investment for the private sector. It was proposed to bring the recommendations to Council in August/September 2023, to allow the procurement phase to commence later in the year. Members welcomed the paper and highlighted the importance of public transport in the Borders including the need for the Borders Railway extension.

DECISION

AGREED to:-

- (a) note the status of Transport Policy in Scotland and the influence on regional and local actions;**
- (b) note the progress on developing an updated Local Access and Transport Strategy in 2023;**
- (c) note the progress on the Bus Network review and agreed that a report be presented to Council in Autumn 2023;**
- (d) have a number of members briefings during the summer on the recommendations of the Bus Network review, based on locality areas;**
- (e) note the progress on Active Travel Development in the region;**
- (f) note the progress on the Electric Vehicle Charging Expansion Plan and identify any additional briefings required before recommendations were brought to a future Council meeting; and**
- (g) receive a report on the Electric Vehicle Charging Expansion Plan at the August or September Council meeting.**

MEMBER

Councillor Robson left the meeting.

14. ORDER OF BUSINESS.

The Convener varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting. The Convener varied the order of business as shown on the agenda and the Minute reflects the order in which the items were considered at the meeting.

DECLARATION OF INTEREST

Councillor Ramage declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

15. **MOTION BY COUNCILLOR THORNTON-NICOL**

Councillor Thornton-Nicol, seconded by Councillor Parker, moved approval of the Motion detailed on the agenda in the following terms:-

“In the 1995 Pensions Act, the Government increased State Pension age for women from 60 to 65, with a further increase to 66 in the 2011 Pensions Act. The change was not properly communicated to 3.8m women born in the 1950s until 2012, giving some only one year’s notice of a six year increase in their anticipated retirement age. 7100 of the affected women are in our own authority area.

Council believes this injustice has not only had a profound effect on the individuals involved, but on the wider community in Scottish Borders. These women are impacted financially, which impacts on every aspect of their lives. It affects their mental well-being and physical health. Women who had a planned retirement should have been able to make their own decisions. Some would have volunteered, some would have looked after older people as unpaid carers, some would have provided childcare for their families. All of these things that they cannot do have a knock on impact on local government and service provision. Our local economy is negatively affected by the reduced spending power and disposable income the uncommunicated State Pension Age changes has brought about among women born in the 1950s.

Council therefore agrees with:

1. The conclusion of the All Party Parliamentary Group on State Pension Inequality that women born in the 1950s have suffered a gross injustice, affecting their emotional, physical and mental circumstances in addition to causing financial hardship
2. A swift resolution to this ongoing injustice before more and more women die waiting for compensation.
3. The WASPI campaign for an immediate one-off compensation payment of between £11,666 and £20,000 to those affected, with the most going to women who were given the shortest notice of the longest increase in their state pension age.

and asks that the Leader of the Council writes to local Members of Parliament, and to the Secretary of State for Work and Pensions to outline the effects of the injustice to 1950s women on the community in Scottish Borders and to seek their support for an immediate compensation package.

Councillor Thornton-Nicol and Councillor Parker spoke in support of the Motion which was unanimously approved.

DECISION

AGREED to approve the Motion as detailed above.

ADJOURNMENT

The Convener adjourned the meeting for lunch at 1.20 p.m. and the meeting reconvened at 1.50 p.m.

MEMBERS

Councillors Marshall and Sinclair did not rejoin the meeting after the break.

16. **DOG FOULING ON SPORTS PITCHES**

With reference to paragraph 15 of the Minute of 30 March 2023. there had been circulated copies of a report by the Director of Corporate Governance providing an update on the Scottish Minister’s response to Councillor Steel’s Motion of 30 March 2023 and to recommend that Council consider seeking further information in the form of a report on the options and costs associated with additional signage and with a communication campaign. The report explained that Scottish Borders Council had written to Scottish

Ministers in April seeking an amendment to the Dog Fouling (Scotland) Act 2003, a copy of which was appended to the report. Ministers had responded to that letter declining to implement the change sought. The reply from the Minister for Victims and Community Safety, as contained in Appendix 2 to the report, included examples of approaches being adopted in other areas to tackle dog fouling problems. One such example was improved signage and another was targeted communications on the problem. The report recommended exploring these approaches by calling for a report outlining options and detailing the costs associated with additional signage and a targeted communication plan. Members expressed their disappointment and discussed the options. The major health implications caused by fouling on sports pitches and the need to get the message out to all dog owners were highlighted.

DECISION

AGREED to:-

- (a) note the letter from Minister for Victims and Community Safety contained in Appendix 2 of the report; and**
- (b) to receive a further report by October 2023 on dog fouling containing detail on the possible options and associated costs for new signage and a targeted communications plan.**

17. MOTION BY COUNCILLOR S. HAMILTON

Councillor S. Hamilton, seconded by Councillor Anderson, moved approval the Motion as detailed on the agenda in the following terms:-

“This Council expresses its strong opposition to the closure of Bank of Scotland branches in Duns, Eyemouth, Jedburgh, and Newcastleton, recognising the negative impact it will have on local residents and businesses.

We request that the Leader writes to the Bank of Scotland on the following points.

1. Emphasise the importance of maintaining access to in-person banking services, particularly for those individuals who do not currently have access to internet or phone banking facilities.
2. Our deep disappointment by the lack of understanding demonstrated by the Bank of Scotland towards our small towns and rural communities that rely on these branches for their banking needs in the Scottish Borders.
3. We call upon the Bank of Scotland to reconsider its decision and engage in meaningful dialogue with local stakeholders, including this Council, to explore alternative solutions that preserve essential banking services within the affected communities.
4. This Council requests the Bank of Scotland to provide satisfactory responses to all questions and concerns raised by the Council and affected residents, ensuring transparency and addressing each point of inquiry thoroughly.
5. Underline this Council's commitment to collaborating with relevant community groups, local stakeholders, parliamentarians, and other authorities to seek solutions that mitigate the adverse effects of branch closures and secure continued access to vital banking services in the Scottish Borders.

Conclusion: Scottish Borders Council in conjunction with Parliamentary representatives continue to strongly opposes the closure of Bank of Scotland branches in Duns, Eyemouth, Jedburgh, and Newcastleton, and affirms its commitment to supporting the affected communities. We urge the Bank of Scotland to reconsider its decision, engage in constructive discussions, and provide satisfactory responses to address the concerns raised by the Council and local residents. Together, we will strive to find alternatives that prioritise the banking needs of our communities and preserve vital local services.”

Councillors Hamilton and Councillor Anderson spoke in support of the Motion which was unanimously approved. It was noted that representatives from the Bank of Scotland had agreed to meet with Councillors.

DECISION

AGREED to approve the Motion as detailed above.

18. **MOTION BY COUNCILLOR SINCLAIR**

Councillor Smart, in the absence of Councillor Sinclair, and seconded by Councillor PatonDay, moved approval of the Motion as detailed on the agenda in the following terms:-

“Scottish Borders Council:

- Recognises Scottish Breastfeeding Week, which took place between 5 and 11 June 2023, with the aim to celebrate the work being done to support, promote and protect breastfeeding, as well as raising awareness of the Breastfeeding Friendly Scotland Scheme;
- Welcomes the fact that 52 organisations in the Scottish Borders have signed up to the Scottish-wide Breastfeeding Friendly Scotland Scheme which aims to ensure that babies can be breastfed in comfort and without interruption, reducing barriers for parents who breastfeed; and,
- Recognises the benefits breastfeeding has for both baby and mother’s health, helping to protect children from a vast range of illnesses and to protect mothers from breast cancer, ovarian cancer and heart disease.”

Councillor Smart and Councillor PatonDay spoke in support of the Motion which was unanimously approved.

DECISION

AGREED to approve the Motion as detailed above.

19. **OPEN QUESTIONS**

The questions submitted by Councillors Smart, Anderson, Sinclair, Robson, Douglas, Ramage, Begg and PatonDay were answered.

DECISION

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

MEMBERS

Councillors Cox, M. Douglas, C. Hamilton, Mountford, Orr, Richards, Scott, Small and Thomson left the meeting during consideration of the item above.

20. **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

21. **COMMITTEE MINUTES**

The private sections of the Committee Minutes as detailed in paragraph 4 of this Minute were approved.

DECLARATION OF INTEREST

Councillor Rowley declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion. As this was the last item of business he did not re-join.

22. **BORDERLANDS INCLUSIVE GROWTH DEAL - DESTINATION TWEED OUTLINE BUSINESS CASE**

Members approved the Outline Business Case and noted a further report would be brought to Council later in the year.

The meeting concluded at 2.45 pm

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SCOTTISH BORDERS COUNCIL
29 JUNE 2023
APPENDIX I

Question from Councillor Smart

To the Executive Member for Roads Development and Maintenance

As the Kirkpatrick Coast 2 Coast Cycle Route is now in place and being promoted, what plans are in place to upgrade the road surface through the Borders of this route, with a view to ensure cycle safety, paying particular attention to road condition and up to date, clear signage?

Response from Councillor Greenwell

The Kirkpatrick C2C is an action from the South of Scotland Cycling Partnership Strategy – “Launch new South of Scotland Coast to Coast Slow Tourism Touring Route – 2023”

The route uses existing on-road cycle routes and is being promoted as an economic development benefit to experienced, capable, on road, adventure tour cyclists.

There will be a digital map and information launched by South of Scotland Destination Alliance in early July.

There were no specific requirements identified to upgrade the road surface as part of the independent Road Safety Audit undertaken as part of the project.

Consultants Mott MacDonald have prepared a signage strategy for the route, and this has also been run past our in-house road safety team.

Signs are currently being manufactured and will be erected by Scottish Borders and Dumfries & Galloway Council, beginning in July. This work will continue after the digital launch of the Coast to Coast Route in mid July.

The B6399 is inspected on a 2 monthly frequency in line with the Councils Standards on Carriageway/Footway & Footpath Safety Inspections. All safety defects are recorded and instructions issued for their repair.

Notice will be taken of the new cycling designation status of the route and repairs undertaken as appropriate with the budget available and the many competing prioritisations placed on the service.

I can however confirm that there are a number of road surface improvement schemes identified for the B6399 in the 3 year roads capital programme.

Supplementary

Councillor Smart commented on 2 dangerous areas on the road between Newcastleton and Hawick and asked for a copy of the schedule of works. Councillor Greenwell advised that she should have received a copy of the programme of works and if these areas were not included that she should contact Brian Young.

Questions from Councillor Anderson

1. To the Executive Member for Service Delivery and Transformation

Cheques are being discontinued across SBC. However, this seriously limits the needs of residents of care homes and care home staff who rely on cheques on a regular basis. What consultation took place to allow this decision to be made? What plans are in place to negate the negative consequential effects of this decision, and why is it felt wise to move to a digital platform for all finances without adequate consultation with those this decision affects directly?

Response from Councillor Rowley

A report was considered by CMT on 12th January 2022 detailing the cheques issued and received by the Council along with the costs and time consuming work that their process entails. The recommendations in the report agreed that the Council would routinely stop issuing cheques unless there were no other options, to remove reference to cheques in payment terms and to promote payments through digital means. A stage 1 IIA was undertaken to consider any adverse impact arising from the policy change.

Despite a move away from generating cheques from within SBC and actively promoting other payment channels for customers, I can confirm we have not stopped our customers' ability to use cheques for payment.

Supplementary

Councillor Anderson commented on issues staff at Saltgreens were having managing cash for residents. Councillor Rowley undertook to raise this. The Chief Executive confirmed that there was a policy in place but the specific situation at Saltgreens would be looked at.

2. To the Executive Member for Estate Management and Planning

Will SBC offer an accessible toilet key to the public in Eyemouth, to be held in an agreed location close to the accessible toilets at to support the large number of tourists visiting the area particularly following the launch of the Coast to Coast cycle route?. This key will also require appropriate signage placed on the toilet door confirming opening hours, conditions for use and location of key for disabled users who do not possess a RADAR key.

In addition, can SBC ensure that all available and operational accessible toilets have appropriate signage in place confirming opening hours and the SBC website updated to highlight all locations in time for the school holidays beginning?

Response from Councillor Mountford

The Council recognise the concerns highlighted by the community over the provision of facilities to support tourists visiting Eyemouth.

Officers have been engaging with concerned businesses and the community to explore options to address these concerns.

Options focus around a community led initiative in Eyemouth. Discussions are ongoing and the Director of Infrastructure & Environment intends to meet representatives of the community in July. Officers are also developing a Comfort Scheme model that we intend to present to Members later this year.

As a tourism destination, there may be visitors who are unfamiliar to the area. With this in mind, the Council are willing to make a RADAR key available for disabled visitors, held at a location agreed with officers and the local community.

Since the Public Toilets report was presented to Council in March 2023, an officer working group has been established to progress the agreed actions. Members will recall that the report formalised the arrangement that had been in place since August 2021. Several omissions have however subsequently been highlighted from the list of toilets that remain open. To clarify, the disabled toilets at:

- Harbour Road Toilets in Eyemouth;
- Shedden Park in Kelso;
- High Street in Galashiels;
- Volunteer Park in Hawick; and
- Howegate Toilets in Hawick

Remain open for disabled users and are being serviced daily by the Council.

Supplementary

Councillor Anderson asked for a timeline for putting the keys in place and Councillor Mountford undertook to provide this information.

Question From Councillor Sinclair

To the Executive Member for Education and Lifelong Learning

What support will Scottish Borders Council offer to childminders, including those who are not partner providers for 1140hrs ELC, now that the decision has been taken to remove funding for a dedicated childminding development officer after more than 20 years?

Response from Councillor L. Douglas

The annual contract between Scottish Borders Council and the Scottish Childminding Association (SCMA) has been in place for over 20 years and during that time has always been reviewed and considered on an annual basis. At the time of the start of the Contract, there were about 4 times as many Registered childminders in the Borders as there are now, (currently in the region of 80, 9 of whom are on the Council's Framework of funded providers of Early Learning and Childcare (ELC)).

The growth of nursery provision and increase in funded hours are being cited as two of the main reasons for there being such a significant reduction in the number of Registered childminders across Scotland. The Council's focus remains on targeting support where it is most needed and is of most benefit supporting the delivery of statutory provision.

Whilst Scottish Borders Council has valued the work of the SCMA Development Officer over the years, like many other Local Authorities who no longer Contract with SCMA, SBC needs to ensure that it is responding to the changing landscape of ELC and making best use of limited resources. The SCMA were given 3 months' notice that the Contract was not being renewed for this core part of the service. However, the Council is very pleased that SCMA have agreed to continue to co-ordinate the Council's Supported Childminding Scheme as a stand-alone Contract, as now happens in a number of other Local Authority areas.

The Council will continue to support childminders through its' central Early Years Team and the 9 childminders who are on the Council's Framework of funded providers will continue to receive the additional support through the Early Years Teacher Team. In addition to this, the Council will encourage all childminders to be members of the SCMA so that they can access the support and membership benefits it offers.

Question from Councillor Robson

To the Executive Member for Education and Lifelong Learning

Can the Executive Member advise whether issues specific to the Borders arose during the Council's participation in the pilots that preceded the national roll-out from August 2023, of the additional year of early learning and childcare to eligible children who defer entry to Primary 1? In particular are there problems of resources or capacity or difficulties for private provider colleagues? Is the Council able to gather data about household and child characteristics better to inform the development of provision?

Response from Councillor L. Douglas

We were very pleased to be selected to pilot the "Give them Time" Pilot. Scottish Government Funding was provided to support this extension to the offer already in place whereby children born in January or February could automatically defer starting school until the August following their 5th Birthday, to include all those born in August to December as well.

Procedures were already in place to administer the scheme and no issues were encountered in provision of resource.

Data will be used to inform the national evaluation of the pilot and the report will be publically available.

Data shows that the number of parents requesting to defer their child's entry to P1 has increased from 70 parents in session 2016/2017, to 169 for session 2022/2023 with the actual number of children who have taken up the deferral remaining between 14% and 16% of the total P1 intake for the last 4 years.

This is because we also had an increase in the number of parents who, having applied for a deferred entry place, decided in the end to send their child to P1. In session 2022/23 of the 169 applications initially received 27 parents subsequently changed their mind and sent their child to P1.

There have been a few instances where both school and private and voluntary settings reported they were full, due to increased numbers of parents applying for a deferred entry place. However, on these occasions, almost all children were able to get a place with their second choice ELC provider.

Scottish Borders Council have always supported parents of children who have not had their 5th birthday before the first day of term in August by approving 100% of the eligible applications since session 2017/18.

Question from Councillor M. Douglas

To the Executive Member for Estate Management and Planning

Following a recent meeting of the Licensing Board held in the Council Chamber, I have been approached by a member of the public concerned at the lack of facilities provided to the deaf and hard of hearing.

Can the Executive member please confirm whether a hearing loop system is installed in the Council Chamber, and whether it is operational or not. If one is installed but not operational, are there plans to repair or replace it? Alternatively, if a loop system is not installed, are there plans to install one?

Response from Councillor Mountford

Yes, there is a hearing loop installed in the Council Chamber however it is currently not working. A specialist contractor attended the site on 26 June to measure and obtain the specification for specialist items which will be ordered and fitted by 7 July, subject to parts availability and access to the Chamber to undertake the works. The reason for the system not working is that the current microphones in the room aren't connected to the existing induction loop, nor are there any specific induction loop microphones in the Chamber.

The work required is the installation of ceiling microphones (lowered by wire similar to the existing Teams speakers) which will be linked back to a new induction loop amplifier in the AV Rack, which will also be linked to the Teams system, in turn allowing Teams calls, and for anyone speaking in the room to be heard by anyone with a hearing aid.

Question from Councillor Ramage

To the Executive Member for Health and Wellbeing

Has any consideration been given to the suggestion six month ago by Elected members that LAC be given a secure mobile device managed by CGI?

Carers get £120 per year toward phone costs. However, this puts the security concerns on to our carers. CGI could very easily supply a secure device that can be set to stop young people downloading Snap chat and other potentially dangerous apps.

Response from Councillor Parker

This has been considered by Officers but is not a recommended course of action.

The phone allowance is in place to ensure that all care experienced children have the same access to a private device of their choice as other children living in Scottish Borders to ensure the approach does not inadvertently discriminate against care experienced children.

Carers are provided with advice and guidance as to 'Safe Guarding Children online'.

Question from Councillor Begg

To the Executive Member for Estate Management and Planning

How many EV Charging points are now operational here at SBC HQ? Of those, how many are available to visiting members of the public and how many are available to Councillors?

Response from Councillor Mountford

The recently completed Smart Grid project has delivered dual EV chargers providing 64 charging points for electric vehicles at SBC HQ.

28 charging points were installed adjacent to the visitor's car park on the site of the former canteen. They have had a tariff applied to make them available for Public/Councillor use. The remainder were installed in the Bowden Road Depot for use by Council Fleet vehicles.

In addition, there is also 1 charging point located at the Old School Building and 2 charging points at Waverly Place Car Park, Newtown that are available for both members of the Public and Elected Members to use should they wish.

Question from Councillor PatonDay

To the Executive Member for Service Delivery and Transformation

How many young people are at this time receiving work experience, training or apprenticeships within the Council or its Contractors?

Response from Councillor Rowley

The Council currently employs 35 Modern Apprentices employed across a variety of services.

The Council also has extensive arrangements in place to deliver community benefits through a range of contracts with our suppliers. The procurement report which is submitted annually to the Scottish Government highlights these opportunities. The information reported to Council previously and published for 2021/22 highlights:

- 35 new employment opportunities were created
- 6 people were engaged as apprentices
- 11 young people were involved in work experience placements and employability programmes
- over 1600 young people were engaged in community benefit related support activities with our suppliers

The Employability Service currently have 1 placement in SBC which is being delivered through No one Left Behind funding at an early years centre. The placements are identified and set up using a person centred approach as we try and match the skills and needs of the young person to the right type of placement. Many placements are catered for through external companies and organisations in the area where they reside or on an accessible travel route.

The service is also currently delivering 2 pre-employment training courses one in Eyemouth and one in Galashiels for 16 individuals. These courses last 10 weeks for a minimum of 2 days per week through a blended learning approach of face to face sessions and virtual training. Individuals have the opportunity to obtain accredited qualifications in employability, personal development, core skills and customer care. A short work taster placement may also be offered during the training with follow on 1-1 support.

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