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SCOTTISH BORDERS COUNCIL SCRUTINY COMMITTEE

MINUTES of Meeting of the SCRUTINY COMMITTEE held in COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on Thursday, 16 February 2017 at 10.00 am

Present:- Councillors G. Turnbull (Chairman), W. Archibald, K. Cockburn, A. Cranston and I. Gillespie.
Also Present:- Councillors S. Aitchison and D. Moffat.
Apologies:- Councillors B Herd, W. McAteer, A. J. Nicol and J. Torrance.
In Attendance:- Democratic Services Team Leader, Democratic Services Officer (P. Bolson).

1. **MINUTE**

Minute

There had been circulated copies of the Minute of 26 January 2017.

DECISION

AGREED the Minute.

2. **ARTIFICIAL SPORTS PITCHES**

- 2.1 With reference to paragraph 4 of the Minute of 26 January 2017, there had been circulated copies of a briefing note on artificial sports pitches. The Chairman welcomed Ben Lamb, Head of Operations with Live Borders who was present to provide Members with additional detail regarding usage, costs and benefits of artificial pitches and to answer questions on issues relating to any such pitches already installed in the Scottish Borders. The report explained that during 2014, SBC had progressed a programme for the construction of a network of full sized artificial pitches across the Scottish Borders to complement those already in use. Live Borders assumed operational responsibility for these new pitches and received a commensurate management fee for doing so. Mr Lamb advised that Live Borders currently operated four 2G pitches and two 3G pitches. He went on to advise that the former were basically sand dressed or sand filled and were certified by the Federation of International Hockey as being suitable for competitive hockey fixtures whilst 3G pitches comprised a longer pile length with rubber infill and were certified by FIFA and World Rugby as suitable for competitive football and rugby matches to be played. Members noted that there were a number of existing 2G pitches which remained in the school estate and were not managed by Live Borders and were not included in the figures provided in the report.
- 2.2 Mr Lamb acknowledged that debate had been ongoing for some time as to whether natural grass or artificial surface was better for highest level competitive football and rugby. He advised that the briefing note presented to Members could not answer that question, however, it did highlight some of the key benefits that artificial pitches brought to the area. Table 2 in the report detailed the number of visits per pitch during 2015/16 (not including school usage) and showed that 101,422 visits had been recorded, 83,045 of these were by clubs and 18,377 by communities which included pre-school, over 65 and disability groups. The 3G pitch at Hawick was not included in the statistics as it had only been open since November 2016. In terms of 3G pitches, these provided clubs with affordable, secure and reliable all-weather surfaces; reduced the likelihood of cancelled matches and training sessions; and decreased the amount of cleaning and maintenance required. With regard to concerns about the safety of artificial pitches and potential environmental risks associated with them, Mr Lamb advised that there was no evidence to

reinforce such concerns. Levels of injury recorded at the 3G pitch in Galashiels were extremely low with less than 1 accident per 210,000 visits being recorded during 2015/16. Further detail was included in the briefing note.

- 2.3 During the discussion which followed, Members asked for clarification about conversion of 2G into 3G pitches and Mr Lamb confirmed that this could be possible but the cost was likely to be prohibitive and there could be problems as 3G pitches were larger than 2G sites. With regard to use, Mr Lamb was not aware of any club having refused to play on a 3G surface. Further discussion included the possible impact of the Community Empowerment Act and the potential management considerations and costs associated with this. Mr Lamb was asked to provide further details in respect of uptake of sport in the Scottish Borders per head of population.

DECISION

(a) **NOTED the briefing paper.**

(b) **AGREED that an update report be presented to the Scrutiny Committee in 18 months providing a review of 2G and 3G artificial pitch provision in the Scottish Borders.**

3. POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD

- 3.1 With reference to paragraph 4 of the Minute of 26 January 2017, Mr Douglas Scott, Senior Policy Adviser was in attendance to give a presentation on the work of the Scottish Borders Police, Fire and Rescue, and Safer Communities Board. Councillor Moffat, Chairman of the Board, was also present. Mr Scott explained that the Scottish Borders was a relatively low crime area and a safe place to live. According to Scottish Borders Household Surveys, community safety was regarded as a very high priority by the public and Mr Scott emphasised that everyone had a responsibility to contribute to the successful delivery of community safety outcomes. Mr Scott provided some background to the establishment of the Board and advised that since the Police and Fire Reform (Scotland) Act 2012, Local Authorities were given the opportunity to influence Police and Fire and Rescue Local Plans. The act was due to take effect in April 2013 and during the lead up to this, Scottish Borders participated in a Pathfinder Board which was recognised nationally for its partnership and consensus-based approach to scrutiny. The presentation provided information about the role of the local Board and listed the membership partners, namely Elected Members from both SBC's Administration and Opposition; the voluntary and business sectors within the community; housing associations; NHS Borders; and Lothian and Borders Community Justice Authority. In addition, attendance at Board meetings included representation by the Scottish Police Authority, Scottish Fire and Rescue Board, Her Majesty's Inspectorate of Constabulary in Scotland (HMICS), and Her Majesty's Fire Service Inspectorate (HMFSI). The presentation explained the approach to governance within the Scottish Borders and noted that key decisions were referred to Council. The Board received a variety of presentations ranging from wildlife crime to tackling domestic abuse. Mr Scott explained how the Board carried out its scrutiny role both in terms of Local Plan priorities and in operational matters. A number of community safety initiatives had been championed within SBC; further details of these initiatives and how they were linked to Community Planning were included in the presentation. The presentation listed the national and local successes of the Board and acknowledged the work and commitment required to ensure positive outcomes for these initiatives.
- 3.2 Discussion followed and Members acknowledged the work of the Board and the impact of the community initiatives within localities. Members were aware that within some communities, there was a perception of diminished police service and asked Mr Scott to suggest examples that could be used to demonstrate that this was not the case. In addition to the successful submission made by the Board during the national enquiry into armed policing, there were regular meetings of Board Chairs facilitated by COSLA on a local and national level; and visits by Members to Bilston Glen in 2015 and 2017 had

increased confidence in how 101 and 999 calls were dealt with. Members could also request to go out on a patrol to experience the challenges faced by police on a first-hand basis. With regard to recent issues affecting recruitment of retained Firefighters, Members were advised that a policy of continuous recruitment was now in place and there was also a cross-border relationship which enabled machines and manpower to be deployed where there was need. The Chairman thanked Mr Scott and Councillor Moffat for the comprehensive presentation.

DECISION

NOTED the presentation.

4. SCRUTINY REVIEWS

With reference to paragraph 4 of the Minute of 26 January 2017, there had been circulated copies of the updated list of subjects which Scrutiny Committee had been asked to review and which included the source of the request, the stage the process had reached and the date, if identified, of the Scrutiny meeting at which the information would be presented. In addition, Members were also asked to consider further subjects for inclusion on this list for presentation at future meetings of the Committee. When deciding whether subjects would be reviewed by the Scrutiny Committee, Members required a clear indication from the initiator of the request as to which aspects of the subject they wished to be reviewed. This would enable the Committee to determine whether the subject was appropriate for consideration. Members noted that there were two items scheduled for the meeting in March 2017 and that this would complete all reviews requested by the current Scrutiny Committee.

DECISION

AGREED the list of subject for review by Scrutiny Committee as amended and appended to this Minute at Appendix 1.

5. DATE OF NEXT MEETING

Date of Next Meeting

The next meeting of the Scrutiny Committee would take place on Thursday, 23 March 2017.

DECISION

NOTED.

6. PRIVATE BUSINESS

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

7. HOME SCHOOLING

The Committee considered the presentation on home schooling in the Scottish Borders.

The meeting concluded at 12.55 pm

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Scrutiny Committee – Review Subjects 2016/17

Timetabled for Scrutiny Meetings

Source	Issue/Description	Stage	Scrutiny Meeting date.
1(a)	Scrutiny Committee Action Tracker	Jenny Wilkinson, Clerk to the Council	23 March 2017
2(a)	Health and Social Care Integrated Joint Board – to include: a general update with emphasis on how the Board had progressed its business programmes to date; and information relating to key issues that the Health and Social Care Integration Joint Board had identified.	Elaine Torrance.	23 March 2017.

Reviews Completed

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date
1(c)	Police, Fire & Rescue and Safer Communities Board – a general update with emphasis on how the Board had progressed its business programmes to date; and details of key decisions made by the Board.	Douglas Scott	16 February 2017 Completed.
2(c) Councillor Archibald	Artificial sports pitches. Briefing paper to be brought forward on existing artificial pitches in the Scottish Borders, to include information on the use costs, benefits and issues of these facilities.	Presentation from Ben Lamb, Head of Live Borders.	16 February 2017 Completed.
3(c)	Home Schooling. To consider the requirement for a change in the law to ensure health assessments for home schooled children are carried out. Also to investigate parents undertaking an examination to ensure that they were adequate educators for primary secondary school education. me Schooling	Private briefing from Donna Manson, Service Director Children and Young People	16 February 2017 Completed.
4(c) Lib Dem Group	Implications of the Community Empowerment Act on the Council – <i>“there may be multiple implications of the Community Empowerment Act e.g. disposal of assets either SBC or Common Good, the transfer of local services to community groups who wish to take them on, future provision of allotments etc.”</i>	Presentation from Shona Smith, Communities & Partnership Manager.	26 January 2017 Completed.
5(c) Scrutiny	The impact of third party use on the Local Authority’s road network, e.g. timber transportation and wind turbine transportation.	Brian Young, Network Manager, David Richardson, Asset Manager, Derek Inglis, Lead Roads Planning Officer and James England, South of Scotland Timber Transport Officer.	26 January 2017 Completed.

Source	Issue/Description	Stage	Scrutiny Committee Meeting date
6(c)	Drugs and Alcohol Strategy	Elaine Torrance, Chief Social Worker; Tim Patterson, Joint Director of Public Health, Fiona Doig.	24 November 2016 Completed.
7(c)	Policies and Procedures for Protective Marking of Documents and Management of Information.	Information Governance Board to make presentation.	24 November 2016 Completed.
8(c) Councillor Nicol	Review of Bridges Assets. The review should include the condition of bridges on the register and the processes for inspection and maintenance	Presentation by Martin Joyce, Service Director Assets & Infrastructure	27 October 2016. Completed.
9(c) Councillor Torrance	Social Work Duty Hub	Graeme Dobson, Project Manager, Les Grant, Customer Services Manager	27 October 2016. Completed.
10(c) Councillor Nicol	Recycling Centres. Update on remarketing of goods for recycling at Community Recycling Centres, including how other authorities approached this.	Presentation by Jenni Craig, Service Director Neighbourhood Services and Ross Sharp-Dent, Waste Manager.	22 September 2016. Completed.
11(c) Councillor Cockburn	Asymmetric Week	Presentation by Donna Manson, Service Director Children & Young People, Ms M Strong, Chief Officer Education & Lifelong Learning; Mr P Fagan & Ms A M Bready, Headteachers.	22 September 2016. Completed.
12(c) Ettrick and Yarrow Community Council	Great Tapestry of Scotland Working Group – Report	Report by Scrutiny Committee Working Group, presented by Councillor Mountford	18 August 2016. Completed.
13(c) Greenlaw and Hume Community Council	To consider outsourcing success stories from this Council and elsewhere in Scotland in particular where the service has been outsourced to a third sector organisation	Presentation by Kathryn Dickson, Procurement & Payment Services Manager.	18 August 2016. Completed.

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date
14(c) Royal Burgh of Peebles & District Community Council	This issue relates to how (and under what circumstances) community consultation is designed, planned and managed and how the processes by which Council canvasses the views of local communities can be facilitated and improved upon. In particular, use the example of the process that led to the decision by the Council's Executive Committee to agree that Victoria Park, Peebles is the preferred location for a 3G pitch.	Presentation from Rob Dickson, Corporate Transformation and Services Director.	Removed. (Paragraph 2.2 of the minute of 18 August 2016 refers).
15(c) Councillor Torrance	School Transport and Escorts	Presentation by Dona Manson, Service Director Children and Young People.	28 April 2016 Completed.
16(c) Scrutiny Committee	Following the review on road repairs maintenance, presented to the January meeting of Scrutiny Committee. There was a further report to the March meeting on the implications on the capital and revenue budgets of the trunk status of the A72 and A7. Scrutiny Committee requested a further report identifying the revenue and capital costs of works to individual roads in the roads infrastructure.	Report from Asset Manager.	28 April 2016. Completed.
17(c) Councillor Logan	Support for Highly Able Learners in Schools	Presentation by Donna Manson, Service Director Children & Young People.	28 April 2016. Completed.
18(c) Scrutiny Committee	Financing arrangements for the Transport Interchange in Galashiels – to include subsidy arrangements and departure charges.	None	24 March 2016. Completed.
19(c) Councillor Archibald	Equalities Legislation. Consideration on the Council's up to date grant application form and information on how legislation is applied to local festivals, in particular where the Council awards grants.	None.	24 March 2016. Completed.

Issue	Source/Description	Stage	Scrutiny Meeting Date
20(c) Councillor Bhatia	Protection of Private Water Supplies – “in relation to Planning e.g. when a planning application is granted which requires an additional private supply or taking water from an existing private supply, how do existing householders ensure that their supply is protected? This may be purely a civil matter or the Council may have a role. This is further exacerbated with large forestry/windfarm applications.”	Recommendation to be considered by Executive Committee on 22 March 2016.	18 February 2016. Completed.
21(c) Ettrick and Yarrow CC Allocation of budgets for rural maintenance and repairs.	To review extent to which the SBC budget for road repairs and maintenance is sufficient to meet need and the not unreasonable expectation that roads will be maintained in a safe condition. Within this context, to particularly examine how the allocation of budget for rural roads is arrived and whether more should be allocated.	Recommendation considered by Executive Committee on 8 March 2016 – accepted.	28 January 2016. Completed.
22(c) Graeme Donald	Religious Observance } Policy } These were } presented together at	None – briefing session	29 October 2015. Completed.
23(c) Scrutiny Committee	Faith Schools } the same meeting.	None – briefing session.	29 October 2015. Completed.
24(c) Councillor Turnbull	Fees for taxi licensing – the amount paid to outside bodies in administering taxi licensing and how the fees for a licence in the Borders compare with those of neighbouring authorities.	Information emailed to Cllr Turnbull from Licensing Team Leader on 5/10/15. Cllr Turnbull does to wish to pursue further.	14 October 2015. Completed.
25(c) Scrutiny Committee	Attainment levels in Schools in Deprived Areas.	None – briefing session.	24 September 2015. Completed.
26(c) Scrutiny Committee	Mainstream Schools and Children with Complex Additional Support Needs	None – briefing session.	24 September 2015. Completed.
27(c) Scrutiny Committee	Funding available to Community Councils	Presentation from Clare Malster, Strategic Community Engagement Officer	11 June 2015. Completed.

Issue	Source/Description	Stage	Scrutiny Meeting Date
28(c) Scrutiny Committee	Presentations on Planning Enforcement and Building Inspection Regime.	Presentation from Alan Gueldner, Lead Enforcement and Mr James Whiteford, Lead Building Standards Surveyor.	11 June 2015. Completed.
29 (c) Scrutiny Committee	Procurement Control of contractors policy/repairs & maintenance framework agreement procurement project.	Presentation by Kathryn Dickson, Procurement and Payment Services Manager, Graham Cresswell, Health & Safety Manager; Ray Cherry, Senior Architect; Stuart Mawson, Property Manager.	28 May 2015. Completed.
30(c) Scrutiny Committee	Use of Small Schemes and Quality of Life Funding by Area Fora.	Report by Jenni Craig, Service Director Neighbourhood Services.	26 March 2015. Completed.

Reviews Completed 2014/2015

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date
1(d) Scrutiny Committee	Funding Available to Community Council	Clare Malster, Strategic Community Engagement Officer. Jean Robertson, Funding and Project Officer.	11 June 2015. Completed.
2(d)	Presentation on Planning Enforcement and the Building Inspection Regime	Alan Guelnder, Lead Officer Enforcement and James Whitford, Lead Building Standards Surveyor	11 June 2015 Completed.
3(d)	Use of Small Scheme and Quality of Life Funding by Area Fora	Report from Jenni Craig, Service Director Neighbourhood Services. Craig Blackie Neighbourhood Area Manager(Eildon)	26 March 2015 Completed.
4(d)	Procurement – Control of Contractors Policy/Repairs & Maintenance Framework Agreement Procurement Project	Kathryn Dickson, Procurement and Payment Services Manager, Graham Cresswell, Health and Safety Manager, Ray Cherry, Senior Architect, Stuart Mawson.	28 May 2016 Completed

Reviews Completed 2012/2013

Source	Issue/Description	Stage	Scrutiny Committee Meeting Date.
1(e)	The Scrutinising Function within the new Scheme of Administration	Councillor Parker	Completed.
2(e)	Food Safety	Brian Frater, Head of Planning & Regulatory Services; Gwen Robertson, Principal Officer Food/Health and Safety, and Anne Dalziel, Enforcement Officer, Anne Dalziel.	4 October 2012. Completed.
3(e)	Procurement	David Robertson, Chief Financial Officer, Sandra Blacklock; Category Manager – Construction, Transport and Environment, Ewan Forrest, Category Manager – Corporate Indirects, Ewan Forrest and Charles Revolta, Solicitor.	4 October 2012. Completed.
4(e)	The Scrutinising Function within the new Scheme of Administration	Councillor Parker	4 October 2012 Completed.
5(e)	The Welfare Reform Act and Its Impact	Presentation from Jenni Craig, Head of Customer Services and David Cressey, Head of Housing & Community Justice	13 September 2012 Completed.
6(e)	Tourism Development in the Scottish Borders Area	Paula McDonald, Regional Director – VisitScotland, Vicki Miller, Head of Local marketing, VisitScotland, Ms Catherine Maxwell-Stewart, Chairman Scottish Borders Tourism Partnership, Richard Sweetnam, Economic Development Manager.	22 March 2012 Completed.

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