

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTES of Meeting of the EXECUTIVE
COMMITTEE held via Microsoft Teams on
Tuesday, 16 March 2021 at 10.00 am

Present:- Councillors S. Haslam, S. Mountford, G. Edgar, C. Hamilton, E. Jardine, M Rowley, G. Turnbull, R. Tatler, T. Weatherston.
Apologies:- Councillor S. Aitchison.
Also Present: Councillors S. Bell, W. McAteer.
In Attendance:- Executive Director, Corporate Improvement and Economy, Executive Director, Finance & Regulatory, Service Director - Assets & Infrastructure, Service Director – Customer & Communities, Democratic Services Team Leader, Democratic Services Officer (F. Henderson.)

1. **MINUTE**

The Minute of the Meeting held on 9 February 2021 had been circulated.

DECISION

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

2. **ECONOMIC DEVELOPMENT – GALALAW, HAWICK**

There had been circulated copies of a report by the Executive Director Corporate Improvement & Economy which provided an update on an economic development opportunity to allow business expansion at Galalaw Industrial Estate, Hawick in collaboration with South of Scotland Enterprise. The report explained that the proposed Local Development Plan 2020 included, for business and industrial use, zoning at site BHAWI0092 covering some 6.6 ha. During 2020, Officers from a range of services within the Council had collaborated with colleagues from South of Scotland Enterprise (SOSE) to identify a development opportunity that would allow business expansion within the Galalaw Industrial Estate in Hawick. The Council had the ability to accept £250k of funding from SOSE to allow for the design and implementation of road infrastructure to allow for future development at Galalaw. The report detailed the background, the Funding and the Development opportunities and Asset Management. Confirmation was given that the roads infrastructure could be achieved within the £250k budget and that the current Units were occupied.

DECISION

(a) NOTED the contents of the report.

(b) AGREED to accept the offer of £250k grant funding from South of Scotland Enterprise to allow for business expansion at Galalaw Industrial Estate in Hawick.

2. **OUR PLAN AND YOUR PART IN IT: SBC'S CORPORATE PERFORMANCE AND IMPROVEMENT REPORT QUARTER 3 2020/21**

There had been circulated copies of a report by the Executive Director, Corporate Improvement and Economy which presented a high level summary of Scottish Borders Council's Quarter 3 2020/21 performance information with more detail contained within Appendices 2a and 3 of the report. A condensed version of the report was presented as Officers responsible for compiling much of the 3rd Quarter data were heavily committed to managing the Covid-19 Response at the time of preparing the report. This had allowed the report to be available on the normal timescale for Executive. The fourth Quarter

2020/21 Outturn Report would be provided in June 2021. The report explained that SBC approved a revised Corporate Plan ([Our Plan and Your Part in it 2018-2023](#)) in February 2018, with four corporate themes. In order to monitor progress against the four themes, performance and context information would be presented quarterly to Executive Committee, with an annual summary in June each year. The information contained within the report and appendices was also available on the SBC website and could be accessed at www.scotborders.gov.uk/performance. Mr Dickson highlighted a number of successes which included improvement in the determination for planning applications and high levels of Council Tax payments which was close to target despite the decision to pause recovery action for a significant part of the year due to Covid-19. Mr Dickson touched on some of the challenges which included School attendance which remained just below targets and would be further investigated before the next report although it was acknowledged that school attendance had to be put into context in terms of the impact of Covid-19. Mr Dickson answered Members questions and undertook to provide further information on comparisons between having a single CAT Team last year and two during the current year. Further information on fuel usage across the estate would also be provided.

DECISION

(a) NOTED the changes to performance indicators outlined in Section 6 of the report.

(b) ACKNOWLEDGED AND NOTED the performance summarised in Sections 7 and 8, and detailed within Appendices 2a and 3, and the action that was being taken within services to improve or maintain performance.

3. FOLLOWING THE PUBLIC POUND CODE OF PRACTICE UPDATE

With reference to paragraph 8 of the Audit and Scrutiny Minute of 15 February 2021, there had been circulated copies of a report by the Executive Director, Finance & Regulatory which presented to Members the Council's updated Following the Public Pound code of practice for approval. The report explained that as noted by Audit Scotland as part of the 2019/20 statutory audit, the Council's Following the Public Pound guidance had not been refreshed since 2006 resulting in a risk that the existing guidance was no longer relevant and the Council was not ensuring it was delivering value for money. The guidance had been updated as attached in Appendix 1 to the report as per the Audit Scotland national guidance on Following the Public Pound. Adherence to the guidance would ensure the Council adhered to the principles of good governance in expending public money. It was noted that in refreshing the guidance it was confirmed that current practices were in line with guidance and no operational changes were required as a result of the update. On approval the guidance would be made available on the Council's intranet to ensure all staff had access to it.

DECISION

APPROVED the updated Code of Practice on Following the Public Pound.

4. PROPOSED FINALISED FOOD GROWING STRATEGY

With reference to paragraph 10 of the Minute of 15 September 2020, there had been circulated copies of a report by the Service Director of Assets & Infrastructure. The report presented the finalised Food Growing Strategy 'Cultivating Communities', for proposed adoption following a 12 week public consultation. The 5 year Strategy was a legislative requirement under Part 9 of the Community Empowerment (Scotland) Act 2015. The report summarised the consultation process and outcomes, next steps in delivering on the Strategy Action Plan, and sought approval for the adoption of the Strategy. The Food Growing Strategy supported the Locality Plans for the Scottish Borders and was itself supported with the proposed creation of new policy EP17 in the Local Development Plan. The report further detailed the background to the development of the Strategy, the process undertaken to achieve the final strategy which was attached to the report and the consultation feedback. It was highlighted that the Strategy placed emphasis on participation and self-mobilisation, supporting and facilitating the linking up of volunteers

to projects, new growing aspirations to existing resources, and skills sharing across the Borders. Within the Scottish Borders there are a wealth of projects and growing groups who worked collaboratively, sharing skills and volunteers. There were also opportunities to work with local schools. Clarification was sought on how decisions would be made on competing proposals for the use of former play parks. Mr Hedley advised that they were looking for creative solutions and each request would be considered on its merit. Councillor Tatler, seconded by Councillor Rowley moved the following amendment to the recommendation;-

“Approve the finalised Strategy and Action Plan for adoption including an additional section outlining the potential benefits from collective management of Council-owned allotments by plot holders.”

DECISION

(a) **NOTED** the feedback provided during the consultation on the Draft Food Growing Strategy.

* (b) **AGREED TO RECOMMEND APPROVAL** of the finalised Strategy and Action Plan for adoption including an additional section outlining the potential benefits from collective management of Council-owned allotments by plot holders.

5. ADOPTION OF ALLOTMENT REGULATIONS FOLLOWING CONSULTATION

With reference to paragraph 10 of the Minute of 15 September 2020, there had been circulated copies of a report by the Service Director Assets & Infrastructure seeking approval of the Allotment regulations contained in the report. The report explained that following the legislative requirements set out in Part 9 of the Community Empowerment (Scotland) Act 2015, Local Authorities in Scotland were required to introduce Allotment Regulations. The report summarised the process, provided an update on the feedback received during the 12 week consultation and made recommendations as to the next steps including formal adoption of the new regulations and a consideration for introducing concessions to the fee structure for allotment rental. The consultation had received 29 responses via the online form and email and 25 responses via the Citizenspace online form. The vast majority of feedback received was in relation to the new fees, objecting to the increase and the lack of concessions made available to allotment holders. No objections were received in relation to the other content and wording of the draft Regulations or Conditions of Let. The Regulations themselves had attracted no objections and on that basis were recommended for immediate adoption. Members spoke in support of the report and Mr Hedley highlighted the benefits of the dedicated officer support in providing advice to allotment holders on all aspects of their management. The availability of support from other groups such as Scottish Borders Organic Gardeners was also highlighted.

DECISION

(a) **NOTED** the feedback received during the consultation as outlined in the report;

(b) **AGREED:-**

(i) **the Allotment Regulations contained in Appendix 1 to regulate allotments managed by Scottish Borders Council; and**

(ii) **that the proposed amendment to the fee structure for Allotment rental in 2021/22 include concessions as considered as part of the Budget setting process.**

6. HAWICK FLOOD PROTECTION SCHEME UPDATE

With reference to paragraph 20 of the Private Council Minute of 17 December 2020, there had been circulated copies of a report by the Service Director Assets & Infrastructure which provided an update in connection with the additional funding for the Hawick Flood Protection Scheme. The report explained that the successful outcome of the funding application for the Active Travel Network part of the overall Flood Protection Scheme in the sum of £12.462m provided a significant addition to the flood protection scheme. While most of the active travel network had already been included within the construction works that commenced in 2020, an additional element of £3.7m was made available for works outwith the flood scheme. This had allowed for the project budget to be grossed up to £91.8m. Working in collaboration with Sustrans, Officers were agreeing how to proceed with the design and construction of the additional works to the theme of 'Neighbourhood Links' and would report back on the additional work later in 2021.

DECISION

(a) NOTED

(i) the additional funding contribution from Sustrans towards the Neighbourhood Links Active Travel Network; and

(ii) that the project budget increase from £88.1M to £91.8M as a result of the additional funding.

(b) AGREED that a further report be presented later in 2021 for approval as proposals for the Neighbourhood Links Active Travel Network are developed.

DECLARATION OF INTEREST

Councillor Weatherston declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the meeting during the discussion.

7. LOCAL FESTIVAL GRANT SCHEME – PAYMENTS for 2021/22

With reference to paragraph 20 of the Minute of Council held on 27 August 2020, there had been circulated copies of a report by the Service Director Customer & Communities which presented recommendations in relation to Local Festival Grant Scheme payments for 2021/22. The report explained that it was proposed that an allocation of 50% of the Local Festival Grant Scheme, which was currently ring-fenced within each Area Partnership Community Fund, be made available to the 29 festivals within the Scheme to support public liability insurance and public protection measures, and to support those who were adapting their arrangements in response to the Covid-19 pandemic. It was further explained that the report was not a review of the Local Festival Grant Scheme, which would take place once the Fit For 2024 Review of Area Partnerships and the Review of the Community Fund were complete. In response to a question Mrs Craig confirmed that all Festival Committees would be contacted, advised that funding was available and that plans required to be submitted before funding was allocated.

DECISION

AGREED:-

(a) that 50% of the Festival Grant (approx. £42.5k) was awarded for 2021/22 in respect of public liability insurance and public protection measures, and to make a contribution to those festivals who were adapting or making alternative arrangements in response to the Covid-19 pandemic; and

(b) the remaining 50% of the Festival Grant for 2021/22 (approx. £42.5k), be retained within each Area Partnership Community Fund for community led projects.

8. FINAL REVENUE VIREMENTS AND EARMARKED BALANCES 2020/21

There had been circulated copies of a report by the Executive Director, Finance & Regulatory which sought approval for the final 2020/21 budget virements and approval to carry forward identified earmarked budget to 2021/22. The report explained that monitoring of the General Fund Revenue Budget at the end of January had identified the final virements and earmarked balances for 2020/21. These included routine virements in Appendix 1 and earmarked balances in Appendix 2 to the report, where it had been identified that budget was required to be carried forward to support expenditure in 2021/22.

**DECISION
APPROVED:-**

- (a) the Virements in Appendix 1 to the report ; and
- (b) the earmarked balances in Appendix 2.

9. **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 4 to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, and 6 of Part I of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

10. **MINUTE**

The private section of Minute of meeting held on 9 February 2021 was approved.

11. **EYEMOUTH OPERATIONS AND MAINTENANCE PROJECT**

Members approved a report by the Executive Director, Corporate Improvement and Economy on allocation of funding for the Scheme.

12. **SALE OF HOWDENBURN FORMER PRIMARY SCHOOL SITE**

Members approved a report by the Service Director Assets and Infrastructure on the sale of Howdenburn former Primary School site.

The meeting concluded at 11:40am