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SCRUTINY & PETITIONS COMMITTEE THURSDAY, 7 DECEMBER 2023

A MEETING of the SCRUTINY & PETITIONS COMMITTEE will be held via MICROSOFT TEAMS on THURSDAY, 7 DECEMBER 2023 at 10.00 am.

All Attendees, including members of the public, should note that the public business in this meeting will be livestreamed and video recorded and that recording will be available thereafter for public view for 180 days.

N. MCKINLAY,
Director Corporate Governance,

1 December 2023

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute (Pages 3 - 8) Consider Minute of 19 October 2023. (Copy attached.)	2 mins
5.	Public Toilet Provision in the Scottish Borders Interim progress update presentation by Director Infrastructure & Environment. (Copy to follow.)	20 mins
6.	Private Sector Housing Grants and Assessment Process (Pages 9 - 18) A presentation from Gwyneth Lennox and Donna Bogdanovic. (a) Major adaptations overview. (Copy attached.)	20 mins
7.	Date of Next Meeting The next meeting of the Scrutiny & Petitions Committee was scheduled for 21 March 2024, in respect of: (a) Community access to schools out-with school hours; and (b) Employability Service public engagement.	

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, 19 October 2023 at 2 pm

Present:- Councillor N. Richards (Chair), M. Douglas, J. Anderson, J. PatonDay, S. Scott, F. Sinclair

Apologies:- Councillors P. Brown, J. Cox, E. Robson and E. Thornton-Nicol

In Attendance:- Chief Legal Officer, Director Infrastructure & Environment (from 2.45pm), P. Gilhooly, D. Faulds (Deputy Petitioner), Clerk to the Council, Finance Analyst (T. Hutchison) and Democratic Services Officer (L. Cuerden)

1. PETITION – CRAILING JUNCTION

1.1 The Chair welcomed everyone to the meeting, in particular the Deputy Petitioner, Ms Dinah Faulds. The meeting was held via Microsoft Teams and livestreamed and the Chair gave details of the protocols for the meeting.

1.2 Petitions Procedure

There had been circulated copies of an extract from Scrutiny and Petitions Committee procedure. The Chair outlined the process and in particular the procedure which would be followed during the meeting and the options available to members of the Committee once they had considered all the information before them.

1.3 Crailing Junction

There had been circulated copies of a petition entitled 'Improve Road Safety on the A698 at the Crailing Junction (D153/4) which had been signed by each of the 65 householders in the village. There had also been circulated copies of a briefing report by Philippa Gilhooly, Infrastructure and Environment which detailed progress made since the site visit on 21 September 2023. In the petition statement it was explained that residents were increasingly anxious and frightened for their lives and those of their passengers when exiting and entering the village junction due to lack of visibility and speed of vehicles on A698. It was requested that Scottish Borders Council and Police Scotland address these issues as a matter of urgency before someone was injured or killed. Several measures to improve the situation were suggested: the removal of trees from the village junction (D153/4) to the Toll House; a reduction in speed limit to 40mph with signage at each end of the village; installation of a speed camera; and a tapered slip road into the village approaching from Jedburgh and exiting the village towards Kelso.

1.4 The Chair invited Ms Faulds, Deputy Petitioner, to present the petition on behalf of the Principal Petitioner Nicola Cowe. In support of the petition statement, Ms Faulds advised that the petition had been lodged on behalf of the village of Crailing. There had been progress since the site visit of 21 September. In terms of signage, pedestrian warning signs, 'Please drive carefully' signs and SLOW road markings on the A698 had been agreed. SBC had accepted responsibility for the maintenance of the verges and embankments to the East of Crailing. SBC had also commenced the thinning of self-seeded saplings and further removal work was requested by Ms Faulds and the community to fully restore the previous

sightline up to the Toll House. There had been a local agreement reached with residents for the trimming of the beech hedge to the West of Crailing. There remained an issue related to a corner of overgrown land at Crailing Barn Road (D147/4). Ms Faulds requested that ownership and maintenance of the land be established by SBC. There had been a request for tapered splay lines and slip road on entry to and exit from the village; this had been deemed inappropriate by SBC and Police Scotland on the grounds of cost and land availability. There was also a request for a central lane to be installed to assist drivers turning right. Concern was raised about the speed of vehicles travelling through the village. The current speed limit on the A698 was 60 mph, the maximum permitted on this class of road. 2019 speed statistics had recorded an average 56 mph. The safety of children and other vulnerable pedestrians was highlighted: the suction created by passing traffic particularly lorries; a higher volume of vehicles in recent years; and electric vehicles which were harder to hear. Some children were not permitted to cross the road alone and those wishing to access the footpaths had been limited in their ability to do so due to traffic speed and volume. There were seven junctions onto the A698 and the appropriateness of a lower speed limit of 40 mph along this stretch of the road was raised. There was a request to consider deviation from the guidelines, e.g. the number of accidents or the requirement of 20 houses to front onto the road, to allow investigation into a reduction in the speed limit. Reference was made to St Boswells where a gradual speed limit reduction had been established on approach along the A68, a trunk road. Ms Faulds stressed that the community wished to mitigate the risk of injury or fatality to drivers and pedestrians using the A698.

- 1.5 The Chair thanked Ms Faulds for a comprehensive report that expressed the concerns of Crailing residents and then invited Members of the Committee to ask questions of which there were none. Sympathy was expressed for the situation experienced by the Crailing residents.
- 1.6 Philippa Gilhooly, Team Leader Road User Management presented a response to the petition. A site visit had been attended by residents, John Lamont MP, Councillor Thornton-Nicol and a Police Scotland representative. The maintenance of the verges east of Crailing had been carried out by the Council since its purchase in 1975 and had been omitted from the maintenance schedule. Ms Gilhooly confirmed that contractors were to return and that the verges were to be maintained by SBC forthwith with consideration given to biodiversity. There was to be consultation with residents as to the positioning of pedestrian warning signs. With regards to the installation of gateway signage at either end of the village, as in the case of Eckford, it was highlighted that in Eckford there were several houses that fronted on to the road, the area was more developed, and it was more obvious to drivers that they were entering a village. This was not the case with Crailing where the developed areas were set back from the A698. With regards to the reduction in the speed limit from 60 to 40 mph, it was highlighted that such a measure was not a simple undertaking. Compliance and enforcement would be required, expected compliance may lead to a false sense of security and the stretch of road was not an apparent 40mph zone for drivers. Ms Gilhooly stated that it was not uncommon for there to be signposted junctions directly onto A class roads in the Borders and there had been no history of accidents to date. The Safety Camera Partnership had been deployed 17 times in the past 12 months; one offence had been detected during 30 hours of monitoring. A signage audit had been carried out which found that signage was appropriate. With regards to St Boswells, it was confirmed that the speed limit reduction was in place to act as a buffer zone into the more built-up area of the town and the regulations differed for trunk roads.
- 1.7 In response to Members' questions. Ms Gilhooly confirmed that visibility had been improved with the removal of some trees and saplings, with more to be done soon, therefore the addition of a slip road was deemed unnecessary on the A698. The deployment of a safety camera was viewed as a deterrent and was evidenced by the low number of offences. Their

deployment was tightly controlled and legislated. In addition, Police Scotland patrol vehicles had been positioned at other sites along the stretch of road. With regards to the general speed of vehicles on the A698, and specifically to trucks which posed a risk to pedestrians when passing at speed, Ms Gilhooly highlighted that truck drivers were not permitted to travel at 60mph. Ms Gilhooly was unable to find any UK cases of pedestrians injured due to any 'suction' effect. With regards to the use of double or solid white lines to deter overtaking at Crailing junction, such a measure would require to be introduced along the entire length of the A698, and as such was not appropriate. The addition of the red texture flecks at the location was an additional measure already taken by SBC. In response to a question about a larger sign to alert drivers to the village, Ms Gilhooly reported that the size of and location of signage was dictated by 3 factors: 85th percentile vehicle speeds; average vehicle speeds; and daily flow of vehicles. Ms Gilhooly confirmed that vehicle speed data referenced in her response to the petition was from the period April 2022 – March 2023. This data was sampled from in-car telemetry obtained via sat-nav systems; this data was purchased by companies such as Agilysis to aggregate and sample data. Agilysis had also been used by SBC for a validation and verification testing exercise of vehicle speed data at 125 sites repeatedly surveyed during the 20mph initiative. Results for this had been accurate and SBC were satisfied with the validity of data obtained from the Agilysis 'Speed Compliance Tool'. Accident data obtained from Crashmap Pro was dated from January 2021 to December 2021 and Police Scotland confirmed there had been no incidents reported. Ms Faulds reported an incident in the village in the days before the site visit which had been described by Police Scotland as down to driver error. Crashmap area maps of the Crailing area were shared with Members and illustrated the number of Police Scotland reported injury accidents between 2017 and 2021, which was zero. Average speed data at various sections of the A698 by Crailing, all below 60mph, was also shared with Members. In response to a question about any other measures that could be taken, Ms Gilhooly reported that local authorities nationally were looking for a solution to inappropriate driver behaviour, which was difficult to influence. Intelligent Speed Assist was to be fitted by vehicle manufacturers to all new cars July 2023; cameras and sensors would enable a reduction of power to the engine to limit vehicle speed and ensure speed limit compliance. The impact of this technology was anticipated to reduce vehicle speeds overall.

- 1.8 Ms Faulds then commented on several aspects of the response: there was a plea to reduce the speed limit as it was not obvious to drivers that they were driving through a village; the lack of sightlines at Crailing junction for a Police Scotland vehicle to legally and safely monitor the A698 illustrated the difficulty faced by Crailing residents on a daily basis; and the contention that compliance would be too hard to police was not a credible argument. Villager would continue to be fearful of crossing the A698 on foot or in a vehicle without speed reduction measures.
- 1.9 The Chair then asked each Member to share their opinions and then the Committee considered their next steps. The mitigations taken by SBC to date were acknowledged and an ongoing commitment to review the situation in light of new technologies and capabilities was given. The Committee generally agreed, given the data and reasons provided, that it was not possible to reduce the speed limit on the A698 at Crailing Junction.

DECISION

AGREED that the issue raised did not merit or did not require further action, other than those measures already undertaken.

ADJOURNMENT

The Chair adjourned the meeting at 3.05 p.m. and the meeting reconvened at 3.10 p.m.

2. MINUTE

Copies of the Minute of Meeting held on 17 August 2023 had been circulated.

DECISION

APPROVED the Minute for signature by the Chair.

3. INDUSTRIAL ESTATES IN THE SCOTTISH BORDERS

- 3.1 The Director Infrastructure and Environment gave a short presentation, the purpose of which was to provide Members with an overview of Industrial Estates in the Scottish Borders. A report was due to be presented to Council later in 2023. The Scottish Borders covered an area of 4,724 km² and comprised 97 settlements and a population of approximately 115,000. A summary map of all sites where SBC currently owned Economic Development sites/ Business Land was provided – 13 in total across Berwickshire, Eildon, Teviot & Liddesdale and Cheviot localities. A summary map of Local Development Plan (LDP) sites was provided – 9 across all five localities. An officer working group had been established which met monthly to progress Economic Development sites and with a view to the development of a plan of action for the sites. The group comprised Estates, Economic Development, Planning and Capital Programme Management. A market assessment had been completed in collaboration with SOSE and partners and a summary was provided in relation to supply and demand of office space, small industrial units and serviced land/sites and barriers which included access to development finance and investment capital among others. Several recommendations were detailed in the assessment: coordination of market demand/supply information; identification of areas of market potential by public bodies; interventions to make land serviced and developable; public sector funded development; and market intervention to ensure local demand and attraction of mobile projects.
- 3.2 Information was shared on the Net Zero Starts Here Investment Guide; an initiative launched on 30 August 2023 by a South of Scotland multi-agency partnership which focussed on building the economy of the future around a renewable, values-based economy and the region's natural capital. The website had been launched and detailed guidance in several sectors: energy transition; digital business services; digital financial services; food and drink innovation; health & technology; and software & IT.
- 3.3 In relation to SBC's Site Analysis and Prioritisation, five criteria had been developed and were as follows: Strategic Fit; Market Assessment; Transport & Access; Economic Input; and Development Potential. The working group assessment had identified several key priority sites: Duns Industrial Estate; three Eyemouth Gunsgreenhill sites; Galapark and Burnfoot, Hawick; St Mary's Mill, Selkirk; Tweedbank; and Tweeddale. A summary of action to date on other sites in the region was provided in terms of the number of plots available now and those in need of funding or development, the number of active enquiries and plots let or sold.
- 3.4 In response to a question about the Jedburgh Oxnam Industrial Estate, it was confirmed that electrical works on site was still required but funding was needed. The demand in the area was low and consequently, development had been delayed. A Strategic Working Group had been established to liaise with Scottish Water, Scottish Gas, BT and Scottish Power to achieve better alignment of priorities and subsequent investment. In relation to the lack of SBC owned sites in the Tweeddale LDP available, it was confirmed that there were two land holdings of interest for which SBC Estates and Economic Development teams were in discussion with landowners. In addition, early discussions had taken place with an Innerleithen landowner around the prospect of repurposing some of their holdings. There was a need for there to be a closer alignment between land allocation in the LDP and business needs and demand. In response to a question about Reston sites, it was confirmed that land in Reston had been allocated and was part of the consultation of the new LDP. It was acknowledged that more work was required to effectively promote the availability of SBC owned sites and target advertising to particular business sectors.

DECISION
NOTED the presentation.

4. **DATE OF NEXT MEETING**

The next scheduled meeting of the Scrutiny & Petitions Committee was due to be held on 7 December 2023 at 10 am.

The meeting concluded at 3:35 pm

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Scottish Borders Council Private Sector Major Adaptation Overview

Scheme of Assistance

To provide support in regard to repairing, improving or adapting a home, the [Housing \(Scotland\) Act 2006](#) introduced the 'scheme of assistance' in each council area, which replaced the system of home improvement grants.

The '[scheme of assistance](#)' offers advice and support to people who need to carry out repair and improvement work to their homes. The scheme aims to help more people keep their homes in good condition and suitable to meet their needs.

It also aims to encourage homeowners to take more responsibility for the condition of their homes, to ensure that private housing in Scotland is kept in a decent state of repair.

Each local authority in Scotland must decide how to deliver the scheme and draw up a 'statement of assistance' explaining how the scheme works in its area. A local authority's 'section 72' statement must be made publicly available.

The statement sets out:

- what kind of information and advice is available, and how to access it;
- situations in which practical help is available; and
- situations in which loans and grants may be awarded.

Housing and social work services working together

As adaptations straddle the respective legal and financial frameworks applying to community care and housing provision, the development of a corporate approach to equipment and adaptations that reflects wider community care priorities is important.

Adaptations are one option within a continuum of services for disabled people, which can range from provision of equipment and adaptations to health and care services, to housing support and even rehousing. It is therefore important that any person who applies for financial assistance for disability-related work is also referred to social work services, if they have not already made contact themselves. Their needs can then be fully assessed in accordance with the principles of the single shared assessment process, and then all the options are explored on how best to meet eligible assessed need.

Local Housing Strategy

Good housing helps to tackle attainment, reduce inequalities, create communities, and regenerate the places we live in.

The National Health and Wellbeing Outcomes state that "people, including those with disabilities or long-term conditions, or who are frail, are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community". People should be enabled to live independently with freedom, choice, dignity and control through the availability of specialist provision across all tenures.

Local Housing Strategies play a key role in delivering against these priorities, supporting equality and place-making, informing housing investment and service delivery, and ensuring the delivery of the right homes in the right places.

[The Local Housing Strategy 2023-2028](#) envisions that “Everyone in the Scottish Borders has access to a home that meets their needs and is part of a sustainable community”.

In order to deliver this vision successfully and contribute to outcomes in the Scottish Borders Council Plan, as well as the Scottish Government’s National Outcomes, National Health and Wellbeing Outcomes and Housing to 2040; 5 strategic outcomes have been defined within the LHS. **Strategic Outcome 2: ‘People have access to homes which promote independence, health and wellbeing’** is most relevant to the provision of adaptations.

Integrated Joint Board

The Public Bodies (Joint Working) (Scotland) Act 2014 requires Health Boards and Local Authorities to integrate planning for, and delivery of, certain adult health and social care services. The main purpose of integration is to improve the wellbeing of people who use health and social care services, particularly those with complex needs who require support from health and social care.

The Scottish Borders Health and Social Care Partnership is a legally integrated partnership between the Scottish Borders Council and NHS Borders, enhanced and overseen by the [Health and Social Care Integration Joint Board](#). The Integration Joint Board (IJB) plans and oversees the delivery of the integrated services for which it has responsibility, in line with its Strategic Commissioning Plan.

Functions relating to equipment and adaptations are part of a range of local authority functions that are delegated to the IJB. This means that services related to equipment and adaptations, including the funding to support these, are now included within the new integration arrangements. In line with national recommendations, the IJB recognised there was a need to develop an approach to adaptations which takes cognisance of the principals of a tenure-neutral approach to adaptations, which was a significant reform at the time.

Health and Social Care Strategic Framework

The [Strategic Framework](#) is used as the Strategic Commissioning Plan for the Integration Joint Board, and supports the focus of delivery of delegated services for the Scottish Borders Council and NHS Borders. This Strategic Framework also guides the approach being undertaken in the ‘Enjoying Health and Wellbeing’ theme of the Scottish Borders Community Planning Partnership.

This joint approach ensures that all major organisations in the Scottish Borders involved in promoting health, social care and wellbeing are working towards a shared vision focused on improving the health and wellbeing outcomes of our communities so that all people in the Scottish Borders are able to live their lives to the full.

The Local Housing Strategy’s vision that “Everyone in the Scottish Borders has access to a home that meets their needs and is part of a sustainable community’ aligns with the vision for health and social care and the associated strategic objectives.

Major Adaptations

The 2006 Act paved the way for disabled people's applications for assistance with adaptations to be treated separately from applications for assistance with repairs and renovations.

The 2006 Act includes a general duty to provide assistance to make a house suitable for a disabled person where the house is or will be that person’s only or main residence, or to reinstate a house that has been adapted. It also reflects the 1987 Act provision on mandatory grants for standard washing and hygiene amenities for a disabled person.

Adaptations Process

Assessment - which adaptations are needed?

When adapting a disabled persons home, some help and advice on the type of work that will best suit their needs may be required.

When seeking a grant for adaptations, the council must offer the disabled person in the household an assessment of their needs, which will be carried out by the social work department or by the Occupational Therapists embedded within the Care and Repair (C&R) service. The assessment will also take into account the needs of other members of the household.

Once the assessment has been carried out, the council will recommend ways to make life easier for the disabled person. As well as adaptations, this could include equipment such as a bath hoist, or a package of care. In some cases, building work may not be required at all.

As well as making recommendations on what is needed, the assessment will also indicate whether the person's needs are a priority, that is, how urgently the person needs the adaptations, and whether they are essential at this stage.

In instances of more complex adaptations or when multiple adaptation options are present within a property these are discussed at the adaptations panel. It allows representation from all relevant interests such as Housing, Social Work and Health. This process allows for jointly agreed recommendations and for the best outcomes to be clearly defined and actioned.

If adaptations are necessary, the council will advise on how to apply for a grant for the work.

Help from the council to pay for major adaptations

A disabled occupant may need to adapt their home to make day-to-day living easier. It may be possible to get a grant from the council to help with the cost of the work.

If a home isn't suitable for adaptation, the council can provide information and advice on rehousing, if this is the best way to meet assessed needs.

Who can apply

Homeowners or tenants, or part owners through a shared ownership or shared equity scheme can apply.

Tenants require a landlord's permission to get the work done. Landlords cannot refuse a tenant's request without good reason.

Private and social funding streams are separate, so generally this kind of work in the social rented sector is carried out by the housing association and is also supported through needs assessment. Housing association tenants should contact their landlords directly to discuss possible changes.

Occupants of a mobile home cannot apply for a grant. However, the council still has a duty to make sure the needs of disabled occupants are met by offering a care assessment and support to cope with day-to-day living.

Grant eligible works

The council must award a grant if the work is essential to the disabled person, and:

- the adaptations are in a disabled person's only or main home,
- the property doesn't have a standard amenity, and install is necessary to meet the needs of the disabled person,

or

- the home already has hygiene and washing amenities but the disabled person isn't able to use one or more of them,
- and the work is structural or involves making permanent changes to the house.

Grant eligible works do not include:

- extending the home to create extra living space, or
- creating accommodation in a separate building (for example, converting a separate garage to a bedroom).

The council decides whether or not an adaptation is essential: this is decided as part of the assessment and grants process.

Eligible persons

A disability is a physical or mental condition that has a long-term, adverse effect on a person's day-to-day life. This includes both physical and mental disability. To be eligible for a grant, adaptations must be related to the person's disability. This is something that is considered as part of the needs assessment and informs subsequent recommendations.

If the work is essential for the needs of the disabled person but doesn't fulfil all the criteria listed above, the council must provide advice and information to help get funding elsewhere.

Applying for a Grant

Grant applications require predetermined supporting information (through the 2006 Act), for example plans and estimated costs.

Information about the financial circumstances of applicants may be required (for example, income and any savings), and the financial circumstances of a husband, wife or civil partner and anyone else living with, or will be living with the applicant when the work is done.

Starting work before the council makes a decision about an application

In general, work shouldn't start until the council has made a decision and has formally offered a grant. However, if work is required to start as soon as possible, for example, because a home is unsafe, the council can't turn an application down on this basis.

As per the 2006 Act, where the works have already been completed, retrospective grants cannot be considered.

Approved expense

The approved expense is the amount the council decides is needed to carry out the work that is covered by the grant.

The approved expense may not cover the cost of all the work. This may be because not all the approved work meets the grant criteria, or the service user chooses to 'up spec'. For example, if part of the work involves building an extension to provide a bedroom for a disabled person, the council's mandatory grant provision cannot be used.

If the council approves an application, it must let the applicant (and the owner of the home) know:

- what the approved expense is (see below)
- any applicant contribution
- the amount of grant offered and its percentage (see below re minimum percentage grants)
- any terms and conditions attached.

If the council turns down an application or awards less money than expected it must advise the applicant of the reasons why.

Grant award

This will be:

- a minimum of 80% of the approved expense, called the minimum percentage grant
- 100% of the approved expense grant to adapt a home for a disabled person or reinstate an adapted home, should the applicant or anyone else in the household receive any of the following benefits:
 - o income support
 - o income-based jobseeker's allowance
 - o the guarantee element of pension credit, or
 - o income-related employment and support allowance
 - o Universal Credit
- a local authority also has the discretion to pay a grant of more than 80% of the eligible cost to someone who isn't passported to 100% . 100% grant is available in the Borders using a means tested mechanism.

The following people count as being part of a household:

- husband, wife or civil partner
- any dependents, or people depended on (for example, children or parents)
- anyone else who lives or will be living with the applicant when the work is done (except anyone paying 'rent').

Contribution review

Upon request the council can review its assessment of contribution within 21 days of the applicant being told about contribution, however the council may extend the deadline upon request. The review will be carried out by a senior member of staff who wasn't involved in the assessment process.

Increased costs

If the cost of the work increases once it has started, an uplift can be requested however the council has to be satisfied that:

- the cost is definitely going to be more than originally estimated, and
- the cost is beyond control.

For example, this could be the case if following work starting another problem is discovered that must be fixed before the work can be finished.

Payment

The council will pay the grant either:

- within one month of the date on which the work has been completed and the home is now fit to live in, or
- in instalments while the work is being done, with the final instalment within one month of the finishing date.

Receiving money in instalments may be a better option should deposits be necessary or if there is an agreement requirement to pay as works are done. However, the council will only pay in instalments when happy that the work is being carried out.

Conditions

There are also conditions that apply once the work has been done:

- The house must be used as a private home (although some of it can be used for business purposes, for example, a shop or office).
- The house must be an only or main home (so, for example, it cannot be used as a holiday home).
- The home must be kept in good repair.

If the council requests, certification that the conditions above are being fulfilled must be provided.

Timeframe for conditions

Conditions last for 10 years from the date the work is finished.

When the council pays the final instalment of the grant, it registers a notice in the relevant land register, stating the conditions which apply to the grant, how long they apply for and what happens if the conditions are broken. This will be on record should the owner intend to sell.

Moving house

Normally, homeowners won't have to pay the grant back if they sell up and move house within the 10 years. However, the conditions will remain attached to the property so will transfer to the new owner. This means they will need to keep to the conditions too, for example, by keeping the home in good repair and using it as a principal residence.

Where required Scottish Borders Council offer a 'letter of comfort' explaining the conditions applied, duration, and confirming a lender will have a first ranking security over the property.

Breaking the conditions

The council can ask for repayment of the grant, with interest, if conditions are broken. However, it may give time for correction. For example, if a home has fallen into disrepair, the owner could be provided with time to repair it. If it is no one's fault that conditions have been broken (for example, if the property wasn't used as an only or main home because the owner moved into a care home), the council can choose to overlook the breach.

Further Grants

Should a grant be approved, a further grant cannot be applied for the same work. In addition, the council cannot approve another grant for different work within the next 10 years, unless at least one of the following conditions applies:

- For the first application, the requirement for further work couldn't be reasonably predicted. For example, this may be the case if the disabled person's condition has changed.
- It wasn't possible to carry out the new work when the original work was carried out.
- The work wasn't considered to be eligible at that time.

Budget

Funding for adaptations for Private Sector (owners and tenants) is now included in the main local government settlement. Scottish Borders Council allocates grant funding through its corporate capital budget procedures. Based on historical delivery, demand for assessment and including inflation is currently set as a £450k annual base budget although the rolling financial year programme allows for carry forward subject to financial monitoring and agreement.

Care and Repair

Scottish Borders Council provides advice and grant funding to people with disabilities in the private housing sector to carry out adaptations to their home. In order to assist owners to access funding and carry out adaptations SBC have commissioned a [Care & Repair Service](#) through Eildon Housing Association.

The aim of the service purchased by the Council is:

To provide a Care and Repair service to assist older or disabled residents of the Scottish Borders, living in the private sector, by offering independent advice and assistance to help repair, improve or adapt their homes so that they can live in comfort and safety in their own home & community, in accordance with Scottish National Care and Repair standards.

The Key Requirements of the Service Purchased by the Council:

- (i) To work in partnership with the Council to provide support to Service Users to enable necessary adaptations to be made to their home as quickly as possible, and if required refer them to access available grant or other funding;
- (ii) To work in collaboration with the Council in providing information, advice and assistance regarding repairs and maintenance which support the Councils' duties to provide a Scheme of Assistance;
- (iii) To provide practical household help and support through a Home Handyperson service;
- (iv) To manage a funded small adaptations and repair service.

One Stop Shop model

In 2011, an independent Adaptations Working Group (AWG) was established by the Scottish Government and was tasked with reviewing housing adaptations practice and providing recommendations for change. It was asked to:

- Consider systems for the delivery of adaptations to people of all ages;
- Explore ways in which the current delivery systems could be streamlined to improve outcomes; and
- Consider whether there was a need for fundamental change to adaptations services to support equality across all housing tenures.

As one of four test areas Scottish Borders Council aimed to further develop the Care and Repair service to establish a one-stop-shop approach for adaptations, to which individuals could directly self-refer. The environmental assessment responsibility for adaptations would be transferred from the social work locality team Occupational Therapists (OTs) to the Care and Repair OTs, and further development opportunities would be taken with Registered Social Landlords (RSLs) locally to improve services for people with disabilities.

To test the AWG principles in 2011 Scottish Borders Council made a significant move to the development of a 'One Stop Shop' model for all adaptations in the Borders by:

- Reaching agreement with each of the four larger RSLs who all operate locally in the Scottish Borders to provide a more consistent adaptation service to all people in the Borders regardless of tenure. Through this approach Care and Repair project manage all adaptations funded through the Scottish Government's national budget, referred to as Stage 3 funding, for each of the RSLs.
- Enabling people to have direct access to an environmental OT assessment in relation to function and provision for all adaptations in one place, namely Care and Repair.
- Delegating the environmental assessment responsibility from SW locality teams to an Occupational Therapy resource embedded in Care and Repair.

Performance

The below figures cover the period 2017/18 and 2022/23 (the six year period of the last Local Housing Strategy).

RSLs (Social)

- RSLs have spent £2.334m over the period on 593 individual major adaptations across their stock (note there were lower annual figures during 2020/21 and 2021/22 due to the Coronavirus Pandemic).

Private

- There has been a spend of £1.257m through the Scheme of Assistance on major adaptations across 366 private homes.
- Within these 366 homes, Care & Repair have project managed 403 individual major adaptations (note there were lower annual figures during 2020/21 and 2021/22 due to the Coronavirus Pandemic).
- During the period there have been 22,572 visits by a handyperson to private homes.

Care and Repair Statistics – 2017/18 – 2022/23	Covid affected						Total
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	
Major Adaptations (social)	62	128	116	45	72	170	593
Major Adaptations (private)	85	94	82	41	33	68	403
Handyperson jobs	4,154	4,058	4,060	2,643	3,931	3,726	22, 572

Major Adaptations spend 2017/18 – 2022/23	
Major Adaptations spend by RSLs (social)	£2.334m
Major Adaptations under Scheme of Assistance (private)	£1.257m

Restrictions in place due to the Coronavirus Pandemic meant that statutory services to provide adaptations for disabled people could not be fully met. Consequently, due to a build-up of demand waiting time for adaptations are affected. The availability of trades also impacts this.

Additionally, service review identified resource deficiency in terms of staffing provision, affecting the balance of roles within the service and delivery timescales.

Through recent contract review, to address the issue SBC has provided contract uplift. This is expected to result in significant improvement in performance but will take time to bed in. Strengthened monitoring and performance indicators will provide an improved, structured mechanism to track and report delivery and performance.

Future Review

The Scottish Government has issued [guidance](#) outlining the responsibilities of NHS Scotland, Local Authorities, Integration Authorities, and their Housing and Education partners for the provision of equipment and adaptations, with the aim of supporting partnerships across Scotland to deliver a more equitable and accessible service.

It is acknowledged that there is still work to do in terms of streamlining the pathways for provision of equipment and adaptations, in addition to ensuring the best fit possible with the health and social care model, and the effective interface with other relevant partners.

We have included an action within the Local Housing Strategy Action Plan to review the Scheme of Assistance ensuring the new Guidance on the Provision of Equipment and Adaptations is reflected.

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