

REPORT TO: Cabinet

MEETING DATE: 11 December 2012

BY: Executive Director (Support Services)

SUBJECT: Summary of Contracts Awarded by East Lothian Council,
1 November – 28 November 2012

1

1 PURPOSE

- 1.1 To advise Members of all contracts awarded by the Council from 1 November – 28 November 2012 with a value of over £150,000.

2 RECOMMENDATIONS

- 2.1 To note the award of contracts with a value of over £150,000 from 1 November – 28 November, as listed in Appendix 1 to this report.

3 BACKGROUND

- 3.1 Details of all contracts awarded by the Council are lodged in the Members' Library Service. Appendix 1 to this report contains details of all contracts with a value of £150,000 and above which have been awarded since the last meeting of the Cabinet.
- 3.2 Members are asked to note that reports relating to contracts can be accessed via the following link to the Members' Library Service on the Council's eGov system:

http://www.eastlothian.gov.uk/site/scripts/meetings_committees.php?headerID=102

4 POLICY IMPLICATIONS

- 4.1 None

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None.
6.2 Personnel - None
6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Democratic Services Manager
CONTACT INFO	lgillingwater@eastlothian.gov.uk x7225
DATE	28 November 2012



**SUMMARY OF CONTRACTS AWARDED WITH A VALUE OF £150,000 AND ABOVE
FOR THE PERIOD 1 NOVEMBER – 28 NOVEMBER 2012**

Originator	Report Title/Project Summary	Contract Awarded To	Contract Value	Members' Library Bulletin & Reference
Executive Director (Services for People)	Care at Home Procurement Process	Extension of current contracts with generic care at home providers until 1 April 2014	Variable	261/12 (Nov 12 Bulletin)

28 November 2012

REPORT TO: Cabinet
MEETING DATE: 11 December 2012
BY: Executive Director of Support Services
SUBJECT: Financial Review 2012/13 - Quarter 2

2

1 PURPOSE

- 1.1 To record the financial position at the end of the 2nd quarter of the financial year 2012/13.

2 RECOMMENDATIONS

- 2.1 Members are recommended to;
- Note the financial performance of services at the end of September 2012 and in particular the implications this may have in developing budgets for years beyond 2012-13;
 - Note that measures continue to be taken to reduce expenditure and secure greater efficiencies with a view to increasing the reserves available for future budgets;
 - Approve the 2012/13 budget adjustments outlined at Section 3.19.

3 BACKGROUND

Budget Summary

- 3.1 At its meeting of 14 February 2012 the Council approved a budget for the 2012/13 financial year and an outline budget for two subsequent years.
- 3.2 The 2012/13 revenue budget can be summarised as follows;
- Government general revenue grant confirmed as £170.8 million – an increase of 0.27% over the previous year.
 - Increased planned expenditure of £222.9 million – an increase of 0.25% compared to the previous year's budget.

- Planned use of reserves totalling just over £4.0 million and a transfer from the Housing Revenue Account of just under £1.0 million.

Council Summary for Quarter Two

3.3 A summary of the financial position across each of the Business Groups at the end of September 2012 is appended at Appendix 1a. The overall picture at the end of September is an under-spend when compared to budget of £1.812 million.

3.4 This under-spend can be split as follows;

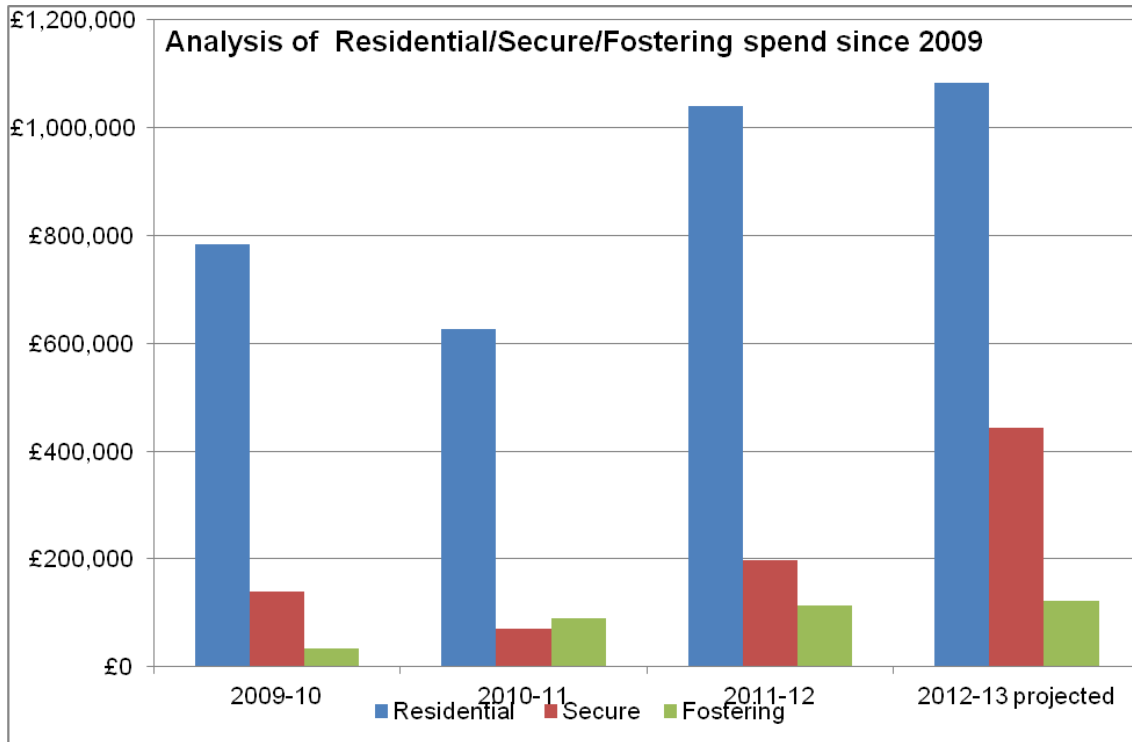
Area	Position at the end of September (£000s)	(Surplus) or Deficit
Housing Revenue Account	25	Surplus
Primary Schools DSM budgets	222	Surplus
Secondary Schools DSM budgets	155	Surplus
Other General Service Budgets	1,410	Surplus
Total	1,812	

3.5 The position at the end of September has been achieved by significant under-spends within the Primary Schools (largely due to lower than budgeted pupil numbers) and the Transport & Waste Groups and by other smaller under-spends across other Group budgets. Across the council, non-school staffing budgets are under-spent by approximately £460,000 at the end of September.

3.6 However, we would not expect the current under-spending to continue to the end of the year and in fact, our current forecast is that an overspend is likely and that the Council is likely to use more reserves than that planned when the 2012/13 budget was set. This is a deterioration from that reported within the Q1 and Mid Year reports and reflects two specific changes since these reports were written.

- Firstly, the overall position on the **Children's Wellbeing Group** is now forecast to be an over-spend of £1.2 million by the year-end. This is higher than the £0.8M estimated at the end of Quarter 1 due to the continued increase in the use of residential and secure placements. The historical pattern of this use has been highlighted in the graph below and shows a 40% increase in residential spend and a 300-400% increase in secure accommodation spend since 2009. The increased volume of children and young people's referrals leading to statutory interventions requiring the use of external

fostering, residential and secure placements mirrors the national trend. The overall over-spend for Children's Wellbeing Group in 2012/13 is attributable to a continuation of overspending evident in 2011/12 predominantly due to the additional cost pressures relating to the external placements noted above and delays in implementing planned 2012/13 Efficient Workforce Management savings of £170K.



- Following an announcement in November, the grant we are now likely to receive from the Scottish Government in relation to the **Teacher Induction/Probationer Scheme** for 2012/13 is now likely to be £350,000 less than the amount received in 2011/12 and the amount anticipated for 2012/13. There are a number of reasons for the drop but the most relevant to East Lothian is the reduction in the number of probationers being recruited to East Lothian. Since 2010/11 this number has dropped from 101 to 58.

3.7 The financial results to the end of September have also seen an increasing concentration of financial challenges within the Services for People Department. The position within the Children's Wellbeing Group has been discussed above but is worth noting that the Additional Support for Learning Group and Adult Wellbeing Group are over-spent at the end of September and the Secondary Schools and School Support budgets are at risk of overspending at the year-end.

3.8 Eight business groups are now rated as a High financial risk – an increase of one from the position reported at the end of June. The increase relates to the Additional Support for Learning budget which has

been amended to reflect increased costs for pupil transport. Four of the eight high risk Groups are within the Services for People Department.

- 3.9 Apart from the changes noted above there has been relatively little change in the financial position reported at Quarter One and in the Mid Year Financial Strategy report. The majority of Support Services and Services for Communities are currently expected to end the year within budget. However, across some Groups the progress made towards the required 2012/13 efficiency savings has been slower than planned. It is currently unlikely that the Efficient Workforce Management savings targeted in Facility Services, Cultural Services, Children's Wellbeing and Primary Schools will be achieved in this financial year. In addition, Community Partnerships will end the year over- budget based upon the current level of grant payments committed from this Group.
- 3.10 Performance in relation to council tax is slightly better than anticipated. By the end of the year we expect council tax income to be £100,000 more than the budgeted amount. The final position in relation to council tax will depend heavily on the level of debt outstanding at the year-end and the level of bad debt provision which needs to be made.
- 3.11 Members will recall that the Mid Year Financial Strategy report identified a number of additional control measures required to reduce expenditure, secure greater efficiencies and increase the reserves available for future budgets. Although clearly not part of the expenditure figures for Quarter 2, work is ongoing in relation to these and it is hoped that these will have a positive effect by the time the Quarter 3 report is made to Cabinet. At this stage however it is worth re-iterating the specific control measures that have been approved. They are;
- All budget holders must ensure every effort is made to contain spending within approved budget levels. Where demand pressures are evident, this will require appropriate management actions and/or compensating cost reduction measures to be identified.
 - Additional purchasing commitments should be avoided where possible.
 - Expenditure on staffing should be minimised through continued application of stringent workforce management measures including careful monitoring of vacancies and minimising the use of overtime and temporary and agency working
- 3.12 One of the key aims for the usual Quarter Two finance reports is to give an indication of the level of reserves which are likely to be available to help balance future budgets. Based upon the results to date we are currently of the view that the Council should only estimate that it will have a relatively small amount of reserves (£2 million) to support setting budgets for 2013/14 and beyond.

Housing Revenue Account (HRA)

- 3.13 Progress with the 2012/13 HRA revenue budget has been much as expected. At the end of September 2012 the main revenue budgets were £26,000 under spent. Although the rental income figure was less than expected – due to slower delivery of new build affordable homes and those under the open market acquisition scheme - this was more than outweighed by other areas such as under-spends on staffing costs.
- 3.14 Spending on the Affordable Housing projects over the same period totalled £2.6 million. Projected expenditure at the year-end is likely to be £9.2 million, an under-spend of £7.8 million for the year. The Head of Housing & Environment has attributed the under-spend to the following;
- Delays in site starts across a number of projects to allow for additional unplanned pre-site work to be undertaken;
 - Delays in tender awards due to cost saving exercises;
 - The removal of the Abbeylands project from the programme;
 - Planning consent not granted for the Cockenzie Harbour site;
 - A review of both procurement processes and the available budgets for those sites being brought forward by developers.
- 3.15 The Modernisation budget spent £4.5 million over the same period. This represents 42% of the annual total. It is currently expected that this budget will be £500,000 under-spent by the year end. This is due to contract renewals and a review of the Scottish Housing Quality Standard requirements.
- 3.16 Under-spends on both these areas will feed through to lower debt charges and a higher year-end surplus within the Housing Revenue Account. Based upon the current HRA debt, interest rates and forecast capital spending we would expect debt charges of £6.3 million compared to a budgeted level of £7.1 million.

General Services Capital Budgets

- 3.17 As part of the Mid Year Financial Strategy review in October, the Council agreed to a revised capital expenditure limit of £33 million for 2012/13 capital expenditure. Since this date discussions have been ongoing between officers and the new Administration to manage the 2012/13 capital budget within the new limit.
- 3.18 Spending on projects, up to the end of September 2012, have been presented at Appendix 2. The total spend at the end of September totals £16.1 million or 48% of the revised spending limit.

Budget Adjustments

- 3.19 In-year adjustments to the approved budget between the various Business Groups are required every financial year. Where necessary

these are supported by reports to the Members Library. The following adjustments have been carried out between July – September of the 2012/13 financial year to reflect changes in Council and Scottish Government policy and changes in organisational responsibility:

- Inter group transfers of £103,000 have been carried out relating to changed managerial arrangements within various parts of the Services for People department.
- Inter group transfers of £380,000 to reflect the transfer of Corporate Health & Safety and Organisational Development from Human Resources to a new Corporate Policy and Improvement team

4 POLICY IMPLICATIONS

4.1 None.

5 EQUALITIES IMPACT ASSESSMENT

5.1 This Report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

6.1 Financial – as described above

6.2 Personnel - none

6.3 Other – none

7 BACKGROUND PAPERS

7.1 Council 14 February 2012 – “Council Financial Strategy 2012/13 to 2014/15”

7.2 Member’s Library May 2012 (116/12) – “Capital Investment & Treasury Management Strategy 2012/13 to 2014/14”

7.3 Council 28 August 2012 – Item 6 “2011/12 Year-End Financial Review”

7.4 Cabinet 11 September 2012 – “Financial Review 2012/13 – Quarter 1”

7.5 Audit & Governance Committee 18 September 2012 – Item 1 “ELC ISA 260 Report to those charged with governance”

7.6 Audit & Governance Committee 18 September 2012 – Item 2 “ELC Draft Annual Audit Report to Members”

- 7.7 Cabinet 09 October 2012 – Item 2 “Update on the Open Market Acquisitions Strategy”
- 7.8 Members Library Service 30 March 2011 – Short-term Loan to Musselburgh Old Course Golf Club.
- 7.9 Council 23 October 2012 – Item 4 – Financial Strategy 2012-2015 Mid Year Review

AUTHOR’S NAME	Jim Lamond
DESIGNATION	Head of Council Resources
CONTACT INFO	jlamond@eastlothian.gov.uk
DATE	30 November 2012

REVENUE BUDGET PERFORMANCE at 30 September 2012

	Budget for the year £000	Actual to 30/09/12 £000	Budget for the period £000	(Surplus) / Deficit for period £000	(Surplus) / Deficit %	Financial Risk Assessment	Change since last assessment
Services for People							
Children's Wellbeing	11,074	6,332	5,599	733	13.1%	High	No change
Pre-school Education & Childcare	5,494	4,286	4,300	(14)	(0.3%)	Low	No change
Additional Support for Learning	7,853	5,563	5,271	292	5.5%	High	Increase
Schools - Primary	30,610	13,085	14,894	(1,809)	(12.1%)	Low	No change
Schools - Secondary	36,241	17,060	17,493	(433)	(2.5%)	Medium	No change
Schools Support Services	3,250	1,605	1,615	(10)	(0.6%)	High	No change
Adult Wellbeing	45,384	19,903	19,444	459	2.4%	High	No change
	139,906	67,834	68,616	(782)	(1.1%)		
Services for Communities							
Community Housing	3,372	2,107	2,305	(198)	(8.6%)	Low	No change
Housing Revenue Account	0	(4,891)	(4,865)	(26)	0.5%	Low	No change
Planning & Environmental Services	1,465	1,378	1,435	(57)	(4.0%)	Low	No change
Property Services	1,658	1,734	1,805	(71)	(3.9%)	Low	No change
Facility Support	3,061	638	535	103	19.3%	High	No change
Landscape & Countryside Mgt	5,732	2,689	2,603	86	3.3%	Medium	No change
Transport & Waste Services	13,142	4,285	4,805	(520)	(10.8%)	High	No change
	28,430	7,940	8,623	(683)	(7.9%)		

Support Services

Community Partnerships	(2,061)	715	427	288	67.4%	High	No change
Cultural Services	4,153	2,147	2,006	141	7.0%	High	No change
Community Development	3,538	1,831	1,785	46	2.6%	Medium	No change
Healthy Living	4,366	1,677	1,690	(13)	(0.8%)	Medium	No change
Economic Development	1,020	519	499	20	4.0%	Low	No change
Customer Services	1,448	997	1,121	(124)	(11.1%)	Low	No change
Financial Services	2,183	461	732	(271)	(37.0%)	Low	No change
Revenues & Benefits	936	111	182	(71)	(39.0%)	Low	No change
IT Services	1,845	1,024	1,040	(16)	(1.5%)	Low	No change
Law & Licensing	519	256	272	(16)	(5.9%)	Low	No change
Human Resources	1,240	578	617	(39)	(6.3%)	Low	No change
Policy/Governance/Internal Audit	3,887	1,877	1941	(64)	(3.3%)	Low	No change
	23,074	12,193	12,312	(119)	(1.0%)		
Total All Departments	191,410	87,967	89,551	(1,584)	(1.8%)		
Corporate Management							
Revenue Support Grant (inc. NNDR)	(171,070)	(76,078)	(76,078)	0	0.0%	Low	No change
Asset Management	17,149	4,504	4,485	19	0.4%	Low	No change
Council Tax	(46,390)	(44,185)	(44,061)	(124)	0.3%	Low	No change
Joint Board Requisitions	10,561	5,279	5,279	0	0.0%	Low	No change
Other	3,408	2,222	2,345	(123)	(5.2%)	Low	No change
HRA Transfer	(995)	0	0	0	0.0%	Low	No change
Use of Reserves	(4,073)	0	0	0	0.0%	Low	No change
	(191,410)	(108,258)	(108,030)	(228)	0.2%		
Total All Council	0	(20,291)	(18,479)	(1,812)			

Financial Risk	Factors	Implications
High	<ul style="list-style-type: none"> - The Business Group has been assessed as likely to overspend in the financial year - There has been a history of overspending within Units / Groups - There are new or revised funding arrangement and / or legislature changes with financial significance - Trading Accounts are in deficit for the year. -Grant schemes, on which the Council is reliant are either unconfirmed or have not been confirmed -The service is demand led and the Council has restricted control over the level and form of service - New Services are planned 	<ul style="list-style-type: none"> -Cabinet & Members Library reports with financial implications are not passed under delegated powers -Directors / Heads of Service will be asked to prepare a financial recovery plan -The Head of Council Resources may take enforcement action to ensure budgetary control
Medium	<ul style="list-style-type: none"> - There is significant potential that Business Group could overspend in the financial year - There have been previous incidences of some overspending within Units / Groups - There are new or revised funding arrangement and / or legislature changes with financial significance - Trading Accounts are having difficulty meeting financial targets -Grant schemes, on which the Council is reliant are either unconfirmed or have not been confirmed 	<ul style="list-style-type: none"> -Members library reports are only passed when financial implications are addressed -Directors / Heads of Service will be asked to identify actions necessary to ensure expenditure is within budget by the year-end.
Low	<ul style="list-style-type: none"> -Finances are generally under control for the current financial year -Stable legislature, trading and funding environment -The service is supply led - i.e. the Council can decide the level and form of service -Finances in previous financial years have been controlled -Grant schemes are stable and not anticipated to change significantly 	<ul style="list-style-type: none"> -Members library reports are approved promptly under delegated powers

CAPITAL PROJECTS - POSITION AT 30 SEPTEMBER 2012

	Actual Spend (£000s)
New Day Centre - Gullane	100
Fa'side Tranent - new residential home and Day Centre	158
Musselburgh Care Home	1,200
PV installations in public buildings	174
Property Renewals	618
Brunton Hall - Theatre and Main Hall refurbishment	1,330
Dunbar - new Community facility	671
John Gray Centre Haddington	373
Whitecraig Community Centre	8
Ormiston Community Centre	153
Tranent Library	786
North Berwick Museum - refurbishment	104
Dunbar New Primary School	34
Haddington IS / St Mary's RCPS - New shared Campus	4,852
Replacement Vehicles	720
East Lothian Legacy Project - 3 new All Weather	130
East Lothian Legacy Project - All Weather Running/Meadowmill	167
Pavilions	32
East Lothian Legacy Project - Meadowmill Alterations	182
Sports Centres - refurbishment & Equipment	4
Schools IT	638
Corporate IT Program	121
CCTV Upgrades	5
Polson Park restoration (HC038)	2
John Muir Country Park Play Area	78
Coastal Car Parks/Toilets	283
Peppercraig Depot Haddington	6
Roads/Salt Barn/Safety Hot spots	3,106
Dolphinstone - Recycling/Transfer Station	4
Purchase of New Bins	78
Gross Capital Spend	16,117

REPORT TO: Cabinet

MEETING DATE: 11 December 2012

BY: Executive Director (Services for Communities)

SUBJECT: Proposed Alternative Pedestrian Route and Facilities
between Wester and Easter Pencaitland Village

3

1 PURPOSE

- 1.1 To provide Cabinet with background information on the project proposals submitted by Transportation for planning approval (planning reference 12/00062/PCL) and to report on the outcome of the public consultation on these proposals held on 30 October 2012.

2 RECOMMENDATIONS

- 2.1 That, in the light of the support shown for the provision of an alternative path route from the west end of the village to the primary school, the proposed path route as shown on the (attached) layout drawing as submitted for planning approval is confirmed as a project but omitting the additional car parking spaces in the school grounds.

3 BACKGROUND

- 3.1 After representations were made to Lothian Regional Council in the early 1990s the then Transportation Division responded by installing traffic signals which allowed the restricted width footway over the Tyne Bridge to be widened. This work was completed in 1994, but an alternative pedestrian route linking Wester Pencaitland to the east end of the village via a right of access pathway through a wooded area and providing access to the Primary School was in place many years before that.
- 3.2 When concerns were raised about the narrowness of the existing footway on the north side of the A6093 east of the Tyne Bridge in 2008/9 several meetings were held to examine this issue in conjunction with Pencaitland Community Council.

- 3.3 A report drafted for the August 2010 Council meeting was withdrawn following the pre-meeting site visit when Members asked that this matter be continued so that Transportation could explore the feasibility of using the route of the unsurfaced pathway from the east side of the A6093 River Tyne Bridge (which also links with the alternative woodland path referred to in 3.1 above) through the Church Glebelands parallel with the river, then looping in a northerly direction to access the school grounds via the Carriage House carpark as an alternative. This route would be approximately 110 metres shorter than using the main road/The Glebe to access the primary school and is also traffic-free for its whole length. However, issues of potential flooding, public safety and householder privacy were raised.
- 3.4 In February 2011 the Council agreed that Transportation continue discussions with the local Church of Scotland and focussed on utilising and improving the path network through the churchyard, accessed at the west end by a new ramped path linked to a new signalised pedestrian controlled crossing on the A6093 at the River Tyne Bridge, and providing pedestrian path access direct to the primary school building at the east end via the Carriage House. The signalised crossing would be installed within and as part of the existing traffic signals arrangements. The internal churchyard paths would also need to be widened and hard-surfaced and lighting would be required. This is a significantly shorter route for pedestrians accessing the school from wester Pencaitland.
- 3.5 Some twelve months of communication and consultation followed, involving numerous site visits and meetings with the local minister and church representatives, community council representatives and other interested members of the public as well as education, landscape and countryside/amenity services and archaeology officials.
- 3.6 During discussions the idea of a community or village carpark was also developed by extending the existing teacher parking area (18 spaces) by an additional 11 spaces accessed via The Glebe. Details of the management of pedestrians and traffic would need to be further developed and agreed but during school term time vehicular access would only be available to teaching staff as it is at present. However, it is envisaged that community use of the carparking would be possible at evenings and weekends and during school holidays.
- 3.7 Transportation submitted a Planning application based on 3.4 to 3.6 above in February 2012 - Refer to Planning Application No. 12/00062/PCL for details - which was duly considered and recommended for approval by planning officials for consideration by the Planning Committee on 4 September 2012, when the application was continued to allow further public consultation and subsequent referral of the matter to Cabinet for a decision on the preferred solution.
- 3.8 The outcome of the recent open consultation with the residents of Pencaitland can be summarised as follows:

- Number of comments in support of the provision of an alternative path route to the school – 48
- Number of comments not in support of the path provision - 36
- Number of references to the cost of the proposals – 11
- Number objecting to the additional car parking in the school grounds – 16
- Number asking for the existing traffic signals on the A6093 to be extended to allow the existing footway to be widened – 15
(Note - the possibility of extending the existing traffic signals was an option that Council did not take up in February 2011 on the advice of the then Head of Transportation)

3.9 Others raised the question of the route that pedestrians not wishing to access the school would take which involves crossing the A6093 from south to north again as the existing footway on the south side terminates east of the carriage house car park access. It was explained that the provision of a pedestrian refuge crossing – double “D” traffic islands – to address this would be incorporated into the proposals for speed reducing measures on the A6093 in the village that are currently the subject of consultation discussions with the Community Council.

3.10 Accordingly the recommendation in 2.1 is based on the majority who commented as part of the recent public consultation on being in favour of the provision of the path to the school via the churchyard, but takes into account the strong objections to extending the existing school car parking.

4 POLICY IMPLICATIONS

4.1 These proposals are expected to contribute towards *Providing a Safer Environment* - a key priority for East Lothian Council.

4.2 These proposals are expected to contribute towards East Lothian’s Single Outcome Agreement Outcome 9 – East Lothian roads will be safer for all users.

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the wellbeing of equalities groups and an Equalities Impact Assessment is not required. However, the new path proposals have been designed in accordance with the Disability Discrimination guidance regarding accessible widths and gradients and rest areas.

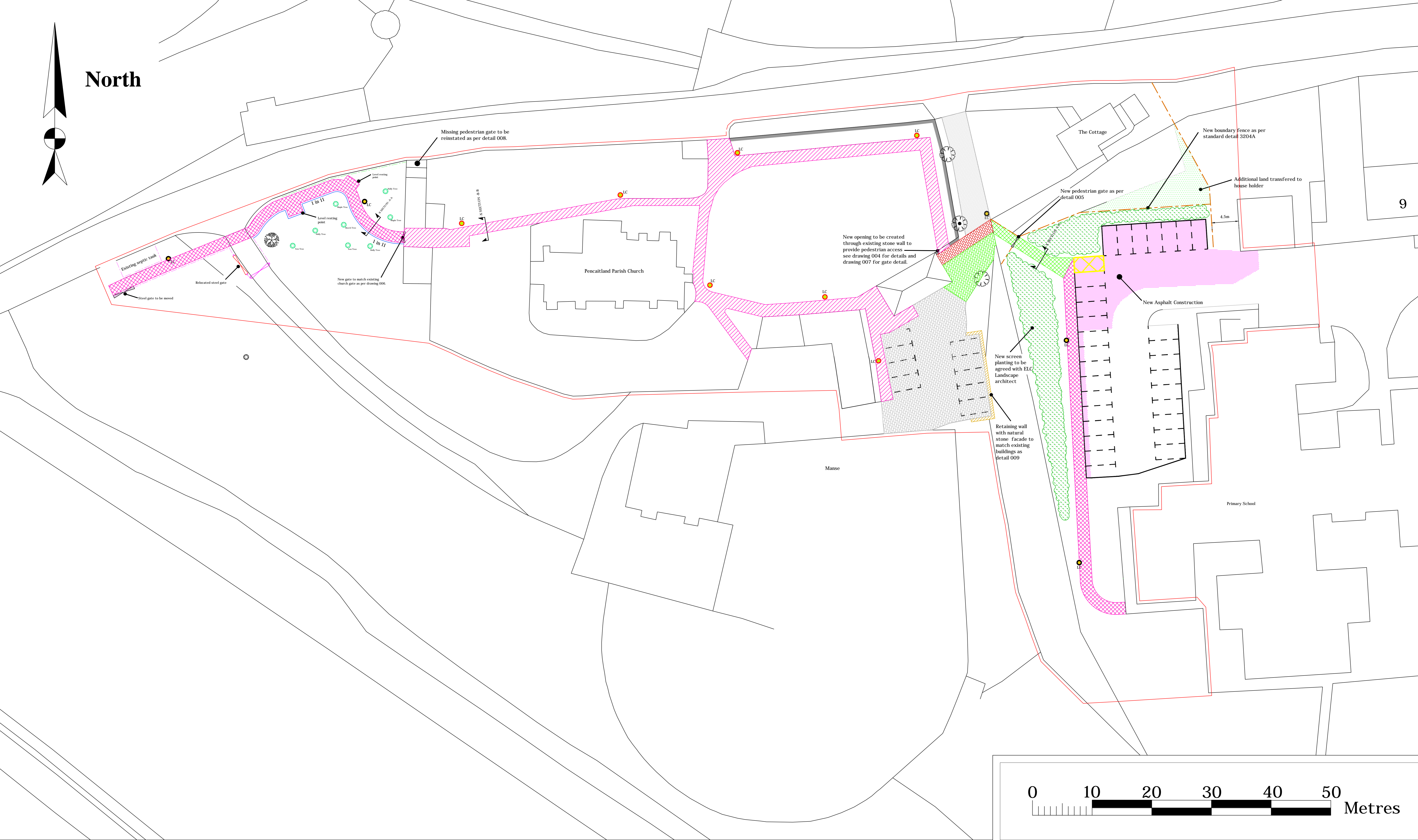
6 RESOURCE IMPLICATIONS

- 6.1 Financial – £250,000 has been included in the 2012/13 Capital Plan for this project.
- 6.2 Personnel - None
- 6.3 Other - None

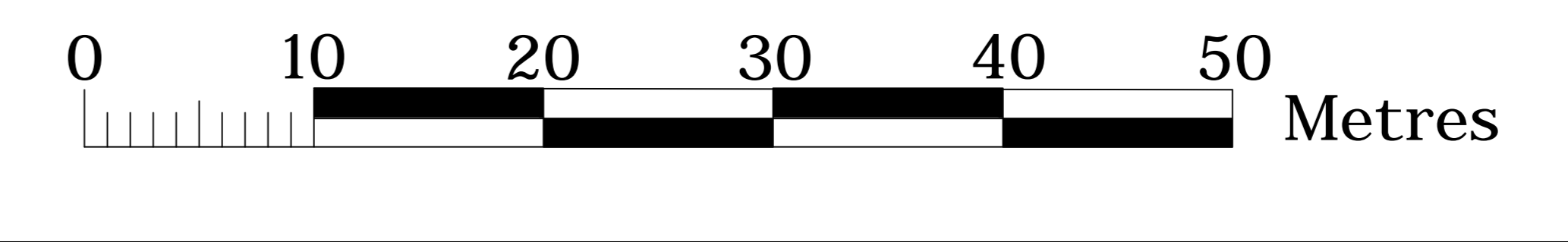
7 BACKGROUND PAPERS

- 3.1 Report to Council on 22 February, 2011 by the Executive Director of Environment titled: Alternative Pedestrian routes and Facilities between Wester and Easter Pencaitland Village.

AUTHOR'S NAME	Brian Cooper
DESIGNATION	Senior Transportation Manager
CONTACT INFO	Stuart Baxter – Ext 7669
DATE	26 November 2012.

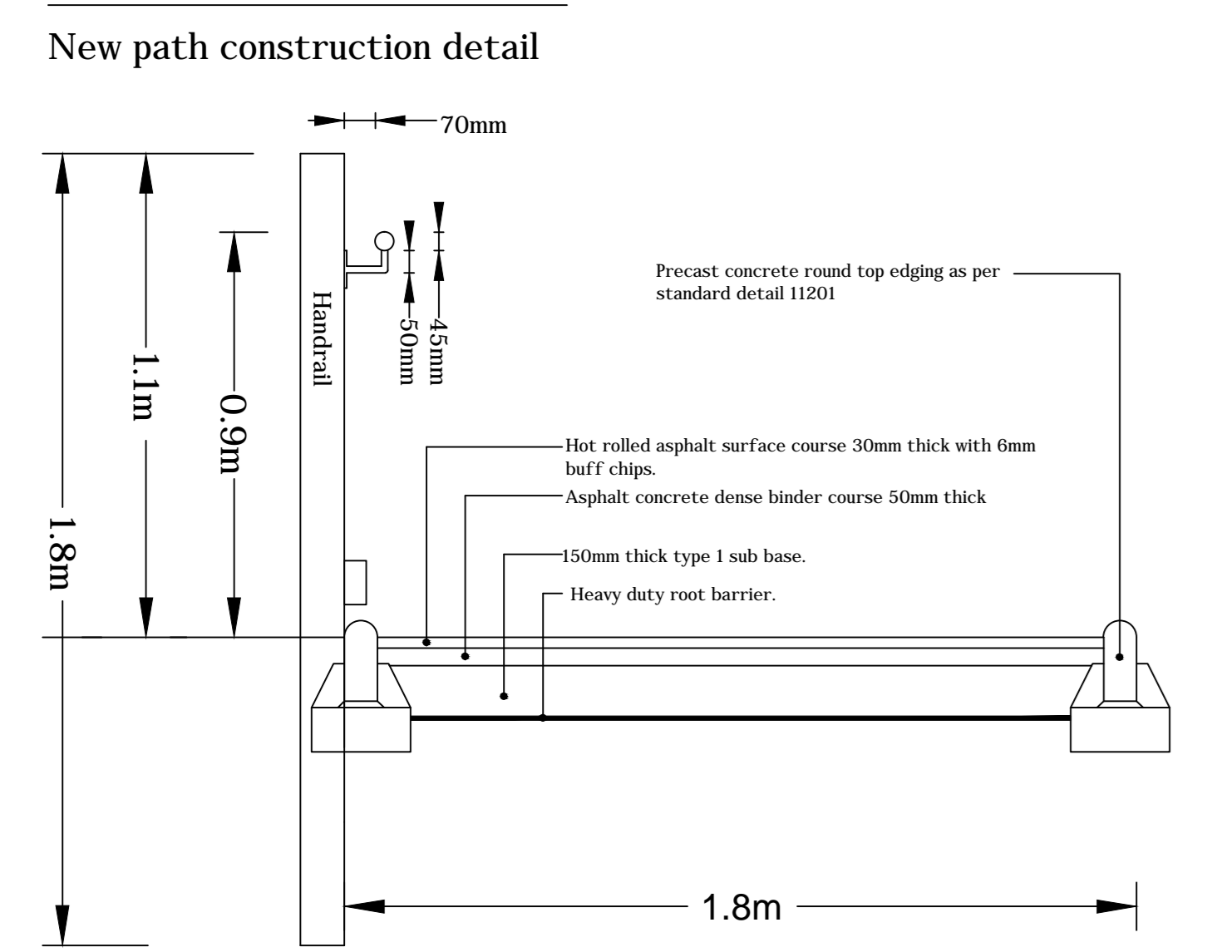


- Planning application boundary.
 - New footpath to be constructed as cross section A-A:
30mm thick Hot rolled asphalt surface course with 6mm buff chips.
50mm thick asphalt concrete dense binder course.
150mm thick granular type 1 sub-base.
 - New footpath to be constructed as cross section C-C:
30mm thick Hot rolled asphalt surface course with 6mm buff chips.
50mm thick asphalt concrete dense binder course.
150mm thick granular type 1 sub-base.
 - Existing parish footpaths to be surfaced as follows:
50mm thick hot rolled asphalt surface course with 6mm buff chips.
Existing type 1 sub base to be replaced or regulated as required.
 - Permeable paving as Tobermore hydropave tegula duo 80mm thick, charcoal in colour. Laid as follows:
50mm layer of 6.3-2mm grit
Layer of woven geotextile
350mm layer of 4-20mm coarse aggregate
Layer of woven geotextile
 - Paving as Tobermore tegula 80mm thick, charcoal in colour. Existing surface to be levelled and blocks to be laid on 50mm bedding course.
 - Paving as Tobermore tegula 80mm thick, heather in colour. Existing surface to be levelled and blocks to be laid on 50mm bedding course.
 - Carriageway unbound carriageway to be graded and surfaced as follows:
40mm Surface Course (HRA 35/14C surf 40/60)
60mm Binder Course (HRA 50/14 bin 40/60)
 - New ornate metal fence black in colour to match existing iron work around the church grounds.
 - Timber post and four rail fence as per standard drawing 3152.
 - Chain link fencing 1.8m high with steel angle posts and top rails as per standard drawing 3204A
 - Steel tubular frame single gate 1.100m high with steel posts as per standard detail 3552.
 - Existing Steel tubular frame gate to be relocated and fencing to be erected through existing access.
 - Existing Steel tubular frame gate to be relocated and fencing to be erected through existing access.
 - New retaining wall to be constructed with a natural stone facing and cope to compliment existing stone structures. Wall not to be more than 1.5m from top of foundations to cope.
 - Car park extension to be constructed as follows:
40mm thick surface course (HRA 35/14 F surf 40/60)
60mm thick binder course (HRA 50/20 bin 40/60)
100 mm thick base course (HRA 60/32 base 40/60)
250mm thick granular type 1 sub-base.
- Note:- Capping layer may be required due to existing ground conditions
- Area to be landscaped as directed by East Lothian Councils - Landscape architects.
 - New replacement planting as agreed with East Lothian Council.
Replacement trees to be standard size 8-10cm girth and 2.75 - 3 metres high and to be planted as per detail GR8.
 - Proposed new lighting as Chester road lighting column 5m nominal height with Windsor Lancaster 42w lantern see drawing 003 for details.
 - Proposed new lighting steel post top column 5m nominal height with WRTL 42w Pathfinder Lantern see drawing 003 for details.



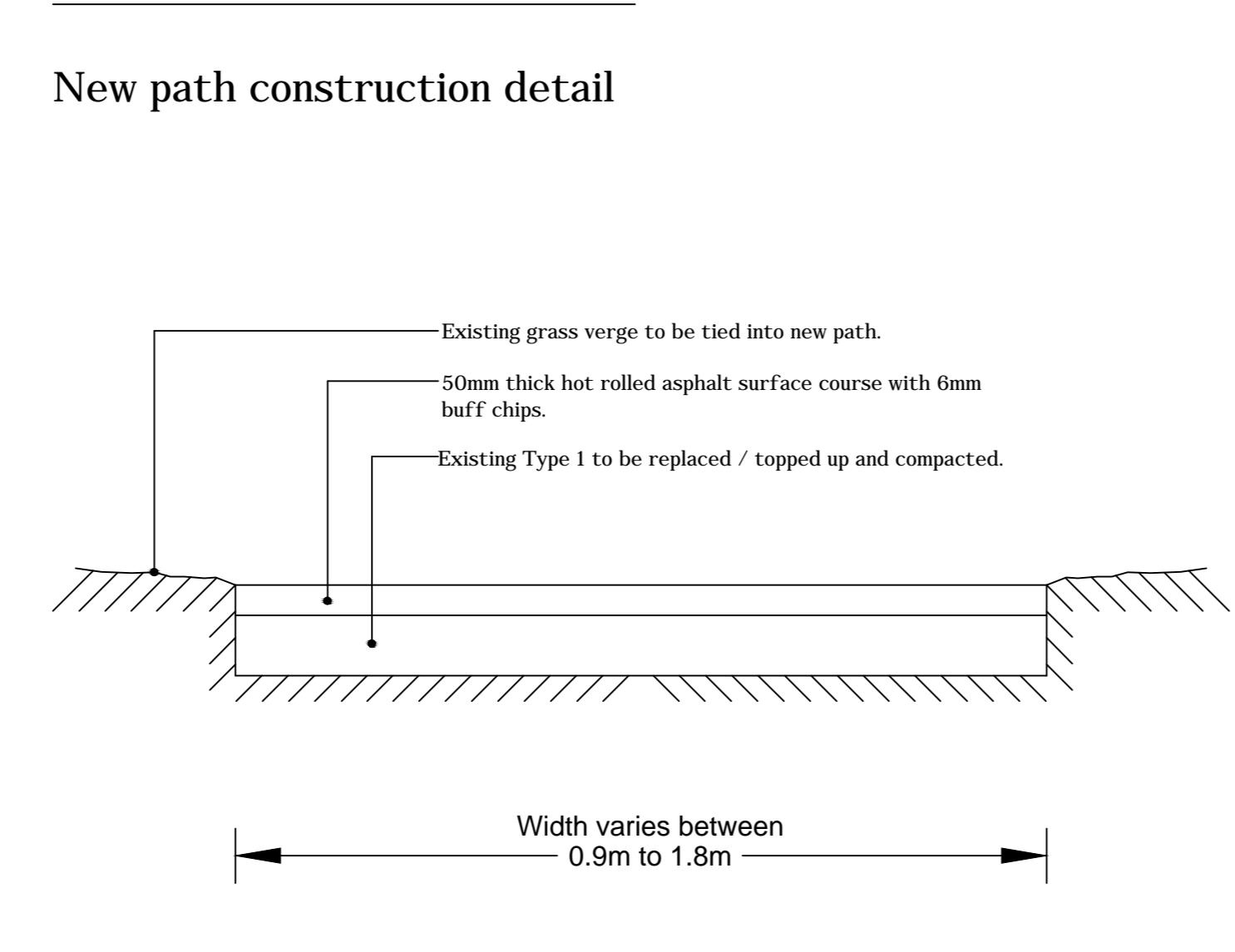
REVISION	DETAILS	BY	DATE
Rev A	Change in path alignment and additional gates added.	SW	15/02/12
Rev B	Changes to drawing annotation	SW	28/02/12
Rev C	Changes to Handrail annotation	SW	08/03/12
Rev D	Landscape changes as requested Replacement planting shown Verge leveling removed Pruning of existing tree removed Surfacing material altered	SW	18/04/12
Rev E	Section of edging changed to timber. Block paving type changed in pedestrian walkway.	SW	06/06/12
Rev F	Rail type changed along masonry wall.	SW	26/10/12

CROSS SECTION A-A



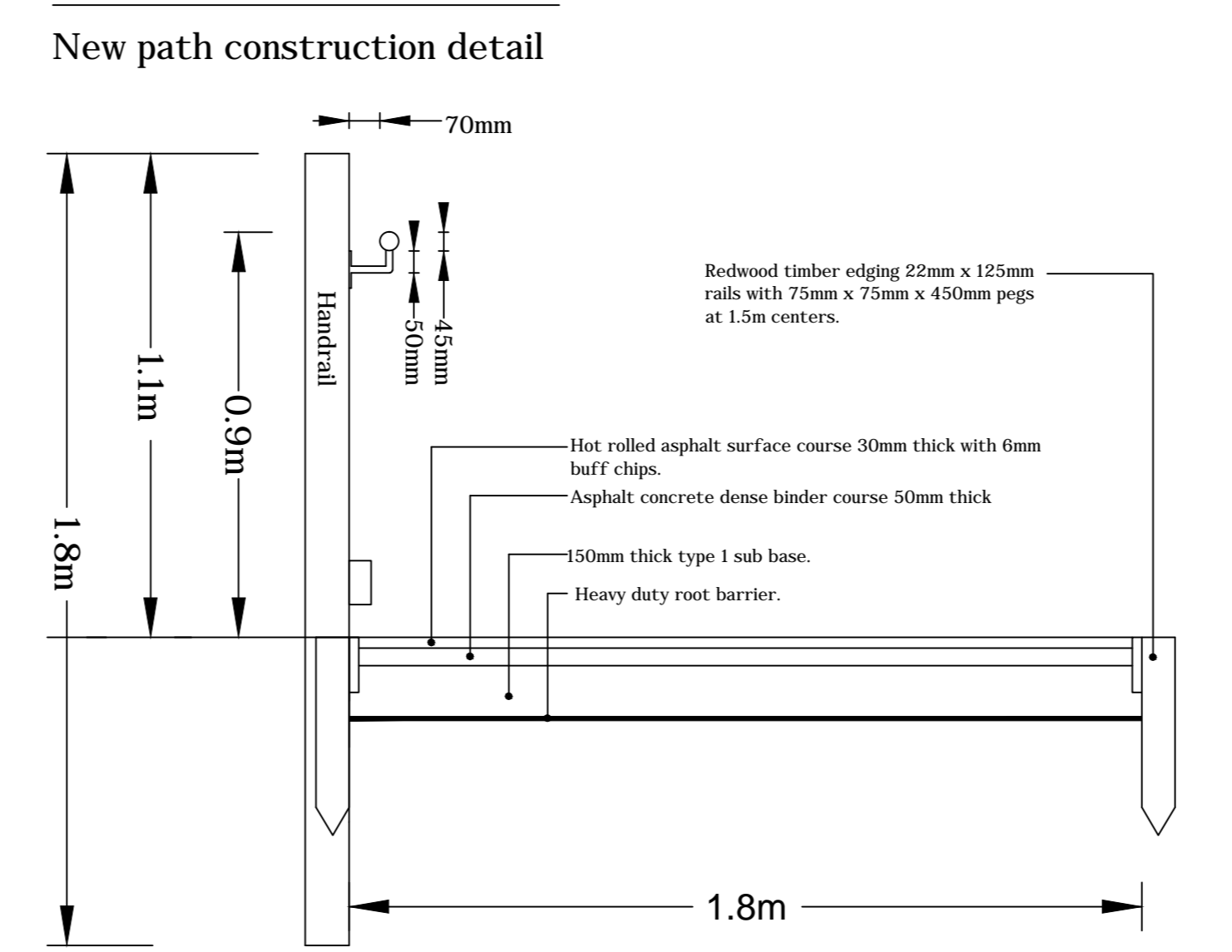
Note:-
Post to be 1.8m x 125mm x 125mm hardwood pressure treated and dressed.
Hand rail to be 45mm external diameter Nylon coated rolled steel.
Kick board to be 100mm x 50mm hardwood pressure treated and dressed.
Handrail to be installed were required by the disability discrimination act

CROSS SECTION B-B



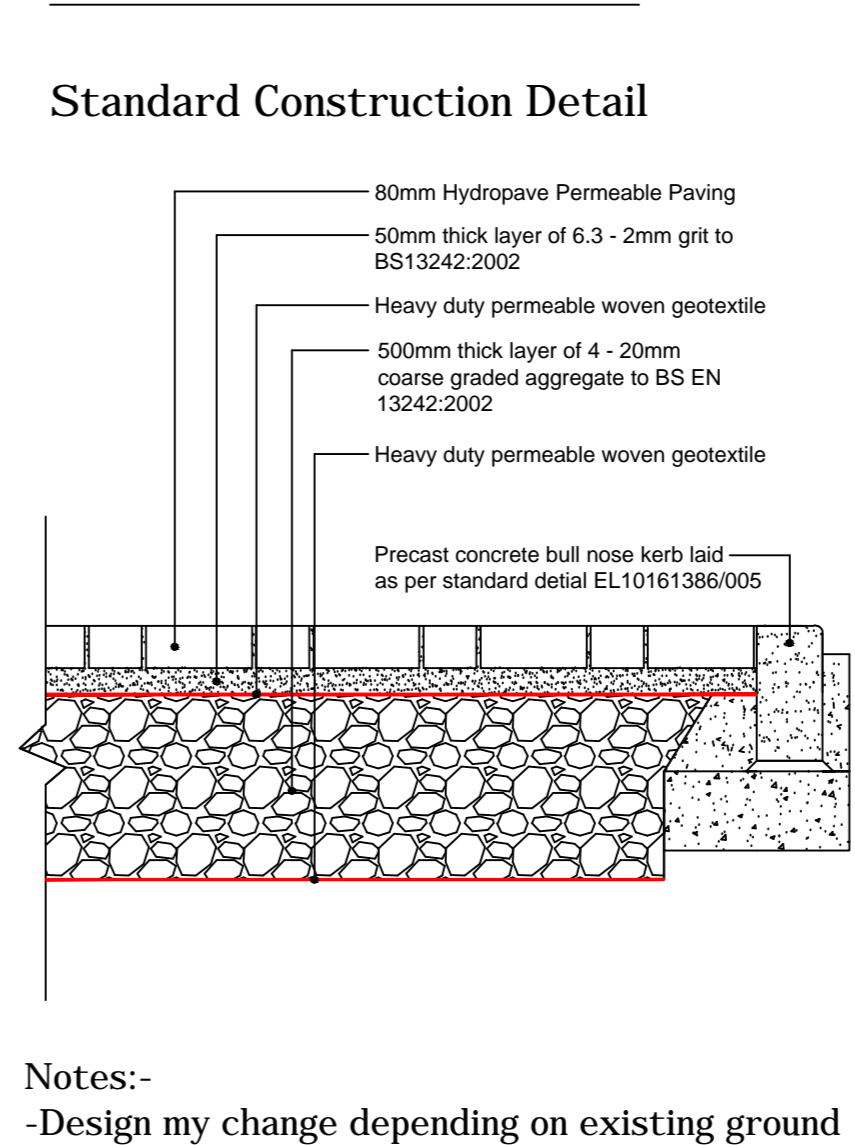
Notes:-
-Existing surfacing to be removed.
-All excavation to be supervised by an archaeologist.
-Width varies due to existing path and graves.

CROSS SECTION C-C



Note:-
Post to be 1.8m x 125mm x 125mm hardwood pressure treated and dressed.
Hand rail to be 45mm external diameter Nylon coated rolled steel.
Kick board to be 100mm x 50mm hardwood pressure treated and dressed.
Handrail to be installed were required by the disability discrimination act

PERMEABLE PAVING



Notes:-
-Design may change depending on existing ground conditions

East Lothian Council
Department of Environment
Transportation Division
Road Network Management
John Muir House
Haddington
East Lothian
EH41 3HA
Tel: 01620 827827

**PROPOSED NEW REMOTE FOOTWAY
PARISH CHURCH AND PRIMARY SCHOOL
PENCAITLAND
GENERAL LAYOUT DRAWING**

Date: 16/8/11
Scale: 1:250
Client: n/a

Cad filename: revdate
Drawn by: SW
Checked by: BMC

REPORT TO: Cabinet

MEETING DATE: 11 December 2012

BY: Executive Director (Services for Communities)

SUBJECT: Various Roads – East Lothian: Amendments to the Prohibition and Restriction on Waiting, Loading and Unloading - Traffic Regulation Orders 2012

4

1 PURPOSE

- 1.1 To seek Cabinet approval to commence the statutory procedure necessary to introduce and permanently amend various Traffic Regulation Orders to prohibit waiting, loading and unloading on various roads in East Lothian, and to introduce a new one-way traffic system in Templar Place in Gullane.

2 RECOMMENDATIONS

- 2.1 That Cabinet approves the initiation of the statutory procedure necessary to introduce or amend various Traffic Regulation Orders in accordance with 'The Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 and such amendments that are in force in respect of the locations and proposals listed in Appendix A.

3 BACKGROUND

- 3.1 East Lothian Council as Local Traffic Authority is responsible for the making or amending Traffic Regulation Orders as necessary; to avert danger to road users; to prevent damage to the road; to aid free unrestricted movement on the road; to prevent inappropriate use of the road and/or adjoining property and to improve the amenity of the area.
- 3.2 It has become necessary to introduce restrictions as indiscriminate parking is causing a danger to road users particularly school pupils around Aberlady Primary School, Knox Academy High School, St. Gabriel's RC Primary school, Prestonpans Infant school and Windygoul

Primary School, Tranent. Restrictions are also needed to address continual indiscriminate parking at Queens Margaret University.

- 3.3 In addition, parking restrictions are proposed at Prestongrange Parish Church Kirk Street, Prestonpans to assist with funerals, weddings etc., Hospital Road, Haddington to address displaced parking, and the at the Wallyford Park and Choose site. Appendix A – Schedule of Traffic Regulation Order Amendments gives details and a description of all the site locations/restrictions.
- 3.4 In addition a one way system is proposed for Templar Place, Gullane due to limited road width and the potential for damage to property.
- 3.5 Lothian and Borders police will be fully consulted on the introduction of all of these proposals/regulations.

4 POLICY IMPLICATIONS

- 4.1 These proposals are expected to contribute towards *Providing a Safer Environment* - a key priority for East Lothian Council.
- 4.2 These proposals are expected to contribute towards East Lothian's Single Outcome Agreement Outcome 9 – East Lothian roads will be safer for all users.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - All costs involved in the procurement of professional services in connection with consultation, advertising, design, and implementation associated with the making of this Order can be accommodated within the 2012-13 Transportation Road Network revenue budget.
- 6.2 Personnel - None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Brian Cooper
DESIGNATION	Senior Transportation Manager
CONTACT INFO	Peter Forsyth
DATE	26 November 2012

Appendix A – Schedule of Traffic Regulation Order Amendments/Proposals

Location	Order	Reason	Restriction
Aberlady Primary School, namely The Pleasance, Kirk Road, Elcho Terrace and School Road.	East Lothian Council (Roads Adjacent to Schools) (Prohibition of Waiting and Loading and Unloading) (Variation No. 2) Order 2012	It is considered necessary to introduce the Order to control indiscriminate kerbside parking which causes potentially hazardous situations for pupils and pedestrians near school entrances.	Prohibition of waiting, loading and unloading between 8am - 9.30am and 2.30pm-4.30pm Monday to Thursday, and 8am-1.30pm Friday.
High Street and Sea Wynd Aberlady	East Lothian Council (High Street, Aberlady) (Prohibition of Waiting, Loading and Unloading) Order 2012	The restriction is required to prevent indiscriminate parking from disrupting the free of traffic.	No waiting, loading or unloading restrictions.
Main Street, East Saltoun	East Lothian Council (Main Street, East Saltoun) (Prohibition of Waiting, Loading and Unloading) Order 2012	East Lothian Council propose to bring in no waiting, loading or unloading at any time restrictions on Main Street, East Saltoun. The proposed restrictions are required to prevent indiscriminate parking disrupting the free flow of traffic	No waiting, loading and unloading at any time restriction on the east side of the B6355 Main Street southwards from the junction with U124.
Templar Place and Rosebery Place, Gullane	East Lothian Council (Templar Place and Rosebery Place, Gullane) (One-Way and Loading) Order 2012	East Lothian Council propose to bring in a new one-way order which prohibits northbound traffic on this length of road. This is considered necessary due to the restricted width of the road and on-street parking which prevents the passage of two-way traffic. East Lothian Council also intends to introduce a loading bay on Rosebery Place to facilitate loading and unloading from adjacent premises.	A new one-way order which runs from the A198 Main Street southwards then eastwards to Saltcoats road. Creation of a new loading bay on Rosebery Place
Hospital Road, Haddington	East Lothian Council (Hospital Road, Haddington) (Prohibition of Waiting, Loading and Unloading) Order 2012	The restriction is required to prevent indiscriminate parking from disrupting the free of traffic.	No waiting, loading or unloading at any time restrictions and no waiting, loading or unloading between 8.30am and 5.30pm Monday to Saturday on Hospital Road and adjoining streets, Haddington
Knox Place, Haddington	East Lothian Council (Roads Adjacent to Schools) (Prohibition of Waiting and Loading and Unloading) (Variation No. 2) Order 2012	It is considered necessary to introduce the Order to control indiscriminate kerbside parking which causes potentially hazardous situations for pupils and pedestrians near school entrances.	No waiting, loading and unloading restrictions on Knox Place, Haddington.
Inveresk Village road.	East Lothian Council (Various Roads, Musselburgh) (Prohibition and Restriction on Waiting and Loading and Unloading Etc) (Variation No. 1) Order 2012	East Lothian Council proposes to introduce a no waiting, loading or unloading restriction on Inveresk Village Road, Musselburgh. This restriction is required to prevent indiscriminate parking and encourage the free flow of traffic	No waiting, loading or unloading restriction in the turning head on Inveresk Village Road.
Inveresk Road, Musselburgh	East Lothian Council (Various Roads, Musselburgh) (Prohibition and Restriction on Waiting and Loading and Unloading Etc) (Variation No. 1) Order 2012	East Lothian Council proposes to introduce a no waiting, loading or unloading restriction on Inveresk Road, Musselburgh. This restriction is required to prevent indiscriminate parking (principally to use the nearby Tesco) and encourage the free flow of traffic in the turning circle at the head of Inveresk Road.	No waiting, loading or unloading restriction in the turning head on Inveresk Road.
High Street and Eskside West, Musselburgh	East Lothian Council (Various Roads, Musselburgh) (Prohibition and Restriction on Waiting and Loading and Unloading Etc) (Variation No. 1) Order 2012	It is considered necessary to have enforceable waiting restrictions throughout the centre of Musselburgh to control indiscriminate parking and ensure the free flow of traffic.	No waiting, loading or unloading restriction on North High Street and Eskside West, Musselburgh.
Queen Margaret University Way, Musselburgh	East Lothian Council (Queen Margaret University Way, Musselburgh) (Prohibition and	The restriction is required to prevent indiscriminate parking from disrupting the free of traffic.	Amendment to existing Traffic Regulation Order to extend no waiting, loading and unloading restrictions to new access roads

Appendix A – Schedule of Traffic Regulation Order Amendments/Proposals

Location	Order	Reason	Restriction
Station Road, Musselburgh	East Lothian Council (Various Roads, Musselburgh) (Prohibition and Restriction on Waiting and Loading and Unloading Etc) (Variation No. 1) Order 2012	It is considered necessary to have enforceable waiting restrictions throughout the centre of Musselburgh to control indiscriminate parking and ensure the free flow of traffic.	No waiting, loading and unloading restriction on various lengths of Station Road, Musselburgh
Stoneybank Crescent, Musselburgh	East Lothian Council (Stoneybank Crescent, Musselburgh) (Prohibition of Waiting, Loading and Unloading) Order 2012	This restriction is required to prevent indiscriminate parking blocking the route for buses.	Prohibition of waiting, loading and unloading on Stoneybank Crescent, Musselburgh.
Main Street, Ormiston	East Lothian Council (Main Street and the Wynd, Ormiston) (Prohibition of Waiting; Loading and Unloading) (Variation No. 1) Order 2012	This restriction is required to prevent indiscriminate parking and loading disrupting the free flow of traffic along Main Street Ormiston. The restriction will ensure improved traffic flow whilst also protecting the parking and loading needs of the Day Centre and the Cooperative.	Provision of a no waiting, loading and unloading at any time restriction on Main Street, Ormiston.
Kirk Street, Prestonpans	East Lothian Council (Kirk Street, Prestonpans) (Prohibition of Waiting, Loading and Unloading) Order 2012	This restriction is required to stop indiscriminate parking blocking the free flow of traffic on Kirk Street, Prestonpans. It is also necessary to ensure vehicles being used wholly and principally by the principal participants in funeral operations and weddings are able to stop at the church gates without obstruction.	Prohibition of waiting loading and unloading on Kirk Street Prestonpans, with an exemption for vehicles involved in funeral and wedding ceremonies.
Preston Road, Prestonpans	East Lothian Council (Roads Adjacent to Schools) (Prohibition of Waiting and Loading and Unloading) (Variation No. 2) Order 2012	It is considered necessary to introduce the Order to control indiscriminate kerbside parking which causes potentially hazardous situations for pupils and pedestrians near school entrances.	No waiting, loading and unloading restriction between 8am and 9.30am and 2.30pm and 4.30pm Monday to Thursday and 8am - 1.30pm on a Friday at various points along Preston Road.
West Loan, Prestonpans	East Lothian Council (Roads Adjacent to Schools) (Prohibition of Waiting and Loading and Unloading) (Variation No. 2) Order 2012	It is considered necessary to introduce the Order to control indiscriminate kerbside parking which causes potentially hazardous situations for pupils and pedestrians near school entrances.	No waiting, loading and unloading restriction on West Loan and Grey School Order, Prestonpans. This order extends the length of previous restrictions.
Windygoul Primary School, Tranent	East Lothian Council (Roads Adjacent to Schools) (Prohibition of Waiting and Loading and Unloading) (Variation No. 2) Order 2012	It is considered necessary to introduce the Order to control indiscriminate kerbside parking which causes potentially hazardous situations for pupils and pedestrians near school entrances.	No waiting, loading or unloading restriction along the length of Brotherstone's Way. Addition of four drop-off bays with waiting limited to 5 minutes and provision of two disabled bays
Alexander Street Mews, Tranent	East Lothian Council (Various Streets, Tranent) (Prohibition and Restriction on Waiting and Loading) (Variation No. 4) Order 2012	East Lothian Council propose to amend the existing Order to enforce a no waiting, loading and unloading restriction on Alexander Street Mews in Tranent. This amendment to the waiting restrictions is considered necessary to facilitate unobstructed access / egress to a new Council facility.	Amendment of no waiting, loading and unloading restriction on Alexander Street Mews (leading off Winton Place), Tranent.
Wallyford Park and Choose	East Lothian Council (Wallyford Park and Choose, Wallyford) (Buses Only) Order 2012	It is considered necessary to restrict access for all vehicles except public service vehicles (specifically buses) to facilitate pedestrian access to and from Wallyford Railway Station.	Prohibition of all vehicles except buses on the Park and Choose Bus Lane at Wallyford.
The Loan, Wallyford	East Lothian Council (The Loan, Wallyford) (Prohibition of Waiting, Loading and Unloading) Order 2012	This restriction is required to prevent commuters from parking on The Loan. It will instead encourage them to use adjacent car parks.	A no waiting, loading or unloading restriction on both sides of The Loan, Wallyford.
Wallyford Station Road, Wallyford	East Lothian Council (Wallyford Station Road, Wallyford) (Prohibition of Waiting, Loading and Unloading) Order 2012	This restriction is required to stop indiscriminate parking blocking the free flow of traffic into and out of Wallyford Station Car Park.	Prohibition of waiting loading and unloading on the Wallyford Station Access Road.

REPORT TO: Cabinet
Meeting Date: 11 December 2012
By: Executive Director (Support Services)
Subject: Health and Safety Policy

5

1 PURPOSE

- 1.1 The purpose of this report is to seek approval from Cabinet for the revised and updated Health and Safety Policy.

2 RECOMMENDATIONS

- 2.1 It is recommended that Cabinet approves the Health and Safety Policy, attached as Appendix 1.
- 2.2 It is also recommended that Cabinet notes the Policy/Management Arrangement approval processes contained within the policy document.

3 BACKGROUND

- 3.1 The Council adopted the Health and Safety Policy in April 2008. The Policy has been revised and updated to provide greater clarity for those with key responsibilities and to enhance the governance of health and safety within the Council. The revised policy also streamlines the policy and management arrangement approval process, to enable the organisation to respond quickly to anticipated changes to UK Health & Safety Legislation.
- 3.2 The draft of the new policy has been the subject of consultation with the Council Management Team, staff and Trade Unions in the summer and autumn. Following the consultation period minor changes were made both documents these included:
- Re-define the policy and management arrangement procedures to allow the Joint Health and Safety Committee (JH&SC) to be the final approving committee for Health and Safety documents.
 - The constitution of the safety committee is being updated to take into account current Council structure; recognised trade unions

and Champion Elected Member for Safety attending the committee.

- 3.3 Following approval by the Cabinet a detailed implementation/rollout plan will be developed and the competency framework updated. The training associated with this policy is summarised in the table in Appendix 2.

4 POLICY IMPLICATION

- 4.1 This document “Health and Safety Policy” replaces the current Health and Safety Policy dated April 2008

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An EQIA has been undertaken and no negative impacts have been identified. Positive impacts have been identified to those in the protected characteristic groups relating to disability and age.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none.
- 6.2 Personnel – this policy will be communicated via ELNet and Health and Safety Implementation Officers, using existing resources. Appendix 2 outlines training and competency requirements.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 Appendix 1: Health and Safety Policy November 2012
- 7.1 Appendix 2: Training and Competency Requirements

AUTHOR'S NAME	Keith Flockhart/Christopher Lawson
DESIGNATION	Corporate Health and Safety Officer /Corporate Health and Safety Advisor
CONTACT INFO	01620 827639/01620 827337
DATE	15 th November 2012

Health and Safety Policy

EAST LOTHIAN COUNCIL

VERSION 3.0 – APPROVED XX/XX/XXX

1 EAST LOTHIAN COUNCIL HEALTH AND SAFETY POLICY STATEMENT OF INTENT

It is the aim of East Lothian Council to conduct its operations and activities in such a manner that it does not put anyone at risk from those operations or activities, so far as is reasonably practicable.

The effective management of health and safety is an investment which helps the Council to better achieve its objectives.

The Council recognises that health and safety is important and as such will provide sufficient resources in terms of money, systems and time as is required to fulfil the above aim.

The Council's Management Team (CMT), made up of the Council's most senior officers, has the responsibility for providing leadership on health and safety matters by setting commitments within this policy and providing leadership to fulfil them.

Objectives.

East Lothian Council will:

- Ensure that all work places are safe and without risk to employees' health, so far as reasonably practicable;
- Ensure all plant, work areas and systems of work are safe, used and maintained without risk to health so far as reasonably practicable;
- Comply with all relevant health and safety legislation;
- Ensure that any hazards affecting employees or any other persons affected by the Council's undertaking, are identified, eliminated or controlled proportionally as necessary;
- Actively promote better health, safety and welfare throughout the Council in conjunction with the recognised trade unions;
- Ensure that all employees are given information, instruction and training as necessary to protect their health, safety and welfare;
- Continually identify improvements in workplace safety, particularly where these may improve employees' health safety or welfare;
- Actively seek out any deficiencies in processes and eliminate them to improve the health, safety and wellbeing of all those affected by the Council's activities;
- Ensure that this and any approved documents supporting this policy are maintained and reviewed on a regular basis.

This policy will be reviewed on a regular basis to ensure that it remains relevant.

The Executive Directors and I are committed to this policy and to the implementation and maintenance of the highest standards of health, safety and welfare across the Council. We expect every Council employee to embrace this commitment and to work together to achieve it.

Signed

Chief Executive:

Date:

Original date produced (Version 1)	27 March 2003		
File Name	East Lothian Council Health and Safety Policy		
Original Author(s)	C Lawson		
Current Author(s)	Revision	Health and Safety Professionals	
Version	Date	Author(s)	Notes on Revisions
1	March 2003	C Lawson	Original Version
2	April 2008	C Lawson	General update
2.1	September 2011	K Flockhart	New Chief Executive Sign
3.0	May 2012	H&S Professionals	Revise and simplify.

2 ORGANISATIONAL RESPONSIBILITIES

This policy covers all health and safety matters within East Lothian Council. It is provided for all employees and those who interact with the Council.

2.1 Chief Executive

The Chief Executive has overall responsibility for the administration and implementation of the Council's Health and Safety Policy. In order for the Council to fulfil the commitments made within this policy the Chief Executive will delegate specific roles to the Executive Directors.

The Chief Executive will ensure that:

- sufficient resources in terms of money, systems and time will be made available to ensure no one is at risk from the Council's work so far as is reasonably practicable;
- Executive Directors are aware of their responsibilities and discharge their duties as outlined in this policy;
- arrangements are in place for consulting recognised trade unions on matters of safety;
- they take part in the management inspection programme, and
- along with the Council's Management Team, that this Policy is regularly reviewed.

2.2 Champion Elected Member for Safety (CEMS)

The Champion Elected Member will be confirmed following each local government election.

The Champion Elected Member for Safety will ensure that:

- any decisions taken by the Council at Cabinet and Council meetings fully consider the health and safety impact on employees and non-employees who may be affected by the work of the Council or the services that it provides;

- they are kept informed of the health and safety performance of the organisation;
- arrangements are in place for consulting recognised trade unions on matters of safety;
- they take part in the management inspection programme;
- they participate in the Council's Joint Health and Safety Committee.

2.3 Elected Members

Elected Members have a general duty to take reasonable care of their own health & safety and anyone else who could be affected by their actions. Elected Members will also take account of the health & safety implications of their decisions.

2.4 Champion Executive Director for Safety (CEDS)

The Champion Executive Director for Safety is directly responsible to the CMT for ensuring that they are kept informed on matters of Health and Safety.

The Champion Executive Director for Safety will ensure that an effective health and safety management system is in place which will:

- maximise the health, safety and well-being of everyone working for the Council;
- prevent so far as is reasonably practicable, employees and third parties from becoming injured or ill through the Council's activities;
- improve further the Council's reputation in the eyes of clients, the community and suppliers;
- avoid the consequential damaging effects on service budgets;
- encourage positive relationships with contractors which promote high standards of health and safety;
- minimise the risk of prosecution and consequent penalties;
- ensure arrangements are in place for consulting with recognised trade unions on matters of safety.

2.5 Executive Directors & Heads of Service

Directors and Heads of Service have delegated responsibility from the Chief Executive to ensure their service areas comply with legislation and this policy.

Directors and Heads of Service will:

- ensure such resources in terms of time, effort and finance, are made available to ensure the safety of those affected by their Directorate's activities;
- ensure the Council's health and safety management arrangements are implemented and maintained throughout their service areas to assess risks

and to allow for effective planning, organisation, control, monitoring and review of these preventative and protective measures;

- assist in incident investigation if required;
- ensure that their managers have all assessments of risk¹ in place for their areas, equipment and activities and that the findings of these assessments are acted upon and made known to those affected;
- establish and maintain a committee for employees and management representatives to discuss and review the management of health & safety within the Directorate and take steps to address areas for improvement;
- make arrangements to ensure that copies of any prosecutions, prohibition / improvement notices are submitted to the Chief Executive within 24 hours of their receipt;
- ensure arrangements are in place for consulting with recognised trade unions on matters of safety;
- ensure their managers and supervisors receive such information, instruction and training as identified as being necessary to manage their remitted activities safely;
- report to the Chief Executive on annual basis on the status of the health and safety management of their Directorate;
- take part in the management inspection programme.

2.6 Managers / Supervisors

Managers/ Supervisors have a pivotal role in the management of health and safety and in the creation and maintenance of the overall safety culture of their teams.

Managers and Supervisors will:

- ensure that work areas, activities and equipment are safe and without risk to health;
- carry out, record, communicate, action findings, and review as necessary risk assessments in conjunction with relevant employees;
- ensure their employees receive such information, instruction and training as identified as being necessary for their safety;
- ensure their employees attend such training as identified to ensure their competency with regards safety;
- ensure that they implement this policy, associated guidance and any local safety policy in relation to their area of responsibility and these are communicated to relevant employees;
- quarantine any area where a serious incident has occurred to ensure alterations to the scene are prevented enabling an in-depth investigation by the enforcement authority or police;

¹ Assessments of Risk, Include: General Risk Assessments, COSHH Assessments, Manual Handling Assessments, Workstation Assessments and any other such assessments of risk to employees health and wellbeing that are required by legislation

- ensure all health and safety incidents and dangerous occurrences are recorded using the appropriate system as soon as possible after the incident, regardless of whether an employee, client, volunteer, contractor's worker or visitor has been affected;
- in the event of an accident resulting in a fatality or major injury, advise the Executive Director / Head of Service / Directorate Health and Safety Implementation Officer immediately by telephone;
- upon notification of an incident, investigate the root causes of recorded incidents, seeking specialist assistance as required for the Council's health and safety team;
- ensure all their employees are made aware of this policy, its arrangements and procedures. This should include any relevant guidance documents concerning machinery, equipment or substances which they are required to use;
- consult the Directorate's Health & Safety Implementation Officer on specific issues when specialist advice is required;
- ensure that regular health and safety walk rounds / inspections are carried out and recorded on a regular basis;
- ensure health and safety is considered in their decision making process;
- ensure arrangements are in place for consulting with recognised trade unions on matters of safety;
- ensure all items of fixed and portable electrical equipment are available for regular testing and that their employees carry out a visual inspection of any item of electrical equipment prior to their use of it;
- ensure employees are made aware of any procedure in relation to emergencies e.g. fire or first aid;
- assist in the first aid provision of the establishment / business unit / group through the identification of employees to receive the required level of first aid training;
- assist in the fire safety of the establishment / business unit / group through the identification of employees to receive the required level of fire safety training;
- create action plans to deal with items requiring attention arising from audits, inspections and incident investigations.

2.7 Head of Establishment

Each establishment will have a 'Head of Establishment' to co-ordinate Health and Safety, within that establishment. Where there is only one Department within an establishment then this should normally be the most senior person in that location.

The Head of Establishment will:

- Ensure that emergency evacuation procedures are developed for all users of the building and are made known to all users of the building;

- Assist in incident investigations as required, dependent on the level of incident;
- Ensure that the fire precaution requirements are developed and practised. This will include fire drills, alarms tests, equipment test recorded, etc;
- Ensure that health and safety procedures and practices are followed within the building;
- Ensure good communication between all users of the building;
- Ensure a repair reporting system is in operation and that repairs are completed;
- Establish a safety committee/forum/group for their building where there are multiple departments within the building;
- Ensure an identified person takes control of the building during an emergency;
- Arrangements are in place for consulting with recognised trade unions on matters of safety;
- Ensure that they cooperate with Property Maintenance in all inspection and testing regimes e.g. Portable Appliance testing and Legionella;
- Ensure they cooperate with the Property Projects team, the Services for Communities Directorate and the Council's Fire Safety Officer in the assessing of fire risk for their building and the provision of information, instruction and training to those within their establishment;
- Ensure all employees within their building are made aware of the first aid arrangements for their establishment.

2.8 Employees

All employees have a duty under the Health and Safety at Work etc. Act for the health, safety and welfare of themselves and of other persons (including members of the public) who may be affected by what they may do, or what they fail to do at work.

Employees will:

- Co-operate with the Council in its efforts to comply with the Health and Safety at Work etc. Act and related Regulations;
- Assist in incident investigations as required;
- Attend and make use of such training as identified by their manager through the risk assessment process;
- Ensure that they are familiar with any procedures provided in relation to emergencies i.e. first aid or fire arrangements;
- Take part in such health surveillance as identified by their manager through the risk assessment process;
- Inform their manager / supervisor of any work situation involving serious and immediate danger and/or any shortcoming in protection arrangements in place;
- Familiarise themselves with health and safety policies, risk assessments;

- Safe working procedures and arrangements as detailed in this and other Health and Safety Policies relevant to their work activities;
- Report any shortcomings in matters of safety; all accidents, near misses and cases of verbal or physical abuse using the Council's incident reporting procedures as soon as practicable after identification or incident occurring;
- Be made aware of their right to consult recognised trade unions to discuss matters of safety when required.

Note: where an employee believes they or another person's health or safety is in imminent danger, they must temporarily suspend the dangerous activity and report this to their line manager.

2.9 Corporate Health and Safety Team

The Corporate Health and Safety team consists of the Corporate Health and Safety Adviser (CHSA), Corporate Health and Safety Officer (CHSO) and the Corporate Fire Safety Officer. The Health and Safety Adviser needs to have the status and competence to advise management and employees or their representatives with authority and independence.

The Corporate Health & Safety Team will:

- Development, monitor and audit the health, safety and welfare arrangements throughout the Council with support from the Directorate (Departmental) Safety Implementation Officers;
- Provide competent health and safety assistance;
- Take part in incident investigations as required and dependent on the level of incident;
- Keep the Council's Management Team informed of developments in health and safety both internal and external to the organisation;
- Provide clear advice, recommend priorities and direction with regard to health and safety at a corporate level on all health and safety matters, including fire prevention and precautions through the production of health & safety policy, guidance and procedures and safe systems;
- Co-ordinate corporate-led health and safety training, and, where appropriate, arrange, prepare and deliver training courses in conjunction with departmental staff;
- Maintain liaison with other bodies regarding health and safety (Health and Safety Executive, Local Authority Inspectors);
- Advise on matters relating to fire prevention and fire precautions in collaboration with the Fire Authority;
- support arrangements for consulting with recognised trade unions on matters of safety;

2.10 Health and Safety Specialists

Other specialists in health and safety matters are also available covering:

- Asbestos
 - Covering the monitoring of property maintenance and other contractor work on the asbestos containing material within our properties. Managing asbestos database.
- Fire Safety
 - Covering fire safety training, internal fire inspections and audits, reviewing fire risk assessments.

Other specialist assistance may be obtained if required.

2.11 Directorate Health and Safety Implementation Officers

The Council will ensure through its recruitment and selection procedures that all Health and Safety professionals employed are suitably qualified and experienced to enable them to undertake their duties.

The Directorate Health and Safety Officers will:

- Advise on all matters concerning health and safety within their Directorate;
- Stop work activities where there is a serious breach of statutory duties or which presents an imminent risk of injury;
- Assist in the interpretation of Health and Safety Legislation, corporate policies relevant to their Directorate's activities and the setting of standards;
- Investigate accidents/incidents and dangerous occurrences, as appropriate;
- Act as exofficio member of the Directorate's Health & Safety Committees/ Joint Consultative Groups;
- Advise on safety aspects of specialised plant and equipment, substances, or processes being considered;
- Providing health and safety training;
- Support Directorate arrangements for consulting with recognised trade unions on matters of safety;
- Carry out a minimum of 12 Health and Safety inspection and 12 health and safety audits per year.

2.12 Directorate Safety Committee / Directorate Joint Consultative Groups.

Executive Directors are responsible for establishing Directorate Health & Safety Groups or Joint Consultative Committees, which incorporate a Health & Safety element. These committees will have approved terms of reference and will be involved in the planning of health and safety objectives. Safety committees at

any level are “owned” by management and employees and they are responsible for the running of the committees.

The remit of these committees will be to: -

- Assist in and monitor incident investigations as required, dependent on the level of incident as required;
- Provide a means of regular consultation between Directorate management representatives and employees, providing a forum for the discussion of Directorate health and safety matters;
- Consider reports on any health and safety matter which may be referred to the Committee by the Directorate management team or any of the Directorate’s employee representatives;
- Consider minutes/notes of meetings from Service or Section Safety Committees, where the issue or issues raised may have Directorate health and safety implications;
- Recommend the approval of Directorate Health and Safety Policies, Guidelines etc., for consideration by the appropriate Council Committee;
- Escalate or pass issues to the appropriate forum where appropriate;
- Ensure that arrangements are in place for consulting with recognised trade unions on matters of safety.

2.13 Joint Health and Safety Committee

The role of the Joint Health and Safety Committee will be:-

- To assist in and monitor incident investigations as required, dependent on the level of incident as required;
- To provide a means of regular consultation between East Lothian Council and employees, providing a forum for the discussion of corporate health and safety matters;
- To consider reports on any health and safety matter which may be referred to the Committee by East Lothian Council or by any of the employee organisations;
- To consider minutes/notes of meeting from Directorate, Service or Section Safety Committees where issues raised may have corporate health and safety implications;
- To approve health and safety policies, guidelines etc;
- To ensure arrangements are in place for consulting with recognised trade unions on matters of safety.

3 HEALTH & SAFETY ARRANGEMENTS

3.1 Health and Safety Management Arrangements

In support of this policy the Council shall produce “Health and Safety Management Arrangements” which set the councils approach on key safety related subject areas as well as information on how specific hazards are

managed and what information, instruction, training and competency requirements are required.

A full list of these Management Arrangements will be maintained on the Health and Safety pages on ELNet (employee Intranet).

Where applicable the Health and Safety Management Arrangements will state the legislation it relates to.

A master copy of the Management Arrangements will be held by the Councils Health and Safety team with copies accessible for all employees on ELNet.

3.2 Monitoring H&S Performance

East Lothian Council recognises the benefits of conducting active monitoring as a means to measure health & safety performance and to prevent accidents, incident or cases of ill health before they occur. This includes monitoring the achievement of health & safety improvement plans, and compliance with the standards set out in this and supporting Health and Safety Management Arrangements and guidance documents. This type of monitoring measures success and reinforces positive achievement by recognising good work, rather than penalising failure after an event.

Active monitoring methods used include:

- Inspection of premises, plant and equipment
- Environmental monitoring
- Health surveillance
- Observation of work behaviour by line managers
- Health & safety management audits

While active monitoring provides feedback before an accident incident or case of ill health, reactive monitoring is necessary to enable the organisation to learn from accidents/incidents, ill health cases or other deficiencies in health & safety performance.

The reactive arrangements are therefore triggered by an event and include identifying and reporting of:

- Injuries and cases of ill health, including monitoring of sickness absence
- Damage to property
- Near miss incidents
- Hazards
- Weaknesses in performance standards.

The Council will also make use of such internal and external benchmarking systems to review, improve and maintain safety management systems.

3.3 Key Performance Indicators

The Council will identify a set of Key Performance Indicators (KPIs) to be collected by both managers and health and safety professionals.

These indicators will allow both active and reactive monitoring of the inputs and outputs of the Council's safety management systems.

3.4 Auditing

All areas of the Council's teams will be audited by a Health and Safety professional once every three years. The Health and Safety professionals will prepare and use a standard set of audit questions in accordance with recognised external standards.

All external audits of the Council's health and safety systems will be recorded centrally along with their agreed action plans to deal with any items requiring attention. All action plans resulting from audits will be developed by managers and agreed with the appropriate health and safety officer.

3.5 Inspections

The Council will ensure all areas of its business are inspected on a regular basis.

Health and Safety inspections will be carried out by managers at all levels within the organisation in association with employee and union representation.

Further inspections will be carried out by the Health and Safety professionals of the Council's work areas.

3.6 Communication about Health and Safety

The Council will make use of the following methods for communicating health and safety information:

- E-newsletters,
- E-mails,
- Notice boards,
- Posters,
- Team meetings,
- Toolbox talks etc.

The Council will also use the following communication processes:

- All communications with external parties to the Council relating to health and safety (except that relating to Local Authority Enforcement) is coordinated and centralised;
- All reports to the Health and Safety Executive will be issued by Corporate Health and Safety Team;

Directorate specific health and safety information will be through the Directorate Health and Safety Implementation Officers.

3.7 Consultation with Employees

3.7.1 Approval Procedures

In order to ensure thorough consultation has taken place to approve both this Policy and the Approved Guidelines the process for approving these documents has been reviewed and where possible shortened to enable quickening of the approval process of these documents. Both approval processes are contained in the appendices (4&5).

3.7.2 Safety Representatives

The Council accepts the duties placed upon it by the "Safety Representatives and Safety Committees Regulations, 1977" and the "Health and Safety (Consultation with Employees) Regulations 1996" (which relates to non-unionised organisations and their safety representatives).

The Council recognise the rights of trade unions or employee groups to appoint safety representatives (employee representatives of safety).

The Council will work with these representatives with the common aim of ensuring a safe workplace for all employees.

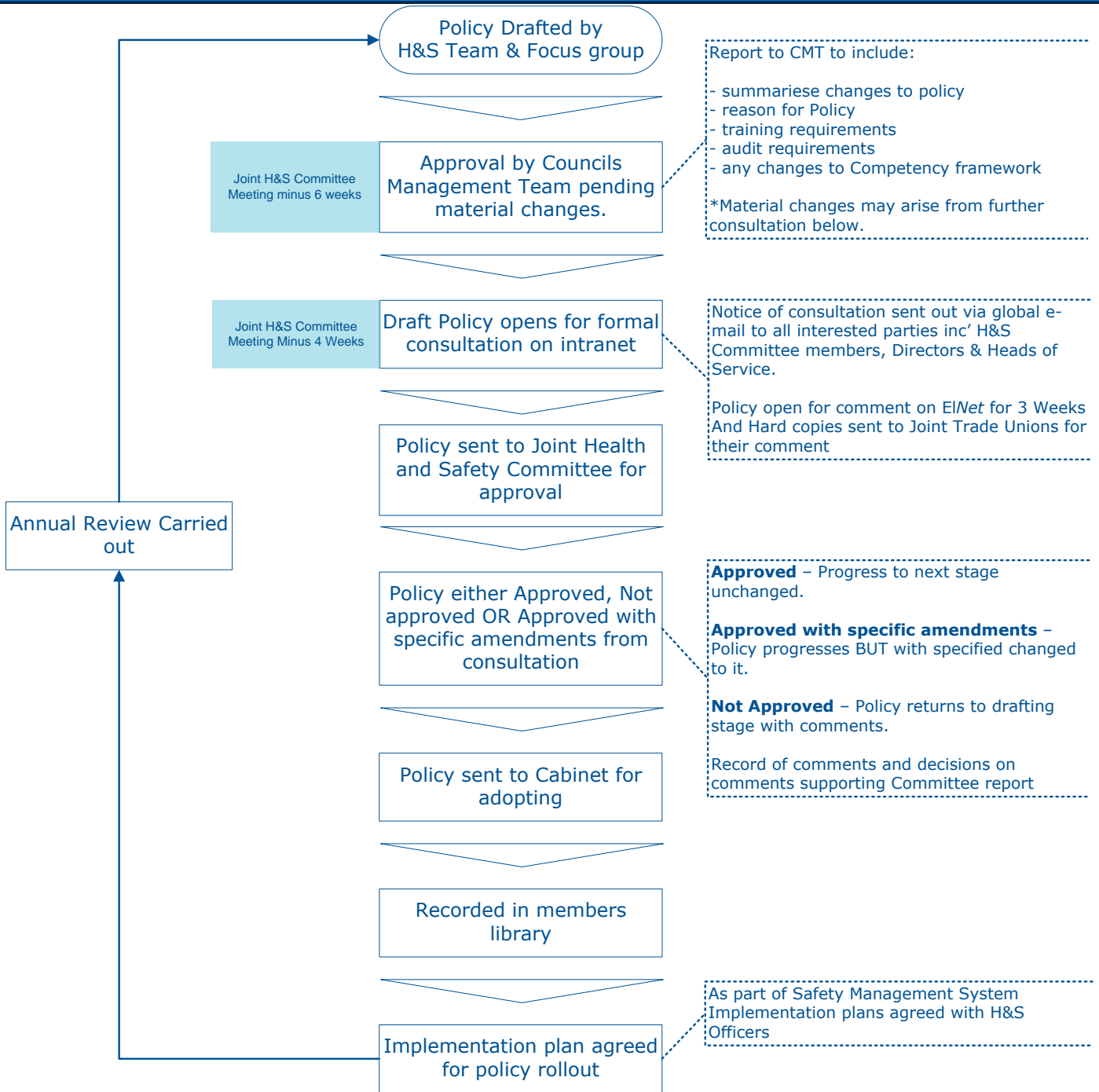
The Council will ensure that any concerns raised at one committee can be escalated or de-escalated up or down the committee structure dependent on its potential impact on Council activities.

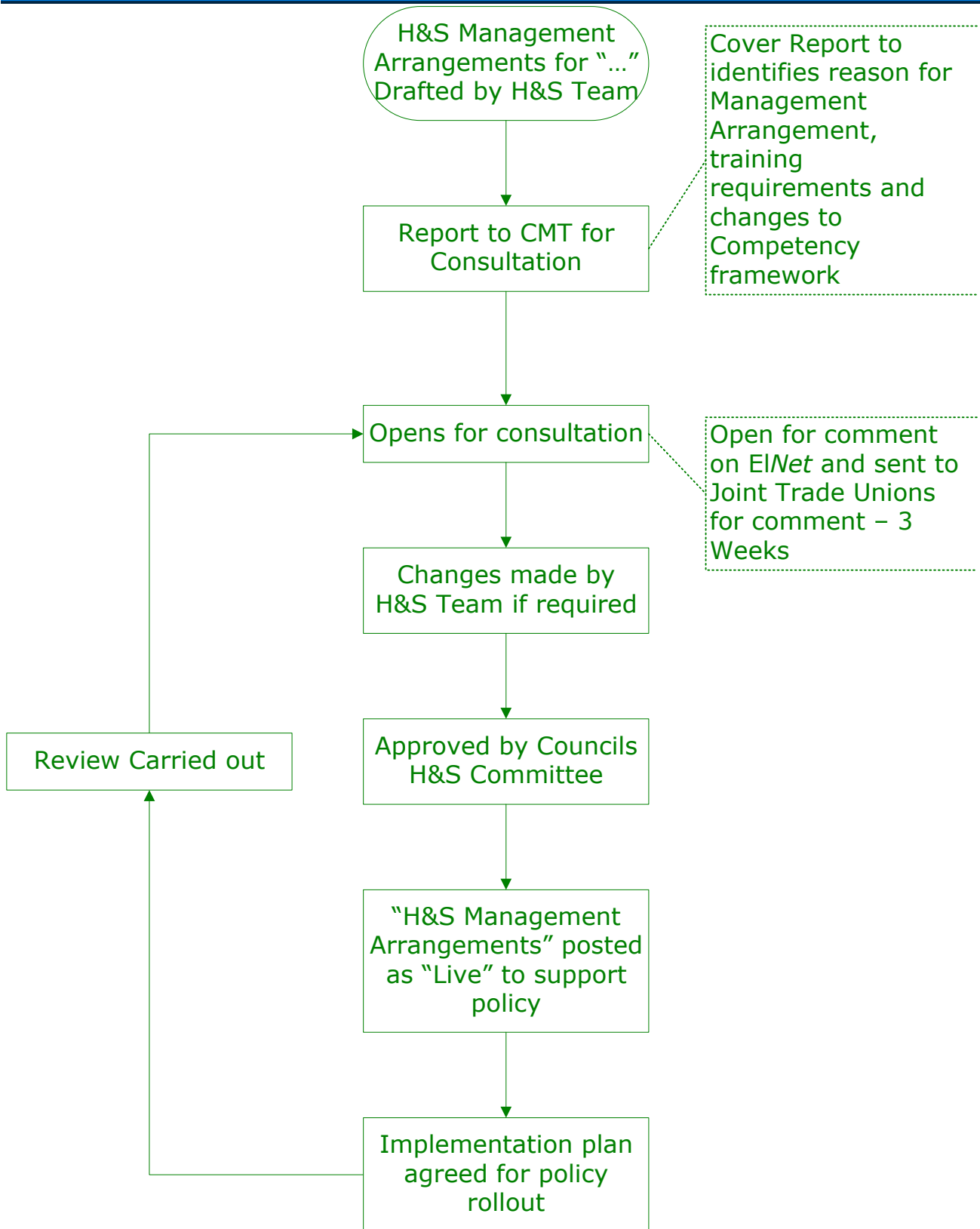
3.8 Contractors

The Council will ensure that any contractors working on council property will be made aware of any risks to the contractor's health, safety and wellbeing. The Council will also ensure that the risks associated by contractors coming onto site will be identified and either eliminated or controlled with the findings made known to those employees affected.

3.9 Work Experience

The Council will treat any person coming into the Council on work experience as an employee with regards to their health, safety and welfare. Those on work experience will be considered when risk assessments are being carried out; they will also be given such information, instruction, training and supervision as required.







Appendix 2: Training and Competency Requirements

H&S Subject Area	Training available/Will be available.	Format of Training	Competency Requirements	
			ALL Employees	Managers
Health and Safety Policy	Health and Safety Corporate Induction	Tutor Led Session	Y	Y
	Day One Safety Training	Local Induction Checklist	Y	Y
	Month One Safety Induction	E-learning package	Y	Y
	IOSH Managing Safely	4 Days over 2 weeks		R
	IOSH Working Safely	1 Day	A	

Legend	
Y	Course Required
R	Course Recommended
A	Course Available – can be used though not compulsory



**MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 8 NOVEMBER 2012
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

6

Committee Members Present:

Councillor J McNeil (Chair)
Councillor J Williamson
Councillor D Grant
Councillor J McMillan
Councillor F McAllister
Councillor J Caldwell

Council Officials Present:

Ms C Molloy, Legal Adviser
Ms M Winter, Licensing Administration Officer

Others Present

PC H Bowsher, Lothian & Borders Police

Clerk:

Mrs F Stewart, Committees Assistant

Apologies:

None

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

1. Applications for Grant of Taxi/Private Hire Car Driver's Licence

The Sub-Committee considered two applications for grant of a licence; one was granted and one was continued to the December meeting.

2. Applications for Renewal of Taxi/Private Hire Car Driver's Licence

The Sub-Committee considered two applications for renewal of a licence and both were agreed.

3. Renewal/Replacement of Private Hire Vehicle

The Sub-Committee considered one application for the replacement of a private hire vehicle and it was refused.