

## **SCOTTISH BORDERS COUNCIL**

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 31 October 2019 at 10.00 a.m.

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

Apologies:- Councillors S. Marshall, G. Turnbull.

In Attendance:- Chief Executive, Executive Director (R. Dickson), Service Director Assets & Infrastructure, Interim Service Director Children & Young People/Chief Social Work and Public Protection Officer, Service Director Customer & Communities, Service Director Regulatory Services, Joint Director of Public Health, Chief Officer Social Work Transformation, Chief Financial Officer, Chief Legal Officer, Clerk to the Council.

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### 1. **CONVENER'S REMARKS**

The Convener congratulated:-

- (a) Chris Bell from Amey and Richard Parry from Transport Scotland who had received the Highways Award for "Road Safety Scheme of the Year" for the BGH Junction;
- (b) Caroline Dunmar and Pauline MacFarlane (who could not be present), from the West Linton Village Nursery who had been awarded an Early Learning and Childcare Innovation Award by Children's Minister Maree Todd for their ground breaking peer mentoring staff programme;
- (c) Kate Pearson, Sam Elliot and Bryan McGrath (who could not be present) for their work on the Tour of Britain;
- (d) Ray Cherry and Ian Sharp for their work on the Jim Clark Museum project;
- (e) Ray Cherry and Ralph Nicholson who had been awarded a SPACES Award for their work on the Support Bases at Galashiels Academy;
- (f) Paul Frankland, David Murphy and Dale Johnstone for their work on the Melrose 3G Pitch project; and
- (g) Paul Frankland, David Johnston, Roy Thomson and Rodney Pow for their work on the A72 Dirtpot Corner project.

### **DECISION**

**AGREED that congratulations be passed to those concerned.**

### 2. **MINUTE**

The Minute of the Meeting held on 26 September 2019 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:-

Tweeddale Area Partnership	27 August 2019
Police, Fire & Rescue and Community Safety Board	30 August 2019
Berwickshire Area Partnership	5 September 2019
Pension Fund	12 September 2019
Pension Fund Board	12 September 2019
Community Planning Strategic Board	12 September 2019
Eildon Area Partnership	12 September 2019
Local Review Body	16 September 2019
Jedburgh Common Good Fund	16 September 2019
Executive	17 September 2019
Major Contracts Governance	17 September 2019
Kelso Common Good Fund	17 September 2019
Teviot & Liddesdale Area Partnership	17 September 2019
Civic Government Licensing	20 September 2019
Audit & Scrutiny	23 September 2019
Cheviot Area Partnership	25 September 2019
Planning & Building Standards	7 October 2019
Executive	8 October 2019

#### **DECISION**

**APPROVED** the Minutes listed above.

### 4. POLICE SCOTLAND

The Convener welcomed Chief Constable Iain Livingstone to the meeting. A paper providing an update on the key issues relating to policing in Scotland was tabled and the Chief Constable highlighted the main points. He explained the financial challenges being faced which had seen around £200m being lost since 2012, which was equivalent to the cost of 3 of the legacy forces prior to the formation of Police Scotland. However, the force had increased in numbers with 1000 new officers. Savings had been made by reducing the numbers at higher ranks from 34 to 11. The early years had been dedicated to the harmonisation of provision across Scotland and this had been too rigid in the beginning; it was now recognised that one size did not fit all. There were specialist officers that could be deployed if required to deal with particular incidents like homicides, sieges or events such as the Jim Clark Rally. The Community Officers should be the first port of call but specialist officers would be provided when required. The threats facing the public were changing. Children were no longer safe in their bedrooms with the increasing rise in cybercrime so police were needed where the crimes were being committed - this included organised crime and terrorism. Public support was needed to provide a service fit for the modern era. The Chief Constable answered Members' questions on a range of topics including online crime, the benefits of the CAT team, diversity of officers and dealing with calls from the public. The Chief Constable ended his presentation by explaining the way policing was provided needed to change. Around 2.5m calls were received each year and it was essential to provide the right type of support. There would be greater use of mobile devices by officers which would allow them to stay out in the community. These were being brought in on 4 November in the Borders following successful trials elsewhere. Detection rates across Scotland were good with every murder having been solved. The Convener thanked Chief Constable Livingstone for his presentation.

#### **DECISION**

**NOTED** the presentation.

### 5. BUDGET PLANNING ASSUMPTIONS 2020/21

There had been circulated copies of a report by the Chief Financial Officer providing an initial high level assessment of the broad planning assumptions being used in developing the revenue and capital plans for 2020/21 and future years. The Chief Financial Officer advised

that in light of the current political uncertainty it was now unlikely that the budget settlement would be received on 12 December as this was the date of the General Election. A briefing on Capital Expenditure was to be provided for Members after the Council meeting. The report explained that key assumptions regarding the budget fell into the following categories:

- Local Government Finance Settlement - Revenue Support Grant (RSG) and Non-Domestic Rates (NDR);
- Council Tax levels;
- Pay inflation (agreed nationally);
- Non-pay inflation (e.g. PPP contract, care home contracts, utility costs);
- H&SC funding;
- Borrowing Limits to support capital investment;
- Major changes required to capital plan with respect to Schools and Investment in the Care estate.

Each of the categories above had been reassessed in line with the latest information available with any resultant financial implications being included in the first draft of the 2020/21 budget papers. Further reports would be brought forward to Council as part of the budget development process for 2020/21. Members noted the current position.

## **DECISION**

**NOTED the planning assumptions being made for the revenue and capital budget planning process for 2020/21.**

### **6. ALCOHOL IN DESIGNATED PUBLIC PLACES CONSULTATION – STAGE 1**

With reference to paragraph 7 of the Minute of 20 December 2018, there had been circulated copies of a report by the Service Director Regulatory Services providing an update on the responses to the consultation on Alcohol in Public Places and to determine the next steps. The report explained that following agreement by the Council to conduct a full consultation on whether an alcohol byelaw should be introduced in the Scottish Borders it was decided that a two stage consultation would be commenced. The initial stage establishing two matters:

- Whether the consumption of alcohol in public places was a problem that required to be addressed?
- Would preventing alcohol being consumed in public help meet the licensing objectives?

Depending on the results of that Stage 1 consultation a second stage consultation might then be carried out to consider options in more detail. The results from Stage 1 were set out in Appendix 1 to the report. Whilst the responses to Stage 1 indicated a wide variety of views on the matter, there was considerable support particularly from key stakeholders to progress to Stage 2. Members discussed the proposals in detail and were divided in their views as to whether the Council should progress to stage 2 of the process.

## VOTE

*Councillor Greenwell, seconded by Councillor A. Anderson, moved that the recommendations (a) and (b) (ii) in the report be approved with the addition of Eyemouth and Peebles to the towns where pilots would be carried out.*

*Councillor Jardine, seconded by Councillor S. Hamilton, moved as an amendment that no further action be taken.*

*Councillor Haslam moved that the vote be taken by Roll Call and this was unanimously approved.*

### **MOTION**

*Councillor Aitchison  
Councillor A. Anderson*

### **AMENDMENT**

*Councillor Brown  
Councillor S. Hamilton*

*Councillor H. Anderson*  
*Councillor Bell*  
*Councillor Chapman*  
*Councillor Drum*  
*Councillor Edgar*  
*Councillor Fullarton*  
*Councillor Greenwell*  
*Councillor C. Hamilton*  
*Councillor Laing*  
*Councillor Moffat*  
*Councillor Paterson*  
*Councillor Ramage*  
*Councillor Robson*  
*Councillor Small*  
*Councillor Tatler*  
*Councillor Thornton-Nicol*  
*Councillor Weatherston*

*Councillor Haslam*  
*Councillor Jardine*  
*Councillor McAteer*  
*Councillor Miers*  
*Councillor Mountford*  
*Councillor Parker*  
*Councillor Penman*  
*Councillor Richards*  
*Councillor Rowley*  
*Councillor H. Scott*  
*Councillor S. Scott*

*The Motion was carried by 19 votes to 13.*

## **DECISION**

### **DECIDED to:-**

- (a) instruct officers to proceed to Stage 2; and**
- (b) that the Stage 2 consultation should consider the introduction of a pilot Alcohol Byelaw for specific towns only, being Eyemouth, Galashiels, Hawick and Peebles. The period after which the pilot should be reviewed would also form part of the Stage 2 consultation.**

## **7. ORDER OF BUSINESS**

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

## **8. CARE HOME INVESTMENT UPDATE**

There had been circulated copies of a report by the Service Director Assets and Infrastructure on the prioritised investment requirements in the care home estate, with the exception of Deanfield in Hawick which had already been approved by Council, for consideration as part of the forthcoming financial planning process 2020/21. The report set out the current condition, the capital upgrade requirements and the annual revenue budget required to maintain the interior and exterior fabric of the Council's Care Homes to an appropriate standard. The investment proposed would not only improve the quality of the homes but would extend their useful lifespan in the medium term. The report demonstrated that a capital investment of approximately £1.52m would be required to maintain the interior and exterior of the four remaining homes to bring them up to an appropriate standard. It also indicated that ideally a revenue budget of £1600 per bed per annum would be required to maintain the homes to that standard, which would be in line with typical industry standards. The Care Home estate consisted of five homes located in Eyemouth, Galashiels, Hawick, Innerleithen and Kelso. The facilities were opened during the 1960's and 1970's with the most modern ones opening in the 1980's. A full condition survey had been undertaken on all the Care Homes which had identified that over the next five years a significant number of works would be required to bring them up to an appropriate standard. The Care Home estate required investment to improve its current condition. Conditions across the estate varied, for example, fixture and fittings throughout were aged, kitchens were in need of replacement or doors and windows required replacement. Decoration was required both internally and externally. Individual bedrooms and bathrooms/ensuites may require complete overhaul to meet modern care standards or new furniture may be required throughout. The investment required included appropriate elements of the building fabric, plant, plumbing and

wiring. Prior to discussion, the Chief Executive commented on a recent inaccurate press report on care homes which had been published without any comment being sought from the Council and caused unnecessary concern for clients and their families. The Service Director confirmed that no emergency works were required and all care homes were currently fit for purpose and that these works were required to keep them at an acceptable standard. Councillor Haslam proposed that recommendation (c) be amended to add the words “be considered as part of the budget process” and this was unanimously accepted. Members welcomed the report.

**DECISION  
AGREED:-**

- (a) to note the current condition of the Care Home Estate;**
- (b) the requirement to prioritise capital investment in the estate to bring it up to an appropriate standard and that this would be considered as part of the capital financial planning process for 2020/21 and future years; and**
- (c) that the requirement for an annual revenue budget of typically £1,600/bed/annum to maintain the properties at that appropriate standard be considered as part of the budget process.**

**9. CONVENTION OF THE SOUTH OF SCOTLAND AND SOUTH OF SCOTLAND REGIONAL ECONOMIC PARTNERSHIP**

There had been circulated copies of a report by the Chief Executive seeking approval for the establishment of a Convention of the South of Scotland, the setting up of a South of Scotland Regional Economic Partnership (REP); and to show how the REP would link into the Scottish Borders Community Planning Partnership. The report explained that in March 2019 the Leaders of Scottish Borders Council, Dumfries and Galloway Council and the South of Scotland Economic Partnership met with Fergus Ewing MSP, the Cabinet Secretary for the Rural Economy. At that meeting, it was agreed that a Convention of the South of Scotland be formed to act as the national interface between key public sector partners in the South of Scotland and Scottish Government Cabinet Secretaries and Ministers. This followed the established practice in the Highlands and Islands. The setting up of the Convention was highlighted by the Scottish Government in announcing its Programme for Government (2019/20) published on 3 September 2019. The South of Scotland Alliance (comprising Scottish Borders Council, Dumfries and Galloway Council, Scottish Enterprise and representation from the private sector) had led the development of the proposals for both a Convention and a REP. As part of this task, the Alliance had worked with Scottish Government to understand the role that the Convention of the Highlands and Islands played in ensuring alignment across all the key public sector partners. The South of Scotland Alliance discussed and supported detailed proposals for the establishment of a Convention of the South of Scotland and a Regional Economic Partnership at its meeting on 20 September 2019. It was intended the REP would build on the work of the South of Scotland Alliance and be co-chaired by Dumfries and Galloway and Scottish Borders Councils. It was proposed the REP would comprise local public sector partners, and representatives from business, and the third sector. The REP was where strategic interactions between the local partners and the Agency would take place. The REP’s most important role would be to develop, agree and oversee delivery of the South of Scotland Regional Economic Strategy. It was considered that the establishment of the REP would necessitate changes to the structure of the Scottish Borders Community Planning Partnership. This was because joint partnership working on economic development would now be taken through the REP and its wide ranging membership taken from both the Scottish Borders and Dumfries and Galloway. It was proposed that the REP would replace the current Scottish Borders Economy and Low Carbon Delivery Team and its associated sub groups and link directly into the Scottish Borders Community Planning Partnership. Mr Dickson advised that recommendation (c) should have also included the appointment of 2 members to the Convention. Members

supported the proposals. Councillor Haslam, seconded by Councillor Bell, moved the appointment of Councillors Haslam and Rowley to the Convention of the South of Scotland and Councillors Bell, Haslam, Miers and Rowley - with Councillor Robson as a substitute - to the South of Scotland Regional Economic Partnership. This was unanimously approved.

#### **DECISION**

##### **AGREED:-**

- (a) **the South of Scotland Alliance's proposals for the establishment of the Convention of the South of Scotland as set out in the report;**
- (b) **the South of Scotland Alliance's proposals for the setting up of the South of Scotland Regional Economic Partnership as set out the report;**
- (c) **the appointment of Councillors Haslam and Rowley to the Convention of the South of Scotland and Councillors Bell, Haslam, Miers and Rowley (with Councillor Robson as a substitute) to the South of Scotland Regional Economic Partnership;**
- (d) **that the South of Scotland Regional Economic Partnership should replace the current Scottish Borders Economy and Low Carbon Delivery Team, and its associated sub-groups, and link directly into the Scottish Borders Community Planning Partnership; and**
- (e) **that these proposed changes to the Community Planning Partnership were presented to the Partnership's Strategic Board for approval.**

#### **10. CHIEF SOCIAL WORK OFFICERS ANNUAL REPORT APRIL 2018 – MARCH 2019**

There had been circulated copies of a report by the Chief Social Work and Public Protection Officer containing the twelfth annual report on the work undertaken on behalf of the Council in the statutory role of Chief Social Work Officer. The report provided the Council with an account of decisions taken by the Chief Social Work Officer in the statutory areas of Fostering and Adoption, Child Protection, Secure Orders, Adult Protection, Adults with Incapacity, Mental Health and Criminal Justice. The Report of the Chief Social Work Officer was appended to the covering report. The Report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2018 to March 2019, and highlighted some of the key challenges for Social Work for the coming year. Mr Easingwood answered Members' questions on a number of issues including looked after children, recruitment of foster carers, and the child poverty index. He undertook to provide further information to Members and advised that a Public Protection Model was currently being developed.

#### **DECISION**

**AGREED to approve the Annual Report.**

#### **11. RESPONSE TO CONSULTATION BY BRITISH TELECOM ON PROPOSED REMOVAL OF PAYPHONES IN THE SCOTTISH BORDERS**

There had been circulated copies of a report by the Chief Executive seeking agreement to a response to the consultation by British Telecom on public payphone removals in the Scottish Borders. The report explained that Scottish Borders Council received details from British Telecom (BT) in July 2019 of a consultation on the proposed removal of 95 payphones in the Scottish Borders. This was part of a wider consultation taking place across Scotland by BT on public payphone removals. According to BT, a key driver behind the consultation was the decline in the overall use of payphones due to increasing mobile phone coverage and the need to reduce costs. Ofcom, the telecommunications regulator, had delegated the responsibility for responding to public payphone removal consultations to Local Authorities. This involved gathering views from local communities and providing a reasoned response

either objecting or agreeing to the removal of payphones. In developing the Council response on the future of the payphones identified by BT for removal, a set of risk criteria had been developed with Scottish Borders Council's Emergency Planning service. This was because payphones needed to be seen as a key part of the resilience, emergency and community safety infrastructure of local communities. The criteria for supporting the retention of payphones based on this assessment comprised:

- The quality of mobile network coverage in terms of access to the main mobile phone networks (based on an assessment of the information on the Ofcom web site).
- Proximity to main arterial routes i.e. A68/A7/A1/A702/A697/A72
- Closeness to important nationally recognised walking routes i.e. the Southern Uplands Way, St Cuthbert's Way, John Buchan Way, Borders Abbey Way and the Berwickshire Coastal Path.
- Usage for police and emergency service calls i.e. 101/999/111 calls based on information provided by Police Scotland and BT.
- Closeness to the coast or a fresh water location which was considered high risk.
- Usage by local communities (8 and more calls over the past year).
- Whether the payphone was the final one in a village community.

Each payphone had been assessed against this criteria. The Council had also carried out a consultation with local community councils and their responses had been considered. The resultant recommendations on whether to retain, remove, or for the community to adopt a payphone, were shown in Appendix 2 to the report. Based on this assessment 11 payphones had been identified for removal, 2 for adoption and 82 for retention. Some community councils - particularly in villages where the only payphone had been proposed for removal by BT - had expressed an interest to adopt a payphone but this would mean the telephony would need to be removed. Also other community councils expressed concerns about the poor maintenance and the need for payphones to be cleaned in a more effective way. There was a need to discuss with BT whether solutions could be found to these problems particularly through closer working with local communities.

#### **DECISION AGREED:-**

- (a) the response as set out in Appendix 2 to the report to British Telecom's consultation on the removal of public payphones; and**
- (b) to discuss with BT the possibilities of:**
  - (i) Providing emergency only phones instead of payphones in communities where there was a very low usage;**
  - (ii) Communities being able to adopt payphones and keep emergency only telephony; and**
  - (iii) Working with communities on ways to clean and maintain payphones in a more effective manner.**

#### **12. REVIEW OF POLLING PLACES AND POLLING DISTRICTS**

With reference to paragraph 11 of the Minute of 28 March 2019, there had been circulated copies of a report by the Chief Executive detailing the outcome of the Review of Polling Districts, Polling Places and Polling Stations and seeking approval for various changes to be made. The report explained that at its meeting on 28 March 2019, the Council agreed to undertake a review of its current polling districts, polling places and polling stations. Since then, consultation had been carried out with all stakeholders and contacts for all polling places had been notified and asked to complete a detailed questionnaire to assess their suitability for continued use. A public consultation was also carried out via the Council website. While polling places were in a variety of venues across the Borders, overall they were in reasonable condition, fit for purpose and supported by their local community. In light

of the responses received and the review of the existing polling places and polling districts a small number of changes were proposed. These changes mainly involved the tweaking of polling district boundaries in response to requests from electors and communities. It was recommended that these changes be implemented when the new Register of Electors was to be published in December 2019. There was one change to a polling place in Peebles proposed for implementation at a later date. The Democratic Services Team Leader advised that now that a General Election had been announced it was likely that the Register of Electors would be published earlier than 1 December and that the proposed changes to polling districts would therefore be introduced at an earlier date than proposed in the report.

**DECISION  
AGREED:-**

- (a) **to note the responses received to the consultation from the various stakeholders, as detailed in the report and Appendix 1;**
- (b) **to minor amendments to polling districts within Ward 1, Ward 4, Ward 7 and Ward 11, as shown on the maps at Appendix 2 of the report, to take effect when the new Register of Electors was published; and**
- (c) **that the Gymnasium at Peebles High School be replaced as a polling place if a suitable alternative became available.**

**13. MOTION BY COUNCILLOR DRUM**

Councillor Drum, seconded by Councillor Chapman, moved approval of his Motion, as detailed on the agenda in the following terms and with the addition of the words “mental health” before awareness sessions:-

“The estimated cost of Mental Ill Health to UK Employers is between £33billion and £42 billion each year. The Health and Safety Executive (HSE) estimate that 1 in 4 people will experience a mental health problem at some point during their working life.

Councillors meet and work with constituents, external partners and other individuals who may be experiencing mental health issues.

Council previously approved mental health awareness sessions to recognise and be more aware of Dementia and given the benefit of such interventions, we now request that Scottish Borders Council bring forward a detailed programme of officer or third sector led awareness sessions for all councillors and staff.

This will ensure we can become more aware of the symptoms and signs in those who we meet, while carrying out our role as SBC Councillors.”

Councillor Drum spoke in support of his Motion which was unanimously approved.

**DECISION  
AGREED to approve the Motion as detailed above.**

**14. MOTION BY COUNCILLOR H. ANDERSON**

Councillor H. Anderson, seconded by Councillor Rowley, moved approval of her Motion as detailed on the agenda in the following terms:-

“Scottish Borders Council welcomes the additional Scottish Government funding for the Citizen’s Rights Project and new charity, Settled, to provide support to vulnerable people and people with complex needs on obtaining settled status, particularly those in remote and rural areas.

Given the low levels of application for settled status to date, Scottish Borders Council will take a lead in ensuring that all EU nationals living, working or studying in the Borders are aware of the Settled Status scheme and are encouraged to apply. Scottish Borders Council believes that people who have settled here from elsewhere in the EU significantly enrich our society. They are vital to the health of our rural economy, working in the key sectors of

hospitality, farming, medical and care provision. They are welcome and the Council wants them to stay.

To that end, the Council will ensure information about the Settled Status and associated schemes are prominently publicised through our Connect Newsletter, on our website and in associated materials produced by the council for distribution to public offices, health centres and GP practices, community centres and other public venues.”

Councillor Anderson spoke in support of her Motion which was unanimously approved.

**DECISION**

**AGREED to approve the Motion as detailed above**

15. **OPEN QUESTIONS**

The questions submitted by Councillors Laing, Paterson, S. Hamilton and H. Anderson were answered.

**DECISION**

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

**MEMBER**

Councillor McAteer left the meeting during the item above.

16. **URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Chairman was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

17. **CALENDAR OF MEETINGS**

The Clerk to the Council advised that following the announcement that a General Election would be held on 12 December 2019 a number of meetings would require to be cancelled. A copy of the amended calendar was tabled at the meeting.

**DECISION**

**AGREED to approve the amended meetings timetable as contained in Appendix II to this Minute.**

18. **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 III 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**

19. **Minute**

The private section of the Council Minute of 26 September 2019 was approved.

20. **Committee Minutes**

The private sections of the Committee Minutes as detailed in paragraph 3 of this Minute were approved.

*The meeting concluded at 1.55 p.m.*

**SCOTTISH BORDERS COUNCIL**  
**31 OCTOBER 2019**  
**APPENDIX I**

**OPEN QUESTIONS**

**Question from Councillor Laing**

To Executive Member for Neighbourhoods and Locality Services

Deborah Arnott of Action on Smoking and Health has said that growing up in a smoke free environment is one of the best ways of ensuring that children are not attracted to smoking.

In an effort to de-normalise smoking behaviour, there are a growing number of locations across the country where smokers are being requested not to smoke in the vicinity of children's playparks.

Can the executive member advise if Scottish Borders Council has any plans to adopt this policy and install "No Smoking" signs at our public play areas?

Reply from Councillor Aitchison

The Council is piloting the promotion of anti-smoking signage within its new destination play parks, with signs currently asking people to "*Please refrain from smoking within the play area*".

**Questions from Councillor Paterson**

To Executive Member for Roads and Infrastructure

1. With Scottish Borders Council still being 100% behind the extension of the railway to Carlisle via Newcastleton, do you not think that it's imperative that we have at least one officer of the Council in place to be working with Government Ministers and Officials to reiterate and push the Councils case that the extension of the Borders railway has to take the route from Galashiels or Tweedbank to Hawick and from Hawick to Carlisle via Newcastleton. It is my understanding that at present there is no dedicated officer to deal with this important issue. Will this be rectified as quickly as possible?

Reply from Councillor Edgar

A single dedicated officer would not be an appropriate approach in this instance. A number of senior Council officers are involved in the ongoing discussions around the extension of the Borders Railway from Carlisle to Tweedbank. These officers will continue to promote this major project to both UK Government and Scottish Government.

2. Can the Portfolio Holder please give me feedback from the recycling wagon now doing a trial period in Jedburgh: is it proving to be a success and are the majority of materials dumped in the wagon green waste? I am regularly being asked by my constituents in Newcastleton to ask this question

Reply from Councillor Edgar

The Jedburgh Mobile Recycling Service Pilot commenced on the 8 September and will run until the 22 December 2019. Detailed feedback on the performance of the trial will be provided once the trial has ended.

In the interim, we can confirm that as of the 25 October the Council has received 69 responses to the online consultation and a total of 9.5 tonnes of material have been deposited by residents, the majority of which (i.e. over 90% or 8.7 tonnes) has been garden waste.

Supplementary

Councillor Paterson asked if there were any plans to extend this service to other areas of the Borders. Councillor Edgar advised this would be discussed once the results of the consultation were known.

### 3. To Executive Member for Business and Economic Development

What steps are the Council taking to ensure that businesses in the Borders do not get unduly penalised in the latest round of trade wars with the American Republican Administration imposing tariffs on the export of cashmere and other luxury goods exported from Scotland to America. This action could well have far reaching effects on the Textile industry and other industries like single malt whisky.

#### Reply from Councillor Rowley

The Council shares the concerns being raised about the impact of tariffs on the export of cashmere and other luxury goods manufactured in the Scottish Borders. However, this is clearly a matter for the UK Government to address. This is a 'reserved' matter that the Scottish Government has no control over, and which the Council has no direct influence over either. I believe that the industry has been effective in making its concerns known to the UK Government and understand that the Government is working closely with the US Government, the European Union, and European partners to agree a negotiated settlement.

### 4. To Executive Member for Community Safety

With two police officers from the Scottish Borders being sent to London to help the Met Police deal with the possible problems arising from the protests and possible riots from the Extinction Rebellion in London can I be assured that the 12 extra officers that SBC are paying for will not be sent to any other town or city in the UK and they will continue doing the job that we are paying them to do and that is police the streets of the Scottish Borders?

#### Reply from Councillor Haslam in the absence of Councillor Turnbull

I have been advised that neither of the two officers deployed to London (following a mutual aid request) came from the Council funded Community Action Team.

Both these officers have since returned to their normal policing duties within the Borders.

In the event it became necessary to deploy a funded officer in this way their place would be back filled with another officer in order that (funded) officer numbers are maintained.

### **Question from Councillor S Hamilton**

#### To Executive Member for Planning and Environment

The Executive member for Planning & Environment is no doubt aware of the current level of disruption caused by the large amounts of scaffolding being used to support the dangerous building on the High Street/Exchange Street, Jedburgh. On behalf of residents and businesses who are being affected by this could he please give us an update on the current position and brief outline on the next steps?

#### Reply from Councillor Miers

Officers are continuing to engage with owners to achieve a negotiated purchase of the property. Agreement has been reached with two of the owners, negotiation is still on-going with the other four.

In tandem with this negotiation officers are progressing a Compulsory Purchase Order (CPO), should this prove necessary. The necessary papers were submitted to Scottish Government on 13<sup>th</sup> September and are currently undergoing technical assessment.

Officers have also been securing the necessary statutory approvals for the demolition of the existing building and preparing the tender documentation. This will enable demolition work to start as soon as ownership is secured. A listed building consent application and a staged building warrant are currently being processed by the Council for the demolition.

Architects have been appointed to develop a design for the replacement building taking account of the approved design brief and the requirements of the potential end user of the building.

In the meantime officers will continue to monitor the building to ensure public safety is maintained and provide members and the local community with periodic updates on progress of the project.

#### Supplementary

Councillor Hamilton advised that there appeared to be a lack of information at Community Council meetings and asked that the report frequency be increased. Councillor Miers agreed that this could be done.

#### **Questions from Councillor H Anderson**

##### 1. To Executive Member for Business and Economic Development

In October 2018 Scottish Borders Council agreed a motion which called on the council to convene an early meeting with key stakeholders in farming and rural civic society to explore both the important contribution they can make towards improving local prosperity and to identify the potential barriers they were facing. It was also hoped that this meeting would strengthen the council's understanding of the key contribution these farmers and rural leaders could make towards the work of the South of Scotland Enterprise and the potential Borderlands Initiative.

How has this commitment been progressed?

##### Reply from Councillor Rowley

The commitment has been progressed. However, progress has been challenging given the uncertainties around Brexit and the consequent challenge in identifying the most appropriate focus for discussions

I understand you agreed to the work being managed jointly through SoSEP and the Council which is both helpful and appropriate. To date discussions have taken place with the Deputy First Minister at his meeting with the South of Scotland Alliance and with The Cabinet Secretary for Rural Affairs and Agriculture through the South of Scotland Economic Partnership. I also understand you have corresponded with the Cabinet Secretary on the matter and that he indicated his support for this initiative.

At a meeting with the Cabinet Secretary attended by the Partnership, and the Leaders of Scottish Borders Council and Dumfries and Galloway Council there was agreement that sectoral meetings were to be arranged to facilitate the type of discussion your Motion intended. These discussions are important for the reasons your question highlights and in shaping the focus and activity of the new Enterprise Agency.

The Partnership commissioned work directly with the agriculture sector to augment the work completed with other businesses. That work will be completed next month and will form the basis for a sectoral discussion.

In parallel the strategic land use pilots continue and they will also provide valuable learning and input to the forthcoming discussions.

The likely timescale for a further sectoral meetings including Agriculture is between now and the end of January.

#### Supplementary

Councillor Anderson commented on the lack of a formal structure for updating those who had submitted motions. Councillor Rowley undertook to discuss this with officers.

##### 2. To Executive Member for Adult Social Care

In November 2018 Cllr Weatherston in his capacity as the portfolio holder for Adult Social Care was asked for an explanation of the fact that Scottish Borders Council had the second lowest rate of spend through the Welfare Fund and also had the highest rate of applicant refusals. Can we now be updated on whether there has been any change in the performance of the Fund over the last 12 months?

Reply from Councillor Weatherston

Figures published by the Scottish Government in July 2019 detailing Scottish Welfare Fund activity across Scotland, for the year ended March 2019 show changes in the performance of the Scottish Welfare Fund.

The figures show that our overall Scottish Welfare Fund expenditure increased by 34% from 2017/18 to 2018/19 this is for both Community Care Grants and Crisis Grants.

Crisis Grant award rates increased over the year with an acceptance rate of 54% in Quarter 4 compared to 38% in Quarter 1 when you last asked me about this. This is in the context of an 8% increase in the number of applications for Crisis Grants within the Scottish Borders over the year, achieved in part from greater awareness of the fund.

Only 8 Local Authorities including Scottish Borders increased their award rates within this period, the others reported no change or a decline.

During Quarter 4 96% of those applicants that did have a successful claim were processed by the next working day, which is directly in line with the Scottish average, meaning applicants who are successful are able to access funds quickly to mitigate a crisis or disaster.

Officers are continually reviewing practices and procedures and will continue to carry out awareness sessions with key staff within the Council and partner organisations.

One area of success to note is the improvement of links between Scottish Welfare Fund and Homeless Services. This has resulted in positive outcomes which include reducing the time applicants spend in temporary accommodation once they have signed for their tenancy assisting their resettlement into the community after living an unsettled way of life.

**SCOTTISH BORDERS COUNCIL  
31 OCTOBER 2019  
APPENDIX II**

**CALENDAR OF MEETINGS - NOVEMBER-DECEMBER 2019  
AMENDMENTS REQUIRED FOR GENERAL ELECTION**

SAT	2	NOV		
SUN	3	NOV		
MON	4	NOV	PLANNING AND BUILDING STANDARDS	10.00 a.m.
TUES	5	NOV	MAJOR CONTRACTS GOVERNANCE GROUP	2.00 p.m.
TUES	5	NOV	TWEEDDALE AREA PARTNERSHIP	7.00 p.m.
WED	6	NOV	-	-
THUR(SH)	7	NOV	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	9:30 a.m.
FRI (SH)	8	NOV	POLICE, FIRE & RESCUE AND SAFER COMMUNITIES BOARD	9.30 a.m.
SAT	9	NOV		
SUN	10	NOV		
MON	11	NOV		
TUES	12	NOV		
WED	13	NOV		
THUR	14	NOV	EILDON AREA PARTNERSHIP	6.00 p.m.
FRI	15	NOV		
SAT	16	NOV		
SUN	17	NOV		
MON	18	NOV	LOCAL REVIEW BODY	10.00 a.m.
TUES	19	NOV	EXECUTIVE COMMITTEE (FINANCE/PERFORMANCE/TRANSFORMATION)	10.00 a.m.
TUES	19	NOV	KELSO CGF SUB- COMMITTEE	5.15 p.m.
TUES	19	NOV	TEVIOT & LIDDESDALE AREA PARTNERSHIP	6.30 p.m.
WED	20	NOV	JEDBURGH CGF SUB-COMMITTEE	4.30 p.m.
WED	20	NOV	PEEBLES CGF SUB-COMMITTEE	5.00 p.m.
THUR	21	NOV	COMMUNITY PLANNING STRATEGIC BOARD	2.00 p.m.
FRI	22	NOV	LICENSING BOARD	10.00 a.m.
FRI	22	NOV	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.
SAT	23	NOV		
SUN	24	NOV		
MON	25	NOV	AUDIT & SCRUTINY COMMITTEE	10.15 a.m.
TUES	26	NOV	HAWICK CGF SUB-CTEE	4.00 p.m.
WED	27	NOV	CHEVIOT AREA PARTNERSHIP	6.30 p.m.
THUR	28	NOV	SCOTTISH BORDERS COUNCIL	10.00 a.m.
FRI	29	NOV	PENSION FUND COMMITTEE/PENSION BOARD	10.00 am
SAT	30	NOV		
<b>Dec-19</b>				
SUN	1	DEC		
MON	2	DEC	ST ANDREWS DAY HOLIDAY	
TUES	3	DEC	EXECUTIVE COMMITTEE (ECONOMIC DEVELOPMENT)	10.00 a.m.
WED	4	DEC	JOINT MEETING LICENSING BOARD/LLF	4.00 p.m.
WED	4	DEC		
THUR	5	DEC	GALASHIELS CGF SUB-COMMITTEE	10.00 a.m.

CANCELLED

NEW DATE  
CANCELLED  
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THUR	5	DEC	EMPLOYEE FORUM	3.30 p.m.	CANCELLED
THUR	5	DEC	BERWICKSHIRE AREA PARTNERSHIP	6.30 p.m.	CANCELLED
FRI	6	DEC			
SAT	7	DEC			
SUN	8	DEC			
MON	9	DEC	PLANNING AND BUILDING STANDARDS	10.00 a.m.	
TUES	10	DEC	POLICE CAT MEMBER/OFFICER STRATEGIC OVERSIGHT GROUP	2.00 p.m.	CANCELLED
TUES	10	DEC	HAWICK CGF SUB-CTEE	4.00 p.m.	MOVED
WED	11	DEC	SELKIRK CGF SUB-COMMITTEE	3.00 p.m.	CANCELLED
THUR	12	DEC	AUDIT & SCRUTINY COMMITTEE	10.00 a.m.	CANCELLED
THUR	12	DEC	INNERLEITHEN COMMON GOOD FUND SUB-COMMITTEE	3.00 p.m.	CANCELLED
FRI	13	DEC			
SAT	14	DEC			
SUN	15	DEC			
MON	16	DEC	LOCAL REVIEW BODY	10.00 a.m.	
TUES	17	DEC	WILLIAM HILL TRUST SUB-COMMITTEE	1.30 p.m.	
TUES	17	DEC	LAUDER COMMON GOOD FUND SUB-COMMITTEE	2.00 p.m.	
WED	18	DEC			
THUR	19	DEC	<b>SCOTTISH BORDERS COUNCIL</b>	10.00 a.m.	
FRI	20	DEC	LICENSING BOARD	10.00 a.m.	
FRI	20	DEC	CIVIC GOVERNMENT LICENSING COMMITTEE	11.00 a.m.	
SAT	21	DEC			
SUN	22	DEC			