

SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE
COMMITTEE held via Microsoft Teams on
Tuesday, 7 December 2021 at 10.00 am

Present:- Councillors M. Rowley (Chairman), G. Edgar, C. Hamilton, S. Hamilton,
E. Jardine, S. Mountford, R. Tatler, G. Turnbull and T. Weatherston.

Also Present:- Councillor McAteer

In Attendance:- Chief Executive, Director Finance and Corporate Governance, Director
Infrastructure and Environment, Director Resilient Communities, Principal
Officer (Housing Strategy, Policy and Development), Lead Officer (G.
Johnstone), Democratic Services Officer (W. Mohieddeen).

CHAIRMAN

Councillor Rowley welcomed members to the Meeting and noted thanks to outgoing Leader and Chairman of the Executive Committee Councillor Haslam.

1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 16 November 2021.

DECISION

AGREED to approve the Minute for signature by the Chairman.

2. SCOTLAND LOVES LOCAL GIFT CARD

2.1 There had been circulated copies of a report by Director of Resilient Communities seeking approval to join the Scotland Loves Local Gift Card scheme which was a national initiative designed to encourage all Scottish Local Authorities develop their local supply chains and to help support local retailers and high streets. The Gift Card was launched in July 2021 by Scotland's Towns Partnership with a view to providing opportunities for people to help support local businesses by purchasing local produce and keeping more spend within the Local Authority area. Holders of the gift card would only be able to spend credit on participating businesses inside the Scottish Borders. After initial support from Scotland Loves Local, Scottish Borders Council would be responsible for the marketing and promotion of the initiative and it was estimated that there would be an annual cost of approximately £10,000 to undertake this work along with the appropriate officer time. It was the understanding of Officers that Dumfries & Galloway and Midlothian councils were already signed-up and that East Lothian Council also had a gift card scheme in place which they believed to be worthwhile.

2.2 In response to a question from Councillor Mountford, the Director of Resilient Communities advised that the scheme would likely be launched in early 2022 and that the Christmas period should be included as part of a full evaluation with a report likely to be presented in early 2023. Councillor Rowley requested that a six-month progress report was presented to understand uptake of the cards and effectiveness of communication.

DECISION

AGREED to:

- (a) **Approve the development of the gift card proposal within the Scottish Borders and allow officers the opportunity to engage with Scotland's Towns**

Partnership with a view to launching the scheme; and

- (b) Receive an interim progress report 6 months after the launch of the scheme with a further report in twelve months on the operation of the scheme.**

3. REQUEST FOR APPROVAL OF THE ROAD CONSTRUCTION CONSENT FOR MAIN STREET, CHIRNSIDE

- 3.1 There had been circulated copies of a report by Director Infrastructure and Environment seeking approval of the road construction consent, reference 21/00860/RCC, associated with the housing development at Main Street, Chirnside. Planning permission for 57 affordable dwellings at Main Street, Chirnside (application 18/00147/FUL) was granted by the Planning & Building Standards Committee on 15 October 2019 to Springfield Properties Plc. The subsequent application for road construction consent, dated 21 May 2021, generated 28 objections during the consultation period. A further 3 objections had been received since the end of that statutory 28 day period.
- 3.2 In response to Councillor Jardine, the Senior Roads Planning Officer advised that on completion, the site would have a footpath with dropped kerbs on opposite sides of Main Street resulting in less road to cross. The road had been designed for a 30 miles per hour (mph) speed limit and if this would be reduced to 20mph then this would not reduce visibility of the proposed junction which would remain as designed. The construction plan did not highlight major concerns for car parking and there were no parking restrictions proposed. Parking bays were proposed for the entrance of the development which would accommodate parking for Main Street and there was a considerable distance to drive from the junction to reach housing. The impact of construction vehicles on Main Street had been considered including mud on the road and movement of large vehicles. A roads planning inspector would raise issues associated with construction traffic. Councillor Rowley suggested that discussions take place with the developer to produce an agreed plan for access, egress, road management and mud management. Mr Scott agreed to add the suggestion to the recommendations.

DECISION

AGREED to approve the road construction consent, reference 21/00860/RCC, for the development off Main Street, Chirnside, subject to a construction management plan being agreed with constructors ahead of construction taking place incorporating a plan for site access, egress, road management and mud management.

4. PROPOSAL TO INTRODUCE EMPTY HOMES GRANTS

- 4.1 There had been circulated copies of a report by the Director Infrastructure and Environment seeking approval to allocate £500,000 from the second homes Council Tax affordable housing investment budget to provide grant assistance to owners of empty properties to help bring them back into use as housing. The Housing (Scotland) Act 2001 placed a statutory requirement on Local Authorities to develop a Local Housing Strategy (LHS). The strategy set the strategic direction for housing investment and service delivery and identified the need to bring empty properties back into effective use. The most common hurdle for empty home owners was the financial cost of bringing property back into use. The report proposed to contribute to strategic objectives for empty homes highlighted in the Local Housing Strategy, as well as objectives of the Strategic Housing Investment Plan and the Rapid Re-housing Transition Plan. With reference to paragraph 4 of the Minute of the Meeting held on 20 April 2021, 1,543 homes were registered as long-term empty, accounting for 2.6% of total housing stock in the Scottish Borders, compared to the national average of 1.8%. Grant Assistance was suggested to incentivise the creation of new affordable homes. On average, there were over 1,200 lets every year among the four Scottish Borders Registered Social Landlords and collectively there were 21,602 bids made for available properties, an average of 16 bids per property, in 2019-20. Costs required by second home owners to bring properties back into use typically ranged from £6,000 to £25,000. Amongst the conditions of grant, property must

have had significant equity as the grant sum would have been secured against the property with conditions.

- 4.2 In response to questions from Members, Ms Bogdanovic advised that the grant would be for residential buildings. Ms Bogdanovic advised that they would assess that the grant would follow the procurement strategy adding that it is the responsibility of owners to secure three quotes. Mr Robertson added that they would encourage owners to follow procurement guidance but that it would not be mandated. The grant would be a Borders-wide grant and funded by Second Home Council Tax. The grant was not proposed to be means tested as assumption would be made that appropriate equity would be associated with properties.
- 4.3 In response to a question from Councillor Mountford, Mr Robertson advised that properties being occupied would offset funding from Second Homes Council Tax to fund the grant and that a six-month progress report would be made available from when the grant was established and asked that a further recommendation be added to delegate powers to himself and the Director of Environment and Infrastructure to allow the allocation of more than £25K should exceptional circumstances arise. Members agreed to approve this request. Establishment of the grant was anticipated to be from March 2022.

DECISION

AGREED:

- (a) To allocate an initial £500k from the second homes council tax affordable housing investment budget to provide grant assistance to owners of empty properties to help bring them back into use as housing, subject to conditions,**
- (b) To Note that should grant assistance prove successful, Officers would bring back proposals recommending an ongoing annual allocation from the revenues raised from second homes council tax,**
- (c) That Officers provide a progress report after six months from the grant having been established; and,**
- (d) That powers be delegated to the Director of Environment and Infrastructure in consultation with the Director of Finance and Corporate Governance to approve grants in excess of £25k where there were exceptional circumstances.**

5. ECONOMIC DEVELOPMENT UPDATE

- 5.1 There had been circulated copies of a report by Director Resilient Communities providing Members with an update on a number of projects that had an economic development related theme. A Borders Railway Prospectus had recently been produced by the Borderlands Partnership. The prospectus identified and highlighted the development of the Tweedbank to Carlisle railway as the best solution to improve transport connectivity in the Scottish Borders. In addition, a Borders Railway Reference Group had recently been initiated to help progress the project and a meeting with the Cabinet Secretary for Finance and the Economy was held in October to specifically discuss the Borders Railway project. Within the Borderlands Inclusive Growth Deal, work was ongoing in relation to the various business cases impacting on the Scottish Borders. The programme was overseen by the Borderlands Partnership and meetings were usually held on a quarterly basis. Scottish Borders Council and South of Scotland Enterprise (SOSE) agreed to form a strategic partnership in relation to the delivery of the Business Gateway Service in November 2020, with the service transferring to SOSE in April 2022. A Scottish Borders Local Employability Partnership had been established to meet the requirements of the Scottish Government's No One Left Behind (NOLB) policy agenda. This involved local authorities

being given a lead role in coordinating employability services in partnership with other local bodies, together with a new funding regime which was to start in the next financial year 2022-23. The Partnership had to produce a Delivery Plan setting out the plans for employability services in the Scottish Borders over the three financial years 2022-23 – 2023-24. The Partnership was planning to use 2022-23 as a transitional year. The Community Renewal Fund (CRF) was a one off revenue fund designed to support public bodies, voluntary groups and communities to pilot new ideas and approaches to better support economic development-related activities. The UK Government intended that the CRF will lead to the introduction of a UK Shared Prosperity Fund which would replace Structural Funds that were issued through the European Union. Scottish Borders Council administered the application process with a total of 29 applications received and reviewed by an independent panel, with 14 applications having been approved for submission to the UK Government by Scottish Borders Council at the end of June 2021.

- 5.2 In discussion of the paper, Members welcomed the work by officers and the Chairman in progressing the scheme to extend the Borders Railway.

AGREED to:

- (a) Welcome and endorse the Economic Development updates; and,**
- (b) Recommend nominating a Substitute Member for the Borderlands Partnership which would be considered at the next meeting of Scottish Borders Council.**

6. **ANNUAL COMPLAINTS PERFORMANCE REPORTS 2019-20 AND 2020-21**

- 6.1 There had been circulated copies of a report by Director Resilient Communities presenting a summary of Scottish Borders Council's "Complaints Annual Performance Report for 2019/20 and 2020/21". This set out how many complaints had been received, how effectively complaints had been dealt with, trends over time and how Scottish Borders Council (SBC) compared to other similar rural Local Authorities and the national average. The Director Resilient Communities advised that the reports had been delayed due to the impact of the pandemic. The Annual Report was a requirement of all Local Authorities and allowed the Scottish Public Services Ombudsman (SPSO) to assess the effectiveness of Councils' Complaint Handling Procedures (CHP). It also ensured an ongoing focus on learning from complaints received to inform continuous improvement. During 2019/20, SBC received 1034 complaints, of which 725 were defined as valid and during 2020/21, SBC received 1076 complaints, of which 780 were defined as valid. Live Borders complaints performance for 2019-20 were included in the report. There was no 2020-21 performance information to report due to the service interruptions Live Borders experienced as a result of the Covid-19 pandemic. The Complaints Annual Performance Report 2019-20 contained benchmarking information, comparing Scottish Borders Council to the performance for Scotland and its Family Group of similar Scottish Local Authorities which included Aberdeenshire, Argyll & Bute, Dumfries & Galloway, Na h-Eileanan an Iar, Highland, Orkney Islands, Scottish Borders, and Shetland Islands. In 2019-20, Scottish Borders Council received slightly more complaints per 1,000 citizens, at 6.3, than the Family Group average of 6.0, which was also fewer than the Scottish average of 10.34. Scottish Borders Council's average response time for Stages 1 and 2 was quicker compared to both the Family Group and Scotland overall, but slower than both at Escalated from Stage 1. Notably at Stage 1, the average time for Scottish Borders Council to respond was significantly quicker at 5.3 days (Family Group – 8.1 days, Scotland – 10.2 days). Scottish Borders Council's proportion of Stage 1 complaints closed within timescales was 77% which was quicker than the average for the Family Group and Scotland however for Stage 2, this was lower than both Scotland and the Family Group. The Director Resilient Communities advised that complaints in this stage tended to cover complex areas which affected performance. Compliments were recorded as part of the reporting process. 50 complaints had been escalated to the SPSO with one being fully

investigated and resulted in the complaint not being upheld.

- 6.2 Members discussed the report. In response to a question from Councillor Jardine, Director Resilient Communities advised that work was being undertaken to support Members receiving complaints. In response to Councillor Hamilton, the Director Resilient Communities further advised that work was being undertaken to make the complaints process as efficient as possible.

DECISION

AGREED to note the performance of handling complaints for the periods 1 April 2019 to 31 March 2020 and 1 April 2020 to 31 March 2021.

7. EVENTS STRATEGY REPORT

- 7.1 There had been circulated copies of a report by Director of Resilient Communities providing Members with an update on a proposed new Scottish Borders Strategic Events Plan following a recent review by industry experts and made interim recommendations on a suggested direction of travel. Strategic events were recognised as an important part of the social and economic fabric of communities in the Scottish Borders and had the potential to enrich the lives of local residents, attract visitors and improve the economic viability of an area. It had previously been estimated that events could generate and contribute over £7 million per year to the local economy in the Scottish Borders. Scottish Borders Council had traditionally helped support a number of strategic events throughout the region such as the Melrose 7s, the Tour of Britain cycling event, the Borders Book Festival and the Jim Clark Rally. These events were considered to be very important for the local economy and could provide worldwide exposure on a regular basis. The Scottish Borders Strategic Events Plan was produced in 2014 and covered the period from 2014 to 2020. A refresh of the current document was recommended, primarily to take account of changes since 2014 which had an impact on the events industry, including the effects of the Covid-19 pandemic and placing more emphasis on environmental sustainability and collaborative working across the South of Scotland. Mr Johnstone highlighted key recommendations of considering additional resources to support the part-time events Officer and to nominate an events champion from the Members.
- 7.2 In response to questions from Members, the Director Resilient Communities advised that the Events Strategy was for major events and that community events were treated differently. Councillor Edgar raised that the report did not reference Border town festivals of historical and economic importance that would require significant organisation to arrange road closures and work of partner agencies to deliver. The Director Resilient Communities advised that reference to Border town festivals may be made in the strategy and that a separate policy existed covering their funding. Councillor Rowley advised that a calendar may be useful for coordinating events with festivals in the Borders.

DECISION

AGREED:

- (a) Noted the proposals contained within the report; and**
- (b) That additional work to further develop the new Strategic Events Plan in collaboration with Elected Members and key stakeholders should be undertaken, with the results of this work brought back to Committee at an appropriate date.**

The meeting concluded at 12.00 noon.