



**MINUTES OF THE MEETING OF
EAST LoTHIAN COUNCIL**

**TUESDAY 22 OCTOBER 2013
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Provost L Broun-Lindsay (Convener)	Councillor W Innes
Councillor S Akhtar	Councillor M Libberton
Councillor D Berry	Councillor P MacKenzie
Councillor S Brown	Councillor F McAllister
Councillor J Caldwell	Councillor P McLennan
Councillor S Currie	Councillor K McLeod
Councillor T Day	Councillor J McMillan
Councillor A Forrest	Councillor J McNeil
Councillor J Gillies	Councillor T Trotter
Councillor J Goodfellow	Councillor M Veitch
Councillor D Grant	Councillor J Williamson
Councillor N Hampshire	

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnership and Services for Communities)
and Monitoring Officer
Mr D Small, Director of East Lothian Health & Social Care Partnership
Mr R Jennings, Head of Housing & Environment
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr T Shearer, Head of Policy & Partnerships
Ms M Ferguson, Corporate Legal Adviser
Mr K Dingwall, Principal Planner
Mr I Glen, Policy & Projects Manager (Planning)
Ms J Mackay, Media Manager
Mr I McFarlane, Service Manager, Development Management
Mr D Russell, Corporate Communications Manager
Mr P Vestri, Corporate Policy & Improvement Manager

Visitors Present:

Chief Superintendent Jeanette McDiarmid, Police Scotland
Mr S Reid, KPMG

Clerk:

Mrs L Gillingwater

Apologies:

None

Order of Business

Prior to the commencement of business, the Clerk advised that Item 14 on the Agenda – Police Public Counter Service Review and Traffic Warden Review – would be considered immediately after Item 5 on the agenda.

1. DETERMINATION HEARING: PLANNING APPLICATION NO. 11/01109/PPM – PLANNING PERMISSION IN PRINCIPLE FOR EMPLOYMENT LAND, DRAINAGE WORKS AND ENABLING RESIDENTIAL DEVELOPMENT AT FENTON BARNES, NORTH BERWICK

A report was submitted by the Depute Chief Executive (Partnership and Services for Communities) advising that as this application site was greater than 2 hectares and the principle of development was for more than 50 houses, the proposed development was, under the provisions of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development. Furthermore, the proposed development was significantly contrary to Policy DC1 of the adopted East Lothian Local Plan 2008.

The report advised that a Pre-determination Hearing for this application was held at the Planning Committee meeting of 1 October 2013, which is mandatory where a planning application is made for a major development that is significantly contrary to the development plan. The application was now brought before the Council for determination.

The Service Manager, Development Management, Iain McFarlane, presented the report in detail, advising Members of the background to the application, the consultation responses and public representation. He provided a summary of the main components of the application, the policies and other material considerations applicable.

Mr McFarlane advised that the report recommended refusal of the application on the grounds that the material considerations did not outweigh the Council's Local Plan policies.

Councillor Hampshire referred to recent decisions made by the Planning Committee in respect of land for business use in the North Berwick area, and argued that there was a demand for industrial land in this area. Mr McFarlane accepted there was such a demand, but indicated that the situation referred to was not comparable to the application under consideration.

Responding to a comment made by Councillor Berry as regards the drainage problems, Mr McFarlane confirmed that this was a historical problem and that no action had been taken to resolve it in the past.

Councillor Goodfellow asked questions in relation to the amount of employment land available in the North Berwick area and enabling development. Ian Glen, Policy & Projects Manager, advised that available employment land was very limited, with less than one hectare of such land available within the town itself. Mr McFarlane reiterated that there would be no new build development for employment, leisure or tourism use within the site.

Councillor Day questioned the suitability of the site for a housing development, commenting that this site was prime agricultural land in a countryside location, with poor transport links, and that there was no element of affordable housing included in the application. He also noted that the applicant had only considered one possible solution to the drainage problem and he suggested that improvements to the drainage system could be funded by other means. In addition, he felt that existing businesses were unlikely to relocate given the investment made by them in this site. He did not believe that the potential loss of jobs

should take precedence over the integrity of the planning system and therefore declared that he would support the report recommendations.

Councillor Berry made reference to the consultation process during the development of the 2008 Local Plan and the views of local people at that time that there should be no new settlement at Fenton Barns. He believed that it was the responsibility of the applicant to work with tenants to find a solution to the drainage issues. He supported the sentiments of Councillor Day and indicated that he would be supporting the officer recommendations.

Councillor Goodfellow stated that he would also be supporting the officer recommendations on the grounds that: this area was not suitable for more housing than that already planned; there would be additional strain on infrastructure; he was not convinced of the applicant's argument in relation to enabling development; and there were alternative solutions to the drainage problems that had not been explored.

Councillor Currie expressed concern at the additional traffic on that road should the application be approved. He viewed the applicant's warning in relation to the potential loss of jobs as unacceptable, but did not believe that businesses which had invested in the site would relocate. He shared the views of other Members as regards upholding planning policies and stated that granting planning permission would be the wrong decision for the Council to make.

In relation to the arguments made about the Local Plan, Councillor Hampshire made reference to a number of sites not included in the Local Plan which had recently been granted planning permission. He highlighted the need for additional employment land for industrial use in the North Berwick area and stated that the Council had a duty to make land available for business use, and that Fenton Barns was an appropriate location for such use. He accepted that the current infrastructure would not meet the potential demand, and suggested that the Council could work with the landowner to improve this. He also proposed the involvement of East Lothian Land Ltd in order to attract investment in this site. He urged Members to support the application, warning that the applicant would appeal if it was refused.

Councillor Innes commented that he had not been convinced by the arguments put forward by Local Members. He expressed concern that the sewage system was inadequate and was a risk to employment. He remarked that this site was not open countryside, that it was an established industrial site which contained some housing, and that the application was not a substantial departure from what already existed in that location. He also considered that approving the application would not set a precedent, due to the sewage issue. He therefore advised that he would be voting against the officer recommendations.

The Provost then moved to the vote on the officer recommendations:

For:	13
Against:	9
Abstentions:	1

Decision

The Council agreed to refuse planning permission in principle for the following reasons:

- i. as enabling development for a new build infrastructure development in the countryside the proposed new build housing development was not supported by Part 1(a) of Policy DC1 of the adopted East Lothian Local Plan 2008;

- ii. as the proposed new build housing development was not to enable a form of new build development in the countryside of an employment, tourism or leisure use the proposed housing development was contrary to Part 1(c) of Policy DC1 of the adopted East Lothian Local Plan 2008;
- iii. in not being a direct operational requirement of an agricultural, horticultural, forestry or other employment use in the countryside the proposed new build housing development was contrary to Part 1(b) of Policy DC1 of the adopted East Lothian Local Plan 2008; and
- iv. in the absence of any justifiable need for additional employment land at Fenton Barns, as it would not be of an appropriate scale and character for its countryside location, as it would result in the loss of some 12.47 hectares of prime agricultural land, and as the site identified for employment use was not well located in terms of proximity to a range of modes of transport, the proposed employment land was contrary to Policies DC1, BUS9 and T1 of the adopted East Lothian Local Plan 2008.

2. COUNCIL AND COMMITTEE MINUTES FOR APPROVAL

The Minutes of the Council meeting specified below were submitted and approved:

East Lothian Council – 27 August 2013

3. COUNCIL AND COMMITTEE MINUTES FOR NOTING

The Minutes of the Council and Committee meetings specified below were noted:

East Lothian Partnership – 21 August 2013

Local Review Body (Planning) – 29 August 2013

Petitions Committee – 12 September 2013

Matter arising: Councillor Currie asked if the report on Fenton Barns Nursery would be presented to the Education Committee in November. The Chief Executive advised that discussions on this matter were ongoing and that she would keep Members informed.

4. ANNUAL REPORT TO MEMBERS OF EAST LOTHIAN COUNCIL AND THE CONTROLLER OF AUDIT

The Provost welcomed Stephen Reid of KPMG to the meeting.

Mr Reid presented the Audit Report to Members, advising that the Council's financial statements had been signed on 27 September and that they had been given an unqualified opinion. He summarised the audit work undertaken during 2012/13, the challenges facing the Council and recommendations for action.

Responding to a number of questions from Councillor Berry, Mr Reid indicated that the use of reserves was lower than expected in 2012/13 due to effective management of resources; however, it was expected that the reserves would be spent by 2015/16. He also confirmed that there had been a transfer of £1m from the Housing Revenue Account (HRA) to the General Services budget in 2012/13. As regards borrowing, Mr Reid advised that Audit Scotland had undertaken a benchmarking exercise, but that this had not differentiated between borrowing from General Services and the HRA.

Councillor Hampshire asked for Mr Reid's opinion on the use of reserves. Mr Reid pointed out that the use of reserves to balance budgets was time-limited and that relying on the use of reserves in the longer term would lead to financial difficulties.

Councillor MacKenzie asked if it was expected that efficiency savings would be made through shared services/partnership working. The Chief Executive commented that the main focus of partnership working was to improve capacity and continue providing services.

In response to a question from Councillor Akhtar on how the 2012/13 report compared to that of the previous year, Mr Reid referred to the report on the financial strategy and financial management of Council services which was presented to the Council in October 2012, and that the changes to the governance and controls framework had resulted in improvements.

Councillor Veitch welcomed the report, in particular the reductions in capital spending and use of reserves.

Councillor McMillan commended the work of officers and the Council Leader in reinforcing the Council's commitments to making improvements and achieving sustainability.

Councillor Currie highlighted the challenges facing the Council in terms of borrowing, capital investment, demographic pressures and welfare changes. He also expressed concern about the shortage of affordable housing and rising repair costs in the Council's housing stock, and about the Administration's decision to halt a particular housing development. On the use of reserves, Councillor Currie spoke of the pressures that the Council would face in 2015/16 when there would be no reserves available to support frontline services.

Replying to a request from Councillor Currie for further information on the setting of capital budgets, the Head of Council Resources, Jim Lamond, confirmed that budgets were prepared in accordance with capital spending limits set by the Chief Finance Officer. He advised that, in recent years, details for individual projects had not always been provided but that the budget for the entire capital programme had been published.

Councillor Innes thanked Mr Reid for his positive report. He commended the decision of the Council to reduce borrowing limits and the progress made to control spending. He accepted that debt charges had increased, but that the increase was lower than it would have been had the Council not reduced the borrowing limits.

Councillor Berry welcomed the report, and explained that the previous Administration had set budgets within the financial limits, but that they had not foreseen the economic downturn. He also pointed out that reserves had been built up during that period, to be used to meet future financial challenges.

Councillor Hampshire concluded the debate by stating that using reserves to deliver services was not a solution to the financial challenges facing the Council.

The Provost thanked Mr Reid for his attendance and input to the meeting.

Decision

The Council agreed to note the External Auditor's Annual Report to Members 2012/13.

Sederunt: Councillor Goodfellow left the meeting.

5. EAST LoTHIAN POLICE PERFORMANCE REPORT, 1 APRIL – 30 SEPTEMBER 2013

The Provost welcomed Chief Superintendent Jeanette McDiarmid, Local Police Commander, to the meeting.

Chief Superintendent McDiarmid presented the East Lothian Police Performance Report to Members, reminding Members that under the new scrutiny arrangements police performance would be reported to the Safe and Vibrant Communities Partnership. She advised that work was underway to develop the Policing Plan for 2014/15 and also Ward Policing Plans, which would be subject to consultation. She highlighted the areas of priority for 2013/14, and provided a summary of the performance for each of those priorities. She mentioned that she would report on police complaints to the Safe and Vibrant Communities Partnership.

In response to questions from Councillor Day, Chief Superintendent McDiarmid reported that the consultation process for Ward Policing Plans was underway. She undertook to look into concerns that community officers were not attending Community Councils as regularly as they had done previously.

Councillor MacKenzie asked how priorities were identified. He was advised that the priorities were linked to the Single Outcome Agreement, but also took account of local issues. She also mentioned the benefits of partnership working in supporting communities and preventing crime.

Councillor Berry highlighted the positive partnership working arrangements that had been in place for some time and voiced his concern that this was not reflected in the 2013/14 Policing Plan. Chief Superintendent McDiarmid replied that this could be considered for inclusion in the 2014/15 Policing Plan. The Chief Executive added that the timescales for developing and approving the 2013/14 Policing Plan had been very tight and that more meaningful measures and targets to reflect the priorities of local communities would be included in future Policing Plans, which would be submitted to the Council for approval.

Councillor Currie suggested that a breakdown of figures at ward level would be useful for Members in order that specific issues could be discussed in more detail. Chief Superintendent McDiarmid undertook to take this suggestion forward.

Councillor Hampshire expressed concern that officers were being transferred out of East Lothian. Chief Superintendent McDiarmid advised that she could provide details as to when and why officers were transferred to other areas, but pointed out that this happened mainly to support large-scale events and that decisions were made based on demand and risk.

Councillor McNeill asked if it was possible to provide call handling information for East Lothian. Chief Superintendent McDiarmid offered to look into whether this was possible.

Responding to comments made by Councillor McMillan as regards priorities and the level of detail provided in the performance report, Chief Superintendent McDiarmid advised that the strategic policing priorities were national priorities that did not necessarily reflect partnership priorities.

Councillor Day requested the inclusion of figures rather than just percentages in future performance updates. This request was taken into account by Chief Superintendent McDiarmid.

Decision

The Council agreed to note the contents of the report.

6. POLICE PUBLIC COUNTER SERVICE REVIEW AND TRAFFIC WARDEN REVIEW

A report was submitted by the Chief Executive advising that Police Scotland had recently carried out and completed two reviews of local services – the public counter service and traffic wardens. The report provided Members with comments on the two reviews and their outcomes, and made recommendations on how the Council should respond.

The Corporate Policy & Improvement Manager presented the report, informing Members of how the review of public counter services had been carried out and of the various data recording methodologies that had been used by different Police areas for the purposes of the review. He also drew attention to a number of concerns about other aspects of the review, and of the outcomes affecting East Lothian. On the traffic wardens review, he highlighted the lack of consultation and implications for the Council should this service be withdrawn. He noted that the Council could take on responsibility for warden provision but that the legal process to implement this would take at least 6 months. It was noted that the Chief Executive would be meeting with the Depute Chief Constable to discuss the concerns raised in the report.

Councillor Berry voiced his concern at the withdrawal of the traffic warden service and at the manner in which the review had been conducted. The Chief Executive advised that she had received very little information about this review and that there had been no mention of the timescales for withdrawing this service.

Responding to a question from Councillor Akhtar, Mr Vestri noted that he was not aware of any consultation having taken place with other local authorities.

Councillor McNeill asked if CoSLA had expressed a view on this matter. The Chief Executive reported that CoSLA would be considering it, but at the most recent meeting the extent of the review had not been known. She suggested that the possibility of partnership working with the Police to alleviate the public counter service issues could be explored. The Chief Executive indicated that she would be happy to raise the issues through SOLACE.

The Provost asked if the proposers and seconders of the motions would agree to withdraw their Motions.

Councillor Currie indicated that he was satisfied that the terms of Item 14a – Motion on Police Public Counter Service in Tranent – had largely been met by the recommendations of the report, and that he was prepared to withdraw his Motion. However, he wished to propose an additional recommendation:

“[Council is recommended to] establish a specific cross-party Police and Fire Board for East Lothian in order that this proposal and future issues can be subject to full consultation, transparency and scrutiny by elected members and the community.”

Councillors MacKenzie and Akhtar agreed to withdraw their Motions on this issue (Items 14b and 14c).

Councillor Currie advised that he had consistently supported the establishment of a specific Police and Fire Board/Committee which, he believed, would allow for a greater level of scrutiny, more effective discussions and input from Members, even if they were not

members of that Board/Committee. He suggested that the discussion during the previous agenda item had demonstrated the benefits of such a committee. Councillor Currie also highlighted the importance of the police counter service to the public and to the additional policing resources funded by the Council. He expressed his disappointment at the lack of consultation on the changes to services and felt that a specific committee would be best placed to scrutinise the proposals. He also warned of the impact that the withdrawal of the traffic warden service would have on the public.

Councillor MacKenzie seconded the proposed additional recommendation, arguing that a specific Police and Fire Board/Committee would have been well placed to deal with the concerns outlined in the officer's report.

Councillor Innes echoed the concerns of other Members in relation to the proposals to close the public counter at Tranent Police Station and withdraw the traffic warden service. However, he did not support the proposal for a specific Police and Fire Committee, arguing that the former Police Board had been unable to protect the public counter at Prestonpans Police Station or the traffic warden service, which in East Lothian had been reduced from five to two wardens in recent years. He reminded Members that scrutiny of Police and Fire services would be carried out through the revised community planning arrangements. Councillor Innes called on Members to support the report recommendations but to reject the additional recommendation as proposed by Councillors Currie and MacKenzie.

Councillor Veitch paid tribute to the police officers in his own ward. However, he was critical of how the reviews had been carried out, in particular the lack of consultation on traffic warden services. He spoke of the need to retain this service until a new system could be put in place. He agreed with Councillor Innes that the creation of a Police and Fire Committee would not provide a solution to the problems. He added that East Lothian had been badly let down by Police Scotland and that the concerns raised should be communicated to the Justice Minister.

Councillor Akhtar pointed out that other local authorities were experiencing the same issues, regardless of their decision-making structures.

Councillor McAllister remarked that there was a need to regulate parking and that a number of Scottish local authorities had generated significant income from doing so.

Councillor Grant expressed his disappointment at the proposed closure of the public counter at Tranent Police Station, and at the loss of the traffic warden in the town. He agreed with other Members that it was unrealistic to expect uniformed police officers to deal with parking issues.

The Provost then moved to the vote on the inclusion of an additional recommendation, as proposed by Councillors Currie and MacKenzie. At the request of Councillor Currie, the vote was taken by roll call.

For: 9 (Councillors Berry, Brown, Currie, MacKenzie, McAllister, McLennan, McLeod, Trotter and Williamson)

Against: 11 (Councillors Akhtar, Caldwell, Forrest, Gillies, Grant, Hampshire, Innes, Libberton, McMillan, McNeil and Veitch)

Abstentions: 2 (Provost Broun-Lindsay and Councillor Day)

The proposed additional recommendation therefore fell.

Decision

The Council agreed:

- i. to submit a response to Police Scotland's consultation on the review of police public counter services, highlighting concerns about the way the review had been conducted and the possible adverse impact on the local community in the Fa'side Ward arising from the proposal to close the Tranent police station public counter;
- ii. to submit a response to the Police Scotland review of the traffic warden service, highlighting concerns about the lack of consultation, the proposed timescale for the withdrawal of the service and seeking assurances that no further traffic warden provision would be withdrawn unless or until alternative arrangements were put in place;
- iii. that Council officers would prepare and report back on proposals for a Council-led alternative to the traffic warden provision; and
- iv. to request a meeting with the Chief Constable and the Chair of the Scottish Police Authority to discuss the reviews and seek effective engagement with the Council on the future of policing in East Lothian, including police public counter services, the possible development of integrated public counter services through shared facilities, the proposed withdrawal of traffic warden provision, and the reduction or withdrawal of support for prevention and early intervention initiatives.

7. EAST LOTHIAN COUNCIL ANNUAL PERFORMANCE REPORT 2012/13

A report was submitted by the Depute Chief Executive (Resources and People Services) providing Members with the Council's Annual Performance Report for 2012/13.

Councillor Currie asked questions in relation to the maintenance of the road network and the allocation of funding to schools. The Chief Executive advised that the school budget entry had been taken from the Council Plan and that this issue was still under consideration, but that the funds would be allocated to schools. As regards the question on the road network, the Head of Infrastructure advised that the severity of the winter was an important factor in relation to road maintenance. He provided an explanation as to how the required maintenance was determined.

Councillor Veitch commented that the report demonstrated significant progress being made by the Council in delivering services, and underlined the Council's commitment to minimising waste, bureaucracy and unnecessary administrative costs.

Councillor Berry drew attention to the indicator on tenants owing more than 13 weeks' rent, warning that welfare reforms may have an impact in this area.

Councillor MacKenzie welcomed the partnership working with Queen Margaret University, the model for which was now being rolled out to other areas and other subjects.

Decision

The Council agreed to approve the Annual Performance Report for 2012/13.

8. PARTNERSHIP WORKING UPDATE

A report was submitted by the Chief Executive updating the Council on the progress of the partnership working activities/initiatives undertaken as part of the partnership working agenda across East Lothian and Midlothian Councils and presenting the revised Memorandum of Understanding, which had been amended following discussions to properly reflect the aspirations of the new Administrations.

The Chief Executive presented the report, drawing Members' attention to the revised Memorandum of Understanding (attached as Appendix 1 to the report). She advised that monthly meetings were taking place with officers from Midlothian Council on partnership working arrangements, and highlighted the current joint working activities. She noted that, following the Council's Voluntary Early Release Scheme (VERS), an opportunity had arisen to consider partnership working to deliver Environmental and Trading Standards Services. She advised of the proposed arrangements for these services.

Councillor MacKenzie asked for evidence that financial savings were being achieved through partnership working arrangements. The Chief Executive reported that the main focus was on ensuring that both councils had the capacity to deliver high quality services, rather than being driven by financial savings. She highlighted the benefits of having access to the skills and expertise of colleagues in Midlothian Council.

Decision

The Council agreed:

- i. to note the current position regarding Partnership Working activities;
- ii. to note the revised Memorandum of Understanding; and
- iii. to approve the partnership arrangements for Environmental Health and Trading Standards.

9. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND: FIFTH GENERAL REVIEW OF ELECTORAL ARRANGEMENTS

A report was submitted by the Chief Executive informing Members of the start of the Fifth General Review of Electoral Arrangements by the Local Government Boundary Commission for Scotland, who would make recommendations to Scottish Ministers in 2015/16, in sufficient time for implementation at the Local Government Elections in May 2017. The report also proposed the establishment of a Joint Officer/Member Working Group to consider the detail of the Review.

The Head of Council Resources, Jim Lamond, presented the report, seeking nominations from the political groups and independent Members for participation in the Working Group.

Decisions

The Council agreed:

- i. to note the Commission's update on their approach to the first stage of the review; and

- ii. to approve a Joint Officer/Member Working Group, with Elected Member representation as follows: Councillor Berry, Councillor Currie, Councillor Veitch, and one Member of the Labour Group to be nominated.

Post-meeting note: following the meeting, Councillor Innes advised that Councillor Goodfellow would represent the Labour Group on the Joint Officer/Member Working Group.

10. COUNCILLOR ROLE DESCRIPTIONS

A report was submitted by the Chief Executive presenting proposed Councillors' Role Descriptions for discussion, comment and approval.

The Corporate Policy & Improvement Manager, Paolo Vestri, presented the report, reminding Members of the background to the recommendation that role descriptions should be introduced for Elected Members. He drew attention to the proposed role descriptions, as set out in Appendix 1 to the report. He also advised of forthcoming training/briefing sessions for Members and of the roll-out of the Continuous Professional Development (CPD) programme.

Councillor Currie remarked that, whilst he viewed the role descriptions as helpful, it was for Elected Members themselves to determine how they represented their constituents.

Decision

The Council agreed:

- i. to approve the Councillors' Role Descriptions, as set out in Appendix 1 to the report; and
- ii. to note the training and development opportunities provided for Elected Members and to provide suggestions for additional topics for Elected Members' training or briefing sessions.

11. SESPLAN SUPPLEMENTARY GUIDANCE ON HOUSING LAND

A report was submitted by the Depute Chief Executive (Partnerships and Services for Communities) seeking ratification of the decision of the SESplan Joint Committee of 30 September 2013 to approve for consultation the Supplementary Guidance on Housing Land, a requirement of the approval of SESplan's Strategic Development Plan by Scottish Ministers in June 2013.

The Policy & Projects Manager (Planning), Ian Glen, presented the report, advising of the challenges facing the SESplan authorities in identifying sites and delivering 2500 houses in addition to those in the plan submitted to Scottish Ministers. He noted that, if ratified by the Council, the proposals would be subject to consultation before being reported back to SESplan and then to Scottish Ministers.

Councillor Hampshire commented on the difficulties in identifying additional sites and developing those sites already approved. He expressed concern that the credibility of the planning system was being damaged due to decisions being made that were beyond the Council's control.

Councillor Berry voiced concern that additional developments were being approved without improving the infrastructure and that the work carried out by officials, Members and the

public during the Local Plan process was being overlooked. He recorded his dissent and encouraged Members to reject the proposals.

Councillor Hampshire warned that if the Council didn't accept the report recommendations there would be more planning applications for sites that the Council would not wish to develop. He called on Members to support the recommendations in order that the Council would have the ability to select suitable sites for development.

Decision

The Council, noting Councillor Berry's dissent, agreed to ratify the decision of the SESplan Joint Committee to approve for consultation the Supplementary Guidance on Housing Land.

12. AMENDED PROCEDURES FOR PRE-DETERMINATION HEARINGS

A report was submitted by the Depute Chief Executive (Partnerships and Services for Communities) seeking approval for amendments to the current procedure for dealing with Pre-determination Hearings held as require by the Planning etc. (Scotland) Act 2006.

The Service Manager, Development Management, Iain McFarlane, presented the report, advising of the proposal to streamline the Determination Hearing process. He noted that a number of other local authorities were already holding Pre-determination Hearings immediately before the Determination Hearings and that there was evidence to suggest that this was a more efficient procedure.

Decision

The Council agreed to approve the amended procedure for Pre-determination Hearings, as set out in Appendix 2 to the report, as a replacement for the existing procedure approved by Council at its meeting on 23 February 2010.

13. CHANGE TO THE SCHEME OF DELEGATION FOR PLANNING APPLICATIONS

A report was submitted by the Depute Chief Executive (Partnerships and Services for Communities) seeking adoption by the Council of the proposed amended Scheme of Delegation for determination of planning applications, as approved by the Council on 25 June 2013, and by Scottish Ministers on 9 September 2013.

The Service Manager, Development Management, Iain McFarlane, presented the report, advising that the Scottish Government had now approved the proposed amendments and recommended that the Council should adopt the revised Scheme of Delegation.

Decision

The Council agreed to adopt the proposed amended Scheme of Delegation for determination of planning applications, in terms set out in Appendix 2 to the report, following its approval by Scottish Ministers.

14. SUBMISSIONS TO THE MEMBERS' LIBRARY, 16 AUGUST – 9 OCTOBER 2013

A report was submitted by the Depute Chief Executive (Resources and People Services) advising of the reports submitted to the Members' Library Service since the last meeting of the Council, as listed in Appendix 1 to the report, into the Council's business.

Councillor Currie drew Members' attention to Ref: 202/13 – Response to Iain Gray MSP's consultation on proposed Bus Regulation (Scotland) Bill, and urged them to consider this report.

Decision

The Council agreed to record the reports submitted to the Members' Library Service between 16 August and 9 October 2013, as listed in Appendix 1 to the report, into the Council's business.

15. PROPOSED CLOSURE OF THE SCOTTISH FIRE SERVICE COLLEGE IN GULLANE

A report was submitted by the Chief Executive advising that the Scottish Fire and Rescue Service had recently carried out and completed a review of its property requirements in relation to support functions, including national training facilities. The report provided Council with comments on the outcome of the review and made recommendations on how the Council should respond.

The Corporate Policy & Improvement Manager, Paolo Vestri, presented the report, highlighting the lack of proper engagement with local authorities during the review. He indicated that the Council was not supportive of the proposal to close the training facility at Gullane due to the impact the closure would have on Gullane and the wider community.

Councillor Berry asked for an explanation in relation to the communication problems, as outlined in the report. The Chief Executive advised that due to technical issues, there had been a delay in the report and associated correspondence on this matter reaching her and the Local Members.

Councillors Currie and Day confirmed that they were prepared to withdraw their Motions on this issue.

Councillor Currie expressed concern as regards the lack of consultation and suggested that Local Members should be included in discussions with the Fire & Rescue Service on this matter.

Councillor Day conveyed his disappointment at the absence of communication, consultation and partnership working. He noted that the proposed closure of the training facility had not been discussed at a local level and that the proposals should have been subject to consultation.

Councillor Berry commented that the training facility integrated well with the Gullane community and its closure would be a great loss to the village.

Councillor Innes made a statement on behalf of Councillor Goodfellow, who had previously left the meeting. Councillor Goodfellow had expressed disappointment that the proposals had not been discussed with Local Members and that there was no democratic accountability for the decisions that had been taken. He urged the Council to lobby the relevant parties with a view to having the decision to close the training facility reconsidered.

Decision

The Council agreed:

- i. to note that the Chief Executive and Council Leader would be meeting with the Chair of the Scottish Fire and Rescue Board and the Scottish Fire and Rescue Service Chief Officer to press for reconsideration of the decision to close and dispose of the Scottish Fire and Rescue Service training centre at Gullane, and for full consultation with the Council and community on the future of the facility; and
- ii. to note that Council officials would engage with the Scottish Fire and Rescue Service to explore possible options for the use of the Gullane training centre site should the Service pursue its proposal to dispose of the buildings and the site.

Signed

Provost Ludovic Broun-Lindsay
Convener of the Council