



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

**TUESDAY 25 FEBRUARY 2014  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**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 Community Services)  
and Monitoring Officer  
Mr D Small, Director of East Lothian Health & Social Care Partnership  
Dr R Jennings, Head of Development  
Mr J Lamond, Head of Council Resources  
Mr T Shearer, Head of Policy & Partnerships  
Ms P Bristow, Communications Officer  
Mr J Coutts, Service Development & Support Manager (Housing)  
Ms F Currie, Committees Assistant (for Item 1)  
Mr K Dingwall, Principal Planner (for Item 1)  
Ms M Ferguson, Service Manager, Legal Services  
Mr M Greenshields, Transportation Planning Officer (for Item 1)  
Ms K Maguire, Service Manager, Corporate Finance  
Ms C McCorry, Service Manager, Community Housing  
Mr D Russell, Corporate Communications Manager  
Ms A Smith, Committees Officer (for Item 1)

**Visitors Present:**

Mr Paul Scott (for Item 1)

**Clerk:**

Mrs L Gillingwater

**Apologies:**

None

*Prior to the commencement of business, the Provost announced that this was David Russell's final Council meeting. He advised that Mr Russell had served as the Council's Corporate Communications Manager for many years and described him as an "indispensable" member of staff. Councillor Innes added that Mr Russell had served the Council very well and had been completely committed to his job. All those present at the meeting wished Mr Russell well.*

**1. DETERMINATION HEARING: PLANNING APPLICATION 13/00800/PPM – PLANNING PERMISSION IN PRINCIPLE FOR MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL HOUSES AND FLATS, BUSINESS (CLASS 4) WITH ASSOCIATED DEVELOPMENT AT AND 2 VEHICULAR ACCESSES ON LAND WEST OF GATESIDE ROAD, HADDINGTON**

**Declaration of Interest:** Councillor Trotter declared an interest as an employee of Persimmon Homes and left the Chamber for the duration of this item.

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) advising that a Pre-determination Hearing is mandatory where a planning application is made for a major development that is significantly contrary to the development plan and therefore had to be determined by a meeting of the full Council.

The report advised 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, in being on land allocated by the adopted East Lothian Local Plan 2008 for economic development purposes, the proposed development was significantly contrary to Proposal BUS6 and Policy BUS1 of the Local Plan.

The Principal Planner, Keith Dingwall, presented the report, which gave a full description of the site, the development proposal and summaries of the development plan policies and other material considerations, consultation responses and public representations.

Mr Dingwall proposed that a further condition should be added to those listed in Appendix 1 to the report, as set out below:

[Condition 8] The details to be submitted pursuant to condition 1 above shall include the submission of a Flood Risk Assessment. The Assessment shall take into account the risk and impact of flooding on the site, and take into consideration how the development may affect flooding in the local area. It shall also recommend any mitigation measures that are required to overcome any identified flood risk.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management for the site.

In response to a question from Councillor Goodfellow as regards the speed limit on the B6471, Mr Dingwall advised that colleagues in Transportation had not raised concerns. Marshall Greenshields, Transportation Planning Officer, added that the proposed development would not be accessed directly from that road.

Councillor Berry asked why the additional proposed condition was necessary, given that SEPA had not objected to the application. Mr Dingwall explained that, for large housing developments, the Council consulted not only SEPA, but also the Council's Senior

Structures Officer. He advised that the Senior Structures Officer had considered that a flood risk assessment was required, and had requested that it be carried out prior to the determination of the application. However, he had since confirmed that he was satisfied that the assessment could be completed following determination.

Mr Dingwall provided an explanation of Class 4 and Class 5 business use, noting that the business component of this development would be designated as Class 4.

Councillor Hampshire spoke in support of the application, considering that the proposed development would be a good use of that site. He asked for advice in relation to the applicant's proposed change to the number of housing units from 60 to 66. Mr Dingwall recommended that Members should accept the limit of 60 housing units and, should planning permission in principle be granted, the applicant could apply at a later date to increase the number of units on the site. He advised that if the applicant was minded to insist on the higher number of units, it would not be competent for the Council to make a determination at this meeting, as further assessment work would be required. He noted that should this be the case, it may be possible to report back to Council in April. He stated therefore that the Council had two options: to continue the application to allow for the further assessment work on the higher number of housing units to be undertaken, or to make a decision based on 60 housing units. He added that the applicant's preference was to continue the application, as there would be no significant effect on the development timescales.

Councillor Currie proposed that the Council should determine the application at this meeting and allow the applicant to submit an amendment at a later date, which could be considered under delegated powers to officers. Mr Dingwall noted that such an amendment to the proposals could be dealt with under delegated powers so long as there were no objections to the increase in housing units.

Councillor Innes urged Members to determine the application based on the recommendations as set out in the report.

Councillor McMillan declared that he would be supporting the application, and welcomed the proposed timescales for the development, as set out by the applicant.

Councillor Berry also spoke in favour of the application. He did have some concerns as regards the reduction in business space, but welcomed the proposed housing development. He commended officials for their work on the application.

Councillor Goodfellow submitted an amendment, proposing that the application should be continued on the basis that the public would expect the Council to take the decision on the higher number of housing units, rather than it being taken under delegated powers. As he had no seconder, his amendment fell. The Provost advised that members of the public would have the opportunity to object to any application for additional housing units, in which case, it would be for the Council to determine, rather than officers.

The Provost moved to the vote on the recommendation to grant planning permission in principle, with the inclusion of the additional condition (Condition 8), as advised by Mr Dingwall.

## **Decision**

The recommendation that planning permission in principle should be granted received 21 votes in favour, with no votes against and 1 abstention. The Council therefore agreed to grant planning permission in principle subject to:

1. The satisfactory conclusion of an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 designed to secure:

(i) from the applicants a financial contribution to the Council of £138,104 (£2,301.73 per unit) towards the provision of additional school accommodation at Haddington Infant School and Knox Academy, as identified by the Council's Depute Chief Executive (Resources and People Services);

(ii) the provision of 15 affordable housing units within the application site or if it can be demonstrated to the Council that this, or the off-site provision of 15 affordable units is not practicable, to secure from the applicants a commuted sum payment to the Council in lieu of such an on or off-site provision;

iii) that 0.96 hectares of the site be retained as a business park, for class 4 business use and that an application for matters specified in conditions relating to the development of the business units on the business park site be submitted by the applicant at the same time as the first approval of matters specified in conditions for housing on the site;

iv) that the applicants service (including an access and circulation road, footpaths, lighting and utilities) a site extending to not more than 0.5 hectares, located on the eastern side of the overall business park site ("the eastern business site"), and service that site at the same time as the servicing of the housing site;

v) that the applicants work collaboratively with East Lothian Council's Economic Development and Estates units to prepare, agree and implement a Marketing Strategy for the business units; and

vi) that construction of the business units be commenced by the applicant within a period of 3 years from either the date development commences in respect of the residential element of the application site or 1st September 2014, whichever is the earlier, and if this is not the case then the title of the land of the eastern business site be transferred to the Council at no cost to the Council. Thereafter, if the Council has not commenced development of the business units within 24 months then the title of the land of the eastern business site will revert to the applicants at no cost to the Council.

2. The following conditions:

1 The submission for approval of matters specified in conditions of this grant of planning permission in principle in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended) shall include details of the siting, design and external appearance of the residential units and the business units, the means of access to them, the means of any enclosure of the boundaries of the site and the landscaping of the site; and those details shall generally accord with the Indicative Master Plan and Masterplan Document docketed to this planning permission in principle, as informed and modified by a tree constraints plan for the site in accordance with BS5837:2012 "*Trees in relation to design, demolition and construction ~ Recommendations*", and shall address the following requirements:

a. The houses shall in no case be higher than two storeys in height.

b. Other than in exceptional circumstances where the layout or particular building type does not permit, houses should be orientated to face the street.

c. Notwithstanding that shown in the Indicative Site Layout Plan docketed to this planning permission in principle there shall be no integral garages, unless it can be justified as an exceptional design feature, or where the house and garage would not be on a primary street frontage.

d. The external finishes of the residential units shall be in accordance with a co-ordinated scheme of materials and colours that shall respect the layout of the development and shall promote render as the predominant finish to the walls of the residential units.

e. There shall be at least a 9 metres separation distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new building and the windows of existing or proposed neighbouring residential properties.

f. Parking for both the business and the housing development hereby approved shall be provided at a rate as set out in the Council's Standards for Development Roads – Parking Standards.

g. A continuous 2 metre wide footway shall be provided along the full eastern boundary of the site from the junction of Gateside Road with the B6471 road, up to and including the existing Toucan Crossing (i.e. signal controlled crossing at railway walk) on Gateside Road.

h. At least two sets of dropped kerb pedestrian crossings shall be provided over Gateside Road to enable all pedestrians to cross the road at appropriate locations. These shall be provided on the southern side of the proposed residential access (but to the north of Knowesley Park). An additional crossing shall be provided to the south of the proposed business access.

i. Cycle parking shall be provided in accordance with the East Lothian Council's Standards for Development Roads.

j. Visibility splays of 2.5 metres by 70 metres shall be provided and maintained at the site access to both the residential and business sites. No obstruction shall lie within the splays above a height of 1.05 metres above the adjacent carriageway surface.

k. The internal layouts for the business and housing areas shall be designed in accordance with East Lothian Council's Standards for Development Roads. (including street lighting provision) and the internal layout for the housing area shall accord with the Council's Design Standards for New Housing Areas. They shall also be designed with due regard to a vehicle track/swept path analysis, which shall be undertaken for both sites to ensure that the large design rigid can manoeuvre through both the business site and the housing site. For the avoidance of doubt the dimensions of this vehicle is 2.5m wide and has a 6.1m wheelbase within an overall vehicle length of 10m.

l. Pedestrian and cycle access shall be maximised throughout the site and connect to existing or future infrastructure.

Reason:

To enable the Planning Authority to control the development in the interests of the amenity of the development and of the wider environment.

2. No more than 60 residential units are approved by this grant of planning permission in principle.

Reason:

To ensure that there is sufficient education capacity.

3. No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of: the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. The scheme shall include:

a. a tree constraints plan for the site to include all existing trees on the site, details those to be removed, the root protection areas for all trees to be retained in accordance with BS5837:2012 "*Trees in relation to design, demolition and construction ~ Recommendations*" and the location of temporary protective fencing for the retained trees and with details of tree protection measures during construction;

b. additional tree planting, including larger species trees such as oaks, to the existing line of small species trees along the southern boundary and to tie in with the site boundaries.;

c. tree planting to either side of the vehicular accesses to the site to mitigate for the tree removal and enhance the entrance into the development;

d. a management plan for the communal open spaces, tree planting and woodland areas to ensure the future establishment and maintenance of the site.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to protect trees on the development site and ensure the implementation of a landscaping scheme to enhance the appearance of the development, in the interests of the amenity of the area.

- 4 A consultants report to include assessments of: (i) noise and lighting associated with use of the proposed business units and of any impact of such noise and lighting on the housing development of the remainder of the site; and (ii) any mitigation measures considered necessary to achieve satisfactory levels of amenity for the occupiers of a residential development of the site shall be submitted to and approved by the Planning Authority prior to the commencement of development. Any identified mitigation measures shall be fully undertaken prior to the occupation of any residential unit built on the site.

Reason:

To ensure that the future occupants of any of the residential units benefit from a satisfactory level of amenity.

- 5 No development shall take place until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work on the site of the proposed development in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

Reason:

To facilitate an acceptable archaeological investigation of the site.

- 6 No residential or business unit shall be occupied unless and until details of artwork to be provided on the site or at an alternative location away from the site have been submitted to and approved by the Planning Authority. The details shall include a timetable for the provision of the artwork. The artwork shall thereafter be provided in accordance with the details so approved.

Reason:

To ensure that artwork is provided in the interest of the visual amenity of the locality or the wider area.

- 7 Details of the proposed integrated sustainable urban drainage scheme (SUDS) for the application site shall be submitted to and approved in writing by the Planning Authority.

The integrated sustainable urban drainage scheme (SUDS) for the application site shall thereafter be fully implemented in accordance with the details so approved.

Reason:

To ensure the provision of a satisfactory sustainable urban drainage scheme for the application site.

8. The details to be submitted pursuant to Condition 1 above shall include the submission of a Flood Risk Assessment. The Assessment shall take into account the risk and impact of flooding on the site, and take into consideration how the development may affect flooding in the

local area. It shall also recommend any mitigation measures that are required to overcome any identified flood risk.

Reason:

To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management for the site.

**Sederunt:** Councillor Trotter returned to the Chamber.

## **2. COUNCIL AND COMMITTEE MINUTES FOR APPROVAL**

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

### **East Lothian Council – 17 December 2013**

*Matter arising* – Councillor Currie asked for an update in relation to the decision of Police Scotland to remove the traffic warden service. The Chief Executive explained that discussions with Police Scotland were ongoing and that officers were considering options, which would be presented to Cabinet in March. Councillor Veitch reminded Members that Police Scotland had not given sufficient notice of their proposals to remove this service and called on SNP Members to raise this issue with their colleagues in the Scottish Government.

## **3. COUNCIL AND COMMITTEE MINUTES FOR NOTING**

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

### **East Lothian Partnership – 30 September 2013**

### **Local Review Body (Planning) – 28 November 2013**

### **Petitions Committee – 12 December 2013**

## **4. TREASURY MANAGEMENT STRATEGY 2014/15 – 2016/17**

A report was submitted by the Depute Chief Executive (Resources & People Services) seeking approval of the Treasury Management and Investment Strategies for 2014/15 to 2016/17.

The Head of Council Resources, Jim Lamond, presented the report, advising that the figures contained within the report and supporting strategy document reflected the budget decisions taken by Council on 11 February 2014. He drew attention to the key aspects of the report and advised Members that reports on treasury management would be lodged in the Members' Library on a quarterly basis, with an annual report to be presented to the Audit & Governance Committee.

Councillor Berry commented on the distinction between General Services debt and Housing Revenue Account (HRA) debt, in that the HRA was largely self-financing. Mr Lamond reminded Members provisions within the recently approved Financial Strategy that set a debt to income ratio limit of 40% on the Housing Revenue Account, noting that it was not sustainable for debt levels to continue increasing.

In response to comments made by Councillor Berry as regards 'under borrowing', Mr Lamond advised that the Council had reserves which provided an opportunity to make choices in treasury management terms. He added that, in the short term, it made sense for

the Council to draw on its reserves rather than borrowing, but that this would not be sustainable in the longer term, in light of decreasing reserves. He noted that the Council's strategy on under borrowing was common practice amongst Scottish local authorities and had been supported by the Council's externally appointed treasury management advisors.

Councillor Berry also asked for clarification on the how the PPP contract was reflected within these figures. Mr Lamond advised that these were contained within the reported figures and were classed as Other Long Term Liabilities to Council on 11 February 2014.

Councillor Innes welcomed the report, remarking that the Council performed very well in treasury management terms. The report was also welcomed by a number of other Members.

### **Decision**

The Council agreed:

- i. to note the Treasury Management Strategy, as detailed in Section 3.4 of the report;
- ii. to note the Investment Strategy, as detailed in Section 3.19 of the report;
- iii. to approve the authorised limits for external debt, as detailed in Section 3.13 of the report;
- iv. to approve operational boundaries for external debt, as detailed in Section 3.15 of the report;
- v. to approve the delegation of authority to the Head of Council Resources to effect movement between external borrowing and other long-term liabilities, as detailed in Section 3.16 of the report; and
- vi. to approve the detailed Treasury Management Strategy Statement (Ref: 24/14 in the Members' Library).

**Sederunt:** Councillor Libberton left the meeting.

## **5. RATIFICATION OF SESPLAN BUDGET 2014/15**

A report was submitted by the Depute Chief Executive (Partnerships & Community Services) seeking approval of the decision of the SESplan Joint Committee to approve SESplan's Operating Budget for 2014/15.

The Head of Development, Richard Jennings, presented the report, advising that the Council's contribution to SESplan for 2014/15 would remain at the same level as last year. He added that SESplan officers were continuing to look at ways of reducing their operating costs.

In response to a comment from Councillor McMillan as regards SESplan's office relocation, Dr Jennings advised that the new office would need to be accessible by train by all the partner authorities.

### **Decision**

The Council agreed to approve SESplan's Operating Budget for 2014/15.



## **6. HOUSING ALLOCATIONS POLICY REVIEW 2013/14**

A report was submitted by the Depute Chief Executive (Partnerships & Community Services) seeking approval of a new Housing Allocations Policy prior to implementation, and explaining the background to, methods undertaken, and the key outcomes of the review.

The Service Manager – Community Housing, Caitlyn McCorry, presented the report, advising of the consultation process and its findings, and of the key outcomes of the review. She noted that the policy would be reviewed after one year.

In response to a question from Councillor Goodfellow as regards the offer process, Ms McCorry and Mr Coutts (Service Development & Support Manager) advised that the process set out in the report would encourage people to be re-housed as quickly as possible, it would be easier for applicants to understand, and it would be managed more effectively. She confirmed that this change to the policy was compatible with homelessness legislation.

Councillor Hampshire welcomed the report, in particular the recommendations in relation to ground floor properties.

Whilst recognising that the offer process was often a challenging issue, Councillor Currie spoke in support of the proposed changes. He mentioned the need to provide applicants with advice on other housing options.

Councillor Berry advised that, although he would support the report recommendations, he had concerns about the Council's ability to build sustainable communities and proposed that local connection should be given priority.

Councillor Innes stated that the revised policy would assist the Council in establishing local letting plans and expected further reports on local letting plans to come forward within a year. He also suggested that further work was required to tackle problems with overcrowding.

Councillor Grant voiced his concern as regards the proposed change for people being discharged from prison, remarking that they were less likely to re-offend if they were offered housing.

### **Decision**

The Council agreed:

- i. to approve the Draft Housing Allocations Policy prior to implementation, noting that the Policy had been lodged in the Members' Library (Ref: 23/14);
- ii. to approve the implementation date of 1 April 2014;
- iii. to note that the consultation process undertaken meets the Council's legal requirements as set out by the Housing (Scotland) Act 2001 and also reflects good practice; and
- iv. to note that the policy aspect relating to Registered Social Housing Tenants would follow later in the year after further discussion with the Council's Housing Association partners.

## **7. AMENDMENTS TO STANDING ORDERS – SCHEME OF ADMINISTRATION AND SCHEME OF DELEGATION**

A report was submitted by the Depute Chief Executive (Resources & People Services) seeking approval of proposed changes to the Scheme of Administration and Scheme of Delegation.

The Service Manager – Legal Services, Morag Ferguson, presented the report, drawing attention to the proposed changes, as outlined in Appendices 1-3 in the report. She pointed out an additional proposed change to Appendix 3 (Section 5), seeking approval of the following amended wording: *Appointing and re-appointing curators ad litem and reporting officers.*

Councillor Currie expressed his disappointment that the Shadow Health & Social Care Partnership would not be meeting in public. He was advised that meetings would be held in private as the Shadow Partnership did not have a remit to make decisions and that meeting in public may cause confusion.

### **Decision**

The Council agreed:

- i. to approve the proposed amendments to the Scheme of Administration, as outlined in Appendices 1 and 2 of the report;
- ii. to approve the proposed additions and amendments to the Scheme of Delegation, as amended, as outlined in Appendix 3 of the report; and
- iii. to note that the revised Scheme of Administration and Scheme of Delegation would be published on the Council's website as soon as practicable.

## **8. SCHEDULE OF MEETINGS 2014/15**

A report was submitted by the Depute Chief Executive (Resources & People Services) seeking approval of the Schedule of Meetings of the Council, Committees and other forums for 2014/15.

The Clerk presented the report, noting that the 2014/15 Schedule would include, for the first time, meetings of the four Common Good Committees, the Shadow Community Planning Partnerships and dates of Member briefings. She proposed that the start time for the meetings of the Safe & Vibrant Communities Partnership should be 2 pm, as opposed to 3 pm.

At the request of Councillor Berry, the Clerk agreed to identify an alternative date for the first meeting of the North Berwick Common Good Committee.

Councillor Currie questioned the scheduling of Member briefings (scheduled to take place on the same day as Cabinet), as not all Members attended Cabinet and may not be available. The Chief Executive advised that efforts had been made to try and accommodate as many Members as possible.

### **Decision**

The Council agreed to approve the proposed Schedule of Meetings for 2014/15, noting the change of start time for meetings of the Safe & Vibrant Communities Partnership and that

there would be a change of date for the first meeting of the North Berwick Common Good Committee.

## **9. SUBMISSIONS TO THE MEMBERS' LIBRARY, 5 DECEMBER 2013 – 12 FEBRUARY 2014**

A report was submitted by the Depute Chief Executive (Resources & 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.

### **Decision**

The Council agreed to record the reports submitted to the Members' Library Service between 5 December 2013 and 12 February 2014, as listed in Appendix 1 to the report, into the Council's business.

*At the conclusion of the meeting, the Provost advised that Councillor Currie had called for the inclusion of an additional item of business, relating to correspondence between the Scottish Finance Minister and CoSLA. The Provost ruled it out on the basis that it was not an urgent matter; however, Councillor Innes requested that Councillor Currie be permitted to set out his reasons why the matter should be considered at this meeting.*

## **10. URGENT ITEM OF BUSINESS – COSLA**

Councillor Currie referred to a letter from John Swinney, Finance Minister, to the President of CoSLA and all Scottish council leaders, which had been issued on 21 February 2014, and which related to the decision by CoSLA not to operate its normal funding formula for Scottish local authorities. Councillor Currie advised that an urgent discussion was required on the grounds that councils had not previously been given sufficient details and that there may be further discussion on the matter at the CoSLA Leaders' Meeting on 28 February as, through CoSLA, council leaders had been asked to reconsider the decision not to update the distribution formula.

Councillor Currie claimed that should the normal funding formula not be operated, the Council would stand to lose £820,000 in revenue grant funding in 2015/16. He called on the Council to urge CoSLA to reinstate the regular funding formula.

Councillor Innes stated that he would not be contesting the reasons for urgency, as set out by Councillor Currie, and that he was prepared to discuss the matter at this meeting. He explained to Members that Mr Swinney had announced that a formal consultation on this matter would take place, commencing in December 2014. He pointed out that, within Labour Group, he had argued for the regular funding formula to be operated, but when that position was not sustained, he had voted with other Labour members at the CoSLA Leaders' Meeting. He added that this matter was not on the agenda for the CoSLA meeting on 28 February, but he declared that if/when it was discussed again, he would argue in the best interests of East Lothian. He also stated that he would be prepared to challenge the Cabinet Secretary who claimed to have fully funded the Council Tax freeze, and called on his SNP colleagues to do likewise.

Councillor Veitch commented that the Conservative Group would act to secure the best deal for East Lothian and push for CoSLA to revisit its position as regards applying the funding formula in accordance with normal practice.

Councillor Currie asked Councillor Innes if he would be voting at CoSLA in favour of operating the funding formula in line with normal practice, and expressed concern when Councillor Innes did not confirm his intentions. Councillor Hampshire remarked that the Finance Minister had the authority to reverse CoSLA's decision and urged Councillor Currie to raise this matter with him.

Signed .....

Provost Ludovic Broun-Lindsay  
Convener of the Council