

SCOTTISH BORDERS COUNCIL
25 MAY 2023
APPENDIX I

OPEN QUESTIONS

Question from Councillor Anderson

To the Executive Member for Community and Business Development

Can the relevant department look at the viability of a project to rejuvenate the old town hall in Eyemouth and its frontage, the former SBC contact office, as part of the next stage application to the UK levelling up funding bid being worked on at the moment?

Response from Councillor S. Hamilton

Eyemouth is one of the four priority towns that have been identified for investment as part of the Borderlands Growth Deal and work is progressing to support the establishment of a Town Team and the development of a place plan. If the development of the old Town Hall is identified as a potential priority project by the community as part of this work, Council Officers and partners would look to support the community to develop a project to examine the viability of rejuvenating the town hall.

There may also be opportunities through the call that is going out for Community priority projects. This is the work that the Council's Economic Development and Communities Teams have been developing to try and make the process of funding simpler for communities and to allow Elected Members and Council Officers to gain a fuller understanding of potential projects that have local community support, to connect those projects to the most suitable available funding stream and help develop a pipeline of projects that we all wish to see throughout the Scottish Borders.

Question from Councillor Ramage

To the Leader

I asked a question in December 2022 about my concern over the delay in the signing of the Feasibility Study for the extension of the Border Railway. I am therefore pleased that this has now been signed by the two Governments.

During the answer it was highlighted that there is also an action to develop a working group with suitable partners and politicians, including the Campaign for Borders Rail and all Hawick Councillors. Can I ask when will this group be set up?

Response from Councillor Jardine

I can advise Councillor Ramage that Council Officers are currently trying to develop the proposed membership of the working group with a view to organising an introductory meeting in August.

Officers will be looking to organise a suitable venue and issue invitations in the near future.

Supplementary

Councillor Ramage asked that all Hawick Councillors be included and Councillor Jardine confirmed this would be the case and that all Councillors would have the opportunity to feed into the Working Group.

Question from Councillor Sinclair

To the Executive Member for Education and Lifelong Learning

How many pupils in a) primary and b) secondary receive music tuition from an instrumental and specialist music tutor?

How many instrumental and specialist music tutors are employed by SBC?

How do these figures compare to pre-pandemic levels?

Response from Councillor L. Douglas

There are currently 292 primary pupils and 548 secondary pupils receiving instrumental music lessons in Scottish Borders.

We have a full time equivalent staff of 9.5 music instructors offering strings, brass, percussion, guitar and woodwind lessons.

Staffing levels have not changed since pre-pandemic and due to the hard work of the service, numbers are nearly the same as pre-pandemic levels of around 900 children and young people.

Supplementary

Councillor Sinclair asked what the Council was doing to encourage further uptake and what links were there with local bands. Councillor Douglas advised that she would obtain this information from officers for Councillor Sinclair.

Question from Councillor Begg

To the Executive Member for Estate Management and Planning

I think we all recognise the need to plant more trees. Can the Executive member responsible explain what protections are in place in Scottish Borders to mitigate the cumulative effects of farms being sold to carbon credit companies and agricultural land being converted wholesale to blanket forestry?

Response from Councillor Mountford

There is no legal provision that enables the Council to prohibit or influence the sale of privately owned farms or agricultural land to carbon credit companies or to any other party for that matter.

The planting of trees does not require planning permission, however, the Council is a statutory consultee on forestry applications to Scottish Forestry. In this respect, the consultation process allows the Council to influence such proposals at different stages of development; firstly at pre-application consultation stage and secondly, at the formal application consultation stage.

The pre- application stage provides a mechanism for the applicant to identify potential issues at an early juncture that need to be addressed in developing a woodland creation scheme at a particular location. The Council's views on the proposal are provided to the applicant and shared with Scottish Forestry.

On receiving an application, Scottish Forestry send a consultation request to the Council. Officers will, as capacity allows, provide a response to the consultation following input from a range of Council services including landscape, roads, ecology, archaeology, flood management, access and planning policy.

As a statutory consultee, the Council are not involved in community consultation on the proposal. Scottish Forestry are the regulator and carry out community consultation directly or require the applicant to do so.

In responding to an application, or providing advice, officers will refer to the policies within the government's Scottish Forestry Strategy, as well as our own Scottish Borders Woodland Strategy (2005) and its update (Technical Advice Note 2012) plus any relevant policies within National Planning Framework 4 and the Local Development Plan.

For information, the Council is developing, in association with Scottish Forestry, a Woodland Creation Framework Supplementary Planning Guidance for two pilot areas within the Scottish Borders (Pilot Area 1 - Ale, Etrick and Yarrow and Pilot Area 2 - Teviot and Hermitage) which aims to encourage more environmentally sensitive woodland and forestry development ensuring " *...the right tree in the right place*". The development principles set out in this document could extend beyond those areas and it is hoped that this advice could provide the model by which significant woodland expansion can be more sensitively rolled out across the Scottish Borders and Scotland as a whole. This advice will be brought before members later this year, once a Strategic Environmental Assessment (SEA) of its provisions is carried out and the document updated accordingly to take account of the SEA's findings.

Any concerns or issues raised by Council officers about a proposal during the pre - application or application consultation stages should be addressed by the applicant and will be taken into consideration by Scottish Forestry, as part of their discussions with applicants and their scheme assessment.

It is important to note that it is only under the provisions of the Environmental Assessment Regulations that statutory consultees have the formal right to object to a proposal. There is no other basis for a formal objection. If refused on this basis the applicant or any third party can apply to the Court of Sessions for judicial review, within 6 weeks of publication of the Scottish Forestry decision.

The consultation process allows issues such as cumulative impacts in a locality to be aired by officers but as there is no meaningful reference to cumulative impacts in the existing Scottish, UK or SBC forestry guidance, it is highly unlikely that potential cumulative impact would trigger an EIA objection to a woodland or forestry application at this time.

Most objections that have been registered to schemes have focussed on biodiversity impact grounds, given habitat and species protection legislation, and this is only likely to happen if concerns cannot be mitigated. Objections to forestry consultations are generally seen by Scottish Forestry to indicate a lack of information or a need to further address issues of concern and they will endeavour to resolve issues through negotiation with both parties, rather than refuse a scheme.

The adoption of the Woodland Creation Framework SPG mentioned already could help to strengthen our negotiation position. This is particularly relevant in the identified pilot areas, which are supported by a landscape capacity study and a spatial assessment tool. The proposed SPG will make reference to cumulative effects and how these might be mitigated.

In conclusion, the ability to prevent forestry proposals on the basis of cumulative impact is limited. Scottish Forestry make the final decision on forestry applications and, as stated already, there is no official recourse to an 'objection' except under EIA legislation. Whilst acknowledging the significant policy drivers for woodland creation and addressing climate change through such planting, Council officers will continue to seek to encourage the most environmentally sensitive forestry and woodland schemes that best fit the Borders landscape. Officers will also endeavour to bring the Woodland Creation Framework SPG before members at the earliest possible date.

Supplementary

Councillor Begg asked Councillor Mountford if he agreed that there needed to be a balance between food and forestry and would he meet with him to discuss this. Councillor Mountford confirmed he would be happy to meet Councillor Begg with relevant officers in attendance.

Question from Councillor Robson

To the Executive Member for Education & Lifelong Learning

How many Borders primary school pupils with diabetes are entitled to free school meals?

Response from Councillor L. Douglas

All children in P1 - P5 are currently entitled to free school meals in line with Scottish Government policy. 11 children in this group have diabetes and are entitled to Free school meals due to their age not their medical condition. A further group of 5 pupils in P6 P7 have diabetes but are not presently entitled to free school meals.

Question from Councillor Thomson

To the Executive Member for Communities & Equalities

This time last year, we put monies aside to help those struggling with the cost of living crisis. Nothing has changed and people are still struggling, so what provision are we making for this financial year?

Response from Councillor Tatler

In response to the current cost of living crisis it was agreed to release underspend from 2021/22 from the Council's reserves to provide £1.2m support to communities during 2022/23. Spend of the funding has continued in to 2023/24 with £376k of the £1.2m being carried forward. Of this balance, £292k is already committed with £84k currently unallocated.

Proposals for the unallocated amount are currently being sought and these will then be brought forward to the Cost of Living Strategic Group that is due to meet on 5th June 2023. This will take into account the additional support that is being provided nationally such as the Cost of Living payments for those on low income benefits and tax credits.

To date the support provided has focussed on the following key areas some of which will continue this year:

- Extending existing arrangements with organisations such as CAB, Changeworks etc., to provide additional resources to assist with referrals, energy advice, money advice, signposting and budgeting
- Providing warm clothing payments to children entitled to either Free School Meals or Clothing Grants
- Increasing the budgets available for the Scottish Welfare Fund, Inclusion Fund and Discretionary Housing Payments, as well as providing additional resources to support & process increased take up of benefits
- Providing a range of support focussed on keeping communities 'warm and well'
- Supporting a range of measures to ensure access to food and essential household items

In addition to the balance of the £1.2m that was approved from the Council's reserves being carried forward into this year (£376k), budget is also being carried forward to provide financial support via the Scottish Welfare Fund (£150k) and Financial Insecurity Fund (£257k). There are also a range of existing budgets and resources that are available to provide support and SBC and partners continue, through the multi-agency response, to

consider how these can best be used to meet the needs of communities. Regular discussions take place at the Anti-Poverty Members Reference Group where suggestions on how we can best support our communities are welcome.

Where appropriate, evaluations and reports are being requested to evidence impact of spend. The 2022/23 Local Child Poverty Annual Progress Report, Anti-Poverty Strategy Progress Report and Cost of Living Funding Report are scheduled to come to Council next month and will provide further details on the support being provided and the impact these measures are having.

Question from Councillor S. Hamilton

To the Executive Member for Communities & Equalities

Given the UK Government has updated the eligibility for the Alternative Fuel Payment and that previously unsuccessful applications are now being automatically reviewed by the relevant Local Authorities, when can applicants in the Borders expect to hear if they have been successful?

Response from Councillor Tatler

The Alternative Fuel Payment applications are made to the UK Government. These are processed and verified as eligible for payment by the Department for Business, Energy & Industrial Strategy via the Salesforce site. Verified applications are then sent to Local Authorities for final checks to be carried out, including address, eligibility & bank account verification.

When the scheme was first announced, the evidence had to confirm that the applicant had purchased at least £200 worth of alternative fuels between September 2022 & March 2023. This limited those eligible for the scheme.

A decision was made by the UK Government in April 2023, to extend the period to cover June 2022 to May 2023. At that time, the Customer Advice & Support team checked all applications that were either on hold or those that had been refused, to identify if they were able to then award payment, based on the changes. No applications were identified for payment at the time.

An issue was identified at the stage before reaching the Local Authority, where applications were being marked as ineligible during the automated verification stage in the Salesforce system. Once the error was identified and rectified, eligible applications were sent to local authorities for processing. The team on receiving these, processed them as a priority and payments were issued to successful applicants.

There are currently no outstanding applications ready to process with 15 applications on hold, waiting on further information from the applicant. A total of 304 applications will have been paid by the end of this week.

Question from Councillor Mackinnon

To the Executive Member for Environment & Transport

In November 2022, in a response to a question regarding the “No Mow May” campaign to promote biodiversity and provide habitat and food sources for pollinators and other wildlife, the Executive Member for Environment and Transport suggested identifying general amenity areas that may be appropriate for a trial as part of the initiative. Were any such areas identified and, if so, what areas have been included to trial this approach this month and how will the success or otherwise of the trial be measured and reported?

Response from Councillor Linehan

No Mow May is a campaign to leave some green spaces untouched to give nature a helping hand in the early season, trying through simple measure to contribute to reversing the dramatic decline in our pollinators [About - No Mow May \(plantlife.org.uk\)](http://plantlife.org.uk) .

Further to the request for the Council to pilot No Mow May sites, a trial was undertaken in Tweeddale West where communities were invited, via their community councils, to nominate Council-managed sites to be piloted for 'No Mow May'.

Three such sites were put forward – two in Skirling and one in Broughton.

These have been left uncut to provide habitat and food for local insects and pollinators. In terms of monitoring, we are gauging customer feedback and initial results. Reporting will be undertaken as part of the Council's statutory biodiversity reporting duties. We also participated in the Plantlife 'No Mow May Movement' national audit.