

SCOTTISH BORDERS COUNCIL

MINUTES of Meeting of the SCOTTISH COUNCIL held in Council Chamber, Council Headquarters, Newtown St. Boswells on Thursday, 2nd November, 2017 at 10.00 am

Present:- Councillors D. Parker, S. Aitchison, A. Anderson, H. Anderson, J. Brown, S. Bell, K. Chapman, K. Drum, G. Edgar, J. Greenwell, C. Hamilton, S. Haslam, E. Jardine, H. Laing, S. Marshall, W. McAteer, T. Miers, D. Moffat, S. Mountford, D. Paterson, C. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, E. Small, R. Tatler, E. Thornton-Nicol, G. Turnbull (from para.8), T. Weatherston

Apologies:- Councillors M. Ballantyne, J. A. Fullarton and S. Hamilton

In Attendance:- Chief Executive, Executive Director (P Barr), Executive Director (R Dickson), Service Director Assets & Infrastructure, Service Director Customer and Communities, Service Director Regulatory Services, Service Director Children & Young People, Chief Social Work Officer, Chief Legal Officer, Financial Services Manager and Clerk to the Council.

1. CONVENER'S REMARKS.

- 1.1 The Convener congratulated Connor Price, Gillian Douglas and Duncan Morrison from the Flood Prevention Team for their work on the The Selkirk Flood Protection Scheme which had won the Environmental Award at the recent Saltire Civil Engineering Awards.

DECISION

AGREED that congratulations be passed to those concerned.

- 1.2 The Convener advised that an additional meeting of Scottish Borders Council would be held on 30 November 2017 to consider reports in relation to City Deal and Tweedbank. A briefing for Members on this would be held on 21 November 2017. He further advised that the Council meeting in December would be changed from 14 December to 21 December to allow the Leader, Chief Executive and Chief Financial Officer to attend a COSLA budget meeting.

DECISION

NOTED.

2. MINUTE

The Minute of the Meeting held on 28 September 2017 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:-

- | | | |
|-----|------------------------------------|-------------------|
| (a) | Community Planning Strategic Board | 7 September 2017 |
| (b) | Berwickshire Locality | 7 September 2017 |
| (c) | Cheviot Locality | 13 September 2017 |
| (d) | Pension Fund | 14 September 2017 |
| (e) | Pension Board | 14 September 2017 |
| (f) | Local Review Body | 18 September 2017 |
| (g) | Executive | 19 September 2017 |
| (h) | LLP Strategic Governance | 19 September 2017 |

(i)	Teviot & Liddesdale Locality	19 September 2017
(j)	Lauder Common Good Fund	21 September 2017
(k)	William Hill Trust	21 September 2017
(l)	Civic Government Licensing	22 September 2017
(m)	Audit & Scrutiny	25 September 2017
(n)	Innerleithen Common Good Fund	27 September 2017
(o)	Planning & Building Standards	2 October 2017
(p)	Tweeddale Locality	4 October 2017
(q)	Local Review Body	16 October 2017
(r)	Executive	17 October 2017

DECISION

APPROVED the Minutes listed above.

4. OPEN QUESTIONS

The questions submitted by Councillors Moffat, Bell and Brown were answered.

DECISION

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

5. LOCAL DEVELOPMENT PLAN: DEVELOPMENT PLAN SCHEME 2017

There had been circulated copies of a report by the Service Director Regulatory Services proposing approval of the annual update of the Development Plan Scheme. The report explained that publishing a Development Plan Scheme at least annually was a statutory duty and it must include a participation statement setting out how, when, and with whom, the Council would consult on the various Local Development Plan stages. The proposed Development Plan Scheme 2017, a copy of which was appended to the report, had been prepared to provide information on the development plan process and set out the latest position on the Council's development plans.

DECISION

AGREED:-

(a) to approve the proposed Development Plan Scheme 2017, as detailed in Appendix 1 to the report, for publication deposit and copying to Scottish Ministers;

(b) that the Development Plan Scheme be reviewed and published at least annually; and

(c) to authorise the Service Director Regulatory Services to make any necessary minor editing and design changes to the Development Plan Scheme prior to publishing it.

6. SCOTTISH BORDERS COMMUNITY PLAN

There had been circulated copies of a report by the Service Director Customer and Communities presenting the draft Local Outcome Improvement Plan (LOIP) for the Scottish Borders. In the Scottish Borders the LOIP would be known as the Community Plan and would specify the improvement priorities that had been identified for the Community Planning Partnership (CPP). The report explained that Part 2 (Community Planning) of the Community Empowerment (Scotland) Act 2015 came into force on 20 December 2016, which placed Community Planning Partnerships on a statutory footing and imposed duties on them around the planning and delivery of local outcomes, and the involvement of community bodies at all stages of community planning. Under the 2015 Act, CPPs were responsible for preparing and publishing a plan which had a specific focus on tackling inequalities and improve outcomes for those residing in the area of the local authority to which the plan related. The plan aimed to meet the needs and ambitions of local people so the voices of local people were especially important. CPPs would also

have to produce locality plans at a more local level for areas experiencing particular disadvantage. The draft Scottish Borders Community Plan, contained in Appendix I to the report, specified the outcomes that had been identified for the Scottish Borders CPP and focused the partnership on delivering better outcomes for the people of the Scottish Borders. It set the joint commitment to the delivery of an agreed set of priority outcomes based on the conclusions of the refreshed Strategic Assessment, Scottish Index of Multiple Deprivation (SIMD), other plans, strategies and initiatives, practitioner knowledge and engagement with communities and other key stakeholders. The Community Plan presented these outcomes under 4 themes and details of these themes were contained in the report. The draft Scottish Borders Community Plan would be presented to the Community Planning Strategic Board on 23 November 2017 for final approval. In response to a question on outcomes and measures, the Service Director advised that following work with Community Planning Partners a refreshed version of the Plan would be produced which would include agreed actions and outcomes. In future the Plan would be placed on the Council's website and would become an interactive document.

DECISION

AGREED:-

- (a) to approve the draft Scottish Borders Community Plan, contained in Appendix 1 to the report, as the key strategic document for partnership working in the Scottish Borders; and**
- (b) that the draft Scottish Borders Community Plan go forward to the Scottish Borders Community Planning Partnership Strategic Board for approval on 23 November 2017.**

7. AREA PARTNERSHIP PROPOSALS

With reference to paragraph 6 of the Minute of 28 September 2017, there had been circulated copies of a report by the Service Director Customer and Communities containing proposals on the functions, framework and initial core membership, and future operation of Area Partnerships. The report explained that at its meeting on 28 September 2017, the Council had considered proposals to amend the current Locality Committees to become Area Partnerships as part of the review of the Council's Scheme of Administration. Members agreed to defer a decision on changes to the Locality Committees until there had been further political discussion. Subsequently the Members Sounding Board: Political Management Arrangements met on 3 occasions to consider proposals for the new Area Partnerships. To reflect the new statutory duties under the Community Empowerment (Scotland) Act 2015, it was proposed that the Locality Committees change their constitution, remit and focus to one of community engagement and involvement; at the same time it was proposed that they change their name to that of Area Partnerships to reflect this. With the greater emphasis on community empowerment, participative budgeting, and locality planning – not just for the Council, but for other public authorities/services - their main aim would be to form a community engagement platform to develop priorities and outcomes for the area. They would act as a community consultation body, not just for the Council but other service providers in the area, becoming a strong voice for their own area. A number of options were considered in terms of core membership for the new Area Partnerships, with proposals being recommended to have the relevant SBC Ward members (voting) and 4 Community Council representatives (non-voting) as core members, with invitations to wider representatives – including the Community Planning partners and representatives from communities of interest - to attend and consider matters on a meeting by meeting basis. Each Area Partnership could increase its core membership up to a maximum of 20. It was also suggested that locality Community Council networks were set up in each of the 5 areas, but this would be for the Community Councils themselves to agree and manage. It was important that any change to the focus of Area Partnerships should be reflected in their future operation. The basis and format of meetings would need to change to move away from the report-driven/officer presentation style of current meetings. Meetings of

Area Partnerships would be structured around the Locality Plan, with an open forum section, a themed section (from the Locality Plan), a progress update on the Locality Plan, and the final section on any decisions required by Councillors on Small Schemes, Quality of Life, or Pay Parking funding. The membership framework and functions of Area Partnerships were detailed in the Appendix to the report. There were 2 functions from Locality Committees which would be considered in future by the Executive Committee, after consultation with local Members, and 2 functions which would be delegated to the Service Director Assets & Infrastructure in the Scheme of Delegation. It was further proposed that Area Partnerships were reviewed after 18 months in operation. Members welcomed the proposals.

DECISION

AGREED to:-

- (a) amend the Scheme of Administration and replace Locality Committees with Area Partnerships, as detailed in the Appendix to this report, with effect from 1 January 2018;**
- (b) include within the Executive Committee functions in the Scheme of Administration “Approve all matters relating to street naming and numbering (where not already delegated to officers), after consultation with the relevant local Members”;**
- (c) include within the Scottish Borders Council functions in the Scheme of Administration “Consider and make recommendations for Local Byelaws and Management Rules, after consultation with the relevant local Members”;**
- (d) include in the Scheme of Delegation the following authority to the Service Director Assets & Infrastructure:**
 - (i) Approve local traffic management schemes after consultation with local Members, or consultation with Area Partnerships for major changes;**
 - (ii) Approve the making of temporary, permanent or experimental orders for the regulation of traffic, including stopping-up orders, after consultation with local Members, or consultation with Area Partnerships for major changes; and**
- (e) review Area Partnerships after 18 months in operation.**

8. EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION DEAL

With reference to paragraph 26 of the private Appendix to the Minute of 29 June 2016, there had been circulated copies of a report by the Executive Director (R Dickson) providing an update on the overall composition of the City Deal, including both Governments' financial offer and the Heads of Terms document signed in July and seeking authority to progress and implement the Edinburgh and South East Scotland City Region Deal through the establishment of a Joint Committee, and to delegate authority to the Chief Executive, in consultation with the Leader, to enter into a minute of agreement. The report explained that the Terms of Reference for a Deal were agreed in March 2016, Heads of Terms, as contained in Appendix 1 to the report, were received by partners from the Governments on 19 July 2017 and authority was granted to the Leader to sign the Heads of Terms of Agreement through an Emergency Powers Report on 19 July 2017. The specific financial offer in the City Deal for Scottish Borders amounted to £15m (against an “ask” of £26.9M), mainly to be used for development of the Business Park at Tweedbank/Lowood. The overall costs of delivering the Tweedbank/Lowood project were estimated to be in the region of £58m. The funding commitment approved by the Council in the capital programme was currently £5m over 2017/18 and 2018/19, with a further £1.7m being provided by Scottish Enterprise towards the development of business infrastructure. Commercial rents and contributions of £10.6m were assumed as part of

the funding package. This indicated a current shortfall in capital funding of £25.7m to deliver the full project. Members noted that further details on the proposals would be provided at the special Council meeting on 30 November 2017.

DECISION

- (a) **NOTED** the Heads of Terms of Agreement contained in Appendix 1 to the report.
- (b) **AGREED:-**
- (i) **to establish a Joint Committee under Section 57 of the Local Government (Scotland) Act 1973 with City of Edinburgh, East Lothian, Fife, Midlothian, and West Lothian Councils, representatives from the higher education and further education sector, and business to oversee the governance arrangements for the Edinburgh and South East of Scotland City Region Deal;**
 - (ii) **the arrangements that would inform the proposed Minute of Agreement establishing the Joint Committee as detailed in Appendix 2 to the report;**
 - (iii) **that the Leader of the Council be appointed to represent the Council on the Joint Committee;**
 - (iv) **to delegate authority to the Chief Executive, in consultation with the Leader of the Council, to negotiate and agree the final Minute of Agreement (the draft contained in Appendix 3 to the report) establishing the Joint Committee, in line with the principles stated in Appendix 2 to the report, and any financial and resource contributions, if they were required; and**
 - (v) **that updates would be provided to the Economic Development themed meetings of Executive on an ongoing basis on progress with the implementation of the Edinburgh and South East of Scotland City Region Deal.**

MEMBER

Councillor Turnbull joined the meeting during consideration of the above item.

9. HAWICK FLOOD PROTECTION SCHEME

With reference to paragraph 6 of the Minute of 2 March 2017, there had been circulated copies of a report by the Service Director Assets and Infrastructure requesting that the Council make a Preliminary Decision to confirm the proposed Hawick Flood Protection Scheme 2017 (the Scheme) with no modifications, under the Flood Risk Management (Scotland) Act 2009 (the FRM) and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010; as the Scheme required an Environmental Impact Assessment. It was also proposed to delegate further authority to continue the Statutory Approvals Processes, the Scheme's Detailed Design and preparation for the Advanced Works. The report explained that as part of the Scheme being approved under the FRM it was required to give notice of the Scheme in accordance with Paragraph 1 of Schedule 2 of the FRM. The date the notice was published under Paragraph 1 (1) (a) was 18 April 2017. The 28-Day Objection Period concluded on 29 May 2017 and forty eight objections were received to the Scheme. All objections were deemed to be a 'valid objection' as defined within the FRM. The project team, including the Chief Legal Officer, undertook a detailed analysis and consideration of the topics within the objections. The Project Team provided a detailed reply to every topic identified in every objection and then engaged with the objectors who had expressed an interest in further discussions and meetings. It was clear from the meetings with objectors that there were some common misinterpretations of what was being proposed by the Scheme, so the Project Team undertook a series of

public events to enable the community to obtain a clear understanding of the proposals and raise any topics of concern. The Project Team believed that these evenings were successful and gave objectors and supporters the chance to express their views in a public forum. The Project Team believed that all of the points raised in the objections were answered by the mitigation strategies in the suite of published documents to provide a balanced scheme to meet all of the project objectives from a national, Council and local perspective. The way forward for the scheme had been developed following the strong interest within the community to be part of the detailed design phase, so Design Working Groups and a Traffic Management Working Group would be formed. The Project Board agreed that the Project Team had fully and robustly considered the objections and determined that no modifications were required. The parallel processes of Deemed Planning and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (i.e. CAR licence) had progressed well with the CAR licence being issued on 18 September 2017. It was noted that before making a Preliminary Decision on a flood protection scheme with an Environmental Statement the Council must consider the environmental information to comply with Regulation 10 (3) of the FRM's 2010 Regulations and state in their decision that they had done so. Members spoke in support of the Scheme and noted that a further report would be brought to Council in December.

DECISION

AGREED to :-

- (a) note the progress made with the project since the update in February 2017;**
- (b) make a Preliminary Decision to confirm the proposed Hawick Flood Protection Scheme 2017 with no modification, under the Flood Risk Management (Scotland) Act 2009 and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010; as the Scheme required an Environmental Impact Assessment;**
- (c) confirm that the Council had taken into account the environmental information as detailed in section 7 of the report; and**
- (d) provide the Scheme's Project Executive with the authority to commence the preparations for the Advanced Works and the Detailed Design stages to allow the project to stay on programme.**

DECLARATION OF INTEREST

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

10. BOUNDARY COMMISSION FOR SCOTLAND - REVIEW OF UK PARLIAMENT CONSTITUENCIES

There had been circulated copies of a report by the Chief Executive giving details of the Boundary Commission for Scotland's revised proposals from its Review of UK Parliament constituencies in Scotland which impact on the constituents in the Council's Tweeddale East and West Wards. The report explained that the 2018 Review of Westminster parliamentary constituencies was being conducted simultaneously by the four Boundary Commissions in Scotland, England, Northern Ireland and Wales, with the aim of reducing the number of constituencies from 650 to 600, with Scottish constituencies decreasing from 59 to 53. There was a number of criteria applied by the Commission in its proposals for Scottish Constituencies relating to geographic size, Council boundaries and minimum/maximum electorate numbers. The proposed constituencies which covered the Scottish Borders Council area were Berwickshire, Roxburgh & Selkirk County Constituency, and Midlothian and Upper Tweeddale County Constituency. This latter Constituency covered the Midlothian Council area, along with SBC Ward 1 (Tweeddale West), and part of SBC Ward 2 (Tweeddale East), where it was stated that the boundary

partly followed a Community Council area and an historic ward boundary. In effect, this meant that Innerleithen and Walkerburn would move away from the rest of Tweeddale into the Berwickshire, Roxburgh and Selkirk County Constituency. However, if the electorate within Traquair (c. 200), Innerleithen (c. 2,500) and Walkerburn (c.590) were to be placed in Midlothian and Upper Tweeddale, this would increase the total electorate for that constituency to 80,114, which was beyond the maximum allowed electorate of 78,507. Members noted the proposals. Members queried which Community Council covered Cardrona and the Clerk to the Council offered to check and confirm this with the Tweeddale Members.

DECISION

NOTED the proposals for the Boundary Commission for Scotland's Review of UK Parliament constituencies in Scotland and the changes affecting the constituents in the Tweeddale East and West Wards.

11. MOTION BY COUNCILLOR PATERSON

Councillor Paterson, seconded by Councillor Bell, moved the Motion as detailed on the agenda in the following terms:-

“That the Leader of Scottish Borders Council writes to the UK Government expressing the Council's concerns about reports that the changes that are being introduced by the UK government in 2019 will lead to a real-term cut in Scottish Government Funding for investment in the railways in Scotland. It has been announced that there could be as much as a £600 million gap in funding for projects that the Scottish Government has earmarked and these projects may not now happen. There are real concerns that this may be the death knell for any plans to extend the Borders Railway from Tweedbank to Hawick and then on to Carlisle via Newcastleton; this move by the UK Government may also have a detrimental effect on future rail improvements to the Borders Railway”

Councillor Paterson spoke in support of his Motion. Councillor Rowley, seconded by Councillor Edgar, moved the following amendment:-

“That the Leader of Scottish Borders Council writes to the Scottish Government's Minister for Transport and the Islands, Humza Yousaf MSP, requesting confirmation of his recent "unwavering" commitment to "have the stations built as early in CP6 as practicable and commitment to that objective is unwavering" and to ask him to recognise the significant part which Scottish Borders Council's £2.84 million commitment to Reston plays in delivering sustainable development in one of the lowest income areas of Scotland.

We reaffirm that this Council has the strongest-possible commitment to ensuring the economic and social benefits of the Borders Railway are extended through to Hawick, Newcastleton and on to Carlisle, so the Leader will ask the Minister to make clear that current East Coast Main Line projects and budgets have no connection to future proposals for extension of the Borders Railway and an early meeting will be sought to see how best to progress extension of the Borders Railway to Hawick, Newcastleton and beyond.”

Councillor Laing, seconded by Councillor H. Anderson, moved as an addition to the original Motion that the words “It could also threaten plans to re-open Reston Station” be added after “improvements to the Borders Railway. Councillor Paterson agreed to accept this amendment to his Motion.

VOTE

On a show of hands Members voted as follows:-

<i>Motion as amended</i>	-	<i>12 Votes</i>
<i>Amendment</i>	-	<i>17 Votes</i>

The amendment was accordingly approved.

DECISION

DECIDED that the Leader of Scottish Borders Council write to the Scottish Government's Minister for Transport and the Islands, Humza Yousaf MSP, requesting confirmation of his recent "unwavering" commitment to "have the stations built as early in CP6 as practicable and commitment to that objective was unwavering" and to ask him to recognise the significant part which Scottish Borders Council's £2.84 million commitment to Reston played in delivering sustainable development in one of the lowest income areas of Scotland. We reaffirm that this Council had the strongest-possible commitment to ensuring the economic and social benefits of the Borders Railway were extended through to Hawick, Newcastleton and on to Carlisle, so the Leader would ask the Minister to make clear that current East Coast Main Line projects and budgets had no connection to future proposals for extension of the Borders Railway and an early meeting would be sought to see how best to progress extension of the Borders Railway to Hawick, Newcastleton and beyond."

12. **MAJOR CONTACTS GOVERNANCE GROUP**

With reference to paragraph 6 of the Minute of 28 September 2017, Councillor Haslam, seconded by Councillor Turnbull, proposed that the membership of the Major Contracts Governance Group be as follows:-

Councillor G. Turnbull (Chairman)
Councillor G. Edgar
Councillor J. Fullarton
Councillor T. Miers
Councillor D. Moffat
Councillor E. Thornton-Nicol
Councillor T. Weatherston

This was unanimously approved.

DECISION

AGREED the membership of the Major Contracts Governance Group as detailed above.

13. **REPRESENTATIVES ON OUTSIDE BODIES**

Following the resignation of Councillor Marshall as the Council representative on the Roxburgh Sports Council, Councillor Haslam, seconded by Councillor Weatherston, moved that Councillor Richards be appointed. This was unanimously approved.

DECISION

AGREED to appoint Councillor N. Richards as the Council representative on the Roxburgh Sports Council.

14. **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

15. **MINUTE**
The private section of the Council Minute of 28 September 2017 was approved.
16. **COMMITTEE MINUTES**
The private sections of the Minutes listed in paragraph 3 of this Minute were approved.
17. **BORDERCARE MONITORING**
The report was withdrawn from the agenda.

The meeting concluded at 12.00 noon.

SCOTTISH BORDERS COUNCIL
2 NOVEMBER 2017
APPENDIX 1

Questions from Councillor Moffat

1. To Executive Member for Children & Young People

The Greenlaw Parent Council have raised concerns regarding the disrepair of the school windows which don't open properly and have a substantial amount of wood rot. I believe that this issue has been ongoing for around 7 years and that there have been visits from previous Executive Members, local MPs etc. Surely this should now be deemed as a priority for replacement. Can the Executive Member please advise when action will be taken to replace these windows which must be detrimental to the safety of the children and result in increased heating costs?

Reply from Councillor C. Hamilton

There is an extensive, planned, assessed and ongoing rolling programme for window replacement across the school estate.

It has been noted that the windows in this school are in poor condition and as a result, Greenlaw is on the window replacement programme for 2018/19 school session.

To the Executive Member for Roads & Infrastructure

2. Parents in Duns have raised concerns regarding children's safety when crossing the A6105 between Berwickshire High School and the new Duns Primary School. There are controlled crossings outside Eyemouth High School and the new Kelso High School and also on the A6105 in Earlston. Can the Executive Member advise if there are plans to install a similar crossing in Duns between the two schools?

Reply from Councillor Edgar

At this time there are no plans to provide a light controlled crossing (Puffin) on the A6105 in Duns. National criteria on the provision of light controlled crossings is based on vehicle numbers and pedestrian crossing numbers to determine if there is available time gaps to allow safe crossing. The situation at Duns, even taking into account those using the swimming pool through the day, falls considerably short of what would be required to justify a light controlled crossing.

During the planning process for the primary school moving, the traffic and road safety section considered a crossing point for the primary school and it was agreed that a build out (to narrow the crossing width) in conjunction with the school crossing patrol would be the most appropriate solution. This was in consultation with the local community who were keen to retain the school crossing patrol. In addition, and in agreement with the school & parents the boardwalk to the school was extended to allow an off road route away from the A6105.

Selkirk High School and Jedburgh Grammar, both on trunk roads do not have puffin crossings - nor do Gala Academy or Peebles High Schools.

Supplementary

Councillor Moffat was surprised that the numbers did not warrant a crossing and asked if a traffic counter could be used at the site. Councillor Edgar advised that this information had already been gathered by officers and had ascertained that the criteria for a crossing had not been met.

3. Can the Executive Member advise what authority does the Council have to cut back private hedges which are either causing problems for sight lines at road junctions or

overgrowing onto paths/pavements and causing difficulties for those using such paths for example wheelchair users or those with pushchairs?

Reply from Councillor Edgar

While the Council does have the authority to trim private hedges, preferred good practice is for an owner to be served a notice and given the opportunity to carry out the works themselves, at their own cost, within a reasonable defined period of time.

If this does not occur, then the Council may decide to carry out the works and try to recover any reasonable costs for doing so.

Supplementary

Councillor Moffat asked what distance the Council could cut back a hedge at a road junction to improve visibility and what was the position regarding hedges which were leaning out over a pavement. Councillor Edgar emphasised that the responsibility for cutting back private hedges lay with the owner but officers would be able to help with the details regarding distances.

4. A resident in Duns complained to the Council regarding water run-off onto Duns/Grants House Road covering it in mud and gravel making it unsafe on various bends. The resident travels this road daily to Torness on his motorcycle and although he did receive an acknowledgement he has had no further contact and the road was never swept clear of the mud and gravel. Does the Executive Member not think that more should have been done in this case for the safety of road users and to send a proper reply in due course?

Reply from Councillor Edgar

This matter was raised earlier in the summer following a flash flood over the previous weekend. The road in question was inspected that week and it was identified that "*some gravel deposits etc were present in some areas but quite minimal in others*"

A list of sweeping locations was drawn up with work to be undertaken at the earliest opportunity but due to limited staff resources and competing priorities this work did take longer than originally intended but the work was carried out.

While it is always the intention of the Department to reply to enquiries of this nature, on occasion the number of such requests and any parallel lack of resource can cause delays.

For clarity, it should be noted that "mud on the road" from farm traffic etc is an issue for the Police to enforce. If, on the other hand, the main issue is surface water being discharged to the road, then that would be an issue for the landowner to manage, albeit the Council can serve notice on them to do so.

To the Executive Member for Adult Social Care

5. What is being done to stop bed blocking at the Knoll and other hospitals as a result of people losing care packages or not getting the package to assist going home?

Reply from Councillor Weatherston

The Health and Social Care Partnership is exploring ways of helping people to leave hospital when they are clinically fit and able to be assessed for care and support in a community setting. As winter approaches we will add additional care bed resource to our communities to allow this to happen. Our aim will be to support people to leave hospital as soon as possible and be assessed in a place where care can best determine how to meet their needs. In this way we can make best use of the valuable care at home services that are supporting people in their own homes.

6. It has been raised with me by a number of residents that there is a need for a care home in Duns. What if anything is being done by Social Work to encourage care providers to provide a home in Duns?

Reply from Councillor Weatherston

We are currently developing an understanding of the housing needs for older people across the Borders for the next years and have included our care homes and care homes with nursing in this approach. We aim to support people in their own homes and communities for as long as possible working in particular to develop extra care housing in the places where people want to live. The good news for Duns is that we are working in partnership with Trust Housing Association and the Scottish Government to build 35 new extra care homes in the Todlaw area. There will be a further 14 amenity homes as part of this development. It is anticipated that these will be ready in 2019/20. Further developments will follow in Galashiels and Hawick.

Question from Councillor Bell

To the Executive Member for Transformation and HR

Many members of the public still think that the Council is scrapping its welfare advice service. I know that is not an accurate representation; but could you clearly state how the Council will – going forward - monitor and ensure both the quality and the speed of response to welfare benefits questions from the Borders public?

Reply from Councillor Mountford

The work of the Welfare Benefits Service is one of a number of service areas that have been fully integrated in to the new Customer Advice & Support service with the dual aim of improving the customer experience whilst delivering efficiencies. The welfare advice currently provided is continuing albeit with some changes to how this will be done.

The implementation of the new organisational structure has only very recently been completed and work is now underway to ensure everyone is aware of the new arrangements.

Going forward the overall service will be supported by a modern digital telephony system and an electronic enquiry and case handling system, which support management reporting and customer satisfaction measurement.

The changes will improve the speed of response from the first point of contact whilst more accurate recording of enquiries, responses and outcomes will be possible including speed of response.

I hope this gives some assurance that by the combination of these changes, as well as the Councils complaints procedure, a more accurate picture of the volume of enquiries, as well as the speed and quality of the response can be provided in the future.

Supplementary

Councillor Bell noted that responses would be measured but asked for assurances that advice would continue to be provided to deal with the roll out of universal credit and if not that the Administration would seek a pause in its implementation. Councillor Mountford acknowledged on a personal level that there were some flaws in Universal Credit. He further advised that he was confident that Council staff would provide first class advice. However, he had no leverage in terms of UK Government Policy.

Question from Councillor Brown

To the Executive Member for Children & Young People

With Regard to the Jedburgh Lifelong Education Campus can the Executive Member guarantee that the sporting and recreation facilities envisaged in the early public meetings can and will be achieved?

Reply from Councillor C. Hamilton

Consistent with our other recent schools, the external sports brief for Jedburgh was 1 synthetic and 2 grass pitches. Through the use of the SportsScotland funding it has been possible to enhance one of the grass pitches to a 3G surface.

Through the design process though it became apparent that for cost reasons it was not possible to include a grass pitch with grass running track on the area of land originally identified to the north of the new school and to the rear of Priors Court. This was due to the levels on the ground. The project team are therefore exploring alterations/improvements to the existing playing fields at Howdenburn Drive to allow grass based sports such as field athletics to be played. Although this playing field is off campus, the distance is considered to be manageable and indeed may be closer than the original proposal for a grass pitch at Priors Court would have been.

However, it is noted that the project has been able to provide a 6 lane x 100m running track within the campus and this is in addition to that shown to the community at the start of the consultation process.

Supplementary

Councillor Brown advised that he was fully behind the development but that there was a need for an urgent meeting between Scottish Borders Council and Jedburgh Sports Hub to ensure there were no delays. Councillor Hamilton advised that she would be happy to attend such a meeting to discuss the matter further.