

# **SCOTTISH BORDERS COUNCIL**

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells and Via Microsoft Teams on 28 September 2023 at 10.00 a.m.

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Present:- Councillors W. McAteer (Convener), J. Anderson, D. Begg, P. Brown, C. Cochrane, J. Cox, L. Douglas, M. Douglas, J. Greenwell, C. Hamilton, S. Hamilton, E. Jardine, J. Linehan, N. MacKinnon, S. Marshall, D. Moffat, S. Mountford, A. Orr, D. Parker, J. PatonDay, J. Pirone, C. Ramage, E. Robson, M. Rowley, S. Scott, F. Sinclair, E. Small, A. Smart, H. Steel, R. Tatler, V. Thomson, E. Thornton-Nicol.

Apologies:- Councillors N. Richards, T. Weatherston.

In Attendance:- Chief Executive, Director Corporate Governance, Director Education & Lifelong Learning, Director Finance & Procurement, Director Infrastructure & Environment, Director Resilient Communities, Director Social Work & Practice, Director Strategic Commissioning & Partnerships, Chief Officer Health & Social Care, Clerk to the Council.

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## **1. CONVENER'S REMARKS**

1.1 The Convener congratulated the following:-

- (a) the Eyemouth Enhancement Group for winning awards at the recent Beautiful Scotland event held at the Botanic Gardens in Edinburgh;
- (b) the team who organised the Council's Greener Gateway awards held at the Inspire Building in Tweedbank and the communities who had won awards; and
- (c) the Katherine Elliot Centre in Hawick which was celebrating its 50<sup>th</sup> birthday.

1.2 The Convener advised that this was the Director of Social Work & Practice, Stuart Easingwood's last day with the Council before he took up a new job in South Tyneside. He had been with the Council for 17 years and would be a great loss to the Council. The Convener thanked him for his incredible service and wished him well for the future. He presented Mr Easingwood with a Border Reiver Statue. Mr Easingwood responded by saying that it had been a privilege and a pleasure to lead the Social Work Service in the Scottish Borders.

## **DECISION**

**AGREED that congratulations be passed to all concerned.**

## **2. MINUTE**

The Minute of the Meeting held on 31 August 2023 was considered.

## **DECISION**

**AGREED that the Minute be approved and signed by the Convener.**

## **3. COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

Berwickshire Area Partnership	1 June 2023
Community Planning Strategic Board	8 June 2023
Police, Fire & Rescue and Safer Communities	28 June 2023

Chambers Institution Trust  
Planning & Building Standards  
Executive  
Scrutiny & Petitions  
Planning & Building Standards

2 August 2023  
7 August 2023  
15 August 2023  
17 August 2023  
4 September 2023

## **DECISION**

**APPROVED the Minutes listed above.**

### **4. SCOTTISH BORDERS COUNCIL FINAL REPORTS AND ACCOUNTS 2022/23**

There had been circulated copies of a report by Audit Scotland, the Council's Auditors, together with a report by the Director of Finance and Procurement, a copy of the Annual Accounts 2022/23 and associated papers. The audit appointment of Audit Scotland for Scottish Borders Council (SBC) accounts included the requirement to provide an auditor's report for the Council. 2022/23 represented the first year of the new Audit Scotland team undertaking the External Audit of the Council's Annual Accounts with the process now completed. Audit Scotland had prepared both the Annual Audit Report and a Best Value thematic report, copies of which had also been circulated, and had provided an unqualified independent audit opinion. The Annual Audit Report summarised Audit Scotland's conclusions, including an unqualified audit opinion, concurrence with management's accounting treatment and judgements and positive conclusions in respect of financial management, financial sustainability, vision, leadership and governance and use of resources to improve outcomes. Audit Scotland had identified a number of recommendations across 3 reports as follows:

- Scottish Borders Council annual report - four recommendations for improvement requiring action were identified along with two follow-up to prior year recommendations.
- Scottish Borders Council Best Value thematic review - six recommendations for improvement requiring action were identified.
- Scottish Borders Council Pension Fund - four recommendations for improvement requiring action were identified along with one follow-up to prior year recommendation.

All recommendations had been accepted by management and would be enacted within the agreed timescales. As required under the Local Authority Accounts (Scotland) Regulations 2014, the audited Annual Accounts for Scottish Borders Council, SBC Pension Fund, Bridge Homes LLP, Lowood Tweedbank Ltd and SB Inspires LLP were presented to the Audit Committee on the 25<sup>th</sup> September prior to Council consideration and signature. Members were asked to note that following the agreement to remove SBC Common Good Funds from the Scottish Charity Register on 31<sup>st</sup> March 2023 no annual accounts had been prepared, audited or submitted to OSCR. The Common Good Funds had instead been consolidated within the Council's statutory accounts. Trusts did not have the same annual accounts statutory deadline as the Council and Pension Fund. In addition, the Trusts were presented to Members in their role as Trustees rather than as full Council and this would be done for 2022/23 via correspondence. Audit Scotland would provide a letter to Councillors as Trustees at the completion of the audit, in advance of the reporting deadline of 31 December 2023. Bridge Homes LLP, Lowood Tweedbank Ltd and SB Inspires accounts had been prepared in accordance with the special provisions applicable to companies subject to the small companies regime. For financial year 2022/23 the companies were entitled to exemption under section 477 of the Companies Act 2006 which meant their accounts did not require to be audited. Mrs Douglas advised that there was no mention of RAAC within these accounts but it would be included in the 2023/24 Accounts. To date schools had been checked and no RAAC had been found. Checks were now being carried out on other Council owned buildings. Councillor Thornton-Nicol as Chair of the Audit Committee advised that the accounts had been considered by the Audit Committee and also that the Audit Scotland Team had been impressed. The Audit Committee were therefore happy to support the recommendation in the report. Councillor Parker as Chair of the Pension Fund Committee advised that the Council Fund was one of the best performers and also commended the accounts. Members thanked Mrs Douglas and her teams.

## **DECISION**

**AGREED to approve the following accounts:-**

- (a) **the Scottish Borders Council's audited Annual Accounts for the year to 31 March 2023;**
- (b) **the Scottish Borders Council's Pension Fund audited Annual Accounts for the year to 31 March 2023;**
- (c) **the Bridge Homes LLP audited Annual Accounts for the year to 31 March 2023;**
- (d) **Lowood Tweedbank Ltd Annual Accounts for the year to 31 March 2023; and**
- (e) **SB Inspires LLP Annual Accounts for the year to 31 March 2023.**

### **5. ANNUAL TREASURY MANAGEMENT REPORT 2022/23**

There had been circulated copies of a report by the Director Finance and Procurement presenting the annual treasury management activities undertaken during the 2023/23 financial year. The CIPFA Code of Practice on Treasury Management in the Public Services (the Code) required an annual report on treasury management to be submitted to Council following the end of each financial year. The report highlighted the Council's treasury activity undertaken in the year ended 31 March 2023 and the performance of the Treasury function. Appendix 1 to the report contained the annual report of treasury management activities for 2022/23 and provided an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. The performance comparisons reported were based on the revised indicators agreed as part of the mid-year report approved on 12 December 2022. The Appendix also showed the Council's borrowing requirement to fund the capital investment undertaken during 2022/23, how much the Council actually borrowed against the sums budgeted, and the level of external debt within approved limits. During the year the Council had again, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code. The Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2023.

## **DECISION**

**NOTED that treasury management activity in the year to 31 March 2023 was carried out in compliance with the approved Treasury Management Strategy and Policy as detailed in the report and in Appendix 1 to the report.**

### **6. TWEEDBANK DEVELOPMENT**

The Director Infrastructure and Environment gave a brief presentation on progress with the 6 actions in respect of the development of Tweedbank which included the development of a procurement strategy for a development partner, the development of a heat and energy network, mapping the ideal mix of uses across the site, development of a PR and Comms Plan in partnership with SOSE, the construction of the Phase 1 access road and community engagement around the options for community amenity. Mr Curry advised that Government funding of £50k had been received to carry out a feasibility study for the heat and energy network and this was already underway. More details with regard to progress would be reported to Members in due course.

## **DECISION**

**NOTED the update.**

### **7. CARE VILLAGE DEVELOPMENT - TWEEDBANK**

With reference to paragraph 7 of the Minute of 25 November 2023, there had been circulated copies of a report by the Director Strategic Commissioning and Partnerships providing an update on the progress with the Tweedbank Care Village development following the Stage 3 Costing report. The report explained that on 19 March 2020, Council agreed the allocation of

£22.679M for “new residential care provision” for Tweedbank and Hawick within the Draft Revenue & Capital Investment Plan (Revenue 2021/22 - 2025/26, Capital 2021/22-2030/31) thus allowing £11.339M per facility. However, since the capital budget was agreed in March 2020 there had been a significant financial impact on the project due to high inflation. In November 2021, Council agreed the recommendation set out in the OBC for Tweedbank Care Village to Approve that both Waverley Care Home (24 beds) and Garden View Intermediate Care Home (25 beds) operated by SBC were decommissioned and closed to secure revenue funding to provide for the Tweedbank Care Village. At that time there was an estimated cost for the facility of £14.3m. In February 2023, as part of the financial planning process, an additional sum was agreed by Council to help fund the two care villages, giving an overall budget to build Tweedbank of £14.694M. Later in February 2023 the stage 3 cost plan was received from External Cost Advisors showing an estimated projected cost of £21m. Despite significant value engineering, following the stage 3 cost report, the indicative build cost for Tweedbank was now estimated to be £19.3m giving a budget pressure of approximately £4.6m. In light of the estimated cost to build the Tweedbank Care Village, it would not be possible to deliver the build that was envisaged by Council in 2020 within the current agreed capital budget. It was recommended that to minimise the ongoing impact of inflation, and for this important strategic project to progress, the project proceed to the procurement phase and an agreed contract cost obtained. Members welcomed the progress to date and the public consultation which had been carried out. Members also noted the continuing inflation pressure on the budget. Councillor Parker proposed that recommendation (c) be amended to include consultation with Councillors Jardine, Rowley and himself and this was accepted.

#### **DECISION**

#### **AGREED to:-**

- (a) note the progress of the project in proceeding through the stage 3 design phase;**
- (b) note the continuing impact of inflation on the project budget and to mitigate this agree the project proceed to the procurement phase to obtain an agreed contract cost, with a further report brought back to Council following the procurement stage, which would include a procured cost; and**
- (c) delegate authority to the Director Infrastructure & Environment in conjunction with the Director of Finance and Procurement and in consultation with the Leader, the Executive Member for Health and Wellbeing and the Executive Member for Service Delivery and Transformation, to proceed through planning, detailed design and procurement process.**

#### **8. CLOSE CIRCUIT TELEVISION AND TOWN CENTRE WIFI OPTIONS**

There had been circulated copies of a report by the Director Strategic Commissioning and Partnerships setting out potential options, benefits and future opportunities available to Scottish Borders for investment in Council Public Space CCTV and Town Centre Wi-Fi; and seeking Council agreement to proceed with a 3<sup>rd</sup> party provider with a scheme for seven towns. The report provided details of proposals presented to Council by CGI for both Public Space CCTV and Town Centre Wi-Fi, as well as facilitating a discussion on other options for consideration. As well as providing information around the benefits and financial implications for the proposals, the report described the wider opportunities presented by modern CCTV systems coupled with Town Centre WIFI provision. Members welcomed the report and discussed the proposals in detail. Members commented on the importance of CCTV for communities and highlighted the good work by both the Selkirk and Newcastleton Communities in funding and providing their own systems. It was noted that a project in Hawick was also well advanced and it was suggested that it might be suitable as a pilot for other areas. It was agreed that officers meet with those project organisers. Members also asked that the CCTV and Town Wifi options be dealt with separately. The Chief Executive confirmed that when the fully costed business case was brought back for consideration the costs would be shown for each element. There was a difference of opinion regarding how best to take the matter forward and a vote was taken as follows:-

## VOTE

Councillor Rowley, seconded by Councillor Pirone, moved approval of the recommendations as contained in the report.

Councillor M. Douglas, seconded by Councillor Orr, moved as an amendment that the recommendations in the report be amended as follows:-

*“That Scottish Borders Council:*

- (a) recognises the benefits of town centre CCTV and wi-fi systems;*
- (b) agrees to a principle of investment and modernisation to reflect community priorities;*
- (c) notes with concern the high indicative ROM costs, and determines to ensure that best value is achieved;*
- (d) agrees in principle to proceed with a seven town CCTV and town centre Wi-Fi solutions, subject to receiving a fully defined proposal, costed business case and funding arrangements coming back to a subsequent Council meeting for final approval;*
- (e) agrees to examine whether the CCTV network in Selkirk, which provided an eight camera, cloud-based system for £30,000, provides a comparable alternative delivery solution having regard to the quality, security and costs associated with the system; and*
- (f) agrees that consultation is undertaken with other towns and communities to determine views, practicalities and priorities for potential future CCTV and Town Centre Wi-Fi investment opportunities.”*

*On a show of hands Members voted as follows:-*

<i>Motion</i>	<i>-</i>	<i>18 votes</i>
<i>Amendment</i>	<i>-</i>	<i>10 votes</i>

*The Motion was accordingly carried.*

## **DECISION**

### **DECIDED:-**

- (a) to accept the report as an Outline Business Case with a range of background issues, benefits and future considerations relating to CCTV and Town Centre Wi-Fi for the Scottish Borders;**
- (b) to note the options submitted by CGI, including outline financial implications;**
- (c) that the current SBC policy around CCTV systems move to a principle of investment and modernisation to reflect community priorities;**
- (d) in principle to proceed, with a seven town CCTV and town centre Wi-Fi solution; subject to receiving a fully defined proposal, costed business case and funding arrangements coming back to a subsequent Council meeting for final approval; and**
- (e) that consultation was undertaken with other towns and communities to determine views, practicalities and priorities for potential future CCTV and Town Centre Wi-Fi investment opportunities.**

## **MEMBERS**

Councillors Anderson and Moffat left the meeting.

### **9. SCOTTISH BORDERS CHAMPIONS BOARD SCHOOL PILOT REVIEW**

There had been circulated copies of a report by the Director of Social Work and Practice on the Scottish Borders Champions Board School Pilot Review which was published in August 2023. Mr Easingwood apologised that the report had been titled incorrectly and should read as detailed above. The report outlined details of the Champions Board Hub pilot projects that had been developed at Jedburgh Grammar Campus and Berwickshire High School in the Spring and Summer terms. The report also evaluated the work undertaken in schools, incorporating feedback from the young people involved in the pilot and school staff supporting the project. The next steps for the Scottish Borders Champions Board approach were also outlined. Members welcomed the expansion of the Hub model to all schools and Borders College and paid tribute to the work of Cory Paterson and Hannah Hawthorn in taking this forward.

## **DECISION**

**AGREED to endorse the publication of the Scottish Borders Champions Board School Pilot review and the next steps as outlined in the report.**

### **10. ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER 2022/23**

There had been circulated copies of a report by the Director of Social Work and Practice on the Chief Social Work Officer (CSWO) annual report on the work undertaken on behalf of the Council by the CSWO in this statutory role for 2022/23, a copy of which was appended to the report. The report provided Council with an account of the decisions taken by the CSWO in the statutory areas of Fostering and Adoption, Child Protection, Secure Orders, Adult Protection, Adults with Incapacity, Mental Health and Justice. The report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2022 to March 2023, and highlighted some of the key challenges for that year. It was noted that this year the Office of the Chief Social Work Advisor to Scottish Government had sent out a new format for this year's report and the report conformed to that format. Mr Easingwood presented his report and introduced John Fyfe and Gwyneth Lennox who would be covering his post until a successor had been appointed. He commented on the challenges faced during the year which had seen a growing demand for service in all areas. Members highlighted that early intervention was key and noted the increase in both more complex cases and needs. Mr Easingwood answered Members' questions including the work being done to support the wellbeing of staff and the difficulties in recruiting foster carers, which was a national issue. Members thanked Mr Easingwood and his staff for their hard work during difficult circumstances.

## **DECISION**

**AGREED to approve the Report of the Chief Social Work Officer as attached to the covering report.**

### **11. CHILDREN'S RIGHTS**

There had been circulated copies of a report by the Director Education and Lifelong Learning advising on what initiatives Scottish Borders Council had implemented in the past 3 years (2020-23), and the measures planned over the next 3 years (2023-26) to further the rights of children and young people living in the Scottish Borders. Part 1 of The Children and Young People (Scotland) Act 2014 required Public Authorities to report 'as soon as practicable' after the end of each three-year period on the steps they had taken to secure better or further effect the requirements of the United Nations Convention on the Rights of the Child (UNCRC). Scottish Borders Council had prepared a joint report with NHS Borders to comply with the requirement of the Act a copy of which was appended to the report. The Act required that the Children's Rights Report was published on the local authority website. The report was split into two parts. Part one set out actions implemented within the past 3 years, namely from 2020 to 2023. Part two comprised an Action Plan of the measures being taken

forward covering the period 2023 until 2026. Members highlighted the importance of embedding these rights in all work with children.

#### **DECISION**

**AGREED to approve:-**

- (a) the Children's Rights Report for 2020-23; and**
- (b) the Action Plan for 2023-26.**

#### **12. LOCAL DEVELOPMENT PLAN - EXAMINATION REPORT**

With reference to paragraph 6 of the Minute of the meeting held on 10 March 2022, there had been circulated copies of a report by the Director Infrastructure and Environment presenting the modifications arising from the Examination Report on the Scottish Borders Proposed Local Development Plan (the Plan) and seeking Council agreement to the proposed modifications, and to take forward the Plan as amended to formal adoption. The report explained that the Council had received the Examination Report on the Proposed Local Development Plan (the Plan). The Examination Report proposed a number of modifications to the Plan and the full Report is available to view at [www.scotborders.gov.uk/ldp2](http://www.scotborders.gov.uk/ldp2). A summary table setting out all the modifications contained within the Examination Report was contained in Appendix A to the report. For ease of reference, an indexation table had been produced for each chapter, policy and settlement, indicating where the Reporters' conclusions and recommendations could be viewed within the Examination Report contained in Appendix B to the report. Officers were content with the conclusions and recommendations contained within the Examination Report. The Council was therefore recommended to agree the Reporter's modifications in full, and to proceed towards formal adoption of the Plan. Further to the appendices which were attached to the report, there were also a number of background documents. The full [Examination Report](http://www.scotborders.gov.uk/ldp2), updated Environmental Report and updated Habitats Regulations Assessment could all be viewed at [www.scotborders.gov.uk/ldp2](http://www.scotborders.gov.uk/ldp2). The updated Integrated Impact Assessment could be viewed at <https://www.scotborders.gov.uk/LDP2023>. Members welcomed the report and the changes which had been made. Tribute was paid to Charles Johnston and his successor Debbie Armstrong for their hard work on the Plan.

#### **DECISION**

**AGREED:-**

- (a) the modifications made to the Proposed Local Development Plan, as contained in Appendix A to the report, any subsequent consequential changes and minor typo/drafting changes;**
- (b) to take forward the Local Development Plan, as contained in Appendix C to the report, as amended by the agreed modifications, to formal adoption;**
- (c) to adopt the Local Development Plan, unless directions by Scottish Ministers resulted in significant changes to the Plan; and**
- (d) to note the updates to the Environmental Report, Habitats Regulations Assessment and Integrated Impact Assessment.**

#### **13. PENSION FUND COMMITTEE MEMBERSHIP**

There had been circulated copies of a report by the Director Corporate Governance proposing changes to the membership of the Pension Fund Committee. The report explained that the Council's Scheme of Administration regulated the constitution and membership of the Committees of the Council and any amendments, apart from minor ones, required to be approved by Council. The Pension Fund Committee dealt with all matters relating to the Council's role as the Administering Authority for the Scottish Borders Council Pension Fund. In the current Scheme, the constitution of the Pension Fund Committee

included the Convener. The Convener had indicated that due to pressure of other work he was unable to give as much attention to the work of the Pension Fund Committee as he would like and had resigned from this appointment. A change was therefore required to the constitution of that Committee, removing the Convener and it was proposed that he be replaced by “one other Elected Member”. Council was therefore being asked to approve the change to the Scheme of Administration and appoint another Elected Member to the Pension Fund Committee. Councillor Mountford, seconded by Councillor Pirone, moved that Councillor L. Douglas be appointed and this was unanimously accepted.

**DECISION  
AGREED:-**

- (a) to amend the constitution of the Pension Fund Committee in the Scheme of Administration by removing the Convener and adding in “one other Elected Member”; and**
- (b) to appoint Councillor L. Douglas to the Pension Fund Committee in place of the Convener.**

**14. COMMITTEE MEMBERSHIP/REPRESENTATIVES ON OUTSIDE BODIES**

This item was withdrawn from the agenda.

**DECISION  
NOTED.**

**15. MOTION**

Councillor Tatler, seconded by Councillor Begg, moved the following Motion as detailed on the agenda:-

“Despite living in one of the wealthiest countries in the world, around 90% of low-income households receiving Universal Credit are going without essentials, driving more and more people into hardship and through the doors of food banks. Scottish Borders Council believes that this is wrong.

Everyone’s circumstances can change. Losing your job, needing to care for a sick family member, breaking up with your partner – these are things that can happen to any of us.

Our social security system should offer adequate support to anyone in need of help, but right now it’s not based on an objective assessment of what things cost and isn’t even providing enough to cover life’s essentials.

Scottish Borders Council calls on all UK political party leaders to support the introduction of an Essentials Guarantee within Universal Credit to ensure that the basic rate at least covers life’s essentials, such as food and bills, and can never be pulled below that level.”

Councillor Tatler and Councillor Begg spoke in support of the Motion which was unanimously approved.

**DECISION  
AGREED to approve the Motion as detailed above.**

**MEMBER**

Councillor Robson left the meeting.

**16. OPEN QUESTIONS FROM COUNCILLORS**

The questions submitted by Councillors Anderson and Thomson were answered.

**DECISION**



**NOTED the replies as detailed in Appendix I to this Minute.**

**MEMBERS**

Councillors Marshall and Parker left the meeting.

**17. OPEN QUESTION FROM MEMBER OF THE PUBLIC**

The following question was submitted by Mr Horsburgh from Kelso:-

“What proposals are there regarding the future use, change of use, or decommissioning of the housing in Maxmill Park, Kelso? I believe that this question has been asked to Council in March and would like to know of an update.”

Councillor Tatler, Executive Member for Communities and Equalities, gave the following answer:-

“Senior Council officials have recently held a strategic planning meeting about the future use of Maxmill Park.

As a result, officers are currently pulling together an options analysis for the future use of the Maxmill site which includes actively looking to identify alternative accommodation options to allow us to discontinue the use of this provision as temporary homeless accommodation.

Due to significant demand for statutory temporary accommodation to homeless households and the corresponding lack of alternative options across the social housing landscape in the Borders at present, this is proving challenging.

The current use of the provision in Maxmill Park is being kept to a minimum; however, we recognise that the homeless service may be required to utilise these properties until alternatives can be identified recognising the high level of demand for temporary homeless accommodation and the Council’s statutory responsibilities.

At present there has been no decision on the future use of the site, as this will have to be subject to the options analysis which is due soon and a report to elected members. The Council has to identify alternative options for meeting our statutory duty under homeless legislation prior to any alternative future for the site being finally determined. In the interim, work to refurbish the former caretakers bungalow and bring this back to habitable condition following major water leak damage has been commissioned.”

**DECISION**

**NOTED the reply.**

**18. URGENT BUSINESS**

Under Section 50B(4)(b) of the Local Government (Scotland) Act 1973, the Convener was of the opinion that the item dealt with in the following paragraph should be considered at the meeting as a matter of urgency, in view of the need to make an early decision.

**19. MEMBERSHIP OF THE EDUCATION SUB-COMMITTEE**

It was noted that Councillor Robson had resigned from the Education Sub-Committee. Councillor Tatler, seconded by Councillor Cochrane, moved that Councillor Ramage be appointed in his place and this was unanimously agreed.

**DECISION**

**AGREED that Councillor Ramage be appointed to the Education Sub-Committee.**

**20. PRIVATE BUSINESS**

**DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in**

**Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.**

#### **SUMMARY OF PRIVATE BUSINESS**

21. **Minute**

The private section of the Council Minute of 31 August 2023 was approved.

22. **Committee Minutes**

The private sections of the Committee Minutes as detailed in paragraph 4 of this Minute were approved.

*The meeting concluded at 2.00 p.m.*

**SCOTTISH BORDERS COUNCIL**  
**28 SEPTEMBER 2023**  
**APPENDIX I**

**Questions from Councillor Anderson (Asked by Councillor Tatler in the absence of Councillor Anderson)**

**1. To the Executive Member for Estate Management and Planning**

The toilets at Eyemouth's old High School Hall have been closed for two years. With the Annual pantomime taking place, once again no toilets exist for the 100s of guests attending the pantomime. The portaloos previously provided do not provide adequate facilities for elderly and disabled people. When will the toilets in Eyemouth's Old High School Hall be fixed and will it be in time for this year's pantomime as promised last year?

**Reply from Councillor Mountford**

The Council needs to be reducing its property footprint to ensure this can be sustained moving forward. There are consequently no plans to renovate and reopen the former Eyemouth High School hall toilets. These are closed and in a dilapidated condition that would require a significant capital investment to bring to a standard suitable for use. If the pantomime organising committee would like to obtain prices from local firms for portaloos hire, the Council will see what we can do to assist with these costs.

**Supplementary**

Councillor Tatler asked if a discount for use of the hall had been offered. Councillor Mountford was not aware but would check with officers.

**2. To the Executive Member for Roads Development and Maintenance**

What is being done to ensure staff digging graves use crawler boards to reduce damage to the grass in our cemeteries, by Heavy tracked vehicles.

Why have the crawler boards for the tracked vehicles not been used as appropriate, and does SBC recognise the trauma caused to my constituents by heavy tracked vehicles defacing the graves of their loved ones? Will a formal apology be given to those families who have repeatedly suffered this upset?

**Reply from Councillor Greenwell**

Every endeavour is made to try and minimise ground damage when carrying out excavations and backfilling of graves, particularly on ground that is already wet and saturated, including the use of ground protection boards. This is an active cemetery site, and as with any excavation works, there are always risks of ground disturbance. In Eyemouth Cemetery, additional mitigating measures were undertaken for recent internments in this location such as removing sections of fence to enable direct access, with the aim of minimising ground disturbance across the site. However it would appear on this occasion to not have been entirely successful and officers will investigate further. Officers are happy to speak with and apologise to any families affected for any distress caused.

**Supplementary**

Councillor Tatler advised this was not the first occasion this had happened and asked for assurances that the graves would not be desecrated for a fourth time. Councillor Greenwell did take this on board but urged Councillor Anderson to get in touch with Carol Cooke, Parks & Environment Manager, who was doing a lot of work engaging with communities and perhaps a site visit could be arranged.

**Question from Councillor Thomson**

**To the Leader**

Can you please advise what the purpose and intent of the Community Conversation sessions are. Also, could you provide an estimated cost for these sessions.

### Reply from Councillor Jardine

Thank you for your question. At the start of the current administration I set out our intention to try to engage more effectively with local communities over their priorities and concerns. Last year we ran a series of engagement sessions in 11 communities and gathered feedback from local people on issues that are important to them and their views on the performance of the Council. This was reported to members, in full, in December 2022 following analysis of the feedback. This feedback was used to inform decisions around the Council's budget. The exercise was broadly welcomed by communities and subsequently has been repeated this year with meetings taking place in a further 9 communities. Once again the feedback will be collated at the conclusion of the sessions and be submitted to Council. Any issues identified by communities with resource implications can be considered as part of the budget process. As members will be aware, Officers of the Council operate in a flexible way, as such there have been no costs associated with Officer time in attending these meetings, Council venues have been used and any costs will have been limited to travel, catering and advertising materials. These costs are not known at this juncture but are likely to be minimal and in any event are estimated to be no more than £2000. Any costs will be met by the communications and marketing budget in the Council.

### Supplementary

Councillor Thomson would like to understand how this related to a recent response from the Chief Executive to West Linton Community Council that consultation on the sale of the public toilets would not be meaningful as the decision had already been taken. Therefore, why are we spending money holding engagement events with communities while not giving communities the opportunity to engage. Councillor Jardine advised there was an opportunity for representatives from West Linton to attend the recent community conversation engagement session in Peebles and there had been active engagement with the community on these toilets. He urged people from West Linton to get in touch with himself, the Portfolio holder or the Chief Executive to try to move things along. However, we are looking at different ways of engaging, such as the Community Conversations, but we are not changing our direction in any way and remain open to engagement.

