

SCOTTISH BORDERS COUNCIL

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells and via Microsoft Teams on Thursday, 28 March 2024 at 10.00 a.m.

Present:- Councillors W. McAteer (Convener), J. Anderson, J. Bathgate, D. Begg, , 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, . Parker, J. PatonDay, J. Pirone, C. Ramage, N. Richards, E. Robson, M. Rowley, S. Scott, F. Sinclair, E. Small, A. Smart, H. Steel, R. Tatler, E. Thornton-Nicol, T. Weatherston.

Apologies:- Councillors A. Orr and V. Thomson.

In Attendance:- Chief Executive, Director Corporate Governance, Director Education and Lifelong Learning, Director Finance and Procurement, Director Infrastructure and Environment, Director Resilient Communities, Chief Officer – Health and Social Care, Democratic Services Team Leader

1. CONVENER'S REMARKS

- 1.1 The Convener congratulated Fiona Blair, Registrar, who had been presented a Certificate for Outstanding Contributions by Registrars of Scotland.
- 1.2 The Convener commended the continued excellent work of the Roxburgh Citizens Advice Bureau as it celebrated the 50th anniversary of its operations.
- 1.3 The Convener highlighted that Scottish Borders Council's Pension Fund had been notified that its application to continue as a signatory to the UK Stewardship Code had been successful. Signatories to the Code were recognised as adhering to the highest standard of financial management.

DECISION NOTED.

2. MINUTE

The Minutes of the Meetings held on 21 February and 29 February 2024 were considered.

DECISION

AGREED that the Minutes be approved and signed by the Convener.

3. COMMITTEE MINUTES

The Minutes of the following Committees had been circulated:-

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| (a) Community Planning Strategic Board | 16 November 2023 |
| (b) Hawick Common Good | 22 November 2023 |
| (c) Chambers Institution Trust | 29 November 2023 |
| (d) Scrutiny and Petitions Committee | 7 December 2023 |
| (e) Pension Board | 12 December 2023 |
| (f) Pension Fund | 12 December 2023 |
| (g) Pension Fund | 17 January 2024 |
| (h) Chambers Institution Trust | 24 January 2024 |
| (i) Eildon Area Partnership | 25 January 2024 |
| (j) Cheviot Area Partnership | 31 January 2024 |

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| (k) Tweeddale Area Partnership | 6 February 2024 |
| (l) Executive Committee | 13 February 2024 |
| (m) Chambers Institution Trust | 28 February 2024 |
| (n) Peebles Common Good Fund | 28 February 2024 |

DECISION

APPROVED the Minutes listed above.

4. SCOTTISH BORDERS PUBLIC PROTECTION COMMITTEE ANNUAL REPORT 2022/2023

There had been circulated copies of a report which summarised the activity of the Public Protection Committee (PPC) and associated Delivery Groups for the year 1 August 2022 – 31 July 2023. The Annual Report covered the main activities of the multi-agency Public Protection Committee and highlighted the continuing work being undertaken in the Scottish Borders to meet the Council's statutory duties to protect children and adults at risk of harm. The Report included information relating to Child Protection, Adult Support and Protection, Violence Against Women and Girls and Justice Services. It also included statistical information relating to the PPC Performance Indicators and training and development activities. The Annual Report described the considerable work undertaken by staff and services to meet the needs of the most at-risk members of local communities. The Director Education and Lifelong Learning introduced Mr Alan Small, the independent Chair of the Public Protection Committee to present the report. Mr Small highlighted that the reporting period for the report was being altered to bring it into line with the Adult Protection report. The Public Protection Committee had three key priority outcomes that it was focused on delivering. Listening to and acting on the views of those with lived experience was the priority outcome, which involved the recruitment of an Adult Protection Engagement Officer and a Children and Young People Officer to deliver work in that area, particularly through the Engagement and Participation Strategy and Children and Young People's Advocacy Service under development. Work on the second priority, understanding the experience of people at risk of harm and the staff who supported them, involved the establishment of a Learning Review Delivery Group, the production of guidance and the implementation of a review process with family experience at its core. Further procedures were also being produced and would be published. Responding to the pressures placed on children, young people, and adults at risk of harm and improving safety and wellbeing was the final priority outcome and work on that outcome involved the recruitment of a Trauma Coordinator and trauma needs analyses being undertaken across organisations. An application to work with the Scottish Government's Trauma Responsive Social Work Services team had been successful, and would focus on children and families' social work. Members thanked Mr Small for the very comprehensive report and his leadership of the Committee. In response to a question regarding support for staff dealing with those in trauma, Mr Small highlighted that work in that area formed part of one of the key priority areas. Domestic abuse figures, despite a small decrease, remained high. Members encouraged people to report any incidents that they were aware of. In response to a question regarding the registration of children, Mr Small explained that the figures in the Scottish Borders were comparable to the rest of Scotland. In response to an issue raised regarding the contact number for concerns about at-risk adults, the Director – Education and Lifelong Learning undertook to ensure that a dedicated telephone number was included in the report.

DECISION

AGREED:-

- (a) the content of the Public Protection Committee Annual Report 2021-2022; and**
- (b) to endorse the publication and to it being shared across other forums.**

5. UNITED KINGDOM RESETTLEMENT SCHEME – SAFE AND LEGAL ROUTES

With reference to paragraph 11 of the Minute of the meeting held on 27 August 2020, there had been circulated copies of a report by the Director Resilient Communities which provided

an update the Council's participation in various resettlement schemes and highlighted a Home Office request for council pledges to accept refugees through Safe & Legal Routes during 2025, which would enable a cap to be set based on these pledges. Up to February 2024 the Scottish Borders had received nine Syrian families. Three Afghan families arrived but had subsequently moved to be closer to family members in other parts of the United Kingdom (UK). There were currently 44 Ukraine households in hotel accommodation and a further 36 with host families. The Scottish Borders had also been receiving Unaccompanied Asylum-Seeking Children and was expecting to receive adults through a UK wide national transfer scheme. These people generally originated from the small boat arrivals and were awaiting asylum decisions. The Home Office via CoSLA was seeking voluntary pledges from councils on numbers of individuals/households they were willing to accept in 2025 through Safe and Legal Routes.. In addition to normal state benefits, the Home Office provided funding for the duration refugees were registered on the scheme, currently varying between 36 and 60 months, which was principally to support integration and language development. Costs could vary based upon the composition of families and their individual needs. The children of refugees born in the United Kingdom did not qualify for that funding. The report explained that asylum seekers did not have the same funding arrangements and rights as refugees. They were limited in the services they could access and remained the responsibility of the Home Office. Should an asylum decision go in their favour the eligibility would change and support would likely move to local authority services. Members welcomed the report and highlighted that the people of the Scottish Borders were friendly and welcoming to refugees and asylum seekers.

DECISION

AGREED:-

- (a) to note the position regarding current resettlement activity; and**
- (b) to pledge a figure of up to 10 household arrivals through Safe and Legal Routes, subject to Home Office funding being maintained and the availability of suitable housing and resources locally.**

6. ESTATES RATIONALISATION, OPTIMISATION AND DECARBONISATION

- 6.1 There had been circulated copies of a report by the Director Infrastructure and Environment which explained the approach that Scottish Borders Council intended to take in rationalising, optimising and decarbonising the Council's estate. The primary driver behind the approach was to ensure that the Council was financially and environmentally sustainable whilst supporting the delivery of key Council services. The report explained that Scottish Borders Council delivered a significant and broad range of services to communities and businesses across the region. The 2024-25 financial planning process highlighted that the Council was living beyond its means and needed to continue its transformational change approach to ensure that the Council was operating within available resources. Estate rationalisation was crucial, through the process detailed in the report, in reducing the financial burden of the current property portfolio. The Council's direct carbon emissions were largely connected to two things: utility usage in running its buildings; and in transport around the region. Rationalisation and optimisation of the Council's estate would positively contribute to reducing direct emissions, whilst also tightening the focus for where revenue and capital budgets were targeted operationally and in decarbonisation measures. The report also explained a series of conclusions reached about the Council's estate following a review in 2022 relating to condition, scale, nature of space, working practices, carbon emissions and financial, social and economic sustainability. Much of the estate was near end of life, in poor condition or uneconomic to fix and was oversized. Digital tools could improve ways of working and spaces did not reflect what services needed to deliver effectively. There was little meaningful progress in partnership working and joined up public services, although there was a desire for more creative use of Council assets by the community. Maintenance was reactive with large backlogs and there was a lack of risk based and life cycle approach taken to planning investment, although Education investment had been partially successful. In summary, the estate was financially, socially and environmentally unsustainable and service

delivery could improved with cultural change. Five key objectives intended to achieve the overall vision were set out: To operate an efficient, fit-for-purpose, sustainable estate, that was appropriately sized and located to meet the needs of our communities and their strong identities, with digitally enabled working environments that could be effectively managed, and which supported the Council Plan through the delivery of truly joined up services.

- 6.2 A series of actions which had already been undertaken or were in progress included the establishment of the Capital Projects Programme Management Office; the establishment of a new Chief Officer Estates post bringing together a series of key functions; the commencement of a programme of condition and suitability surveys to assess building performance where objective data would be collated into a performance dashboard; reimagining HQ as a Civic Hub to optimise use of the building; and a sample energy audit to help inform an efficient and productive approach to estate wide decarbonisation. The proposals outlined in the report focused on affordability, rationalisation, optimisation, and decarbonisation. The building performance dashboard would provide objective data informed criteria along with other factors to classify buildings as either 'Green – Retain and Maintain', 'Amber – Retain and Invest' and 'Red – Divest or Dispose'. A rationalisation target was proposed for the next 5 years which explained the benefits that would be realised as well as the need for all Council services to play their part in supporting the objective, contributing to right sizing the estate, both of which would contribute to targeting how the Council invested, where it maintained to improve the efficacy of its estate, decarbonising and reducing costs. The report also explained the role that all Council services must play in contributing to achieving the rationalisation target. In terms of governance, the report proposed that annual reports be presented to the Executive Committee to monitor performance and progress. A Member Officer Working Group would be established to develop recommendations, consider necessary steps, risks, impacts and implications, and resolve any issues.
- 6.3 The Director Infrastructure and Environment, Mr John Curry, presented the report and responded to questions. Members welcomed that the report included clear targets and highlighted that communications with communities and partners needed to be well managed. Concerns were expressed that the Working Group referred to in the report had held meetings prior to its formal establishment. Mr Curry explained that Working Group as listed in the report had not met, however some preliminary meetings with Officers and Elected Members had taken place. It was agreed that paragraph 6.12 of the report be amended to include a Member of the Opposition within the membership of the Working Group. In response to a question regarding renewable energy generation capacity in the plans for buildings, Mr Curry explained that based on the hierarchy in the report, the fabric of the building was of more importance than focusing solely on renewables. The Chief Executive confirmed that there were stringent environmental targets in place governing areas that aimed to ensure that the Council's estate would be as energy efficient as possible. In response to a question regarding Scottish Government support for the Council to rationalise its estate, the Director Resilient Communities outlined that the Council hoped to work in partnership with Scottish Futures Trust as a starting point when considering the future use of buildings.

DECISION

AGREED the:-

- (a) Affordability, Rationalisation, Optimisation, and Decarbonisation Strategy described in the report;**
- (b) Estate Assessment Criteria as described in the report;**
- (c) proposed Decarbonisation hierarchy as described in the report;**
- (d) approach proposed to engage with communities once an asset had been identified for divestment or disposal as the report;**

- (e) **10% (39,000m2) target reduction of the estate over a 5-year period proposed, which recognised that all Scottish Borders Council services had a collective role in working together to realise the objective;**
- (f) **review of service needs as described in the report, building on the ambition set out in the December 2020 report and recognising that Council services and its partners collectively influenced the shape and size of the estate;**
- (g) **communication plan approach as set out in the report;**
- (h) **establishment of an Elected Member Officer Working Group as described in the report**
- (i) **proposed reporting approach as contained in the report; and**
- (j) **officers within the Estates team prioritise their resources and budgets to achieve the targeted reduction in floor area, and take measures to supplement resource where necessary to progress whilst maintaining business as usual activities.**

7. WASTE UPHOLSTERED DOMESTIC SEATING

There had been circulated copies of a report by the Director Infrastructure and Environment which outlined the impact of new guidance on Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs) and recommended amendments to the Waste Services provided by the Council to ensure compliance. The Scottish Environmental Protection Agency (SEPA) issued new guidance on the 31st October 2023 which banned waste upholstered domestic seating (WUDs) containing persistent organic pollutants (POPs) from being sent to landfill. Examples of Waste Upholstered Seating (WUDS) included sofas, sofa beds, armchairs, kitchen & dining room chairs, stools & foot stools, home office chairs, futons, bean bags and cushions. The Council's current approach to managing WUDs containing POPs was not compliant with the new guidance, due to the mixing of WUDS containing POPs with uncontaminated material. In order to become compliant with the new Guidance the Council required to cease accepting, collecting, storing, transporting, and treating WUDS containing POPs as part of the mixed bulky waste stream and would require multiple changes to the Council's operations. It would also impact how the Council received and collected WUDS containing POPs from Households and Businesses via the Bulky Uplift Service, Community Recycling Centres, Waste Transfer Stations, and uplift of fly tipped waste. The Waste and Passenger Transport Manager, Mr Ross Sharp-Dent, presented the report and responded to questions. Mr Sharp-Dent undertook to provide a briefing for Elected Members outlining the next steps to be taken regarding the implementation of the guidance and the various elements of the communication plan to be delivered. In response to a question regarding comparisons of fly-tipping rates before and after the implementation of the new guidelines, Mr Sharp-Dent explained that Council had a system in place, including many years historical data, which recorded the number of incidents of fly-tipping on Council owned land. The Council was not responsible for responding to fly tipping on private land and Members expressed concern that incidents of fly-tipping across the region would increase significantly. The Chief Executive confirmed that the Council was actively involved in the negotiations regarding funding solutions to ease the burden placed upon it as a result of the guidelines. Regarding the health and safety measures put in place to protect frontline staff, Mr Sharp-Dent confirmed that whilst it was unclear what required to be put in place, suitable personal protective equipment continued to be provided. It was agreed that the Leader of the Council write to the Scottish Government and the Scottish Environmental Protection Agency outlining the pressures that the new guidance would place upon the Council.

DECISION

NOTED:-

- (a) **the requirements of the new guidance;**

- (b) that the Council was not compliant with the new guidance;
- (c) the need to amend its operations to become compliant;
- (d) the financial implications

AGREED to:-

- (a) approve the recommendations outlined in the report; and
- (b) approve the next steps outlined in the report.

8. BORDERLANDS INCLUSIVE GROWTH DEAL: NATURAL CAPITAL PROGRAMME – SPECIES RICH GRASSLAND PILOT BUSINESS JUSTIFICATION CASE

With reference to paragraph 10 of the Minute of the meeting held on 31 August 2023, there had been circulated copies of a report by the Director Resilient Communities which provided an update on progress with the Business Justification Case for the Species Rich Grassland Pilot Project within the Natural Capital Programme. A Business Justification Case was required to draw down funding from the Borderlands Inclusive Growth Deal. The Business Justification Case was in the process of being approved by the Scottish Government and was scheduled to be considered by the Borderlands Partnership Board for approval by written procedure in April. An advance final draft of the Business Justification Case was contained in Appendix 1 to the report (a series of additional supporting documents were noted within that as appendices to the Business Justification Case and those could be accessed through officers). Approval from the Scottish Government was expected by the date of the Council meeting. The Business Justification Case was one of a series of pilot project business cases which comprised the Borderlands Scottish Natural Capital programme. The Programme Business Case was approved by Council in August 2023 and Members welcomed the report and expressed their support for the project. Whilst the project was well supported and would have a positive impact, the importance of not overselling its potential impacts was highlighted.

DECISION

AGREED to:-

- (a) approve the Business Justification Case for the Species Rich Grassland Pilot project contained in Appendix 1 to the report; and
- (b) note that there was no anticipated capital or revenue funding required from the Council.

DECLARATION OF INTEREST

Councillors Richards, PatonDay and Weatherston declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct given their role on the Board of LiveBorders and left the Chamber during the discussion.

9. SBC/LIVE BORDERS TRANSFORMATIONAL CHANGE PROGRAMME

- 9.1 With reference to paragraph 6 of the Minute of the meeting held on 23 November 2023, there had been circulated copies of a report by the Director Resilient Communities which set out progress made in delivering the Joint Transformational Change Programme, adopted by Council on 23 November 2023, to deliver high quality sport, leisure and cultural services, now and into the future, through a high performing and financially sustainable partnership with Live Borders. The report recommended that the Council provided a further £600k of funding for 2024/25 to enable Live Borders to become a real Living Wage employer from 1 April 2024 in alignment with the Council. The report was the first progress report since the Joint Transformational Change Programme was approved in November 2023, and commenced in January 2024. The current areas of work within the programme were contained in

Appendices 2 and 3 to the report. Appendix 2 included a brief description of the objective of each project; whilst Appendix 3 gave a snapshot of progress and the indicative timeline of the programme. Each project had a start and end date with a Red, Amber or Green status. The key highlights since the programme commenced in January 2024 were contained in the report, with nine projects expected to be largely completed by the end of March 2024. A monthly financial checkpoint had been incorporated into the programme to review its financial health, monitor alignment to delivering its vision and facilitate early intervention from the Executive Board as appropriate. As the transformation work progressed, Live Borders continued to face significant financial pressures. The Council, in setting its budget for 2024/25, had provided an additional one-off £1m financial support, increasing the management fee to take account of the continuing high energy costs. A further request for support in 2024/25 had been received and it was proposed that a further £600k was provided to enable Live Borders to pay its employees both the real Living Wage (£12 per hour) from 1 April 2024 as well as an assumed 3% pay increase for all other staff groups. As well as being important to help retain employees, it was seen as a critical mandatory requirement of the Scottish Governments Fair Work First Policy, which was aimed at driving high quality and fair work across the labour market in Scotland. The Scottish Government had confirmed that all of its grant programmes would require to comply with the Fair Work First conditions from April 2024.

- 9.2 Given the continuing significant financial challenges, it was imperative that areas of the programme which were most likely to deliver financial benefits were taken forward at pace. Due to resource constraints, including the necessary expertise and knowledge, that might mean some projects which were aiming to deliver low or no financial savings were de-prioritised. Recognising the level of work required was significant, and it was acknowledged that appropriate resource and additional financial support would be required to support the transformational change programme. In particular, the project to conduct a detailed options appraisal and develop future sustainable service delivery options in collaboration with our communities and key stakeholders was being prioritised. That linked to other areas of the programme and parallel pieces of work, including the Estates Optimisation and Rationalisation Strategy being presented to Council on 28 March 2024. Updates on progress being made with the transformational change programme would be provided on a regular basis via reporting at key points during the programme with the next update expected by the end of June 2024.
- 9.3 The Director Resilient Communities presented the report and highlighted that the transformation programme continued to progress, with 2 key areas of activity. LiveBorders staff had completed their move from their premises in Galashiels to Council Headquarters, Newtown St. Boswells and good progress had been made on the surveys assessing the condition of the LiveBorders estate. 18% of those surveys had been completed, with a targeted date for completion brought forward from December to the end of May 2024. Mrs Craig highlighted that a typographical error in the report listed the number of LiveBorders full-time equivalent staff as 265 when the actual figure was 233. Councillor Pirone, seconded by Councillor Hamilton, proposed four additional recommendations, which were displayed at the meeting. Members unanimously agreed to approve the additional recommendations. It was highlighted that the transformational programme was focused on resolving difficulties and ensuring that LiveBorders and Scottish Borders Council operated a more effective, collaborative partnership. In response to a question regarding £500k in support which had been linked to the presentation of a savings plan to be prepared by LiveBorders, the Director Resilient Communities confirmed that the savings plan had not been presented. LiveBorders were in the process of setting their budget and the savings plan had not been presented to SBC officers. Mrs Craig confirmed that the joint Executive Board meeting had been held on Monday 18th March and that a discussion regarding the report had taken place at that meeting. Considerable concerns were expressed regarding the financial sustainability of LiveBorders, and it was stressed that effective, impactful, actions and difficult decisions were required to secure the long-term future of the Trust.

DECISION

AGREED:-

- (a) to approve the allocation of £600k from any underspends at year end in the first Instance, and that any residual funding requirement to provide the balance of £600k would be met from Council Reserves to provide Live Borders the funding to enable them to pay its employees the real Living Wage from 1 April 2024 and an assumption of a 3% pay award for all other staff groups;**
- (b) to delegate authority to the Director of Finance & Procurement to provide a further letter of comfort to Live Borders' external auditors, confirming the Council's ongoing financial support for LiveBorders to ensure they remain solvent and a going concern;**
- (c) that Council continued to be updated on the joint transformational change programme at key points, with the next update expected by the end of June 2024..**
- (d) that Council receives a full business plan from LiveBorders within the next two months, which also fully detailed its employment structure and retention strategy;**
- (e) that Council received full assurances from LiveBorders and its board that it aimed to be able to put the organisation on a sustainable footing for the financial year 25/26 and that any other requests for funding in 2024/25, should focus on investment to keep buildings operational and reduce the carbon footprint of the Trust and was accompanied by a full business case;**
- (f) to acknowledge the crucial joint work and progress made to date, but given the continuing difficult financial position, that officers request an observer role on the board of LiveBorders on an interim basis until governance structures were finalised. That would help to ensure early awareness of any emerging issues; and**
- (g) that recommendation A above was conditional on acceptance of all the recommendations proposed, by the Liveborders board.**

NOTED:-

- (a) the Joint Transformational Change Programme Progress Report and the progress made;**
- (b) the work of the Joint Transformational Change Programme Executive Board and Joint Officer Group;**

10. PUBLIC SPACE CCTV AND TOWN CENTRE CONNECTIVITY

10.1 With reference to paragraph 11 of the Minute of the meeting held on 25 January 2024, there had been circulated copies of a report by the Chief Executive which presented a full business case following the report presented to Council on 28th of September 2023 outlining high level proposals and costs. The interim report from 25th January 2024 set out the progress in developing a solution to replace the CCTV system in seven Borders towns which represented best value for the Scottish Borders. That report outlined the state of the current provision of CCTV and detailed the benefits and other considerations for potential investment. The benefits included the replacement of the existing CCTV systems, which were approaching a point of disrepair and would in any event become obsolete as of 2025; an opportunity to invest in public safety through deterrent, detection and prosecution of crime; the ability to collect meaningful data, for both Police Scotland and the Council; and the potential to use the investment in CCTV to look at cases for the technology and wider connectivity infrastructure.

The report also highlighted the wider opportunities for investment in infrastructure to support Scottish Borders as “smart, connected rural region” and the role of the project in relation to wider infrastructure programmes; initial work undertaken by Hawick Community Council on the CCTV model they had developed and their request for further engagement on their approach; and the need for communities to be fully consulted on the proposed solution and for clarity around data usage and privacy. Members requested Officers proceed to develop a fully defined proposal with a costed business case and funding arrangements and report to a subsequent Council meeting for final approval. Included within the business case was the analysis undertaken to ensure that the proposals offered the best value financial and technical offer for Scottish Borders Council in line with the recommendations from its strategic IT partners on the future proofing of the investment. The Chief Executive presented the report and explained that whilst the cost of the project was significant, it was fully funded through investment which had been previously agreed. It was stressed that the current analogue system would be obsolete by the end of 2025 and that the Council was required to ensure that a new digital system was in place by that date.

10.2 Members highlighted the widespread public support for CCTV and that a considerable element of the overall spend was related to maintenance and replacement of the system over a 16-year contract period. In response to a question regarding the locations of the cameras, the Chief Executive confirmed that the proposal was to create a fibre based hard-wired closed system using the locations where cameras were presently located. Whilst further locations could be considered in the future, there would be a cost associated with such an expansion. It was confirmed that, subject to legal restrictions, the commercial case for allowing third party access to the system would be explored. The system would have five licences to allow access, with Police Scotland being provided one and SBC utilising the remaining four. The Chief Executive confirmed that the system would not go live until a full Data Protection Impact Assessment was agreed with Police Scotland. It was confirmed that Officers had seen the camera model which would be used in the system in operation and Mr Robertson agreed that Elected Members would be able to see the system in operation before it went live. It was further agreed that the views of retailers would be sought as part of consultation work. The benefit of the system for the purposes of Emergency Planning was highlighted. The Chief Executive agreed that the delegated authority of recommendation B be widened to include the Leader of the Council. In response to a question regarding the analysis of footfall and other patterns, the Portfolio Manager, Ms Naomi Sweeney, explained that the analysis was carried out using machine learning and artificial intelligence. Such analysis could potentially involve object identification, alerts and geofencing. In response to a question regarding the Hawick Community Council proposed scheme, the Chief Executive explained that whilst the proposed Hawick system used a variety of different cameras for different purposes, the SBC system would use multi-use cameras capable of covering all aspects required of a modern CCTV system. Concern was expressed regarding the value for money of the project, particularly as it related to exploring potential alternative suppliers, technical solutions, and a lack of a control centre. Further concerns were expressed regarding the scalability and flexibility of the project and that the system would be tied to one single camera provider for its duration. It was agreed that the progress of the project would be continually monitored at the Leaders Group meetings. The Chief Executive provided assurance that no contract would be signed until the Data Protection Impact Assessment was agreed and any issues regarding data storage were fully resolved.

DECISION

AGREED to:-

- (a) accept the recommendations of Scottish Borders Council’s strategic IT provider, CGI on the best value solution for CCTV and associated connectivity infrastructure for the Scottish Borders;**
- (b) delegate responsibility to the Chief Executive, following consultation with the Leader of the Council and the portfolio holder for Finance, HR and Transformation, to refine the solution and administrative arrangements and**

sign the necessary contract amendment with CGI to deliver the project within the financial and operational parameters; and

- (c) delegate authority to the Chief Executive to agree any minor wording or drafting changes that did not materially amend the scope of the proposals contained in the report in order to address unforeseen requirements or clarifications arising during implementation.**

NOTED

- (a) the receipt of comparative costs and best value analysis undertaken, and recommendations provided on technical solutions;**
- (b) the commitment to further engagement with communities on the proposals and the implications for privacy and data security;**
- (c) the commitment to continue conversations with Hawick Community Council on the proposals for their community and engage with Community Councils and other key groups in the 7 towns covered by this investment; and**
- (d) the intention to integrate the use of CCTV data into the wider Data and Information Strategy under development for Scottish Borders Council including considering how community owned and operated systems interact with the proposed CCTV system.**

11. MOTION BY COUNCILLOR MACKINNON

Councillor Mackinnon, seconded by Councillor Smart, moved approval of the following Motion as detailed on the agenda:

“This Council notes that:

1. The scientific consensus is clear that human activities are primarily responsible for accelerating global climate change, and that the climate crisis now represents one of the preeminent threats to global civilization.
2. The International Energy Agency stated in its May 2021 report “Net Zero by 2050” that in order to reach that goal there should be no new oil or gas fields, or new coal mines, as of that moment.
3. Global governments and the fossil fuel industry are currently planning to produce more than double the amount of coal, oil and gas by 2030 than can be burned if the world is to limit warming to 1.5°C and avert catastrophic climate disruption, and such plans risk undoing the work of our Council to reduce GHG emissions.
4. A new global initiative is underway calling for a Fossil Fuel NonProliferation Treaty that would plan the end of new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5°C, and accelerate equitable transition plans globally.

This Council recognises that:

5. Our entire community will be affected by the impacts of continued fossil fuel expansion and resulting climate change, but particularly those who also face socioeconomic and health inequities, and our youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion.

This Council believes that:

6. New fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public health and safety at the local and global levels; and that the

economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction.

This Council resolves to:

7. Reaffirm our commitment, as part of our climate emergency response, to a just energy transition and to ambitious investments in the green infrastructure and industries that will create jobs and rapidly decarbonize our economy.
8. Formally endorse the call for a Fossil Fuel Non-Proliferation Treaty and make that endorsement public.
9. Call on the Scottish Government to also endorse the call for a Fossil Fuel Non-Proliferation Treaty.
10. To write to COSLA and raise our serious concerns about the impact of the climate emergency on local authorities and the need for a planned phase out of fossil fuels, and to call on them to endorse the Fossil Fuel Non-Proliferation Treaty.”

Councillors Mackinnon and Smart spoke in favour of the motion.

Councillor Linehan, seconded by Councillor Mountford, proposed an amendment in the following terms:

“While the council is keenly aware that we are in a climate emergency we are reluctant to commit to something involving a treaty that does not exist. It is our responsibility as councillors to consider all the implications of any actions and any impact they may have on our constituents. For that reason, I move an amendment that the Chief Executive directs our climate change officers to bring us a report on the content of my friend's motion once the terms of the treaty have been negotiated and there is a draft in place to consider. This will ensure that we, as councillors, can then respond to this motion with some degree of knowledge.”

Councillor Mackinnon agreed to accept the amendment.

DECISION

AGREED to approve the Motion as amended.

12. **OPEN QUESTIONS**

The questions submitted by Councillors Begg and Robson were answered.

DECISION

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

13. **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

14. **MINUTE**

The private section of the Council Minute of 21 February 2024 was approved.

15. **COMMITTEE MINUTES**

The private sections of the Committee Minutes as detailed in paragraph 3 of this Minute were approved.

16. **COMMITTEE MINUTE RECOMMENDATION**

The Committee Minute recommendation from the Peebles Common Good Fund Sub-Committee meeting held on 28 February 2024 was approved.

17. **COUNCIL MANAGEMENT TEAM RESTRUCTURE**

A report by the Director People, Performance and Change was considered and approved.

The meeting concluded at 2.00 p.m.

SCOTTISH BORDERS COUNCIL
28 MARCH 2024
APPENDIX I

OPEN QUESTIONS

Question from Councillor Begg

To the Executive Member for Communities and Business Development

To ask the Executive member responsible why retailers on Peebles High Street tell me that they are yet to receive details of Business rates for the next financial year. (Correct as of 19/3/24). A year ago, I asked the same question and was advised that businesses would be given reasonable notice of rates for the next financial year.

What would the Executive member view as reasonable notice?

Reply from Councillor Scott Hamilton

Non-Domestic Rates are billed by Local Authorities on behalf of the Scottish Government. Every year Scottish Government announce, by way of legislation, the guidance required to levy rates including the rateable value and any additions or changes to relief schemes.

This year the legislation was laid on 11 January 2024.

Officers and external software suppliers then work to implement the annual changes for both Council Tax and Non-Domestic Rates. Our software suppliers completed the relevant updates for Non-Domestic Rates on 21 February 2024.

There is no formal requirement within legislation to give a set notice period when issuing a demand notice however guidance states that instalments should commence from May through to the following February. There is, however, a requirement to allow a 14-day notice period before the deduction of a direct debit instalment.

Annual rates bills are being calculated this week and will be issued from the Council's external printers on 10 April, which is earlier than the last few years. We expect all bills to be with ratepayers before 17 April.

Scottish Borders Council are committed to billing as soon as practicably possible, taking into account all internal and external factors that impact on this process, and consider the minimum 14 days' notice, before the first instalment is due in May, to be reasonable.

In the meantime, there is advice and guidance for ratepayers on the Councils website which includes contact details for any business who may be concerned about the level of rates.

Supplementary

Councillor Begg asked if the rates referred to were those which businesses would be paying in April, and if would be possible to look again at the system involved to see if it was possible for bills to be issued in March rather than April. Councillor Hamilton explained that bills were expected to be paid in instalments between May and February, and that officers had been working hard to ensure that bills were issued to meet that timeline.

Question from Councillor Robson

To the Executive Member for Environment and Transport

Does the Executive Member have an estimate for the cost of re-establishing a direct link by bus between Kelso and Edinburgh?

Reply from Councillor Linehan

A direct bus between Kelso and Edinburgh would require an additional vehicle to be added to the existing peak vehicle requirement. It is estimated that it would cost an additional £90,000 per annum for one return journey per day.

In order to be commercially viable, the service would require to transport 36,000 passengers per annum at an average fare of around £2.50. This would equate to 57 passengers per journey or 115 passengers per day.

Implementing this service would compete directly with the existing 67 and 51 connection and would likely impact upon patronage on those services. The current connection between the 51 and 67 adds around 7 minutes to the total journey time.

Supplementary

Councillor Robson asked if the Executive Member recognised that the 51-bus service was almost unusable due to severe delays incurred due to congestion in Edinburgh, and that the changeover at St. Boswells was cold and dark with no facilities. Councillor Linehan confirmed that those issues had already been raised and were subject to ongoing discussion.