

# SCOTTISH BORDERS COUNCIL EXECUTIVE COMMITTEE

MINUTE of Meeting of the EXECUTIVE  
COMMITTEE held in the Council Chamber,  
Council Headquarters, Newtown St Boswells,  
TD6 0SA on Tuesday, 1 December, 2015 at  
10.00 am

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Present:- Councillors C. Bhatia (Chairman), S. Aitchison (from para 3), S. Bell, M. J. Cook, V. M. Davidson (from para 3), G. Edgar, J. G. Mitchell, D. Moffat, D. Paterson, F. Renton, R. Smith.

Also Present:- Councillors I. Gillespie, S. Mountford.

Apologies:- Councillors J. Brown, D. Parker.

In Attendance:- Chief Executive, Depute Chief Executive (People), Depute Chief Executive (Place), Chief Financial Officer, Corporate Transformation and Services Director, Clerk to the Council, Democratic Services Officer (F. Walling).

## **CHAIRMAN**

In the absence of the Chairman the meeting was chaired by Councillor Bhatia.

### 1. **MINUTE**

The Minute of meeting of the Executive Committee of 17 November 2015 had been circulated.

## **DECISION**

**APPROVED for signature by the Chairman.**

## **MEMBERS**

Councillors Aitchison and Davidson joined the meeting during the following item of business.

### 1. **QUARTERLY CORPORATE PERFORMANCE REPORT (QUARTER 2, 2015/16)**

With reference to paragraph 7 of the Minute of 18 August 2015, there had been circulated copies of a report by the Chief Executive presenting a summary of quarterly performance information, with details contained in Appendix 1 to the report. Following the last quarterly report a short survey had been undertaken with Executive Members to collect views in relation to the way performance was reported. The majority who responded were satisfied with the level of detail and layout but highlighted the importance of benchmarking to see evidence of continuous improvement. A summary of the main changes made to performance indicators was provided in section 4 of the report, followed by a high level summary of performance. Appendix 1 provided a more detailed presentation and explanation of each Performance Indicator (PI). All information contained within the report was also made available on the Scottish Borders Council website. In respect of current performance against the Council's Corporate Priorities a summary was given of key successes and positive trends. Also summarised were those measures which were currently below target. The report went on to explain that an initial range of performance measures had been developed for Borders Sport and Leisure Trust (BSLT), as detailed in Appendix 2 to the report. These Performance Indicators would be used as the starting point for a Performance Management Framework for the new Integrated Culture and Sport Trust. Members discussed the performance report and received answers to their questions from officers and from BSLT Chief Executive Ewan Jackson who was in attendance. With regard to Priority 1, to Encourage Sustainable Economic Growth,

reference was made to the challenge of measuring economic performance when some measures were a partial reflection of external factors. In response to concern about the complexity of some of the trend charts and keys within the performance report it was confirmed that performance measures reported on the website were presented in a user-friendly format. In relation to the BSLT performance report and the decline in swimming participation in particular, it was noted that swimming numbers had also seen a decline nationally. Mr Jackson referred to specific factors that were affecting particular pools in the Borders such as loss of instructors and competition with private facilities.

**DECISION  
NOTED:-**

- (a) the changes to performance indicators in Section 4 of the report;**
- (b) the performance presented within Appendix 1 and the action being taken within Services to improve or maintain performance; and**
- (c) the initial BSLT performance measures and the development work that would now be done as part of the move to the new integrated Culture and Sport Trust.**

**1. CARE AND EDUCATION PLACEMENT PROVISIONS: DATA, PERFORMANCE INFORMATION AND SERVICE DEVELOPMENT**

There had been circulated copies of a Briefing Paper presenting data and performance information in relation to Looked After and Accommodated Children and Young People, care and education provision, the reasons behind the figures and the actions being taken within the service to improve outcomes, using resources as effectively as possible. The Service Director Children and Young People, Donna Manson, was in attendance to give a presentation to support the paper and provide further analysis. It was explained that children and young people may require accommodation for a number of reasons. The accommodation may be on a statutory basis or a voluntary arrangement, and range in length of time from periodic short breaks to permanence planning. Children may also require educational provision outwith that provided through mainstream schools. This ranged from time limited support in school provided by internal staff resources such as Learning Support Teachers or Educational Psychologists, to full time provision in specialist establishments. A combination of rising demand, scarcity of providers and decreasing resources meant containing these services within their allocated budgets was a significant challenge and therefore required changes to the approaches to delivering services. Ms Manson drew attention to the Children and Young People (Scotland) Act 2014 which made the welfare and provision of services to Looked After Children a duty for a number of key organisations including Local Authorities. The presentation summarised the reasons that children and young people may require accommodation and the most common types of accommodation available. Four case examples were given which ranged across all the types of care available and which included an example where the very high level specialist supported care required was not available in the Borders. Included in the performance information given within the paper was a chart indicating the range of placement types within Scottish Borders Council, in respect of the proportion of spend and number of placements for each. The paper went on to outline service challenges and developments. With regard to the Council's Fostering Service Ms Manson advised that the decision to increase fees for foster carers and the payment of a retainer fee had made a significant difference. There had been a year on year increase in fostering households. Ms Manson explained that the objective was to develop an organisational culture where staff had the values, skills and necessary support to ensure children received the support, care and education they needed to achieve their best outcomes, wherever possible here in the Borders in their local communities and mainstream schools. Members asked questions in particular on the aspiration to support the majority of Looked After Children and Young People within the Borders. Ms Manson stressed that each individual case was approached on a need by need basis, to build a package around the

child, with sensitivity and flexibility and in consultation with parents. In some cases it was necessary to use external specialist provision. However there were advantages in providing local support in terms of reducing the stress of travelling out of the area and enabling the child to maintain links with the community which would extend into adulthood. Discussion continued on a key aim identified in the presentation of avoiding exclusions from schools. It was noted that, through changes to support within schools rates had come down and were the lowest they had been for over two years. In conclusion Ms Manson drew Members' attention to the Council's Foster Care campaign and a Corporate Parenting event planned for early in 2016.

## **DECISION**

**NOTED the presentation and performance information relating to Care and Education Placement Provisions.**

### **2. DISCRETIONARY HOUSING PAYMENTS - 2015/16 PERFORMANCE**

With reference to paragraph 5 of the Minute of 21 April 2015, there had been circulated copies of a report by the Service Director Neighbourhood Services detailing the activity of the Discretionary Housing Payment scheme to the second quarter of 2015/16 and providing an update on the funding and performance of the scheme. The total amount of Discretionary Housing Payments awarded in the first two quarters of 2015/16 was £556,951. The total amount of Discretionary Housing Payments awarded and paid in 2014/15 was £733,398. There were 1,354 Discretionary Housing Payment applications received in the first two quarters of 2015/16 with 1,254 (93%) of those applications being successful. A table within the report set out a funding comparison between 2014/15 and 2015/16. A further table detailed the current position, in terms of actual numbers of DHP claims and spend and an estimate of projected spend to March 2016. It was explained that the changing position with respect to Scottish Government funding was focused on need. Awareness of Discretionary Housing Payments had increased dramatically in the last two years, particularly due to the take-up campaign started in January 2014. Scottish Borders Council would continue to work closely with Housing Associations to identify people who needed help because of the changes in the spare room subsidy. As budgets had been reduced, a review of the awards policy and procedure was being undertaken to ensure the budget provisions continued to be allocated and spent in alignment with policy priorities. Members' discussion focused particularly on the prospect of the ongoing need for financial help, as a result of the changes in the spare room subsidy. This was due partly to an ongoing shortage of smaller properties to which affected people could move and also an understandable reluctance to move. This had been discussed at the Community Planning Partnership with housing colleagues who were looking at ways of mitigating this situation. In response to a question the Service Director Neighbourhood Services advised that, based on existing policy, this fund was not available for assistance with arrears as the money had already been paid directly to the applicant who had not then passed this on to their landlord. However she would check on the existing policy to ascertain whether loans could be made to assist and would report back. A number of the Registered Social Landlords had employed staff to assist with these issues and would only allow rent arrears for so long before applying to have funding paid directly to them. The Service Director also gave assurance that the Council was working closely with the Department of Work and Pensions to provide support on budgeting to claimants where this was required and where referrals had been made.

## **DECISION**

- (a) NOTED the activity relating to Discretionary Housing Payments in the first two quarters of 2015/16.**
- (b) AGREED to receive future updates on the scheme via the regular financial and performance monitoring reports.**

### **5. SCOTTISH GOVERNMENT REVIEW OF NOMENCLATURE OF UNITS FOR TERRITORIAL STATISTICS AREAS**

With reference to paragraph 9 of the Council Minute of 21 May 2015, there had been circulated copies of a report by the Corporate Transformation and Services Director proposing that Scottish Borders Council supported the Scottish Government's proposal to create a new Nomenclature of Units for Territorial Statistics (NUTS) area covering Southern Scotland. It was explained that NUTS was a set of geographical boundaries set and regulated by the European Union. The core purpose of NUTS boundaries was the reporting of regional statistics to Eurostat. These were then used to inform regional policy development and determine regional funding allocations. Scottish Borders was currently in the Eastern Scotland NUTS2 area which covered much of the Eastern half of Scotland and included Edinburgh and Dundee. The Council, through the South of Scotland Alliance, had made representations to the Scottish Government to create a new NUTS2 area covering Southern Scotland. This proposed area would cover the local authority areas of Scottish Borders, Dumfries & Galloway, East Ayrshire, South Ayrshire, South Lanarkshire and mainland parts of North Ayrshire. That proposal was endorsed at the meeting of Scottish Borders Council on 21 May 2015, and was then submitted to the Scottish Government in July 2015 by the South of Scotland Alliance. On 9 November 2015, the Scottish Government released its consultation document to create a fifth NUTS2 area in Scotland which aligned with the Alliance's proposal, the closing date for responses to the consultation being 15 January 2016. In the ensuing discussion Members welcomed the proposal, recognising the common socio-economic challenges present in Southern Scotland and the GDP per head below Scottish, UK and EU averages. Creation of a new NUTS2 area for Southern Scotland would allow these issues to be highlighted on a statistical level which would then allow policy to be better focused to help support economic development in the area. Members thanked the officers involved for their work on this project and agreed to delegate authority to the Corporate Transformation and Services Director, in consultation with the Executive Member for Economic Development, to respond to the Scottish Government consultation.

## **DECISION**

### **AGREED to:-**

- (a) welcome the proposal in the Scottish Government NUTS Consultation to create a fifth NUTS2 area covering Southern Scotland; and**
- (b) delegate authority to the Corporate Transformation and Services Director, in consultation with the Executive Member for Economic Development, to respond to the consultation by 15 January 2016.**

## **6. CORPORATE TRANSFORMATION PROGRESS**

With reference to paragraph 6 of the Minute of 18 August 2015, there had been circulated copies of a report by the Corporate Transformation and Services Director providing an update on progress in developing and delivering the Council's Corporate Transformation Programme since the last quarterly report to Executive Committee. The report also set out planned activity in the reporting period to the end of January 2016. The current 17 areas of work within the Programme were set out in the tracker in Appendix 1 to the report under the 8 Corporate Priorities. Included for each was a brief description of the purpose, a summary of progress made to date (rated as red, amber or green) and key milestones in the next quarter. In highlighting the main areas of progress in this reporting period the Corporate Transformation and Services Director also referred to the detailed individual reports on particular areas of work which were presented to Members as appropriate. The second set of detailed performance reporting for areas of work within the programme was set out in Appendices 2 and 3 to the report, covering the Borders Railway and Sustainable Transport programmes. It was the intention to provide detailed reporting for 3 or 4 areas within the programme quarterly to Executive Committee; a schedule of proposed detailed report provision was included as Appendix 4 to the report. In response to questions about the Borders Railway, the Director advised that there should be a decision before the end of the year about options for 2016 in relation to the Steam Train Experience following the very successful six week pilot delivered by

ScotRail. He also confirmed that discussions with Transport Scotland around proposals for an extension of the railway would be on the table for consideration early in 2016. With regard to the Customer First Programme, the Service Director Neighbourhood Services advised that the anticipated financial benefits were closely linked with developments in the ICT programme. However development of the Customer Services strategy would also include measures to better understand customer needs and improve outcomes through staff training and improved customer experience. This would be detailed in a report to be brought back to the Executive Committee early next year. The Depute Chief Executive (People) gave Members a further explanation about the Co-Production workstream which was about involving people in the community on the delivery of public services and looking at what could be done on a voluntary basis. This area of work would include the involvement of key departments across the Council and partner agencies including the third sector.

#### **DECISION**

**NOTED the progress made in developing and delivering the Corporate Transformation Programme.**

#### **7. LEASE RENEWAL OF SELKIRK TENNIS COURTS**

There had been circulated copies of a report by the Service Director Commercial Services proposing that Scottish Borders Council took complete ownership of the tennis courts at Hillside Terrace, Selkirk and renewed the lease of the tennis courts to Selkirk Tennis Club for 25 years at a rent of £1 per annum if asked. A new lease would facilitate the Tennis Club to apply for grant funding for the renewal of the club house and improvements to the courts. The report explained that the ownership of the tennis courts at Hillside Terrace was in the name of the Rector of Selkirk High School. It was proposed to transfer the ownership from the Rector to Scottish Borders Council. The existing tennis courts and club house had been leased to Selkirk Tennis Club for many years with the most recent lease being in 1998. The Club proposed to rebuild the club house. However to raise the funding from Lottery Sport Scotland and the Lawn Tennis Association, a new long term lease was required from the Council.

#### **DECISION**

**AGREED:-**

- (a) to authorise the Service Director Commercial Services and Chief Legal Officer, in consultation with the Chief Financial Officer:-**
  - (i) to transfer the ownership of Selkirk Tennis Courts to Scottish Borders Council; and**
  - (ii) to grant Selkirk Tennis Club a new 25 year lease for the subjects at Hillside Terrace (as shown on the plan attached to the report) at a nominal rent.**
- (b) that the new lease would transfer the responsibility for repairs and maintenance, insurance and health and safety to the Tennis Club; and**
- (c) that Selkirk High School would continue to have free use of the tennis courts at specified times.**

#### **3. LEASE OF AN AREA OF STOW PARK**

There had been circulated copies of a report by the Service Director Commercial Services proposing that Scottish Borders Council leased an area of 0.89 acres of the Council-owned park in Stow to the Stow Community Park Group for a period of 10 years at a rent of £1 per annum if asked. The report explained that the public park in Stow had been in Council ownership since 1957 and consisted of a football pitch and general grass park. A local group had been formed with a view to develop a new play park for children and

teenagers. The budget cost of a new play park was £150,000. Grant funding was available from local wind farms, trust and foundations and Council grant schemes. In order to secure grant funding a lease of the land was required for a minimum period of 10 years.

**DECISION**

**AGREED to authorise the Service Director Commercial Services and Chief Legal Officer, in consultation with the Chief Financial Officer, to grant a 10 year lease to the Stow Community Park Group for an area of 0.89 acres at Stow Park (as shown on the plan attached to the report) at a nominal annual rent of £1, if asked.**

*The meeting concluded at 11.30 am*