

LIVE BORDERS

Minutes of a Meeting of Live Borders held on Monday 26 August 2024, 6.30pm

Present: Alison Moore, Carly McAllan(online), Bill White, Tom Weatherston, Neil Richards, Scott Hamilton.

Apologies: Kirsty Kiln (Mat leave), Hollie Marshall

In Attendance: Graeme Murdoch Interim CEO, Graeme McMurdo, Jill Franks, Nigel Owen, Sheila Brodie (notes)

1.	Chairs Welcome/ Apologies of Absence	
	The Chair welcomed all to the meeting.	
2.	Board Administration	
	<ul style="list-style-type: none"> a) Declaration of Interest: given for item 7a Active Schools and Sports Development Transfer - GM b) Board business: Covered at agenda item 7 Memorandum & Articles of Association 	
3.	Adoption of Minutes of meetings	
	<p>20 May 2024 approved Bill, seconded Scott</p> <p>24 June 2024 approved Bill, seconded Carly</p>	
4.	Matters Arising	
	<p>A number of actions were closed as completed.</p> <p>Since SM stood down as a Trustee, the Board does not have a representative on the H&S committee. AM to approach the Board following the meeting to secure a representative for the forum.</p> <p>Insurance retender – two competent bids were received. Renewal date 5 September.</p> <p>Capital spend TLC CEO and SBC CE exploring proposal re the boiler.</p> <p>Budget - preliminary draft forecast to be brought to October Finance committee and Board.</p>	<p style="text-align: right;">AM</p> <p style="text-align: right;">GM</p> <p style="text-align: right;">NO</p>
5.	CEO Quarterly Report	
	<p>KSIs are included in this lengthy report. Overall performance is good with more people being more involved in activity. Performance has been good with some positive trends.</p> <p>Sports participation is close to target and culture actuals exceed target. CEO reflected on some highlights in the report, Health referrals being a success story.</p> <p>Finance Committee met immediately prior to Board.</p> <p>Revenue position - NO recapped this for Board members who were not present at committee.</p> <p>Capital allocation – finance committee made some recommendations Board Approved</p> <ul style="list-style-type: none"> (a) the areas of spend identified against Culture & Sports Trusts (£248k) and (b) the areas of spend identified against Halls capital (£218k) <p>Noted</p> <ul style="list-style-type: none"> (c) the proposed areas of spend against Live Borders Energy Efficiency Capital (£500k) (d) the areas of spend which total £1.48m that currently have no capital provision. 	

6.	Targets 2024/25	
	<p>These were presented and show a finer degree of detail. Trending noted as of greater significance than performance against target.</p> <p>Board requested that in addition to Funding submissions £s the £s successful external funding should also be reported.</p>	GMc
7a	Active Schools and Sports Development Transfer	
	<p>GM declared a conflict of interest. This report was accompanied by the SBC published papers. The transfer could be seen as a better alignment of services, consultation with staff has taken place, the proposed date for transfer is 1 October 2024.</p> <p>There are adverse financial consequences for LB. Board recommended that discussions be continued with SBC. Noting service areas contribution to overall deficit position and some logistics concerning contract arrangements (ICT). The report submitted to Board covers support services, in particular marketing. The impact of the vacancy management efficiency does mean that there is a material adverse impact financially for Live Borders.</p> <p>Board:</p> <ol style="list-style-type: none"> 1. Noted the content of the council's report for transferring Active Schools and Sports Development with effect from 1st October 2024. 2. Requires the Interim CEO to progress further discussions with SBC to achieve a satisfactory outcome for appropriate partial recovery of the management fee to ensure Live Borders is not adversely impacted. 3. Requires the Interim CEO to progress further discussion with SBC to achieve a satisfactory outcome relating to financial compensation for the financial losses incurred as a result of the unidentified and intended consequences of this transfer. 4. Requires the interim CEO to progress discussions to achieve a satisfactory outcome for the delivery of marketing services to the transferred team, post transfer. 	
7.	Memorandum & Articles of Association	
	<p>AM spoke to the Memorandum and Articles of Association which were drafted by Anderson Strathern, the principle changes were outlined. Board noted that a degree of time pressure applies. Noted that LB lawyers advise that this is a positive move and aligns the Trust model with that of other Trusts / ALEOS.</p> <p>Board took the decision to proceed as outlined:</p> <p>To accept SBC application for membership when it is received.</p> <p>To vote to accept a Special Resolution accepting the revised Memorandum and Articles allowing Live Borders to move to a single member model.</p> <p>Vote to be conducted by email.</p>	AM SB
8.	Update on CEO position	
	<p>AM thanked GM for stepping into the Interim CEO position and leading LB through these challenging times.</p> <p>AM updated that JF had kindly agreed to step into the Interim CEO position, noting that this will end at the end of March 2025.</p>	

9.	BSLE Board vacancy LB Board vacancies	
	These items to remain open. Next steps to be discussed along with the need to appoint a trustee to the H&S Forum.	AM / SB
10.	Joint Strategic Review update	
	<p>GMc gave a quick overview of progress to date. AS and SDU covered at agenda item 7a. Culture report to Council delayed until December. Move to Single Member model covered at item 7.</p> <p>35 projects covering income generation, operational issues and property are ongoing with Property maintenance transfer likely to be delayed until January. Overall the entirety of the estate requires strategy and vision to navigate through a complicated service transfer.</p> <p>Noted that SBC may look to a change of service provision requirement for swimming pools.</p>	
11.	Health & Safety Report	
	<p>Board noted that H&S accidents and incident figures have increased. A number of staff have undertaken trainings (see CEO report) with the result that more incidents are being reported and recognised as such. The H&S culture in the company has seen a sea change. The numbers do not reflect negatively on LB – learning and understanding can be drawn from the reporting which leads to improvements. Overall there were no concerns.</p> <p>Noted H&S Forum meets on 3 September.</p>	
12.	External Service Providers Monitoring Group	
	Board received the report and performance figures which will be shared with SBC next week at ESPMG. Noted that many of these are drawn from the CEO report. The report is heavy on narrative to showcase the work done by LB to fulfil its charitable objectives. The report will be made public on SBC website.	
	<p>AOB</p> <p>Operators Licence TW to provide some detail to update information required and held by the Traffic Commissioner.</p> <p>Reserves Finance committee met prior to Board and recommended that Board approved moving the Reserves into one General reserves fund. Following the provision of some clarity, Board approved the amalgamation of Covid, General, 3G and Transformation Reserves into one General Reserve Fund.</p>	

Meeting closed at 8.30 pm