

# SCOTTISH BORDERS COUNCIL SCRUTINY & PETITIONS COMMITTEE

MINUTES of Meeting of the SCRUTINY &  
PETITIONS COMMITTEE held via Microsoft  
Teams on Thursday, 1 June 2023 at 10.00  
am

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Present:- Councillors E. Thornton-Nicol (Chair), J. Anderson, J. Cox, M. Douglas,  
J. PatonDay, N. Richards, E. Robson, S. Scott and F. Sinclair.

Apologies:- Councillor P. Brown.

In Attendance:- Chief Officer Corporate Governance, Director Resilient Communities, Clerk to  
the Council, and Democratic Services Officer (F. Henderson)

## 1. MINUTE AND SCRUTINY ACTION SHEET

1.1 Copies of the Minute of Meeting held on 20 April 2023 had been circulated.

### DECISION

**APPROVED the Minute for signature by the Chair.**

1.2 Copies of the Action Tracker for Scrutiny decisions had been circulated. The Clerk to the Council explained that with reference to paragraph 2.4 of the Minute of 12 January 2023, while no generic emails had yet gone out to Community Councils regarding waste and recycling communications, officers would copy in Members to these emails so they could check they had been received and disseminated wider within communities. With reference to paragraph 2.4 of the Minute of 13 January 2022, as the use of school facilities was now part of the new Scrutiny Review programme, the discussion on this would be taken forward through the Place Making agenda and also as part of that future review.

1.3 With reference to paragraph 1(a) of the Minute of 29 December 2021, the Director Resilient Communities explained that a report was due to be presented to the Executive Committee on 13 June 2023, seeking approval for a review of the Local Festival Grant Scheme, to be undertake prior to the commencement of the 2024/25 budget planning process. The review would be carried out through a short-life Member/Officer Working Group which would engage with relevant stakeholders and report back to the Executive Committee.

### DECISION

**NOTED the update to the Action Tracker and that these items be removed from the Action Tracker.**

## 2. RURAL PROOFING POLICY UPDATE

With reference to paragraph 2 of the Minute of 9 December 2021, the Director Resilient Communities explained that having had an initial look at the Rural Proofing Policy, the thinking had now changed in terms of how to approach this. This Policy was initially developed to ensure people living and working in rural areas were taken into account in any new policies. This was in 2008 and a checklist was developed at that time to make an assessment. Things had moved on some way in terms of impact assessments since then, and the Scrutiny & Petitions Committee had suggested that rather than staying as a separate item, it should be part of the UN Sustainable Development Goals and Integrated Impact Assessment checklists and strengthen those to ensure rurality was fully incorporated. It had now been recognised that the UN Sustainable Development Goals

were a global standard so we could not change or add to that process. Instead, staff were being encouraged to consider rural aspects and ensure these were taken into account when looking at the checklist for the UN Sustainable Goals to ensure that any inequalities as a result of living in a rural area were recognised. Rather than changing the checklist, the guidance in completing the checklist would be amended. In terms of Integrated Impact Assessments (IIAs), rural proofing was fundamental to this and officers were now suggesting that rural proofing be built into IIAs going forward which would allow the separate Rural Proofing checklist to be removed. Work was underway to amend the IIA and guidance. The Director suggested that this should be completed and then in 6 months an evaluation be carried out to ensure it was working properly and a report brought to Scrutiny & Petitions Committee at that time.

## **DECISION**

**NOTED that the Integrated Impact Assessment (IIA) would be amended to incorporate rural proofing and a report would be brought to Scrutiny & Petitions Committee in 6 months to ensure the new IIA was working as planned.**

### **3. SCRUTINY REVIEW WORK PROGRAMME**

3.1 With reference to paragraph 2 of the Minute of 20 April 2023, there had been circulated copies of a report by the Clerk to the Council, which provided further details of those subjects submitted for consideration for review by the Scrutiny and Petitions Committee and sought approval for their inclusion in the Scrutiny Review Work Programme to be recommended to Council. The report explained that there were 9 topics being take forward for inclusion in the Scrutiny Review Programme as follows:-

1. Public Toilet Provision in the Scottish Borders
2. Employability Service Public Engagement
3. Private Sector Housing Grants and Assessment Process
4. Industrial Estates in the Scottish Borders
5. Covid Recovery Funds
6. Community Access to Schools out-with school hours
7. Shared Lives
8. E-Fleet
9. See Hear Grant Funding

3.2 In providing further information for each review, consideration had been given to the potential scale of each review, the resources required to take it forward, the timing of such a review and the method of taking the review forward i.e. by way of an information hearing or focussed hearing. Working Groups were not being considered at this time due to the current pressure on staff. The breadth of some reviews would require to be taken into consideration, as would the number of reviews being undertaken at any given time, to ensure that Members and Officers did not become over-burdened and resources were not stretched too thinly. Depending on the subject matter, Officers from various Services of the Council could provide support to Scrutiny & Petitions hearings.

3.3 With regard to the review of Public Toilet Provision, Members were keen to be updated on progress with this work before the suggested date of Winter 2024, due to the public interest in the matter. It was suggested that interim update reports on progress with the programme for public toilet provision would be brought to the Committee, with the first such report to be in December 2023 and this was unanimously agreed.

## **DECISION**

**(a) AGREED the Scrutiny Review Work Programme as detailed in the Appendix to this Minute.**

**(b) NOTED that the Review Work Programme may be added to at a later date, subject to approval by Scottish Borders Council.**

- \* (c) **AGREED to RECOMMEND to Scottish Borders Council that the Scrutiny Review Work Programme as detailed in the Appendix be approved.**

4. **FUTURE MEETING DATES**

The Committee noted the dates for future meetings detailed on the agenda.

*The meeting concluded at 10.25 am*

**SCRUTINY & PETITIONS COMMITTEE****SCRUTINY PROPOSED REVIEWS****1. PUBLIC TOILET PROVISION IN THE SCOTTISH BORDERS (Director lead – John Curry)**

- 1.1 A request for a review of Public Toilet provision was submitted by Cllr Sinclair and a further request was also received from Stow Community Council to review the closure of the public toilet in Stow. After discussing the requests at its meeting on 20 April 2023, the Scrutiny & Petitions Committee agreed to include both requests into the one review to cover public toilet provision in the Scottish Borders. At its meeting on 30 March 2023, Scottish Borders Council approved the future provision of public toilets across the Borders by providing one Council facility per each major existing settlement; and to undertake a condition survey which would lead to enhancements through capital investment (in 2024/25). There was currently additional provision in shops, filling stations, pubs, cafes and non-Council operated visitor attractions across the region and a mapping exercise would be carried out, as part of a co-ordinated communications strategy, to improve awareness and online and physical signposting of facilities for residents, tourists and visitors. The Council would also facilitate community-led initiatives to operate new or additional toilet facilities, although this would not include grant funding communities to take on redundant Council facilities. Where there were gaps in provision, the Council would also consider however, what support could be provided to operate community or business led 'Comfort Schemes' within the constraints of resource and available budget.
- 1.2 As the work to review and enhance the retained Council operated toilet facilities is due to take place over the next 2 years, it is considered best to allow this work to start, and then for Scrutiny & Petitions Committee to hold an Information Hearing to assess the following:
- The results of the surveys of SBC public toilets and the proposed enhancements
  - The results of the mapping exercise for toilet facilities open to the public
  - The communications/signage in place for public toilet facilities across the region
  - Complaints received by the Council on public toilet facilities (or the lack of facilities)
  - Any 'Comfort Scheme' facilities planned/in operation

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

- 1.3 Timeline – a Hearing to be held in Winter 2024 to allow the work to be well advanced. Interim update reports on progress with the programme for public toilet provision will be brought to Committee before this time, with the first such report in December 2023.

**2. EMPLOYABILITY SERVICE PUBLIC ENGAGEMENT (Director lead – Jenni Craig)**

- 2.1 A request for a review of how the Employability Service publicised its work within the Borders was submitted by Cllr Anderson. The Employment Support Service is an outcome focused service which provides support for those who may need

additional help to find and sustain paid work e.g. care experienced young people, people with a learning and/or physical disability, people with a sensory impairment, people recovering from a mental illness, those who are homeless or under threat of being homeless, etc. The Employment Support Service offers a variety of services, all designed specifically to assist people in entering the workplace and moving on to working independently.

- 2.2 The Service is currently working on an updated communications plan and it is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:
- Current communications and marketing on the different SBC Employment services available
  - Partnership work and linking in with other organisations
  - Employers' engagement
  - Future developments

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

- 2.3 Timeline – due to the current work on the updated communications plan, an Information Hearing is to be held in March 2024.

### **3. PRIVATE SECTOR HOUSING GRANTS AND ASSESSMENT PROCESS (Director Lead – Stuart Easingwood; Officer leads – Gwyneth Lennox and Donna Bogdanovich)**

- 3.1 A request for a review of the Private Sector Housing Grants and Assessment Process was submitted by Cllr Robson. If a person is disabled or lives with someone who has a disability, they may be entitled to a grant to help adapt their home. Mandatory grants are available to provide structural alterations to help meet the needs of a disabled person. These grants allow for up to 80% funding of the total cost of any alteration and any grant level about 80% is calculated on a means tested basis. All requests for grant assistance are assessed through the Social Work service, and an Occupational Therapist will carry out the assessment to see if the individual is eligible for a grant. A priority system is in operation to ensure those with critical needs receive services first.

- 3.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:
- The process involved within the Council in applying for a housing grant, the OT assessment and arranging the work
  - The budget and resources available each year
  - How clients are kept informed

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

- 3.3 Timeline – an Information Hearing is to be held in December 2023.

### **4. INDUSTRIAL ESTATES IN THE SCOTTISH BORDERS (Lead Director(s) – John Curry, Jenni Craig)**

- 4.1 A request for a review of the Unused Trading Estate on Lennel Road, Coldstream, was submitted by Coldstream Community Council. The request advised that this

site had no tenants and had stood unused for over 10 years. Understanding was sought from SBC about future plans for the site to ensure the grant monies used to create the site were not wasted and actually generated a return and jobs for the community. After discussing the request at its meeting on 20 April 2023, the Scrutiny & Petitions Committee agreed to expand this review to cover current and future use of industrial estates across the Borders.

- 4.2 A briefing had been provided to the Leaders' Group earlier this year and a report will be coming to Council later this year on Business Parks and Economic Development land that sets out the priorities and provides progress reports on development, demand, occupancy, etc. It is suggested that an information report is provided to the Scrutiny & Petitions Committee detailing what work is being proposed prior to the report being considered at Council.
- 4.3 Timeline – an information report is to be brought in October 2023.

## **5. COVID RECOVERY FUNDS (Lead Officer – Suzy Douglas)**

- 5.1 A request for review of the Scottish Government Grant Funding, including a full analysis of its purpose and use, was submitted by Cllr M. Douglas and a request for a review of the Council's Covid Recovery Fund purpose and spend to date was also submitted by Cllr Thornton-Nicol. After discussing the requests at its meeting on 20 April 2023, the Scrutiny & Petitions Committee agreed to cover both requests in the one review.
- 5.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:
- The funding which had been received from Scottish Government throughout the Covid-19 pandemic, the criteria for its spend, and the actual spend and outcomes achieved
  - The funding which the Council had put into its Covid Recovery Fund, the criteria for its spend, and the actual spend and outcomes achieved

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

- 5.3 Timeline – an Information Hearing is to be held in August 2023.

## **6. COMMUNITY ACCESS TO SCHOOLS OUT-WITH SCHOOL HOURS (Lead Director(s) – Lesley Munro/Jenni Craig)**

- 6.1 A request for review of Community access to school facilities out-with school hours, and the availability of janitorial staff to open/close the premises, was submitted by Cllr M. Douglas. Use of school sports facilities by the community is encouraged, and both indoor and outdoor spaces can be hired e.g. sports halls, artificial/grass pitches, dance studios, etc. Different facilities are available at individual schools.
- 6.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:
- The availability of school facilities across the region for community use, including availability of janitorial staff to open/close premises
  - The cost of hiring school facilities

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or

appropriate Committee. Such recommendations must be in line with current budget and resources.

6.3 Timeline – an Information hearing is to be held in March 2024.

**7. SHARED LIVES (Lead Director – Chris Myers; Lead Officer – Simon Burt)**

7.1 A request for review of the costs of the annual contract for Shared Lives, the performance against KPIs and whether savings were being met, was submitted by Cllr Thornton-Nicol. In Shared Lives, an adult or young person who needs long term support is matched with a carefully approved Shared Lives carer. Together, the person needing support and the Shared Lives carer share the carer's family and community life. Half of the people using Shared Lives move in with their chosen Shared Lives carer to live as part of their household; and half visit for day support or overnight breaks. People get safe, personal care and support, in a place which feels like home. They make friends and become more active, with improved social lives and greater involvement in their community.

7.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:

- The services provided by Cornerstone Shared Lives
- Performance of outcomes/KPIs within the contract
- What savings have been achieved

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

7.3 Timeline – an Information hearing is to be held in May 2024.

**8. E-FLEET IMPACT (Lead Directors – John Curry, Clair Hepburn)**

8.1 A request for review of the impact of pool cars on the cost of reimbursing mileage to staff had been submitted by Cllr Thornton-Nicol. The Council has a fleet of electric vehicles for staff to book for site visits, etc. rather than using their own vehicles and claiming back mileage expenses.

8.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:

- The cost of E-fleet vehicles, their locations and useage
- The amount of mileage being paid to staff for use of own vehicles

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

8.3 Timeline – an Information hearing is to be held in late summer 2024. This will allow costs from financial year 2023/24 to be analysed prior to the hearing.

**9. SEE HEAR GRANT FUNDING (Lead Director – Stuart Easingwood; Lead Officer – Michael Curran)**

9.1 A request for review of the impact of the grant funding for "See Hear" and the outcomes which are being achieved from this, had been submitted by Cllr Thornton-Nicol. See Hear is the national, strategic framework for sensory impairment in Scotland which promotes a seamless, multi-agency approach to assessment, care

and support to people with a sensory impairment (hearing loss, sight loss, or dual sensory loss).

- 9.2 It is suggested that an Information Hearing is held which will allow the Scrutiny & Petitions Committee to assess the following:
- The services provided through See Hear
  - Performance of outcomes

At the end of the hearing, the Scrutiny & Petitions Committee will then consider whether they are satisfied with the information received, whether they require further information, or whether they wish to make recommendations to either the Director or appropriate Committee. Such recommendations must be in line with current budget and resources.

- 9.3 Timeline – an Information hearing is to be held in Autumn 2024.