

# SCOTTISH BORDERS COUNCIL SCRUTINY COMMITTEE

MINUTE of Meeting of the SCRUTINY  
COMMITTEE held in COUNCIL CHAMBER,  
COUNCIL HEADQUARTERS, NEWTOWN  
ST BOSWELLS on Thursday, 28 January,  
2016 at 10.15 am

Present:- Councillors G Logan (Chairman), W Archibald, K Cockburn, I Gillespie,  
S Mountford, A Nicol and J Torrance.  
Apologies:- Councillors A Cranston, S Mountford.  
Also Present:- Councillors M Ballantyne, G Edgar.  
In Attendance:- Clerk to the Council, Service Director Commercial Services, Clerk to the  
Council, Democratic Services Officer (J Turnbull).

## 1. **MINUTE**

There had been circulated copies of the Minute of 26 November 2015.

### **DECISION**

**NOTED for signature by the Chairman.**

## 2. **SCRUTINY WORKING GROUP**

2.1 With reference to paragraph 2(c) of the Minute of 26 November 2015, the Clerk to the Council advised that Councillor Garvie had resigned from the Working Group. Councillor Cockburn, seconded by Councillor Logan, moved that Councillor Mountford be appointed to the Scrutiny Working Group as a replacement Member.

2.2 Councillor Torrance, seconded by Councillor Gillespie, moved as an amendment that there be no replacement for Councillor Garvie on the Working Group.

### VOTE

*On a show of hands Members voted as follows*

*Motion - 3 votes.*

*Amendment - 3 votes.*

*The Chairman had the casting vote and voted in favour of the motion. The motion was accordingly carried.*

### **DECISION**

**DECIDED to appoint Councillor S Mountford to the Scrutiny Working Group. The Working Group would be: Councillors Cockburn, Gillespie, Mountford and Campbell (Co-opted).**

## 3. **MAINTENANCE OF ROADS**

3.1 With reference to paragraph 5 of the Minute of 26 November 2015, there had been circulated copies of a report by the Service Director Neighbourhood Services and Service Director Commercial Services which was in response to a question submitted to the Scrutiny Committee by Ettrick and Yarrow Community Council: *To review the extent to which the Scottish Borders Council's (SBC) budget for road repairs and maintenance was sufficient to meet need and the not unreasonable expectation that roads would be*

*maintained in a safe condition. Within this context, to particularly examine how the allocation of budget for rural roads was arrived at and whether more should be allocated.*

- 3.2 The Chairman welcomed Mr Drummond-Hunt, Service Director Neighbourhood Services, to the meeting. Mr Drummond-Hunt began by giving the background to the allocation of resources nationally and the competing interests for limited funding, and how the standards and level of service were determined across the Scottish Borders. He advised that the Council faced significant budget pressures, with a very constrained roads budget which officers tried to maximise to get the most out of it and prioritise what was best for the roads network. The Roads Asset Management Plan (RAMP) was a key document in delivering road services, providing technical detail and operation standards. The RAMP gave a list of works required but the budget was not sufficient to cover all that was required. Mr Drummond-Hunt advised that the Council's carriageway assets totalled 2,968 km and these lengths of roads were classified into A, B, C and U in rural and urban areas. He explained that allocation of funds was not based on road length, but on need. Priority was given to A and B class roads which carried the bulk of traffic and were generally high speed, covering large topographical areas which could be the subject of serious accident sites. Classification C and U were lower priority and generally lower speed, so the standard of repair did not require to be as high but the roads were still safe. He went on to explain the Road Condition Indicator (RCI), a survey which collected condition measures including longitudinal profile, lane rutting, texture of surface and cracking. The results from the RCI were used to prioritise SBC's road repair programme. The RCI Results Table 2014-16, detailed in the report, showed that 46.3% of the Council's roads required repairs at the moment. Best practice suggested that this should be around 30%, which would probably be achievable in an urban authority as they would have a much smaller road network. It was anticipated that there would be a gradual increase in road repair requirement over the next five years should current funding levels continue. In 2015/16, there was £3m in the capital budget for roads, with approximately £2.5m allocated to the rural road network and £0.5m to the urban road network. To recover the position to best practice level, would require significant investment of £80-£90m over the next five years. A review of Roads Services was currently being carried out to ensure the Council achieved the most from the budgets and resources available, maximising productivity, efficiency, and performance by bringing together the permanent and temporary maintenance sections to improve the condition of the roads within the Scottish Borders. Concluding, Mr Drummond-Hunt acknowledged that while there was evidence that the condition of roads was deteriorating, he emphasised the road network remained safe and helped support the economic development of the region.
- 3.3 In answer to questions, Mr Drummond-Hunt intimated that one of the measures used to determine priority was serious accidents and incidents. Officers also used a 10% sample of statistical analysis. Mr Colin Ovens, Infrastructure Manager, joined the meeting and clarified that the sampling of roads was carried out on a rota basis. He further advised that SBC was pursuing a compensation claim for reinstatement of roads that had been affected by lorries using lesser road to avoid railway works.
- 3.4 Miss Harrison, Etrick and Yarrow Community Council, was in attendance and stated that benchmarking against other local authorities failed to be addressed in the report. Out of 32 Scottish authorities SBC had come 28<sup>th</sup>, and 6<sup>th</sup> out of 8 rural authorities. Miss Harrison suggested that SBC should investigate how other authorities were achieving better results - were they investing more or spending more wisely? In terms of how money was spent, as a lay person she thought patching works appeared to be throwing money away and did not appear to be a good use of the public pound. Drainage also appeared to be a problem and again this needed to be investigated. There was a clear trend that B, C and U roads were receiving cheaper repairs and consequently becoming worse over a period of time. Miss Harrison continued that forestry was forecast to increase fourfold over the next few years and would have a high impact on rural roads; this should be brought in as criteria for budget spend. Finally, Miss Harrison stated that

the Ettrick and Yarrow community was trying to diversify and promote tourism, including cycling, and visitors to the area would expect certain standards of roads.

- 3.5 Mr Ovens responded that a report was presented to Council on an annual basis which showed funding, how the funding was allocated, and included option models to address roads maintenance. Through the Council capital programme Officers put forward a programme of works and while there had been some increases in funding over the last few years, this was not enough to address the deterioration, but Officers continued to lobby for additional funding. Mr Drummond-Hunt added that SBC's investment in roads was reflected in the condition of roads in the area. Compared to other local authorities, SBC had one of the lowest rates of investment in the roads network. However, if more funding was allocated to roads maintenance, there would be a consequential reduction in funding to other Council services, such as social care or education. It was a difficult balancing act and a matter of serious discussion and debate for Members. With respect to the recent floods, Mr Drummond-Hunt explained that the Council was making a claim for assistance with the damage caused across the area through the Bellwin Scheme. The claim was based on repairs carried out and officers were currently assessing this. In terms of maximising manpower and machinery resources, Mr Ovens advised that presently repairs were mainly reactive, with some temporary and the preference was for permanent repairs. The current roads review was looking at materials, workforce, plant and equipment and considering a planned programme of works, to ensure works were 'First time right'. However, this could mean that repairs were more expensive resulting in not as many deficiencies being remedied, although recurrence would also not be an issue. The RCI calculation took into account average weather conditions in its model and not extreme weather.
- 3.6 In response to a question about SBc Contracts, Mr Drummond-Hunt advised that it was a successful company and the main sub-contractor for Amey for trunk roads. Half of SBc Contracts business came from external clients and half through civil engineering, but these latter contracts were not as profitable as previously due to competition so there was not as much money coming back into the Council. On a positive, SBc Contracts was looking to increase contracts from the private sector and was in demand from house builders, Universities, care homes, etc for infrastructure contracts in the Lothians. SBc Contracts was a valuable organisation for SBC and its success needed to be exploited as much as possible. Members then discussed the options for surface treatment and patching and when individual repairs were best made or a wider road treatment carried out. Mr Ovens explained that texture, skid resistance and fabric of the road had also to be considered when determining the method of repair.
- 3.7 Councillor Edgar, Executive Member for Roads and Infrastructure, was in attendance and advised that roads were needed to access everything from schools, to shops, tourism to emergency services. The Scottish Borders had 3,000 km of roads to maintain along with bridges, signs, etc. While Scottish Government granted £7m to the Council within the GAE for the roads network, it was up to Members, as policy makers, to allocate funding and, with competing pressures elsewhere on the budget, had determined only to spend half of that. Officers were dealing with maintenance of the road network as best they could within the budget available. The roads network should be considered the most important part of the area's infrastructure. Councillor Edgar concluded by requesting that Scrutiny Members carefully consider if the present budget met the requirement of the roads network.
- 3.8 Councillor Cockburn asked that Scrutiny Committee consider a recommendation to the Executive Committee to continue to consider ways of further increasing investment in roads and the related infrastructure. He also requested that the Council consider further negotiations with the government for trunk status of A roads be pursued, specifically the A72 and A7. Further negotiation with the timber industry on the impact of timber lorries on roads should also be considered. However, while officers had tried hard to negotiate with the timber industry, any timber routes devised were voluntary and not legally enforceable.

The timber companies also considered they had as much right to drive on public roads as other users as they paid taxes in the same way. Mr Drummond-Hunt further explained that re-trunking of A roads would remove them from the roads network and subsequently could reduce the funding received from Scottish Government. Councillor Nicol suggested that Scrutiny Committee receive a further report on the implications on the capital and revenue budget of trunking the A72 and A7, the potential effects on the capital programme and SBc Contracts.

## **DECISION**

### **AGREED:**

- # (a) to recommend that the Executive Committee continue to consider ways of further increasing investment in roads and related infrastructure; and
- (b) to request that the Service Director Commercial Services bring back a report to the March 2016 meeting of Scrutiny on the potential implications for the capital and revenue budgets of the re-trunking of the A72 and A7, along with the potential impact on the capital programme and SBc Contracts.

## **4. MEMBERSHIP OF SCRUTINY COMMITTEE**

4.1 With reference to paragraph 15 of the Scottish Borders Council meeting of 17 December 2015, the Clerk to the Council advised that Council had decided to take no further action in respect of Councillor Logan's motion until the matter had been discussed in full by Scrutiny Committee.

4.2 Councillor Logan, seconded by Councillor Cockburn, had moved the Motion in the following terms:

"That Scrutiny Committee agree to recommend amendment of the Council's Scheme of Administration to allow the addition of three non-voting external members on the Scrutiny Committee and that these additional members will also be eligible to be non-voting members of a Scrutiny Working Group"

4.3 Councillor Logan spoke to his Motion, explaining that he considered it would be beneficial to Scrutiny to receive external members' views when carrying out reviews. He considered there would be demand from those who were interested in Scrutiny and they would bring a different set of skills to the Committee. Councillor Cockburn added that while Scrutiny was a good, strong Committee, having external members would bring an alternative perspective which would help inform debate, and make the Committee stronger still.

4.4 Councillor Nicol advised that, whilst it was beneficial to have independent members on Committees, Scrutiny Committee dealt with many different subjects, so it would therefore be beneficial to ask specific experts to attend Scrutiny Committees and working group meetings, when appropriate. Councillor Nicol, seconded by Councillor Gillespie, moved as an amendment that there be no additional non-voting members on Scrutiny Committee.

### VOTE

*On a show of hands Members voted as follows*

*Motion - 2 votes*  
*Amendment - 4 votes.*

*The amendment was accordingly carried.*

## **DECISION**

- \* **DECIDED to RECOMMEND that there be no additional non-voting members appointed to the Scrutiny Committee.**

5. **SCRUTINY REVIEWS -UPDATE ON SUBJECTS INCLUDED IN THE FUTURE SCRUTINY REVIEW PROGRAMME**

- 5.1 With reference to paragraph 5 of the Minute of 26 November 2015, there had been circulated an updated list of subjects which Scrutiny Committee had been asked to review and which included the source of the request, the stage the process had reached and the date, if identified, of the Scrutiny meeting at which the information would be presented. In addition, Members were also asked to consider further subjects for inclusion on this list for presentation at future meetings of the Committee. When deciding whether subjects would be reviewed by the Scrutiny Committee, Members required a clear indication from the initiator of the request as to which aspects of the subject they wished to be reviewed. This would enable the Committee to determine whether they subject was appropriate for consideration. Councillor Gillespie asked that following the recent news of the tragic death of a young boy who had been Home Schooled, that Scrutiny Committee review Home Schooling further - in particular, to consider a change in the law to ensure that health assessments for home schooled children were carried out. The review should also assess parents to ensure that they were adequate educators for primary and secondary education. Members unanimously agreed that Home Schooling be reviewed. Councillor Torrance also requested an update on the previous recommendation to the Executive Committee on Home Schooling.
- 5.2 Members also discussed whether the Scrutiny Committee should look at the current ICT review. The Chief Executive, who had joined the meeting at this point, clarified that a full Members' seminar on the ICT review was planned prior to a report being considered by full Council. Meetings were being held with CGI and details were still being finalised. A report on the ICT Review was due to be considered at Corporate Management Team's meeting the following week, after which a full seminar for all Members was planned, with individual briefings for political groups also arranged if required. As well as this seminar, prior to that there would also be a development workshop for all Members on understanding technology, to ensure that they were conversant with the various IT aspects and issues facing the Council. Following discussion, Members agreed not to look at the ICT review at this time. Officers were also delegated to manage the timetable for reviews as appropriate.

**DECISION**

**AGREED:**

- (a) **To note the proposed list of subject for review by Scrutiny Committee;**
  - (b) **that the Clerk to the Council provide an update at the next meeting on the previous recommendation to the Executive Committee on Home Schooling;**
  - (c) **not to look at the ICT Review at this time; and**
  - (d) **to note that the Chief Executive was arranging a seminar and development workshop for Members prior to the report on the ICT Review being considered by full Council.**
6. **DATE OF NEXT MEETING**  
The next meeting of the Scrutiny Committee would take place on Thursday, 18 February 2016.

**SUMMARY OF PRIVATE BUSINESS**

7. **PRIVATE MINUTE**

The Committee noted the private section of the Minute of 26 November 2016.

***The meeting concluded at 12.10 pm.***