



**MINUTES OF THE MEETING OF
THE PETITIONS COMMITTEE**

**THURSDAY 12 DECEMBER 2013
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor L Broun-Lindsay (Convenor)
Councillor W Innes
Councillor S Currie
Councillor M Veitch

Other Councillors Present:

Councillor S Akhtar
Councillor J Williamson

Council Officials Present:

Ms M Ferguson, Legal Adviser
Mr D Nightingale, Head of Education
Mrs F Brown, Principal Officer, Pupil Support
Ms K MacNeill, Service Manager – Licensing, Administration & Democratic Services
Ms J Totney, Democratic Services Manager
Mr M Jones, Web Manager
Ms J Mackay, Media Manager

Petitioner(s) Present:

Mr K Stanton
Ms J Campbell, Chairperson, Fisherrow Community Nursery

Clerk:

Miss F Currie, Committees Assistant

Others Present:

Ms F Dvoto, representing Fisherrow Community Nursery
Ms S Hawes, representing Fisherrow Community Nursery
Ms K Hynd, representing Fisherrow Community Nursery

Apologies:

None

Declarations of Interest:

None

1. PETITION PRESENTED TO THE COMMITTEE FOR CONSIDERATION

PET 1301: CALLING ON EAST LOTHIAN COUNCIL TO HAVE A COMMITTEE DAY-DIARY PUBLISHED DAILY AND MADE ACCESSIBLE TO THE PUBLIC ON THE COUNCIL'S WEBSITE

Councillor Broun-Lindsay welcomed everyone to the meeting, introduced the Committee members and outlined the procedure that would be followed. He invited Mr Kenneth Stanton to speak first regarding his petition.

Mr Stanton stated that his proposal was that the Council should publish the business of each Committee on its website, on a daily basis, in an understandable and easily accessible format. He cited the Scottish Government and Herald newspaper websites as providing examples of simple, jargon-free summaries of Committee business and he recommended that the Council revise their web pages to provide a similar service. He explained that he had interrogated the Council's website in an attempt to find information about individual Committees, their meeting dates and business to be discussed. He had found the website convoluted, to the point of being secretive, and almost impossible to navigate. On contacting the Council, he was advised that there were no plans to change the site; however subsequent changes were made to the Committee web pages. He remarked that the new pages, while less convoluted than previously, still lacked any detailed information on the business of each Committee. He submitted that the Council should use the Scottish Government format as a basis for their Committee web pages, to ensure that all Council business is placed before the public in an open and accessible way. He also suggested that the Council's newsletter could be used to disseminate this information.

Ms Kirstie MacNeill, Service Manager – Licensing, Administration and Democratic Services, spoke on behalf of the Council. She explained that some changes had recently been made to the Committees' web pages and that the Council's wider web strategy was currently under review. She insisted that the Council was committed to being as open and transparent as possible and there was no intention to be secretive. She alluded to correspondence with Mr Stanton in which he was advised of the potential costs of adding a day-diary – estimated at around £8000 – and confirmed that this work could not be undertaken due to budgetary constraints. Ms MacNeill told Members that the smaller changes which had been introduced made the pages simpler to navigate and brought the Council into line with most other local authority websites. She asked the Committee not to suggest that further changes be made at present but to allow the Council to continue its review of the website as a whole.

Ms Jill Totney, Democratic Services Manager, emphasised that her team was very diligent about making agendas and papers available on the website at least 5 days before a meeting. These papers provided details of Committee business. Mr Matt Jones, Web Manager, gave a short demonstration of the Committees' web pages.

In response to questions, Mr Jones indicated that the recent changes to the web pages had made the information more easily accessible – 2 clicks from the homepage rather than 4 clicks as previously. He remarked that it was unfair to compare the Council's website with the Scottish Parliament site as the volume of daily business was quite different. However, he acknowledged that further improvements could be made and that Mr Stanton had made some valid suggestions. He recommended that these suggestions be considered in the context of the wider review of the Council's web strategy.

In their debate, Members considered the information available at present on the Council's website, whether it could be accessed easily and whether it gave sufficient information about the business of each Committee. They rejected any suggestion that the Council was being

secretive or deliberately attempting to obscure information. They considered the current system to be clear and transparent, with details of Committee business made available in advance of each meeting. They acknowledged the work already undertaken to improve access to information on the website, following suggestions from Mr Stanton, and the Council's ongoing strategic review. While they accepted that improvements could always be made, they did not consider it necessary for any immediate changes to be implemented.

Decision

The Committee agreed that the petition did not have merit and they therefore refused Mr Stanton's request. However, they asked officers to consider his suggestions as part of their strategic review of the Council's website.

PET 1304: CALLING ON EAST LOTHIAN COUNCIL TO RECONSIDER ITS DECISION TO REDUCE THE FUNDING FOR FISHERROW COMMUNITY NURSERY, MUSSELBURGH

Councillor Broun-Lindsay invited Ms Jacqueline Campbell, Chairperson of Fisherrow Community Nursery, to speak regarding her petition.

Ms Campbell thanked Members for being given the opportunity to talk about the Nursery and its funding problems. She explained that it was a registered charity, run by a parent committee, with 20 morning and 10 afternoon places available for pre-school children. It had in its employment four part-time staff and it was not under the umbrella of any school. Although the Nursery charged fees, these were kept as low as possible to be affordable for low income families. In addition to the rent paid to the Fisherrow Trust and it had also contributed towards the maintenance of the playground and upgrading of the toilet facilities. Because of the position of the toilets in relation to the classrooms, the staff-to-child ratio was high - as required by Care Commission guidelines. However, this higher staff ratio offered benefits for those children with additional support needs. The Nursery had achieved a 5 star rating for the quality of service it provides.

Ms Campbell indicated that annual staff costs of approximately £29,000 were the Nursery's main expenditure. In May 2013 they were told that their funding from East Lothian Council was being cut by approximately one third. Although the Nursery has increased its fees there is still a significant monthly/annual shortfall. The Nursery approached the Council for advice and had applied for grants from a range of bodies. However, none of these grants cover staff costs and the Nursery has had to cut back elsewhere as a result. Additional fund raising is continuing but this is unlikely to sustain the Nursery in the longer term. A contingency fund is in place to cover wages, bills and legal costs should the Nursery have to close. Ms Campbell concluded that, without additional funding, the Nursery did not have a future and many of their parents would not be able to afford alternative child care.

Members asked questions about the age range of the children and implications for staffing ratios, the selection criteria for more vulnerable children, and the likely impact of the current financial shortfall on the future of the nursery. Ms Campbell confirmed that there were different ratios for each age group and that, at present, they were well staffed. She indicated that no specific selection criteria were applied and all children on the waiting list were treated in the same way. She reiterated that should the current funding position continue the nursery would be unlikely to survive in the long term.

Mr Darrin Nightingale, Head of Education, explained that it had been necessary to reduce funding for partnership nurseries as part of the 2013/14 budget. However, this decision had not been taken lightly and there were no plans for any further reductions in funding. He

remarked that, despite these cuts, the rates paid by East Lothian Council were higher than those of surrounding local authorities, e.g. Midlothian and Edinburgh. Fisherrow Nursery had been treated the same as all other partnership nurseries within the county. Additional support had been provided in the form of teaching hours and economic development advice and his officers would continue to work with staff and parents at the Nursery. He acknowledged the achievement of a 5 star rating and welcomed the fact that there was a contingency fund in place and money available for the medium term. Mr Nightingale concluded that the Nursery was an important resource but that funding decisions were made in relation to the county as a whole rather than on an individual basis.

Mrs Fiona Brown, Principal Officer, Pupil Support, indicated that, based on figures for the current term and projections that the Nursery would reach capacity by April 2014, the level of funding would in fact be greater than previously stated. Income estimates were for a sum of £26,775 and the final amount could be higher. This additional money would reduce the Nursery's funding shortfall by more than half. Mrs Brown also suggested that consideration be given to the use of volunteer helpers to assist staff.

In response to questions from Members, Mr Nightingale and Mrs Brown confirmed that there were currently 40 places available in the area. They also indicated that two models were being considered to provide the additional capacity required following the planned increase in funded hours in 2014.

Following further questions, Mrs Brown explained that they could not increase funding to the Nursery beyond that to which it was currently entitled. There were specific criteria to be considered and they must consider the implications for other partnership providers and treat all of them in the same way.

In their debate, Members accepted that the Education Authority had to take difficult decisions within budgetary constraints and were encouraged to hear that the Nursery's funding entitlement would increase as it reached capacity. They acknowledged the Nursery's achievements, particularly as a parent-run, registered charity, and they expressed their concern that such a high quality, affordable service might be lost to the local community. While aware of the potential implications for other partnership provider nurseries, Members considered it important that all possible options be explored. They concluded that the petition submitted by Fisherrow Community Nursery was well founded and required further consideration by the Council.

Decision

The Committee agreed that the matter should be referred to Councillor Shamin Akhtar, as Cabinet Spokesperson for Education, for further consideration.

Signed

Councillor Ludovic Broun-Lindsay
Convener of the Petitions Committee