

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held in the Council Chamber,
Council Headquarters, Newtown St Boswells,
TD6 0SA on Tuesday, 4 December 2018 at
10.00 am

Present:- Councillors S. Mountford, G. Edgar, C. Hamilton, E. Jardine, T. Miers (from paragraph 2), M Rowley (from paragraph 2), G. Turnbull, R. Tatler, T. Weatherston

Apologies:- Councillors S. Aitchison, S. Haslam

Also present:- Councillor S. Bell

In Attendance:- Chief Executive, Service Director Regulatory Services, Chief Financial Officer, Clerk to the Council, Infrastructure Manager, Democratic Services Team Leader, Trainee Democratic Services Officer

1. **CHAIRMAN**

In the absence of Councillor Haslam, Councillor Mountford chaired the meeting.

2. **MINUTE**

The Minute of the Meeting held on 20 November 2018 had been circulated.

DECISION

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

3. **ANNUAL TAXI FARES FORMULA REVIEW 2018**

With reference to paragraph 2 of Minute of Executive Committee dated 17 October 2017, there had been circulated copies of a report by the Service Director Regulatory Services advising Members of the recent consultation undertaken in connection with the revision of the current processes (formula) used by the Council to review taxi fares. The Council, as licensing authority was required, in terms of Section 17 of the Civic Government (Scotland) Act 1982 ("the Act"), to review the scales for fares and other charges in connection with the hire of a taxi, at intervals not exceeding 18 months of the last review. An on-line consultation had taken place between 2 July 2018 and 7 October 2018 with 71 people responding from various groups including taxi operators, taxi drivers, taxi users and other interested parties. Detailed information had been included in paragraph 4 of the report with an explanation on the current formula detailed in Appendix 1 to the report. Members noted that a review had taken place and the recommendations were set out in the report and also that the next formula review was scheduled to commence following the fares review of 2023. The Passenger Transport Manager, Mr Timothy Stephenson gave further information about the consultation process and the individual questions as set out in Appendix 2 of the report. He answered Members' questions with regard to the new formula as set out in Appendix 3 to the report. In response to a question on flag rates/initial hire rates, Mr Stephenson advised that percentage changes in the formula were used to determine both flag rates and distance travelled for taxi fares. Members agreed to support the paper but requested the next taxi fare review offer comparisons where possible with rates applied in similar sized rural local authorities. The new formula would come in to effect when taxi fares were next reviewed in 2019.

DECISION

AGREED to:-

- (a) **Retain the current criteria used in the formula but amends the percentage weighting criteria as follows;**
- (i) **A reduction of 5% was applied to the Wages criteria of the formula to give both elements of the formula an even 50/50 split**

- (ii) **A reduction in the existing weighting applied to the purchase of motor vehicles from 10% to 5%**
 - (iii) **An increase in the weighting to vehicle tax and insurance from 3% to 8% and to include in this category medical costs and license costs**
 - (iv) **An increase in the weighting applied to fuel and oil from 15% to 20%**
 - (v) **Retain the current 17% weighting for maintenance**
- (b) **that the revised formula would come in to effect at the next taxi fares review in 2019**
- (c) **that future taxi fare reviews should be undertaken using the Citizen Space or similar tool in addition to intimation by advertisement in a newspaper circulating in the area as required by Section 17(3)(b) of the Civic Government (Scotland) Act 1982, although it had been pointed out to us that this was now somewhat draconian it remains a statutory requirement under the Act.**

4. **DIGITAL SCOTLAND SUPERFAST BROADBAND PROGRAMME IN THE SCOTTISH BORDERS: OUTCOME OF REVIEW BY AUDIT & SCRUTINY COMMITTEE**

With reference to paragraph 14 of the Minute of the Audit & Scrutiny Committee on 27 November 2018, there had been circulated copies of a covering report by Clerk to the Council on the Digital Scotland Superfast Broadband (DSSB) Programme in the Scottish Borders: Outcome of Review by Audit and Scrutiny Committee. The DSSB programme entered its final phase at a meeting on 21 August 2018 and it had been agreed that Audit and Scrutiny Committee undertake a review of the progress made in delivering improved broadband services in the Scottish Borders. The Audit and Scrutiny Committee met on four separate occasions during November 2018 to consider the programme and had received briefings from officers and representatives from the Scottish Government DSSB team. Having considered all the evidence and established the main findings of the review, the Audit and Scrutiny Committee agreed seven recommendations at its meeting on 27 November 2018. The report on the review was attached as Appendix 1 to the report. The Clerk of the Council summarised the details of the covering report and the Chairman of the Audit and Scrutiny Committee, Councillor Bell gave an update on the Appendix to the report. He stated that the technology detailed in the report came from direct feedback from engagement with the DSSB team. The terms of reference for the review was detailed under section 4 of the Appendix and it was noted that Scottish Borders Council's £8.4m investment into the DSSB programme was the third biggest investment in Scotland. It was highlighted that there was still a need to ascertain if the Council had received appropriate value for money given that the indicative 93.8% target was to have been met by the end of December 2017 and the figure reported as at September 2018 was 93.7%. The Chairman and Members thanked officers for the comprehensive report which provided a deeper understanding of the technology and benefits of the programme. In response to questions on whether recommendations three and seven relating to contract conditions, Councillor Bell stated that legal advice would be sought to ascertain if these would be enforceable. It was agreed that a follow up report would be presented in due course once additional information had been received from DSSB on value for money for the Programme.

**DECISION
AGREED:**

- (a) **the findings and recommendations of the Audit and Scrutiny Committee's review of the Digital Scotland Superfast Broadband programme in the Scottish Borders as detailed in Appendix 1 of the report; and**
- (b) **a follow up report would be presented once additional information had been received from DSSB on value for money for the Programme.**

5. **WINTER SERVICE PLAN FOR YEAR 2018/19**

- 5.1 There had been circulated copies of a report by the Service Director Assets & Infrastructure on the review of the performance of Scottish Borders Council's Winter Service during 2017/18 and the Scottish Borders Council's Winter Services Plan for 2018/19 presented in Appendix 1 of the report. SBC provided a winter service on nearly 3,000km of roads across the Scottish Borders. An annual Winter Plan was prepared to outline the steps that would be taken to ensure that the roads network was safe, within available resources. The winter of 2017/18 was significant in terms of both snow and ice. Of particular note was the prolonged length of the 2017/18 winter with a cold frosty finish to November, significant snowfalls into March and treatments continuing into April. The most significant event of the year was in late February / early March when strong easterly winds swept winter weather from Siberia towards the British Isles. The so called "Beast from the East" brought very heavy snowfall and freezing conditions for almost a week closing much of the road network and placing a significant strain on the emergency response; particularly in relation to driver availability and the need to comply with driver-hours regulations. In addition to dealing with the initial impact of the "Beast from the East" there were subsequent flooding issues in many areas in the following days as heavy rainfall combined with snow-melt.
- 5.2 The Infrastructure Manager, Mr Brian Young, gave a summary on the main points to note. The Winter Service Plan for 2018/19 was similar in terms of policy, priorities, routes, call out arrangements and resource planning. Officers had considered the current Winter Service Plan arrangements, and for 2018/19 did not propose any significant changes to the current plan which was robust in determining the Council's standards and level of winter service. Officers would continue to monitor and review existing winter service arrangements throughout this winter, noting any deficiencies in service provision, with a view to bringing forward any further amendments for the 2019/20 Winter Plan. The Council undertook a Winter Service on nearly 3,000km of local road network provided by the Assets and Infrastructure Department. Under the Roads (Scotland) Act 1984, Section 34, all roads authorities were required to "take such steps as they consider reasonable to prevent snow and ice endangering the safe passage of pedestrians and vehicles over public roads'. The safe passage of people on the road network during winter was very important for the social and the economic needs of the area. The two main points on keeping the road network operating safely and effectively were prevention and intervention. The review of the service highlighted that the winter of 2017/18 was significant in terms of snowfall and the "Beast from the East" in early March this year and this was illustrated in table 4 of the report with a comparison of salt usage for the winter past to the previous 5 year average showing a 74% increase. It was noted that as a result of reducing budgets and the need to deliver financial plan savings, it was likely that significant changes to the 2019/20 Winter Plan would be proposed.

DECISION

AGREED to:-

- (a) note the performance of the SBC Winter Service during 2017/18;**
- (b) endorse the Winter Services Plan for 2018/19 contained in Appendix 1; and**
- (c) agree to consider, no later than the end June 2019, amendments to the Winter Services Plan for season 2019/20**

The meeting concluded at 10:45am