

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held remotely via Microsoft Teams on Friday, 25 September 2020 at 10.00 a.m.

Present:- Councillors D. Parker (Convener), S. Aitchison, A. Anderson, H. Anderson, J. Brown, S. Bell, K. Chapman, C. Cochrane, 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. Ramage, N. Richards, E. Robson, M. Rowley, H. Scott, S. Scott, R. Tatler, E. Thornton-Nicol, G. Turnbull, T. Weatherston.

Apologies:- Councillors S. Marshall, E. Small.

In Attendance:- Chief Executive, Executive Director (Corporate Improvement & Economy), Executive Director (Finance and Regulatory), Service Director Assets & Infrastructure, Service Director Customer & Communities, Service Director HR & Communications, Service Director Young People, Engagement & Inclusion, Chief Social Work & Public Protection Officer, Chief Legal Officer, Chief Officer, Health & Social Care, Chief Operating Officer, Adult Social Work & Social Care, Clerk to the Council.

1. **CONVENER'S REMARKS**

The Convener reminded Members of the remote meeting protocols.

DECISION NOTED.

2. **MINUTE**

The Minute of the Meeting held on 27 August 2020 was considered. Councillor Mountford moved the suspension of Standing Order No. 26 to allow an amendment to paragraph 13(b)(ii) of the Minute (Play Parks Facilities Strategy) to agree that of the 54 Play parks to be decommissioned, Orchard Park in Kelso would be decommissioned in place of the play park at Croft Road. There were no financial implications for this change. The Motion was unanimously approved.

DECISION

AGREED that the Minute be approved, subject to the amendment to paragraph 13(b)(ii) as detailed above, and signed by the Convener.

3. **COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

| | | |
|-----|---|-------------------|
| (a) | Local Review Body | 17 August 2020 |
| (b) | Civic Government Licensing | 21 August 2020 |
| (c) | Police, Fire & Rescue and Safer Communities Board | 28 August 2020 |
| (d) | Selkirk Common Good Fund | 2 September 2020 |
| (e) | Duns Common Good Fund | 3 September 2020 |
| (f) | Sustainable Development | 4 September 2020 |
| (g) | Planning & Building Standards | 7 September 2020 |
| (h) | Galashiels Common Good Fund | 10 September 2020 |

DECISION

APPROVED the Minutes listed above.

4. **SCOTTISH BORDERS LOCAL POLICE PLAN**

There had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, seeking approval of the Scottish Borders Local Police Plan 2020-23. The report explained that the Scottish Borders Local Police Plan 2020-23 had been produced by local senior officers from Police Scotland. There was a statutory requirement in terms of section 47 of the Police and Fire Reform (Scotland) Act 2012 for the Local Authority to approve the Local Police Plan. The Plan linked into the outline priorities shaped through engagement by Police Scotland with individuals, communities, and partners across the Scottish Borders local authority area as well as taking cognisance of both national and local strategic analysis. Its key priorities were: protecting the most vulnerable people; reducing violence and antisocial behaviour; reducing acquisitive crime; improving road safety; and tackling serious and organised crime. The Scottish Borders Local Police Plan 2020-23 was discussed by Scottish Borders Council's Police, Fire & Rescue and Safer Communities Board at its meeting on Friday 28 August 2020. A copy of their recommendation to Council supporting the approval of the Plan was also circulated. The Plan would provide the basis for scrutinising the performance of the operation of the local Police service by the Scottish Borders Police, Fire and Rescue and Safer Communities Board. The Convener welcomed Superintendent Angus MacInnes of Police Scotland who was attending in place of Chief Superintendent John McKenzie. Superintendent MacInnes gave a presentation explaining how the plan had been drawn up and that it formed part of the wider plan for J Division. He highlighted the main objectives and advised that the Plan was a living document that would be updated to take account of some activities being completed and others being added. Some activities would be delayed due to Covid-19 restrictions but he would keep the Board advised of any changes that were made. Members welcomed the Plan and thanked the police for their work including tackling rural crime and drugs. In response to a request for a Member briefing on tackling serious and organised crime and in particular online "cuckooing" and "county lines", Superintendent MacInnes advised that he would check to see if this was possible to organise a session for Members via MS Teams. The Convener thanked Superintendent MacInnes for his presentation.

DECISION

AGREED to approve the Scottish Borders Local Police Plan 2020-2023 as contained in the Appendix to the report.

5. **MAKING OFFICES COVID SAFE**

There had been circulated copies of a joint report by the Executive Director, Corporate Improvement & Economy, and the Service Director, HR and Communications, outlining plans to support home-working as the safest way of working for office staff for the foreseeable future and long-term for those who wanted to formalise the option. The report also provided details of creating COVID-safe office spaces and associated arrangements to provide an alternative for staff who were unable to sustain homeworking on an ongoing basis and enable staff to use offices as touch-down spaces where this was helpful in undertaking their work. The report explained that since the start of lockdown in March this year, the vast majority of former office-based staff had worked effectively and productively from home and maintained the provision of services. The support from staff in adapting, readily and suddenly, to this way of working had been invaluable and deserved great credit. These informal arrangements had been in place, gradually evolving, for a period of 6 months. With the pandemic continuing and the prospect of a second wave developing, it was expected that these arrangements would remain in place for some considerable time. In recognising that staff safety was paramount, that sustaining Council services was critical, the absence of a vaccine and that staff were keen to know what their working arrangements would be in the medium to long term, the following arrangements were being put in place. Home working, wherever possible, would remain as the predominant way of working for all office-based staff for the foreseeable future and as long as COVID-19 was still present. This applied to officers and Elected Members and recognised the need for continuing use of offices by some staff e.g. social care using COVID-safe arrangements. COVID-safe flexible office space would be made available through the phased reconfiguration of office accommodation at Council

Headquarters, Galashiels Paton St. and Hawick Town Hall. Consideration would be given to developing similar touch-down office space in all localities. The intention was to provide a blended approach, providing staff with the ability to access flexible office space when there was a requirement to be in offices. This blended approach would also apply where the domestic arrangements of staff did not permit effective home working, where internet connectivity or other circumstances meant that it was not always possible to work from home, or where systems and the need to deal with hard copy documentation required staff to access offices. In making offices COVID-safe, the Corporate Management Team's priority remained keeping staff and the wider public safe whilst being able to sustain the Council's services. At the same time, the arrangements built on the lessons learned from the Council's experience since March this year and aligned with Council's Fit for 2024 longer term strategic aims for the office estate. The Service Director HR and Communications advised that staff opinion would continue to be obtained by further surveys and there would be a further report to Council in November. In response to a question regarding additional costs for staff working from home, the Service Director advised that this was being looked at and it was likely that each staff member would be offered a sum of up to approximately £275 to purchase any necessary furniture if the Council could not supply that directly. With regard to tax relief, staff could apply to the Inland Revenue for an allowance but no weekly payment would be made by the Council.

**DECISION
AGREED:-**

- (a) to note the arrangements for accommodating home working and creating flexible COVID-safe offices; and**
- (b) that a further report on the Council estate would be brought to the November Council meeting.**

6. RESPONDING TO THE CLIMATE EMERGENCY

- 6.1 There had been circulated copies of a report by the Chief Executive setting out the Council's strategic direction on the issue of climate change, and to provide a lead to our partners, to businesses, communities and people in the Scottish Borders. The report proposed that the Council should declare a Climate Emergency, reflecting its commitment to action on the issue. The act of declaration had a vital role to play in building public awareness that we were in a climate emergency situation which placed unprecedented demands on all individuals, communities and businesses, as well as public bodies. The report also acknowledged that while a Climate Emergency declaration issued by a Council could be a powerful catalyst for action, it must be paired with a clear action plan and an appropriate commitment of resources. In responding to the climate emergency, there was an urgent need to review how the Scottish Borders could make a step-change in activity to reduce greenhouse gas emissions and prepare for the impacts of climate change. This needed to be done in a way that was positive for the people and the economy of the Scottish Borders and built on the strengths and assets of the region. The report provided an initial overview of some of the challenges and opportunities for the Scottish Borders as a whole in supporting the national endeavour to end Scotland's contribution to climate change by 2045. It also considered the Council's responsibilities in responding to the climate emergency as an organisation. Members discussed the report in detail and both support for the proposals and concern regarding the wider impact on Council services was expressed. Councillor Aitchison, seconded by Councillor Fullarton, moved approval of the recommendation in the report. Councillor H. Anderson, seconded by Councillor Haslam, proposed an amendment adding a new recommendation (c) "that the 'implications' section of Council reports shall be reviewed and updated generally, with a specific objective of setting out the UN Sustainable Development Goals addressed by the actions proposed in the recommendations of the report. This review and updating will be overseen by the Sustainable Development Committee with recommendations for a finalised format and approach to the 'implications' section of reports to be brought to Council for decision by 31 January 2021 at the latest". Councillor Aitchison agreed to accept the addition of this extra amendment within his Motion.

6.2 Councillor Jardine, seconded by Councillor Edgar, moved a further amendment to reword recommendations (b)(ii) and (b)(iv) – (vi) as follows:-

- (ii) to build upon the work we have undertaken to date, and ensure combating climate change in the Scottish Borders is part of future policy decisions;
- (iv) to ensure that other council services and needs aren't adversely affected by the finance needed to fund sustainable development opportunities we must investigate all possible sources of external funding and match funding to support this commitment;
- (v) to work collaboratively with Community Planning Partners, and other stakeholders, including businesses and the public in developing the Scottish Borders' response to the Climate challenge; and
- (vi) that the Sustainable Development Committee oversee development of the plan to be presented to Council before March 2021, and oversee the development and implementation of the plan agreed by Council in responding to the Climate challenge.

6.3 VOTE

Councillor Paterson, seconded by Councillor A. Anderson, moved that the vote be taken by roll call and this was unanimously agreed.

Motion by Councillor Aitchison

*Councillor Aitchison
Councillor A. Anderson
Councillor H. Anderson
Councillor Bell
Councillor Brown
Councillor Chapman
Councillor Cochrane
Councillor Fullarton
Councillor Greenwell
Councillor C. Hamilton
Councillor S. Hamilton
Councillor Haslam
Councillor Laing
Councillor McAteer
Councillor Moffat
Councillor Mountford
Councillor Parker
Councillor Paterson
Councillor Ramage
Councillor Richards
Councillor Robson
Councillor Rowley
Councillor S. Scott
Councillor Tatler
Councillor Thornton-Nicol
Councillor Turnbull
Councillor Weatherston*

Amendment by Councillor Jardine

*Councillor Edgar
Councillor Jardine
Councillor Miers
Councillor H. Scott*

The Motion was accordingly carried by 27 votes to 4

DECISION

DECIDED:-

- (a) to recognise and declare a Climate Emergency;**
- (b) to approve the following:**

- (i) **as soon as possible, to set a target for achieving a reduction in the Council's carbon emissions, which was at least consistent with the Scottish Government's target of net zero by 2045 and the intermediate targets set out in the Climate Change (Emissions Reduction Targets)(Scotland) Act 2019;**
 - (ii) **to build upon the work the Council had undertaken to date, and to align our policies to address the Climate Emergency;**
 - (iii) **to set out a clear plan of action to reduce our carbon emissions and other greenhouse gases, such plan to return to Council for consideration before March 2021;**
 - (iv) **to assess the resource requirements placed on the Council by the aforementioned plan of action and to investigate all possible sources of external funding and match funding to support this commitment;**
 - (iv) **to work collaboratively with Community Planning Partners, and other stakeholders, including businesses and the public, in developing the Scottish Borders' response to the Climate Emergency;**
 - (v) **that the Sustainable Development Committee oversee development of the plan to be presented to Council before March 2021, and oversee the development and implementation of the plan agreed by Council in responding to the Climate Emergency;**
 - (vi) **that the Sustainable Development Committee develop recommendations on a collaborative and inclusive regional dialogue on climate action to be included in the plan to be considered by Council before March 2021; and**
- (c) **that the 'implications' section of Council reports would be reviewed and updated generally, with a specific objective of setting out the UN Sustainable Development Goals addressed by the actions proposed in the recommendations of the report. This review and updating would be overseen by the Sustainable Development Committee with recommendations for a finalised format and approach to the 'implications' section of reports to be brought to Council for decision by 31 January 2021 at the latest.**

7. LOCAL DEVELOPMENT PLAN

- 7.1 With reference to paragraph 6 of the Minute of 26 June 2019, there had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, seeking agreement on the Council's Proposed Local Development Plan (LDP) including the responses to matters raised from the consultation on the Main Issues Report. The report detailed the background and legislative requirements for the preparation of the LDP, confirmed its format, and identified the main component parts. The report included reference to policy amendments, new site allocations, site removals and other material considerations including background papers which helped guide the preparation of the LDP. Following the approval of the Proposed LDP there would be a 12 week period for public representation through an online consultation. Any outstanding objections to the Proposed LDP would be subject to Examination by the Scottish Government Reporters from the Planning and Environmental Appeals Division. It was explained that it had originally been planned to present this report to Members at the Council meeting in March 2020. However, due to the COVID 19 outbreak and a number of related issues, particularly with regards to how the Plan would be successfully consulted upon given the lockdown and the indefinite postponement of public meetings, consideration had been given to delay until this meeting. Members discussed certain aspects of the report in detail and a number of amendments were submitted as detailed below.
- 7.2 Councillor Mountford, seconded by Councillor Weatherston, moved approval of the report subject to the addition of the following amendments to Policy ED4 – Core Activity Areas in Town Centres in the LDP:-

*Para 1.3: Amend the last two sentences to read: “As the Core Activity Areas for Kelso, Melrose and Peebles continue to perform at a comparatively high level, there is less requirement to add more flexibility of uses.”

Para 1.4: Amend the first sentence to read: “In terms of Kelso, Melrose and Peebles, proposed changes from Class 1 to Class 2 could be supported where the proposal contributes positively to the core activity of the area and will be assessed against the following:”

Purple box on Plan Page 63: Amend the third para to read: “However, changes from Class 1 to Class 2 uses in Kelso, Melrose and Peebles will be allowed where a proposal makes a positive contribution to the core retail function and satisfactory marketing information is submitted in relation to premises that have been vacant for a minimum of six months.”

- 7.3 Councillor Aitchison, seconded by Councillor Rowley, moved as an amendment in respect of the inclusion of “Netherbarns” (AGALA029) in the proposed LDP, “that taking into account all matters raised in response to the MIR, principally the location of the proposed development as it related to Abbotsford House itself, including the uncertainty and seasonal nature of the tree screening, it was considered that the potential harmful impact of the development was unacceptable and that the site should not be included in the Local Development Plan. Abbotsford was an internationally recognised heritage asset for the Borders and Scotland. The design of the surroundings and the house, including its outlook across the Tweed, were all part of Scott’s creation, which we had a duty to protect.”
- 7.4 Councillor Aitchison, seconded by Councillor H. Scott, moved a second amendment to request that “a Development brief be prepared for Galashiels areas ZR06, including Roxburgh Street, Botany Mill the Glasite Chapel, and also RGALA002. Respecting the industrial and residential mix of the area and including a review of access to the A72 and A7.”
- 7.5 Councillor Laing, seconded by Councillor A. Anderson, moved as an amendment that on Policy PMD1: Sustainability on page 40 of the Plan (page 122 of the agenda pack) – change of wording from “the Council will have regard to the following sustainability principles” to “the Council will apply the following sustainability principles”.
- 7.6 Councillor Moffat, seconded by Councillor A. Anderson, moved as an amendment that on page 80 of the Plan (agenda pack page 171) that “Affordable Housing change from 25% to 40%.”
- 7.7 Councillor Moffat, seconded by Councillor Bell, moved a second amendment on page 278 of the Plan (agenda pack page 365) – to “delete site ACOLD014 due to conflict with a working farm.”
- 7.8 Following the submission of these amendments Members discussed the pros and cons of each before the votes were held. It was agreed that the Motion by Councillor Mountford recommending approval of the report, as amended by him and accepting the addition of the second amendment by Councillor Aitchison as detailed in paragraph 7.4 above was the substantive motion. A vote would be taken for and against the remaining amendments detailed in paragraphs 7.3, 7.5, 7.6 and 7.7 above and any that were successful would be added to the substantive Motion.

VOTES

7.3 Amendment by Councillor Aitchison, seconded by Councillor Rowley

For – 11 votes

Against – 18 votes

Abstain - 1

7.5 Amendment by Councillor Laing, seconded by Councillor A. Anderson

For – 19 votes

Against – 11 votes

7.6 Amendment by Councillor Moffat, seconded by Councillor A. Anderson

For – 7 votes

Against – 22 votes

Abstain – 1

7.7 Amendment by Councillor Moffat, seconded by Councillor Bell

For – 11 votes

Against – 18 votes

Abstain – 1

All amendments fell except that moved by Councillor Laing which was duly added to the approved Motion.

The Convener asked that the thanks of Members for the extensive amount of work carried out by Ian Aikman, Charles Johnston and the team in producing the Local Plan be recorded.

DECISION

DECIDED to:-

- (a) approve the Proposed Local Development Plan, as contained in Appendix A to the report and incorporating the amendments as details in paragraphs 7.2, 7.4 and 7.5 above;**
- (b) agree the proposed responses to the outstanding matters from consultation on the Main Issues Report, as contained in Appendix B to the report;**
- (c) agree the recommendations of the site assessment database for all sites considered as part of the Local Development Plan process, as contained in Appendix C to the report;**
- (d) delegate any editing changes of a non-policy nature to the Executive Director, Corporate Improvement and Economy;**
- (e) publish the Proposed Local Development Plan for public representation for a period of 12 weeks; and**
- (f) note the updated Environmental Report on the Proposed Local Development Plan.**

MEMBER

Councillor Brown left the meeting during consideration of the above item.

Note: The meeting broke for lunch at 1:30pm and resumed at 2:00pm.

8. INDICATIVE REGIONAL SPATIAL STRATEGIES FOR SOUTH OF SCOTLAND AND SOUTH EAST SCOTLAND

There had been circulated copies of a report by the Executive Director, Corporate Improvement & Economy, presenting the proposed Indicative Regional Spatial Strategies (IRSS) for the South of Scotland and for South East Scotland. The report explained that Scottish Borders Council was in the unique position of being involved in the preparation of two such strategies. The IRSS for the South of Scotland had been prepared jointly with Dumfries & Galloway Council and the IRSS for the South East Scotland in association with the five other SESplan authorities (City of Edinburgh, West Lothian, East Lothian, Midlothian and Fife Councils). Once the strategies were agreed they would be submitted to Scottish

Ministers and would inform the development of the draft National Planning Framework for Scotland (NPF4), which was due to be published in Autumn 2021. The Executive Director advised that the South of Scotland Strategy had already been approved by Dumfries & Galloway Council, and the South East Scotland Strategy had been accepted by SESplan following a vote by members. Councillor Mountford, seconded by Councillor Haslam, moved approval of the report and spoke in support of both strategies. Councillor Bell, seconded by Councillor Ramage, moved as an amendment that recommendation (b) be deleted and the subsequent recommendations be renumbered accordingly. He considered that one Strategy was sufficient and the South East Scotland Strategy contained too many errors to allow it to be approved and SESplan would not be hampered by the Council's non-approval. Members discussed both Strategies and the Chief Planning and Housing Officer acknowledged that while there were some deficiencies in the South East Scotland Strategy there would be ample opportunity to rectify those prior to submission. These documents were seen as complementary to the Council's work on City Deal and Borderlands.

VOTE

Councillor Haslam, seconded by Councillor Edgar, moved that the vote be taken by roll call and this was unanimously agreed.

| <u>Motion by Councillor Mountford</u> | <u>Amendment by Councillor Bell</u> | <u>Abstentions</u> |
|---------------------------------------|-------------------------------------|------------------------|
| Councillor Aitchison | Councillor H. Anderson | Councillor A. Anderson |
| Councillor Edgar | Councillor Bell | Councillor Miers |
| Councillor Fullarton | Councillor Chapman | |
| Councillor Greenwell | Councillor Cochrane | |
| Councillor C. Hamilton | Councillor Laing | |
| Councillor S. Hamilton | Councillor Moffat | |
| Councillor Haslam | Councillor Ramage | |
| Councillor Jardine | Councillor Thornton-Nicol | |
| Councillor McAteer | | |
| Councillor Mountford | | |
| Councillor Parker | | |
| Councillor Paterson | | |
| Councillor Richards | | |
| Councillor Robson | | |
| Councillor Rowley | | |
| Councillor H. Scott | | |
| Councillor S. Scott | | |
| Councillor Tatler | | |
| Councillor Turnbull | | |
| Councillor Weatherston | | |

The Motion was carried by 20 votes to 8, with 2 abstentions.

DECISION

DECIDED to:-

- (a) approve the South of Scotland Indicative Regional Spatial Strategy as detailed in the Appendix 1 to the report;**
- (b) approve the South East Scotland Indicative Regional Spatial Strategy as detailed in the Appendix 2 to the report;**
- (c) note the next steps for submission of the strategies to the Scottish Government as set out in the report; and**
- (d) authorise the Chief Planning & Housing Officer to make minor changes to the documents, as required, prior to their submission to the Scottish Government.**

9. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT

9.1 There had been circulated copies of the Annual Report 2019/20 by the Chief Social and Public Protection Officer which detailed the work undertaken on behalf of the Council by the Chief Social Work Officer (CSWO) in this statutory role. The report provided the Council with an account of the decisions taken by the CSWO in the statutory areas of:

- Fostering and Adoption,
- Child Protection,
- Secure Orders,
- Adult Protection,
- Adults with Incapacity,
- Mental Health
- Justice.

9.2 The report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2019 to March 2020, and highlights some of the key challenges for Social Work in 2020/21. It was noted that this year, given the workload implications caused by the Covid-19 pandemic, Scottish Government had recommended the use of a condensed reporting template to enable CSWOs to present shortened reports for local governance structures and this advice had been followed. Mr Easingwood advised that while this template contained less performance information than usual, he did intend to provide Members with an update briefing later in the year. Members paid tribute to the work carried out over recent months. Mr Easingwood answered Members' questions and provided further detail regarding the impact of Covid-19, the plans to increase the use of technology, the use of a more holistic approach to dealing with vulnerable children and plans to improve recruitment.

DECISION

AGREED to approve the Annual Report of the Chief Social Worker 2019/20, as contained in the appendix to the report.

MEMBERS

Councillor Miers left the meeting during consideration of the above item. Councillor Mountford had unfortunately lost his connection to the meeting so consideration of his Motion was delayed until later in the meeting.

10. MOTION BY COUNCILLOR TATLER

Councillor Tatler, seconded by Councillor Thornton-Nicol, moved approval of his amended Motion as detailed in the supplement to the agenda in the following terms:-

“Poverty exists in the Scottish Borders and has done for some time. There is evidence that there may be increased levels of poverty as a result of the Covid19 pandemic. Scottish Borders Council through a number of initiatives and programmes continues to provide support and assistance to combat the effects of poverty on individuals and families in our local communities. Much of this work is carried out in partnership with the Scottish Government, the Community Planning Partnership and a range of Third-Sector organisations.

In collaboration with its partners and involving those with lived experience of poverty, Scottish Borders Council will develop and implement a comprehensive Anti-Poverty Strategy – building on current work, identifying new areas where support is needed and campaigning for additional resources to tackle poverty. A Short Term Working Group of three Councillors will work with officers, Third Sector representatives and local people to prepare a Draft Anti-Poverty Strategy that will be considered for approval by the Council at its February 2021 meeting.”

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

DECISION

AGREED to approve the Motion by Councillor Tatler as detailed above.

11. MOTION BY COUNCILLOR H. SCOTT

Councillor H. Scott, seconded by Councillor McAteer, moved approval of his Motion as detailed on the agenda in the following terms:-

“That Scottish Borders Council endorses and fully supports Chief Constable Iain Livingston’s announcement of the Police Scotland Assault Pledge, which is a campaign to tackle the increasing number of assaults, violence and abusive behaviour directed towards police officers and police staff, and his commitment to reduce the impact violence has on them, including measures to improve their safety. Ref: <https://www.scotland.police.uk/what-shappening/news/2020/august/chief-constable-s-pledge-to-tackle-assaultson-police-officers-and-staff/>”

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

DECISION

AGREED to approve the Motion by Councillor H. Scott as detailed above.

12. MOTION BY COUNCILLOR MOUNTFORD

Councillor Mountford, seconded by Councillor Haslam, moved approval of his amended Motion as detailed in the supplement to the agenda in the following terms:-

“That Scottish Borders Council

- (i) Acknowledges the efforts that this Council has made to reduce greenhouse gas emissions and promote renewable energy;
- (ii) Recognises that councils can play an important role in creating sustainable communities, particularly by encouraging the provision of locally-generated renewable electricity;
- (iii) Further recognises
 - that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so, and
 - That making these financial costs proportionate to the scale of a renewable electricity supplier’s operation would create significant opportunities for communities to become providers of locally-generated renewable electricity directly to local people, businesses and organisations.
- (iv) Accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 150 MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and
- (v) Further resolves to
 - inform the local media of this decision,
 - write to local MPs, asking them to support the Bill, and
 - write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN or info@powerforpeople.org.uk) expressing its support.”

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

DECISION

AGREED to approve the Motion by Councillor Mountford as detailed above.

13. **SCHEME OF ADMINISTRATION AND APPOINTMENTS TO COMMITTEES**

13.1 With reference to paragraph 17 of the Minute of 27 August 2020, there had been circulated copies of a report by the Service Director Customer and Communities proposing minor amendments to the Scheme of Administration. The report explained that at its meeting on 27 August 2020, Council had approved a change to the titles and roles of the Executive portfolios. This necessitated some changes to the Scheme of Administration in terms of portfolio names and also membership of various committees. These changes were highlighted in red in the Scheme of Administration attached as the Appendix to the report. As the Convener now had responsibility for HR, it was proposed to amend the membership of some committees. The report also explained that on the recommendation of the external auditors, it was proposed that the function currently delegated to the Audit & Scrutiny Committee to review the Pension Fund's audited Statement of Accounts and the Annual Report from the External Auditor to Members and the Controller of Audit, prior to submission to Council, was amended to note the Accounts. Further, a new function was then proposed to be added to the Pension Fund Committee to review the Accounts prior to submission to Council. Agreement was also sought to remove SBCares from the monitoring function of the Major Contract Governance Group to reflect the decision of Council in September 2019 to terminate SBCares LLP and reintegrate its services back into the Council.

DECISION AGREED:-

- (a) **to note the amendments to the Scheme of Administration due to the changes in Executive Portfolio names/roles;**
- (b) **that the Convener, as the Member now with responsibility for HR, replaced the previous Executive Member for Transformation & HR on the Joint Consultative Group: Staff, the Appointment Committee; and the Staffing Appeals Committee;**
- (c) **to amend the function currently referred to the Audit & Scrutiny Committee to "Note the Pension Fund's audited Statement of Accounts and the Annual Report from the External Auditor to members and the Controller of Audit, prior to submission to Council";**
- (d) **to add the following function to the Pension Fund Committee to "Review the Pension Fund's audited Statement of Accounts and the Annual Report from the External Auditor to members and the Controller of Audit, prior to submission to Council; and,**
- (e) **to remove SBCares from the monitoring functions of the Major Contracts Governance Group to reflect the decision of Council on 26 September 2019 to terminate SBCares LLP and reintegrate its services back into the Council.**

13.2 The following appointments were considered and nominations made with unanimous approval:-

- (i) a member of the Administration, not on the Executive Committee, to the Audit & Scrutiny Committee to replace Councillor Scott Hamilton - Councillor Haslam, seconded by Councillor Fullarton, moved that Councillor Greenwell be appointed;
- (ii) a member of the Administration on the Audit & Scrutiny Committee to replace Councillor Scott Hamilton as Vice-Chair – Councillor Haslam, seconded by Councillor Weatherston, moved that Councillor Richards be appointed;

- (iii) a member of the Opposition to the Audit & Scrutiny Committee to replace Councillor Chapman -
Councillor H. Scott, seconded by Councillor Chapman, moved that Councillor Robson be appointed;
- (iv) a member of the Opposition to the Sustainable Development Committee to replace Councillor Robson –
Councillor Robson, seconded by Councillor S. Scott, moved that Councillor Chapman be appointed;
- (v) a member on the Planning & Building Standards Committee and Local Review Body to replace Councillor Miers –
Councillor Bell, seconded by Councillor Fullarton, moved that Councillor Moffat be appointed;
- (vi) a member on the Scottish Borders Living Wage Working Group to replace Councillor Robson –
Councillor Robson, seconded by Councillor Tatler, moved approval of Councillor Chapman; and
- (vii) the replacement of Councillor Aitchison with Councillor Tatler as one of the Administration members of the Community Planning Strategic Board.

DECISION

AGREED to approve the appointments as detailed above.

MEMBER

Councillors McAteer and H. Scott left the meeting.

14. **OPEN QUESTIONS**

The questions submitted by Councillors Robson and Councillor S. Scott were answered. The Convener also allowed the addition of a late question from Councillor Haslam.

DECISION

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

15. **TRACEY LOGAN**

The Convener advised that this was Tracey Logan's last meeting of Council as Chief Executive before she retired. A short video prepared by Ms Logan speaking about the highlights of her time with the Council was shown. Councillors Haslam, Bell, Aitchison, Robson, Rowley, Fullarton, Moffat and Parker all paid tribute to Ms Logan and wished her well for the future. Ms Logan thanked everyone for their kind comments.

MEMBERS

Councillors C. Hamilton and Paterson left the meeting.

16. **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

17. **Minute**

The private section of the Council Minute of 27 August 2020 was approved.

18. **Committee Minutes**

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

Members

Councillors C. Hamilton, H. Scott, McAteer and Brown re-joined the meeting during consideration of the following item and Councillor Robson left the meeting.

19. **CGI Contract**

Members approved a report by the Executive Director, Finance & Regulatory.

The meeting concluded at 5.30 p.m.

SCOTTISH BORDERS COUNCIL
25 SEPTEMBER 2020
APPENDIX I

OPEN QUESTIONS

Questions from Councillor Robson

To the Leader

1. Why have postcodes been omitted from recent editions of the Electoral Registers?

Reply from Councillor Haslam

There was an issue with the Electoral Management System setting for Councillors who requested paper or pdf formatted registers when we republished which meant postcodes were missing (Excel files were not affected).

This issue was spotted immediately and fresh copies of the registers were offered to the Councillor(s) affected at the time.

I should add that all monthly updates to Councillors, since January 2020, have included postcodes.

2. What steps are being taken to replace faulty automated fire alarm systems in Council properties which are causing multiple unwanted fire alarm signals which create unnecessary call outs for the Scottish Fire and Rescue Service; and what reminders have been issued to staff to inform SFRS of alarm tests so as also to avoid such occurrences?

Reply from Councillor Haslam

There is a regular programme of testing of fire alarm systems across the Council's property estate. If any alarms are found to be faulty, they are replaced at the earliest opportunity.

The Council liaises with the Scottish Fire and Rescue Service (SFRS) on an ongoing basis to ensure any faulty alarms are dealt with, as we have no desire to see fire appliances and crews called out in response to unnecessary false alarms.

In response to COVID 19 enhanced cleaning arrangements there have been several instances within schools since they returned on 11th August directly relating to the 'fogging' canisters being wrongly located under smoke detector heads. This issue has been addressed through training and property services have had no further false alarm callouts. Council Officers have not been contacted by the SFRS relating to an ongoing faulty fire alarm system issue.

Premises duty holders are aware of their responsibilities with respect to the management of fire safety procedures. As such no specific reminders have been issued to staff re fire alarm tests. A reminder will now be issued and I thank the elected member for bringing this to my attention. If Councillor Robson has concerns with regards to a specific establishment I would ask that he notify the Property Services Manager, Neil Hastie, or his team to address any specific issues.

Question from Councillor S. Scott

To Executive Member for Economic Regeneration and Finance

Could the Executive Member please give me a rough indication as to how many houses were built on behalf of the RSLs (Waverly, SBHA, BHA, Eildon) in contrast to the number built by the private sector in the last four years?

Reply from Councillor Rowley

The number of houses built in the last four years by Registered Social Landlords (RSL's) and the private sector are as follows.

In 2019/20 114 RSL properties were built, the number of private properties built is not yet available. In 2018/19 130 RSL properties were built and 215 private sector properties were built. In 2017/18 112 RSL properties were built and 110 private sector properties were built. Finally four years ago in 2016/17 75 RSL properties and 175 private sector properties were built.

The figures are derived from the affordable housing delivery monitoring figures and the 2019 Housing Land Audit. The figure for private housing in 2019/20 will be established in the Housing Land Audit 2020, and hence is not yet available.

It is worth noting that in addition to housing provided by RSL's through their building programme an additional affordable 60 homes have provided via RSL house purchases over the same period.

Finally our annual SHIP Report will be considered by Executive at its meeting in November and this report will contain the full details of our future programme.

Urgent Question from Councillor Haslam

Over the last couple of days Councillors have been contacted by numerous concerned residents regarding the availability of flu vaccines in the Borders and the requirements to travel in order to access the centres administering the vaccine. We have also received reports of individuals being unable to get through on the phone to book an appointment. Our elderly population are very concerned about having to travel and use public transport to access these centres. Could Councillors please have an update on ensuring that NHS Borders is making flu vaccine as accessible as possible and that our most vulnerable communities do not have barriers to them getting the vaccine and how this is going to be communicated to the public?

Reply provided by the Chief Officer Health & Social Care Integration at the request of the Convener

Mr. McCulloch-Graham advised that Nicky Berry, Director of Nursing, Midwifery and Acute Services with NHS Borders was working on this. The target was extensive following a Government increase and totalled 56,800 people in the Borders. Contact had been made with those over 65 and those with underlying health concerns. This had resulted in over 60,000 calls being received. Ralph Roberts, Chief Executive of NHS Borders, had issued an apology and had asked people to stagger their calls. 19 centres were to be opened across the Borders to minimise travel and those who were housebound or shielding would receive a visit from a District Nurse. Communications would be issued in all formats to pick up anyone who had been missed. Due to dealing with unprecedented numbers and as this was a major priority for the Health & Social Care Partnership, staff had been pulled in from other services.

Supplementary

Councillor Haslam asked why under 65s could go to their GP practice while those over 65 had to go elsewhere. This seemed to be the wrong way around. Mr. McCulloch-Graham advised that it was under 65s with underlying health conditions that were being seen at their practice but undertook to take this comment back to the NHS. Councillor Parker advised that he would request that an update on the situation be provide at the next Members' briefing.