

**SCOTTISH BORDERS COUNCIL**  
**27 JANUARY 2022**  
**APPENDIX I**

**Question from Councillor Miers**

To the Leader

What likely impact would Scotland leaving the UK have on the Borders economy in general and SBC's budget in particular?

Reply from Councillor Rowley

The Council has not commissioned any specific analysis on what impact Scotland leaving the UK would have on the Borders economy in general and SBC's budget in particular. There are studies on the economic impact of independence on the Scottish economy more broadly, which are available via a search on the internet.

Supplementary

Councillor Miers asked if the Council could set-up a working group similar to that which looked at the impacts of Brexit on the Scottish Borders. Councillor Rowley advised that it would not be possible to do this before the pre-election period but indicated that many would be including such impacts in their campaign for election.

**Questions from Councillor Robson**

1. To the Executive Member for Children and Young People

The report on the Proposal to Increase the Hourly Rate Paid by Scottish Borders Council to Funded Early Learning and Childcare Providers withdrawn from the agenda of the Executive Committee on 18<sup>th</sup> January. When will be republished and can you advise whether it will then be submitted to the Executive Committee or to the full Council?

Reply from Councillor C, Hamilton

This report was withdrawn in order to engage further with Childcare Providers in relation to the data they wish to have considered as part of the proposals being made. The paper will be brought back to Education Executive in the new administration.

Supplementary

In response to a question by Councillor Robson on when to expect the revised paper, Councillor Hamilton confirmed it would be brought to Members post-election.

2 To the Leader

Has the Council been able to assess the likely impact in the south of Scotland of the UK Subsidy Control Bill which seeks to replace the EU state aid regime from which the Borders benefitted for many years?

Reply from Councillor Rowley

The Council has made no assessment of the likely impact in the south of Scotland of the UK Subsidy Control Bill. We are liaising with South of Scotland Enterprise to ensure that the South of Scotland is able to benefit from these changing arrangements.

Supplementary

Councillor Robson asked that Councillor Rowley ensure particular regard was paid to agricultural subsidies as there was concern, including within the NFU, that they may have to compete with other subsidies. Councillor Rowley gave assurances that he would and confirmed he had already written to both David Mundell MP and John Lamont MP on this matter and asked that they speak to the Minister.

## Questions from Councillor H. Scott

### To the Executive Member for Infrastructure, Travel and Transport

1. In November 2020 I wrote to SBC complaining about the shoddy reinstatement work carried out by the contractors who had dug up a section of Abbotsford Road near to the Fire station in relation to a new build housing estate. On 3 September 2021 I received a note telling me that the repair would be inspected to ensure it met the required standard. To date there appears to have been no improvement apart from some tar being laid to fill in the hole in the original repair. Abbotsford Road was completely resurfaced at huge expense to SBC. The repairs look shoddy, and vulnerable to the ingress of water and frost compared with other repairs which have been carried out nearby. The housing works are now complete.

When will the contractor responsible for this work be compelled to make a full and proper reinstatement to the road surface?

#### Reply from Councillor Edgar

Thank you for raising this issue, which has been causing considerable angst for officers as well. Temporary repairs were undertaken by the contractor back in September, and it had been anticipated that the permanent reinstatement would have been undertaken long before now. The developer was spoken to again at the start of this year and then earlier this week. They have assured officers that they have made arrangements for this work to be undertaken and hope to confirm a date in the next few days. It is however the intention to serve notice on them that if this is not done in the next 28 days the Council will undertake the work itself and recharge the costs.

#### Supplementary

Councillor Scott sought assurances that the momentum to get this work done be kept up and Councillor Edgar advised it would.

2. An order will soon be in place prohibiting traffic from entering, driving, or waiting in Channel Street, Galashiels, in the vicinity of the Great Tapestry of Scotland building, which is to be welcomed. However, there remains the problem of illegal parking on the pavement at Douglas Bridge at its junction with Channel Street. This needs no specific legal order, and encroachment by motor vehicles could be prevented by the placing of bollards or street furniture on the footway at the entrance to Douglas Bridge. This area was repaired at great cost to SBC and its continued use as an illegal parking bay is causing damage to the paving.
  1. Will immediate action be taken by SBC to block off Douglas Bridge to prevent further damage to the pavement?
  2. If no action is to be taken, why?

#### Reply from Councillor Edgar

This area of 'pavement' is designated as part of the public road. Officers are aware that members are concerned about illegal parking in this area and have looked into the matter. This area was discussed by the Galashiels Road Consultation Group and is intended to allow loading and unloading as well as providing access to emergency vehicles to prevent obstructing Channel Street in an emergency. To close this area to vehicles, a re-determination order will need to be promoted.

As part of this we would need to consult with local businesses who do not have easy access for delivery and/ or emergency exits. Officers can progress this, however there are a backlog of re-determination orders that officers are working through so this is expected to take approximately 12 months to progress.

#### Supplementary

Councillor Scott disagreed with the answer given. All the properties concerned had a service entrance and he asked that Councillor Edgar go back to the Director and ask for a temporary

barrier to be erected. Councillor Edgar advised that he would ask officers to look at this again.

3. The Langlee Centre House Committee have expressed concern at the alterations made to the Centre, and the installation in the big hall, of equipment and petitioned cubicles by the NHS, which it is using as a Covid19 testing centre.  
Can the Langlee Community Centre House Management Committee be assured that any reinstatement costs will fall to the NHS, and not SBC, Live Borders, or the Langlee Community Centre House Management Committee?

Reply from Councillor Edgar

Scottish Borders Council has now served notice on behalf of Live Borders on the UK Health Security Agency to vacate by the 31 March 2022. They have advised that the site will cease testing on the 27 March 2022 and will be demobilised. They have also invited the Council to an Exit Survey on the 31 March 2022 and the Council would be happy to have Live Borders and the Management Committee in attendance for that survey. The UK Health Security Agency is obligated under the licence agreement to reinstate the premises as they were prior to their use.

Supplementary

Councillor Scott advised that many groups had folded because they had been unable to use the centre and bookings had been lost. He therefore asked that the reinstatement works be carried out without delay along with any repairs that were required. Councillor Edgar invited Councillor Scott to attend the meeting on 31 March which he accepted.

4. To Executive Member for Children and Young People

It has been reported that the Chief Executive of Connect, a charity which commits itself to making family engagement in children's learning and school lives as good as it can be, has criticised, as inappropriate and not fit for purpose, the Scottish Government's health and well-being census, which includes questions about the sexual activity of teenagers.

A constituent, a former teacher, has also been in touch with me stating that the questions posed to young teenagers about their sexual activity are wholly inappropriate. Concern has also been raised that the information gathered can be traced back to the participant, and there is little information on the governance of how the data will be stored, or accessed.

In view of the concerns which have been expressed, is Scottish Borders Council intending to promote or participate in this census?

Reply from Councillor C. Hamilton

The health and well-being census is provided to support the planning of appropriate levels of services and resource to support young people based on the needs identified by the young people themselves.

Local authorities have the autonomy to select which questions are targeted at which age group.

Officers are currently completing a Data Protection Impact Assessment and drafting the census for Scottish Borders and have committed to offering members the opportunity to preview these at a briefing prior to circulation.

Supplementary

Councillor Scott asked that the young people be advised that the survey was not anonymous and that they could be identified. Councillor Hamilton advised she would discuss this with officers.