



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 22 APRIL 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

1

Committee Members Present:

Provost L Broun-Lindsay (Convener)	Councillor N Hampshire
Councillor S Akhtar	Councillor W Innes
Councillor D Berry	Councillor M Libberton
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

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
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr T Shearer, Head of Communities & Partnerships
Ms M Ferguson, Service Manager – Legal Services
Mrs K MacNeill, Service Manager – Licensing, Admin & Democratic Services
Mr I McFarlane, Service Manager – Planning
Mr A Stubbs, Service Manager – Roads
Mr P Vestri, Service Manager – Corporate Policy & Improvement

Visitors Present:

Chief Inspector Colin Brown, Police Scotland
Superintendent Graham Jones, Police Scotland
Assistant Chief Constable Mike McCormack, Police Scotland
Mr P Heath, Scottish Fire and Rescue Service
Mr D Mack, Scottish Fire and Rescue Service
Mr M Williams, Lord Lieutenant of East Lothian
Delegation from Spreeneisse, Germany

Clerk:

Mrs L Gillingwater

Apologies:

Councillor MacKenzie

Prior to the commencement of business, the Provost welcomed a delegation from Spreeneisse in Germany, a town twinned with East Lothian. He also welcomed officers from Police Scotland and the Scottish Fire and Rescue Service, as well as the recently-appointed Lord Lieutenant for East Lothian, Mr Michael Williams. The Provost was joined by all those present at the meeting in congratulating Mr Williams on his appointment.

Declarations of Interest

The Provost invited Morag Ferguson, Service Manager – Legal Services, to provide some guidance to Members on Declarations of Interest, particularly in relation to Item 7 on the agenda. She advised that, in accordance with the Councillors' Code of Conduct, where a Member had been appointed to an outside body by the Council there was no need to declare an interest in relation to that outside body. She further advised that where a Member had been appointed in a personal capacity, there was no need for a declaration where the interest was so remote or insignificant that it could not reasonably be taken to fall within the objective test. She reminded Members that it was their responsibility to make a decision about whether they had an interest to declare.

1. COUNCIL AND COMMITTEE MINUTES FOR APPROVAL

The minutes of the Council meetings specified below were submitted and approved, subject to the amendment specified:

East Lothian Council – 11 February 2014

East Lothian Council – 25 February 2014

Item 10, paragraph 3 – Councillor Currie proposed that 'CoSLA' be amended to 'Labour Group'. The Council agreed to approve this change.

2. COUNCIL AND COMMITTEE MINUTES FOR NOTING

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

East Lothian Partnership – 21 January 2014

Local Review Body (Planning) – 27 February 2014

Petitions Committee – 13 March 2014

3. EAST LOTHIAN LOCAL POLICING PLAN 2014-2017

A report was submitted by Police Scotland presenting the Council with the East Lothian Local Policing Plan 2014-2017.

Chief Inspector Colin Brown of Police Scotland presented the report, informing Members that the Plan took account of priorities set by the Scottish Government and of the consultation process undertaken in developing the Plan. He provided a summary of each of the priorities and objectives outlined in the Plan, and noted that ward level plans would be developed that would take account of feedback from communities.

Councillor Berry asked why a plan at this level was strategic, and noted that there was no mention of scrutiny in the document. He also voiced his concern at the focus on stop and search for offensive weapons.

Chief Inspector Brown advised that there had always been a strategic plan for East Lothian which had set out priorities. He noted that scrutiny would be carried out through the Safe & Vibrant Communities Partnership and also by way of biannual performance reports to Council. Assistant Chief Constable McCormack pointed out that performance data was validated internally and by HM Constabulary. As regards stop and search, Chief Inspector Brown advised that there had not been an increase in activity since the establishment of Police Scotland, but that activity was more targeted than it had been previously.

Councillor Hampshire indicated that the Council was looking to reduce speed limits in certain areas as a priority. Chief Inspector Brown advised that he would take this on board and that the Police would work with its partners in the Road Safety Partnership on this issue.

Councillor Veitch voiced his concern at the withdrawal of the traffic warden service and sought assurances that the Police would deal with inconsiderate parking. Chief Inspector Brown advised that this matter was discussed during weekly task group meetings and that the Police were committed to managing traffic and parking.

Responding to comments made in relation to identifiable officers being located in each community and attending CAPP meetings, Chief Inspector Brown spoke of the importance of more than one officer having awareness of ward issues. He added that it was difficult for one person to attend all CAPP and Community Council meetings and that, on occasion, the community tasking officer may attend. Councillor Libberton commented on the benefits of having recognisable officers within the community and at Community Council and CAPP meetings.

In relation to a question from Councillor McNeil on the introduction of the '101' phone number, Assistant Chief Constable McCormack advised that 85-90% of calls were now coming through '101', and that 90% of calls were being answered within 40 seconds. He confirmed that all calls were graded and that efficiencies were being generated as a result of the introduction of '101'.

Councillor Currie voiced his disappointment that the report did not include performance data which would inform the priorities for the year ahead. He maintained that there was a need for a committee to deal with Police and Fire & Rescue issues, particularly the scrutiny function. He paid tribute to the work of the Police and their positive relationship with the Council. The Chief Executive responded, reminding Members of the Council's decision to receive the Local Policing Plan on an annual basis and consider performance reports twice a year, with the next report being presented to the Council in June 2014.

Councillor Berry shared Councillor Currie's views as regards scrutiny and accountability. He also spoke of the importance of officers having local knowledge and of the success of the former Lothian & Borders Police in solving crimes. He believed that the Local Policing Plan would not address the problems being experienced in East Lothian communities and, on that basis, he was not prepared to approve the report.

Councillor Innes welcomed the report and echoed a number of the comments made by other Members. He pointed out that East Lothian was a safe place to live, largely due to the positive relationship between the Council and the Police, but accepted there was a need to strengthen local engagement at senior level. He concluded the debate by reminding Members that the scrutiny process was still evolving and welcomed the opportunity to review the Local Policing Plan after 15 weeks of operation.

Decision

The Council, noting Councillor Berry's dissent, agreed to approve the East Lothian Local Policing Plan 2014-2017.

4. EAST LOTHIAN LOCAL FIRE AND RESCUE PLAN 2014-2017

A report was submitted by the Scottish Fire and Rescue Service presenting the Council with the East Lothian Local Fire and Rescue Plan 2014-2017.

Mr Peter Heath of the Scottish Fire and Rescue Service presented the report, drawing particular attention to the five priorities for the East Lothian area for the next three years, the key performance indicators for the service and the summary of outcomes. He advised of the consultation process undertaken in developing the Plan and of the scrutiny arrangements. He undertook to report to Council every six months to review the Plan and the performance of the service, and advised that he was happy to discuss any issue with Elected Members.

Mr Heath responded to a number of questions from Elected Members in relation to action being taken to reduce false alarm calls, initiatives in place to reduce the number of accidental dwelling fires, and the recruitment process for retained fire fighters.

As regards the service's ability to respond to rescue situations, Mr Heath advised that there were resources available within East Lothian and also in Edinburgh, West Lothian and the Scottish Borders to deal with such situations, and that the service also worked with the Coastguard and Mountain Rescue. He advised that, although this aspect of the service was not a key priority given the small number of incidents affecting East Lothian, he would look into how it could be incorporated into the Plan. He also noted that problem areas of the A1 would feature in ward plans.

In response to questions from Councillor Currie, Mr Heath undertook to advise Members of the cost of false alarm call-outs. He pointed out that attacks on fire fighters in East Lothian were very rare, but that he could include this information in future reports to Council or the Safe & Vibrant Communities Partnership (SVCP). As regards domestic smoke alarms, he advised that in 2013 around 30% of homes did not have a working smoke alarm. In relation to retained fire fighters, he noted that there was a new system in place to monitor crew levels at retained stations and that he could report back on this matter through the SVCP.

Councillor McNeil paid tribute to Council employees who were also employed as retained fire fighters. The Provost also praised businesses who allowed their staff to take on this role.

Decision

The Council agreed to approve the East Lothian Fire and Rescue Plan 2014-2017.

5. REVISIONS TO THE CAPITAL PLAN 2014-2017

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of the Council of a number of recent developments and making related recommendations to modify the Capital Plan 2014-2017.

The Head of Council Resources, Jim Lamond, presented the report, informing Members that it dealt with a number of modifications to the Capital Plan 2014-17, approved by Council in February. He drew attention to each of the projects outlined in the report, confirming that they could be contained within the approved capital spending limits. However, he anticipated that the East Linton Railstop project would create a significant financial challenge in relation to balancing capital plans in the 2017-18 financial year.

Councillor Currie welcomed the report asked about the impact on the work at Galloway's Pier on other projects and also if it was expected that additional reports of this nature would be presented to Council. Mr Lamond reported that he did not expect any particular projects to be deferred by the proposed project at Galloway's Pier, as this item would fall within

funding for coastal protection. Ray Montgomery, the Head of Infrastructure, added that there would be an impact on the overall budget for coastal protection; however, there was an opportunity to obtain external funding for this project which would be missed if the Council did not accelerate this work.

On the second question raised by Councillor Currie, Mr Lamond noted that these particular project proposals were being highlighted due to the degree of change relatively soon after approving the original plan. He offered to provide Members with specific details for each project, if required.

Councillor Veitch welcomed the Council's commitment towards the cost of a railstop at East Linton and urged Members to support the proposal to increase the Council's contribution to this project. He paid tribute to Councillor McLennan and the RAGES group for their campaign for a local service between Edinburgh and Berwick-on-Tweed, and called on the Scottish Government to support it.

Councillor Berry spoke in support of the East Linton railstop and the Galloway's Pier improvements, commenting that this would benefit tourism in the area. His remarks were echoed by Councillor McMillan, who added that the Secondary Communication Provision would allow young people to fulfil their talents and aspirations.

Councillor Currie advised of the need for capital investment, suggesting that the Council should not be too bound by capital limits in cases where external funding could be secured. He welcomed the proposals contained within the report.

Councillor Grant noted that the school role at Windygoul Primary School had increased dramatically, resulting in a need for a further extension at the school. He advised that a planning application for this work had been lodged in anticipation of Council approval in order for the work to start as soon as possible.

As regards the Secondary Communication Provision, Councillor Akhtar advised that this facility would be available from the beginning of the 2015/16 academic year. She spoke of the value of this facility, as well as the support from parents.

Councillor Hampshire believed that a railway station at East Linton would make the village and the surrounding area a more attractive place to live, and suggested that this should be considered as part of the Main Issues Report of the East Lothian Local Development Plan.

Councillor Innes concluded the debate by welcoming this positive report, noting that the Administration was delivering the priorities as outlined in the Council Plan

Decision

The Council agreed to approve the actions and related modifications to the Capital Plan 2014-2017 in respect of the six projects detailed in Sections 3.3 to 3.8 of the report.

6. BOUNDARY COMMISSION REVIEW – RESPONSE TO STATUTORY CONSULTATION

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the Boundary Commission's intention to carry out a review of Local Government Electoral Arrangements including the appropriate number of councillors for each council, based on deprivation and population distribution. The report also sought authority to respond to the consultation, opposing the proposal to reduce councillor numbers in East Lothian from 23 to 21 and challenging the Commission's methodology, in particular, the use of deprivation as a key determining factor.

The Service Manager – Licensing, Admin and Democratic Services, Kirstie MacNeill, presented the report. Mrs MacNeill reminded Members of the criteria used during a review of local government electoral arrangements, noting that the current review had also included levels of deprivation as a factor. She advised of the Commission's proposals to reduce the number of councillors in East Lothian and the potential impact of this on councillor workload, partnership working, ward boundaries and school catchment areas. She also alluded to the projected increase in population in East Lothian and to increasing levels of deprivation.

Councillor Goodfellow argued that there was no evidence to support the proposed reduction in councillor numbers. On the basis that the population of East Lothian was expected to increase in future years, he tabled proposed amendments to the report, as follows (additional text in italics):

Section 2.2 – To authorise officers to respond to the consultation on the basis that there should be no reduction in the number of councillors *and, in fact, there should be an increase in councillor numbers from 23 to 24* in East Lothian, and to challenge the use of deprivation as a key determining factor.

Section 3.5 – (add after final bullet point) – *The evidence from research would indicate that the factors outlined in [Section] 3.4 would suggest that an increase from 23 to 24 councillors would be in line with the proposals for Aberdeenshire and Stirling.*

Mrs MacNeill indicated that the proposed amendment may create some difficulties in relation to the argument set out in the report to maintain the current number of councillors, and that by increasing the number of councillors there would still be an issue with parity of ward populations which may result in a requirement to redraw boundaries. Councillor Goodfellow commented that this matter had been discussed at an earlier stage, with the expectation that any additional councillor would be situated at the west of the county, where the population was expected to increase by more than other areas. His views were shared by Councillor Berry, who referred to the recent decision of the Planning Committee to grant permission for 1000 new homes in Wallyford.

Councillor Currie expressed concern at the impact of a reduction in councillor numbers on the current arrangements for school clusters, community councils and area partnerships, and also as regards the Council's ability to provide sufficient scrutiny. He also spoke of the benefits of having councillors with a wide range of backgrounds, skills and experience.

Whilst Councillor Veitch voiced his view that Scotland was over-governed, he believed that the review should have been based on population projections and recognised communities, and that levels of deprivation should not be a factor. He advised that he would not support Councillor Goodfellow's proposed amendment.

Councillor Innes echoed comments made in relation to recognised boundaries and established communities. He questioned the decision to include levels of deprivation as a factor without providing evidence to support this decision. He called on the Council to make it clear to the Boundary Commission that their proposals were not acceptable or justifiable and urged Members to support Councillor Goodfellow's proposed amendment.

Councillor Goodfellow, seconded by Councillor Currie, proposed his amendment to the Council. The Provost moved to the vote on the amendment:

For:	16
Against:	0
Abstentions:	6

The amendment was therefore carried. The Provost noted that Members were welcome to contribute further comments on this matter in advance of the response being finalised.

Decision

The Council agreed:

- i. to note the Commission's proposal to reduce councillor numbers in East Lothian from 23 to 21;
- ii. to authorise officers to respond to the consultation on the basis that there should be no reduction in the number of councillors and, in fact, there should be an increase in councillor numbers from 23 to 24 in East Lothian, and to challenge the use of deprivation as a key determining factor; and
- iii. to invite Members to make any further suggestions as to what they feel should be incorporated into the response to the Commission.

7. PARTNERSHIP FUNDING 2014/15

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) making recommendations on awards to agencies and organisations from partnership funds budgeted for by East Lothian Council in the financial year 2014/15, and advising of the establishment of a 'One Council Approach to Partnership Funding'.

The Head of Communities & Partnerships, Tom Shearer, presented the report, advising of the new arrangements for administering partnership funding and that future Community Council funding would also be included. He drew attention to the proposed allocation of funding, as outlined in Appendix 1 to the report.

In response to a question from Councillor McNeil in relation to how the information was presented in Appendix 1, Mr Shearer advised that where there was notification of 'no award', there may already a service level agreement in place or there was a more appropriate way of providing funding to that organisation. He added that a response would be issued to each organisation with a full explanation and further advice.

Councillor Day noted that the new funding arrangements demonstrated a commitment to the 'One Council' approach. He welcomed the introduction of a new evaluation and monitoring process, and of the focus on prevention and intervention which would have a positive impact on communities.

Councillor Currie spoke in support of the report and of the contributions made by organisations.

Councillor Berry questioned why Leuchie House had not been awarded funding. The Chief Executive advised that a considerable sum of money had been awarded to Leuchie House in 2013 and that the Council would continue to work with the charity.

Decision

The Council agreed:

- i. to approve the proposed allocation of funding from Partnership Funding budget sources, totalling £1,275,507, as recommended in Appendix 1 to the report;

- ii. to remit officers to continue to review all grants awarded in the financial year 2014/15; and
- iii. to note that it is a condition of all grant awards that organisations provide reports to progress, expenditure and outcomes achieved.

Sederunt: Councillor Goodfellow left the meeting.

8. COASTAL CAR PARKING – TRAFFIC REGULATION ORDER

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval for making the East Lothian Council (off street Coastal Parking Places) (Various Roads) (Prohibition and Restriction on Waiting, Loading and Unloading Etc.) Order 2014, 'the Order'.

The Head of Infrastructure, Ray Montgomery, presented the report, reminding Members of previous decisions taken by the Council in relation to coastal car parking. He set out the consultation process undertaken in relation to the Traffic Regulation Order and drew attention to matters raised during the consultation that the Council had not been able to address. He recommended that, given the outstanding objections related to matters that had already been considered by the Council, no hearing should be held and that the Order should be made by the Council.

Responding to a series of questions raised by Councillor Currie, Mr Montgomery advised that 'blue badge' holders would not be subject to parking charges, that the Council was in discussions with two equipment operators on how a barrier system would work for blue badge holders, that no machines had yet been purchased, that discussions with landowners were ongoing in relation to those car parks not owned by the Council, and that he anticipated that the charges could take effect from autumn 2014.

Councillor Berry asked how the charges would be enforced and warned that drivers would park on roads close to the car parks to avoid paying charges. Mr Montgomery reiterated that a barrier system would be in operation so people could not leave without paying the charge. As regards public roads, he advised that the Traffic Regulation Order would include no waiting requirements on a number of public roads near where the charging would be introduced and this would be enforced by the Police. He added that the issue of decriminalising car parking in East Lothian was still under discussion.

Councillor Currie declared that the SNP Group would not be supporting the introduction of coastal car parking charges. He also claimed that no other political group within the Council had included the implementation of such charges in their manifestos. He believed that the projected income would not be realised and that drivers would park on roads surrounding the car parks to avoid paying the charges. He also maintained that the Police would not have the resources to enforce the Traffic Regulation Order. As regards the consultation, he argued that proper consultation had not been undertaken and that there would be a detrimental impact on tourism and on local residents if the charges were to be introduced. He announced that any future SNP Administration would reverse the decision to charge at coastal car parks.

Councillor Hampshire pointed out that a number of the coastal parking areas were in need of investment and that the Council needed to identify ways of funding the required improvements. He stated that the car parks would be maintained and would be attractive to users. He also highlighted the need for more access points on the coastline for sea crafts.

Councillor Berry commented that the implementation of such charges should be carried out as part of a coherent plan. He shared Councillor Currie's concerns in relation to people parking on roadsides, and noted that he would not be supporting the recommendations as set out in the report.

Councillor Innes remarked that it had been the policy of the previous Administration to introduce charges and claimed that majority of those who responded to the consultation at that time were not against the charges. He argued that the SNP Group's budget proposals had included a reduction of £450,000 from the Landscape and Countryside Service budget which would have resulted in substantial deterioration of coastal areas.

Councillor Veitch reminded Members that he had voted against the introduction of coastal car parking charges at the Council meeting in December 2012, but as the majority of Councillors voted for the charges, there was therefore a mandate to introduce them.

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

For:	12
Against:	7
Abstentions:	2

Decision

The Council agreed to approve the making of the Order.

9. SESPLAN SUPPLEMENTARY GUIDANCE ON HOUSING LAND

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking ratification of the decision of the SESplan Joint Committee of 10 March 2014 to approve SESplan's Supplementary Guidance on Housing Land (with minor editorial changes following consultation) prior to submission of the finalised Guidance to Scottish Ministers.

The Service Manager – Planning, Iain McFarlane, presented the report, advising of the process for approving the SESplan Supplementary Guidance on Housing Land and the consultation process undertaken.

Responding to questions from Councillor Berry, Mr McFarlane advised that the responses to the consultation had not been overturned as the Supplementary Guidance reflected the requirements of Scottish Ministers. He confirmed that there had been no further modifications relating to East Lothian.

Councillor Berry questioned the validity of the consultation given that the 580 responses received had made no difference to the outcome, and he also expressed concern that the number of new homes set out in the approved Structure Plan had subsequently been significantly increased.

Decision

The Council agreed:

- i. to note SESplan's approval, with minor editorial changes of a non-policy nature, of its *Supplementary Guidance: Housing Land* and accompanying documents, as set out in the appendix to the report;

- ii. to ratify the decision of the 10 March 2014 SESplan Joint Committee to submit the Supplementary Guidance on Housing Land, as modified, to Scottish Ministers; and
- iii. to adopt the Supplementary Guidance following expiry of the 28-day Ministerial consideration period unless, before this, Scottish Ministers direct otherwise.

10. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the nomination of an Elected Member to the Lothian Buses Regional Sub-Committee.

The Clerk advised that, following a shareholder restructure at Lothian Buses, the Council had been asked to nominate a Councillor and an officer to represent the Council on the Lothian Buses Regional Sub-Committee. She advised that the Administration had nominated Councillor Veitch.

Decision

The Council agreed:

- i. to approve the appointment of Councillor Veitch to represent the Council on the Lothian Buses Regional Sub-Committee; and
- ii. to note that Ray Montgomery, Head of Infrastructure would be appointed to act as an officer representative on the Lothian Buses Regional Sub-Committee.

11. SUBMISSIONS TO THE MEMBERS' LIBRARY, 13 FEBRUARY – 9 APRIL 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 13 February and 9 April 2014, as listed in Appendix 1 to the report, into the Council's business.

Signed

Provost Ludovic Broun-Lindsay
Convener of the Council



**MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY**

**THURSDAY 24 APRIL 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

2

Committee Members Present:

Councillor J McMillan (Chair)
Councillor J McNeil
Councillor J Williamson
Councillor J Gillies

Advisers to the Local Review Body:

Mr P McLean, Planning Adviser to the LRB
Mrs M Ferguson, Legal Adviser/Clerk to the LRB

Others Present

None

Committee Clerk:

Mrs F Stewart

Declarations of Interest

None

Apologies

Councillor W Innes

Councillor McMillan, who had been elected to chair today's East Lothian Local Review Body (ELLRB), welcomed all present to the meeting.

It was recorded that Councillor McNeil was attending the meeting in place of Councillor Innes.

**1. REVIEW AGAINST DECISION (REFUSAL)
PLANNING APPLICATION No: 13/00747/P – EXTENSION TO HOUSE AT
6 CARLAVEROCK CRESCENT, TRANENT**

The Legal Adviser stated that the LRB was meeting today to review the above application which had been refused by the Appointed Officer. She advised that a site visit had been carried out prior to the meeting and that Members had been provided with written papers, including a submission from the Case Officer and review documents from the applicant. After hearing a statement from the Planning Adviser summarising the planning policy issues, Members would decide if they had sufficient information to reach a decision today. If they did not, the matter would be adjourned for further written representations or for a hearing session. Should Members decide they had sufficient information before them, the matter would be discussed and a decision reached on whether to uphold or overturn the decision of the Appointed Officer. It was open to Members to grant the application in its entirety, grant it subject to conditions or to refuse it.

The Chair invited the Planning Adviser to present a summary of the planning policy considerations in this case.

The Planning Adviser stated that the application was seeking permission for a single storey, flat roofed extension on the rear of the house and advised that the Planning Act required decisions on planning applications to be taken in accordance with development plan policy unless material considerations indicated otherwise. In terms of the Local Plan, the site was within a predominantly residential area, designated under policy ENV1. SESplan policy 1B expected Local Development Plans to have regard to the need for high quality design and policy DP6 required extensions to be in keeping with the existing house and integrated into its surroundings. The application had been refused by the Appointed Officer on the basis that both the extension's flat roofed form and its finish of external facing brick would not be in keeping with the mono pitched form or rendered walls of the existing house, the terrace it is a part of, or the surrounding area. The application was therefore considered contrary to the relevant development plan policies. The Case Officer had considered the development acceptable in terms of privacy, daylight and sunlight impacts on neighbouring properties. The applicant's request for a review argued that the proposed design incorporates aspects of the original garage roofs and would blend in with the conservatories and extensions in the surrounding area. Photographs were provided by the applicant showing examples of houses in the area with conservatories or extensions which did not feature a mono pitched roof, and it was stated that original garages in the area had flat roofs. No consultations had been carried out on the application by the case officer and no representations had been received.

The Chair advised that it was now for Members to decide if they had sufficient information to determine the application and the Members agreed unanimously that they had sufficient information to proceed with the application today.

Councillor McNeil stated that it was clear to him from the proposed design of the extension that the applicants wished to enhance their property. He had noted the reasons for the Council's refusal of planning permission and stated that he did not agree that the proposed extension would have an adverse impact on the streetscape. In his view, the streetscape had already been changed by the range of extensions and conservatories that were present. In addition, he believed that the impact of the proposed extension would be less significant as it would be positioned to the rear of the property. He was concerned, however, that the facing brick to be used would not complement the existing render. He therefore would vote to overturn the decision of the Appointed Officer, subject to a Condition governing the external finish of the extension.

Councillor Gillies had observed a number of similar extensions in the applicants' neighbourhood and had concluded that the proposed extension would not look out of place in its setting.

On the site visit, Councillor Williamson had seen a wide range of styles in the area, with examples of both dual and mono pitched roofs. In his view, therefore, the proposed extension would not look inappropriate in its setting and he would have no objection to the proposals.

The Chair referred to planning policy DP6 of the adopted East Lothian Local Plan which states that '*all alterations and extensions must be well integrated into their surroundings and be in keeping with the original building*'. The Chair stated that he knew this locality well and considered that the proposed extension was proportionate in size and scale for its surroundings. However, he agreed with paragraph 4 of policy DP6 that the extension should be finished externally in materials which would complement the original building and he did not consider that the proposed red brick finish would complement the existing render. He would therefore vote to overturn the decision of the Appointed Officer to refuse the application providing that a Condition was attached relating to the external finish.

Members discussed the external finish of the extension in detail and studied photographs of other extensions in the area. They also sought guidance from the Planning Adviser who stated that it was open to Members to add a Condition that the walls should be finished in render, or alternatively a Condition that a sample of the facing brick was submitted for approval before work began, and that this should be complementary to the existing render, should they agree to overturn the decision to refuse.

Decision

The LRB agreed to overturn the Appointed Officer's decision to refuse the application, subject to the following Condition:

1. Development shall not begin until a sample of the material to be used on the external wall surface of the proposed extension, which shall complement the existing render of the walls of the original dwelling house, has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved material or such alternative as may be agreed in writing with the planning authority.

Reason: To ensure that the extension matches the external appearance of the existing building and thereby maintains the visual quality of the area.

The Legal adviser stated that a Decision Notice would be issued within 21 days.

REPORT TO: East Lothian Council
MEETING DATE: 24 June 2014
BY: Chief Executive
SUBJECT: Assurance and Improvement Plan 2014-2017

3

1 PURPOSE

- 1.1 To inform Council of the Assurance and Improvement Plan 2014-2017 provided by Audit Scotland.

2 RECOMMENDATIONS

- 2.1 Council is asked to welcome the Assurance and Improvement Plan 2014-17.

3 BACKGROUND

- 3.1 Audit Scotland works closely with other local government inspectorates in a Local Area Network (LAN) of local audit and inspection representative. The LANs undertake a shared risk assessment process for all 32 local authorities, to identify targeted, risk-based scrutiny. This process results in each council receiving an Assurance and Improvement Plan each year which sets out the scrutiny activity that the council can expect to take place over a rolling three-year period.

- 3.2 The Assurance and Improvement Plan 2014-17 is based on evidence from various sources, including:

- The annual report to the Controller of Audit and elected members for 2012/13 from the council's appointed external auditors
- The Single Outcome Agreement and associated development plan
- The Council's own performance data and self-evaluation evidence and analysis of data from the Local Government Benchmarking Framework

- Evidence gathered from Education Scotland, the Care Inspectorate and the Scottish Housing Regulator (including published inspection reports and other supporting evidence).
- 3.3 The LAN also drew on evidence from its focused inspection of the impact of shared services on Education and Children’s Services and its activity to support the Council’s self-evaluation programme.
- 3.4 For the first time the LAN also used evidence submitted by the Council in the form of a Self-evaluation Support Document which provided information and commentary on the areas of scrutiny covered by the shared risk assessment and the Assurance and Improvement Plan. The Council also commented on an initial draft of the Assurance and Improvement Plan.
- 3.5 This year, also for the first time, all 32 draft Assurance and Improvement Plans were put through a peer review / quality assurance process prior to sign off by Audit Scotland. This process has resulted in a more consistent approach to the completion of the Plans across all 32 local authorities.
- 3.6 Based on the review of evidence and the quality assurance process the LAN has produced the Assurance and Improvement Plan 2014-17 (see Appendix 1) which reflects an appropriate level of scrutiny based on the risks identified.
- 3.7 The Plan includes:
- a summary of the findings from the shared risk assessment and the planned scrutiny activity;
 - a summary of how key aspects of the Scottish Government’s reform agenda are being dealt with, specifically community planning and the Single Outcome Agreement, Police and Fire reform, health and social care integration, and welfare reform;
 - detailed assessments of scrutiny risks relating to:
 - corporate issues
 - service performance
 - improving and transforming public services and public performance reporting
 - the scrutiny plan for 2014-2017.
- 3.8 The summary of the Assurance and Improvement Plan provides a positive reflection on performance, self-evaluation activity and improvement over the last year. It states:
- “Overall, the LAN has judged that across East Lothian Council, there continue to be areas of strong performance and a number of improvement activities continue to make good progress.”*

“There continues to be a very strong commitment from officers and members to improving the work of the Council.”

“The LAN has worked actively and positively with the Council to support self-evaluation activities throughout the year. This, along with other improvements in performance, has helped to change the LAN’s assessments in 18 areas from last year’s Assurance and Improvement Plan from ‘further information required’ to ‘no scrutiny required’.”

- 3.9 The Plan concludes that apart from the national driven scrutiny activity and the follow up from previous inspections – the Children’s Services Inspection and the Scottish Housing Quality Standards inspection, *“No additional scrutiny is currently required.”*
- 3.10 The structure of the assessment of scrutiny risks has altered significantly from previous plans. There are now only 18 areas assessed compared to 38 in last year’s plan. So direct comparison is not possible. However, whereas in last year’s plan there were two areas identified as requiring scrutiny and 15 areas where further information was required, this year’s plan includes no areas for scrutiny. Although it should be noted that *“the LAN will seek to monitor several areas of risk through the work of the external auditor in 2014 with a view to reviewing progress and possible scrutiny for next year’s AIP”*.
- 3.11 The AIP identifies only two areas where further activity is being planned in 2014/15 – the follow up to the Children’s Services inspection and a Scottish Housing Regulator performance inquiry on rent arrears management.
- 3.12 Work has already begun on these two areas. The draft Improvement Plan arising from the Children’s Services Inspection was agreed by the Resilient People Partnership (22 May) and subsequently submitted for approval by the Care Inspectorate. A rent arrears task group chaired by the Depute Chief Executive, Partnerships and Community Services has been set up and has agreed an Improvement Action Plan.

4 POLICY IMPLICATIONS

- 4.1 The Assurance and Improvement Plan 2014-2017 provides the Council with the LAN’s assessment of areas of risk that will be subject to specific scrutiny activity. It recognises the Council’s on-going commitment to continuous improvement and developing self-evaluation. The Assurance and Improvement Plan provides the Council with an indication of areas where the Local Area Network expects improvement work to be targeted in order to meet the identified risks. It will assist in service planning and in supporting the development and implementation of the Council’s Improvement Framework.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 This report is not applicable to the well being of equalities groups and Equality 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 Appendix 2: East Lothian Council, Assurance and improvement Plan 2014-17

AUTHOR'S NAME	Paolo Vestri
DESIGNATION	Service Manager: Corporate Policy and Improvement Manager
CONTACT INFO	pvestri@eastlothian.gov.uk Tel: 01620 827320
DATE	27 th May 2014

East Lothian Council

Assurance and Improvement Plan

2014–17

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Introduction

1. This Assurance and Improvement Plan (AIP) sets out the planned scrutiny activity in East Lothian Council between April 2014 and March 2017. The AIP is based on a shared risk assessment undertaken by a local area network (LAN). There is a LAN for each council, comprising representatives of all the scrutiny bodies who engage with the council. The aim of the shared risk assessment process is to focus scrutiny activity where it is most needed and to determine the most proportionate scrutiny response over a three year period.
2. This is the fifth AIP for East Lothian Council since the introduction of the shared risk assessment process.¹ It is the result of the shared risk assessment which began in October 2013. The process drew on evidence from a number of sources, including:
 - the annual report to the Controller of Audit and elected members for 2012/13 from the council's appointed external auditors
 - evidence gathered from Audit Scotland, Education Scotland, the Care Inspectorate, the Scottish Housing Regulator and Her Majesty's Inspectorate of Constabulary (HMICS), including published inspection reports and other supporting evidence
 - the Single Outcome Agreement (SOA) and associated development plan for the council area
 - the council's own performance data and self-evaluation evidence
 - analysis of data from the SOLACE / COSLA / Improvement Service Local Government Benchmarking Framework.²
3. The shared risk assessment process was reviewed in 2013, in the context of a significantly changed scrutiny landscape and the evolving public service reform agenda.³ Based on the findings of the review, this year's shared risk assessment focused on identifying the council's current position in implementing the Scottish Government's reform agenda. It also placed more emphasis on scrutiny risk in relation to the council's improvement and transformation agenda. This change in approach is reflected in the structure of the AIP for 2014-17, which covers four areas:
 - local priorities and public service reform
 - corporate assessment
 - service performance
 - improving and transforming public services / public performance reporting.

¹ Assurance and Improvement Plans for each council since 2010 are available on the Audit Scotland website: <http://www.audit-scotland.gov.uk/work/scrutiny/aip.php>

² The indicators used in the framework can be found on the Improvement Service website: <http://www.improvementservice.org.uk/benchmarking/>

³ The review of the shared risk assessment process was one of four work streams taken forward by the Strategic Group for Local Government Scrutiny Co-ordination during 2013.

4. Scrutiny risk is assessed against the following criteria:
 - No scrutiny required - there are no significant concerns, so no scrutiny work is necessary.
 - Scrutiny required - there are concerns about performance, services or outcomes, resulting in the need for scrutiny work.
 - Further information required - there is insufficient information to reach a judgement about performance.
5. The National Scrutiny Plan for 2014/15 is available on the Audit Scotland website. It provides a summary of planned scrutiny activity across all councils in Scotland, based on the AIPs for each council.

Summary

6. Overall, the LAN has judged that across East Lothian Council, there continue to be areas of strong performance and a number of improvement activities continue to make good progress. The outcomes of the two major scrutiny events of 2013, in joint inspection of services for children and young people in the East Lothian Community Planning Partnership area and in education, identified some key areas of major and important strengths. However, within both education and services for children, scrutiny identified areas where service performance declined and where improvements are required. The LAN will seek to closely monitor performance in these two significant areas of council activity and will seek to provide challenge and support through the respective inspectorates during 2014..
7. There continues to be a very strong commitment from officers and members to improving the work of the council. As part of its ongoing improvement journey, the council continues to use How Good is Our Council to support its approaches to self-evaluation across a broad range of its corporate and service functions. The LAN has worked actively and positively with the council to support self-evaluation activities throughout the year. This, along with other improvements in performance, has helped to change the LAN's assessments in 18 areas from last year's AIP from further information required to no scrutiny required. The LAN will seek to continue this work with the council in 2014.
8. In common with the public sector across Scotland, East Lothian continues to face financial challenges. The LAN notes that the Council has the highest level of net external debt as a proportion of revenue spend of all Scottish local authorities. This represents an acute financing challenge to future revenue budgets. The Council's level of debt places significant pressure on future revenue funding as debt and associated interest is paid. The 2013-14 budget forecasts a breakeven position, incorporating a further £2.2 million utilisation of reserves. The most recent financial monitoring reports shows the Council is achieving its savings on the majority of business groups and is on target to use fewer reserves than estimated as part of setting the 2013/14 budget. The council's senior management estimate that they have secured 20% of the expenditure reduction which will be needed by the end of 2015-16, the majority of which will come from £9.9 million savings from the cessation of the police and fire requisitions. This means the remainder of the expenditure reduction is still to be found and this is a significant risk. This is within the context of the council Financial Strategy that recommended the reduction in capital expenditure limits. A transformation programme has been established to implement change projects which will both significantly reduce costs and support delivery of the Council plan. It is too early to assess the impact of this programme and there are significant risks to service sustainability if the council does not meet its targets. The LAN's view is that this financial position will be the focus of LAN activity with the council, primarily through the work of the external auditor. A key test for the council over the next year will be to successfully implement its planned budgets and make progress with its transformation programme to deliver efficiencies in services. These areas will be a

focus for the external audit. If insufficient progress is being made then LAN will seek to carry out more in-depth scrutiny next year.

9. The East Lothian Partnership (ELP) has a ten-year strategic plan for East Lothian called The East Lothian Plan - Single Outcome Agreement (SOA) 2013. The plan is based on a clear, evidence based understanding of the context of East Lothian. This has been developed from the new East Lothian Profile 2013 which has six ward profiles covering the main settlements. The profile provides a good and well researched evidence base that outlines the challenges that the council and its partners face as well the strengths, assets and opportunities available in East Lothian. The overarching priority is to reduce the inequalities across and within East Lothian communities. There are three strategic objectives. These are to build a sustainable economy, develop resilient people, and develop safe and vibrant communities. There are ten high level outcomes, each with contributory outcomes, which provide a clear vision for East Lothian. This framework aims to enable partners to design and deliver the services that will make a real difference in the lives of the people and communities of East Lothian.
10. No additional scrutiny is currently required. The LAN notes that the council recognises it will make significant changes to how it operates to deliver the services needed in East Lothian, and the new SOA and ELP are central to this. The LAN welcomes the fact that the council is working closely to monitor the financial position as there are significant risks in this area. There is a need to ensure that there is consistency in approaches to corporate scrutiny. The LAN's view is that it is important that the council now maintains a disciplined approach to ensure the successful implementation of its change programmes. This process of implementation will be a focus of both the appointed auditor as part of the annual audit process and the LAN. In addition, the LAN will seek to continue to work in partnership with the council on focused work as part of an agreed programme of self-evaluation for improvement and to support the consistency of corporate scrutiny.

Planned scrutiny activity

11. There are no planned inspections in the period 2014-17. However, there are a number of national audit programmes and supported self-evaluation that will involve scrutiny activity within East Lothian Council.
12. During 2014, Audit Scotland will carry out a targeted follow-up of two national performance audits - *Arm's-length external organisations (ALEOs): are you getting it right?* (June 2011) and *Major capital investment in councils* (March 2013).
13. SHR will seek information from all social landlords to monitor the impact of welfare reform. SHR conducted a survey on the early impact of welfare reform and published the summary findings in October 2013. Further self-assessment surveys will be issued to all social landlords to help determine the longer term impact of welfare reform.
14. The individual audit and inspection agencies and the external auditor will continue to work with the council to provide support and challenge as appropriate. The LAN proposes to maintain

and further develop its work with the council to support and extend self-evaluation. The LAN will work with its individual agencies to provide the relevant expertise as appropriate.

15. There is some scrutiny activity planned across councils in 2014/15, but where scrutiny bodies are yet to determine which specific council areas will be included. This includes the following:
 - The Scottish Housing Regulator (SHR) recently carried out a thematic inquiry into the outcomes that councils are achieving by delivering housing options and prevention of homelessness services. A sample of councils were selected to take part in this as case studies. The findings from this work could potentially lead to further engagement with some councils. The SHR will carry out further thematic inquiries between 2014/15 and 2015/16. If a council is to be involved in a thematic inquiry the SHR will confirm this with the council and the appropriate LAN lead.
 - HMICS will be inspecting local policing across Scotland over the next three years. This will examine, amongst other things, local scrutiny and engagement between Police Scotland and councils. The geographic areas to be inspected during 2014/15 have yet to be determined.
 - Education Scotland will be working in partnership with councils to carry out self-evaluation of education psychology services over a two year period beginning in 2014/15.
 - Education Scotland will be reviewing the quality of Careers Information Advice and Guidance services delivered by Skills Development Scotland across all council areas over the next three years.
 - Education Scotland will continue to engage with councils for the purpose of validated self-evaluation (VSE). The scheduling of VSEs will be arranged by negotiation between Education Scotland and individual councils.
 - The Care Inspectorate, in partnership with the Association of Directors of Social Work and the Risk Management Authority, has been undertaking supported self-evaluation activity to assess the initial impact of the introduction of the assessment and case planning instrument LS/CMI across Scotland's criminal justice social work services. This activity started in June 2013 and will conclude with the publication of a national report by May 2014. Action plans arising from this activity will be implemented in 2014.
16. Audit Scotland will carry out a programme of performance audits during the period of this AIP that will involve work with councils. The performance audit programme for 2014/15 is available at <http://www.audit-scotland.gov.uk/work/forwardwork.php?year=2014>.
17. Scheduled audit and inspection work will take place through the annual audit process. The ongoing inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively will continue as planned. Individual audit and inspection agencies will continue to monitor developments in key areas of council activity and will provide support and challenge as appropriate. This will help to inform future assessment of scrutiny risk.
18. A timetable for planned audit and inspection activity in East Lothian Council between April 2014 and March 2017 is at [Appendix 1](#).

Local priorities and public service reform

19. Local councils are operating within a context of significant change as a result of the challenging financial environment and the public service reform agenda. The Scottish Government's reform agenda emphasises the importance of place, people, partnership, prevention and performance in public services. This year's shared risk assessment identified the council's current position in implementing the Scottish Government's reform agenda, specifically in relation to:
- community planning and new Single Outcome Agreements
 - police and fire oversight arrangements (following the introduction of new national police and fire services)
 - health and social care integration
 - welfare reform.

Community planning and Single Outcome Agreements

20. East Lothian has developed a new SOA that has clear objectives that relate well to the context of the council. Three clear strategic improvement priorities for the council are noted. These are focused upon governance and leadership, resources and performance. Following a significant period of review and restructuring around community planning, the ELP was established in June 2013, with 21 partners from the statutory, business, education and voluntary sectors. The new ELP structure will work with the council to deliver the SOA. A clear statement of intent sets out the ELP's long-term goal, which is to work in partnership to build an East Lothian where everyone has the opportunity to lead a fulfilling life and which contributes to a fair and sustainable future.
21. The ELP has three supporting partnerships: Sustainable Economy, Resilient People, and Safe and Vibrant Communities. The membership of these partnerships comprises personnel from the council and key community planning partner agencies. Each recently established supporting partnership has responsibility for delivering three to four outcomes and reports to the council regularly. The council recognises that this new structure will require time to be implemented and a self-evaluation partnership review will be undertaken in 2014-15. The LAN will seek to work with the council to support self-evaluation activities.

Police and fire

22. Each police division is in the process of consulting with communities on the content and priorities for the policing plan 2014-17. That process will include local authorities who will give final approval of plans. The inaugural meeting of the Safe and Vibrant Communities Partnership was held on 9 September 2013. The committee has senior executive and non-

executive level representation from the key partners (all sectors - public, third, private and community). It includes elected members from the council, to ensure that they operate at a strategic level and are empowered to make decisions and commit resources. It is one of three partnerships forming the wider East Lothian Community Planning Partnership. It is too early to comment on the level of scrutiny from the committee.

23. HMICS conducted a thematic inspection of the new arrangements for local scrutiny in 2013 and believes that the new arrangements for local scrutiny and engagement require more time to bed in and that it is therefore too early to assess the effectiveness of these arrangements.
24. In relation to the wider issue of the delivery of community safety, HMICS has seen no significant changes to partnership arrangements since the creation of a single police service model for Scotland. HMICS is considering community safety as a possible area of focus within its 2014-17 work plan.
25. Fire reform is also still at an early stage and HM Fire Service Inspectorate (HMFSI) has not as yet undertaken any detailed examination of the way in which community safety and engagement activities are delivered across local authority areas in Scotland. HMFSI published *An Overview of the Scottish Fire and Rescue Service (SFRS)* in 2013. In its report, HMFSI highlighted that local senior officers (LSOs), who have responsibility for overseeing partnership working with local authorities in the delivery of community safety and engagement, are clearly sighted on their responsibilities and are keen to make local partnerships work in an effort to optimise community outcomes.
26. The nature of fire service performance reporting both pre-and post-reform means that the fire service culture is well used to focusing on outcomes. Relevant measures of the success of interventions and data on fire outcomes have been collected for many years. It is apparent that at a local level, partnership working has improved the targeting of community safety and engagement resources to those sections of the community where it is most likely to pay dividends. This trend will hopefully continue as the new national service is able to draw on information about how local arrangements function across the country.
27. The Scottish Fire and Rescue Service (SFRS) is consulting on a suite of local fire and rescue plans. HMFSI is not currently proposing any specific scrutiny on local planning and consultation processes, but may consider this in its future inspection plans.

Health and social care integration

28. The Public Bodies (Joint Working) (Scotland) Bill was introduced by the Scottish Government in May 2013. The Bill aims to ensure that the health and social care systems work together to improve outcomes for people by providing consistency in the quality of services, ensuring people are not unnecessarily delayed in hospital and maintaining independence by creating services that allow people to stay safely at home for longer. Arrangements for how services will be delivered are determined by councils and health boards based on what they believe is the best way to meet the care needs of their local populations.

29. In April 2013, East Lothian Council approved proposals for the establishment of a Shadow Partnership with NHS Lothian. This is in accordance with the Scottish Government's drive to integrate health and adult social care services nationally, and to plan for the establishment of a formal Health and Social Care Partnership in East Lothian. The Shadow Partnership's role is to make preparations for a formal Health and Social Care Partnership, which is to be in place by 2015. The council also agreed the process for the appointment of a Jointly Accountable Officer to co-ordinate and drive the work of the Shadow Partnership and manage the transition to the Health and Social Care Partnership. The Jointly Accountable Officer will be responsible for NHS services in East Lothian in addition to Lothian-wide NHS responsibilities. The LAN will continue to engage with the council to monitor developments.

Welfare reform

30. East Lothian Council has established a Welfare Reform Reference Group which includes the council, the Department of Work and Pensions, Housing Associations, tenants' representatives and advice agencies. Regular updates from management on the impact of welfare reform are considered by members and a welfare reform task group has been formed. The task group considered the service implications of the welfare reforms and in response has drafted a welfare reform action plan. Welfare reform has been discussed at the ELP and has often been a topic for discussion at the Welfare Reform Reference Group. The senior management has expressed their view that the council is well placed to manage the changes.
31. In 2013-14, the Scottish Housing Regulator (SHR) surveyed social landlords and published findings on the early impact of welfare reform on rent arrears. It will continue to gather information on rent and arrears through the annual return on the Scottish Social Housing Charter in order to monitor the impact of welfare reform on social landlords and their tenants. the LAN will continue to monitor this area in 2014.

Corporate assessment

32. The following table provides an assessment of scrutiny risk relating to the council's management arrangements (including how it is meeting its Best Value obligations).⁴

Area	Risk assessment	Current position	What we plan to do
<p>Leadership and direction</p> <p>How the council's vision is designed around its knowledge of its local communities and how this is translated throughout all the council's plans and strategies.</p>	No scrutiny required	<p>The East Lothian Partnership's ten-year strategic plan for East Lothian is called The East Lothian Plan - Single Outcome Agreement (SOA) 2013. This sets a clear direction for the Council. The LAN's view is that the plan is based on a clear, evidence based understanding of the context of East Lothian. This has been developed from the new East Lothian Profile 2013 which has six ward profiles covering the main settlements. The profile provides a good and well researched evidence base that outlines the challenges that the council and its partners face as well the strengths, assets and opportunities available in East Lothian.</p> <p>The 2012 review of chief officers resulted in a reduction in the number of heads of service and a shift in this role to a more strategic position. A further change in the management structure occurred with effect from 1 April 2013, with the number of executive directors reducing from three to two. The Chief Executive has instigated a structured learning programme to</p>	No specific scrutiny activity

⁴ The Local Government in Scotland Act 2003. Best Value Guidance, Scottish Executive, 2004.

Area	Risk assessment	Current position	What we plan to do
		support the development of leadership. This has been established in order to increase the skills and capacity of managers to lead change in the Council. The 2013 Council improvement plan in terms of leadership also confirms a commitment to senior officers' continuing professional development. Heads of service are part of the corporate management team, along with the executive directors and the chief executive. Collectively they have responsibility to deliver the Council's agreed objectives.	
Governance and accountability Whether governance arrangements are working effectively and whether good governance underpins council decisions and supports performance improvement.	No scrutiny required	The LAN considered a range of documentary evidence and concluded that the council has clear overarching and supporting governance arrangements which provide a framework for organisational decision-making. The 2013 council improvement plan contains actions related to maintaining the standard of elected member conduct, including training sessions for elected members on the new Standing Orders and the Code of Conduct. A self-evaluation of arrangements was carried out for 2012-13. While some improvements were identified, it concluded that there were generally good governance and control arrangements. This annual review of corporate governance demonstrates good practice.	No specific scrutiny activity
Community engagement and	No scrutiny required	The Council's CLD service is working with Community Centre	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
<p>empowerment</p> <p>Whether the council is giving local people a greater say in local budget decisions and giving communities a right to challenge local public service delivery.</p>		<p>Management Committees to transfer control of community centres to community organisations. Draft Lease Agreements and Minutes of Agreement have been produced. The council's Consultation Hub consults regularly with residents on a range of issues including budgets and acts upon their feedback in areas such as the proposed Musselburgh Town Centre Strategy and Housing Allocations Policy Review. The Policy Performance and Review Committee receives reports on customer complaints and feedback and an annual report on social work complaints and feedback. This provides elected members with the opportunity to scrutinise how customer complaints are dealt with and to assess whether further action needs to be taken in response to complaints.</p>	
<p>Financial management</p> <p>How effectively the council is planning and managing its budgets.</p>	<p>No scrutiny required</p>	<p>The council recorded a deficit of £2.5 million in 2012-13 (2011-12: £7.5 million), less than originally budgeted. Total capital expenditure was £52.2 million, lower than the revised approved capital plan of £60.3 million. The 2013-14 budget forecasts a breakeven position, incorporating a further £2.2 million utilisation of reserves. Senior Management estimate that they have secured 20 per cent of the expenditure reduction which will be needed by the end of 2015-16, the majority of which will come from savings from the cessation of the police and fire requisitions. The most recent financial monitoring reports shows the Council is achieving its savings on the majority of business groups and is on target to</p>	<p>No specific scrutiny activity</p>

Area	Risk assessment	Current position	What we plan to do
		<p>use fewer reserves than estimated as part of setting the 2013/14 budget.</p> <p>Audit Scotland's analysis of the 32 local authorities continues to show that the council has the highest level of net external debt as a proportion of revenue spend of all Scottish local authorities, representing a financing challenge to future revenue budgets, particularly in 2016-17. Financial sustainability is demonstrated by having the final year of the budget showing balanced income and expenditure without the use of reserves. Whilst borrowing is usually repaid over a longer period than three years, and the best indicator of whether the future repayments are sustainable is a 2016/17 budget that does not rely on temporary sources of funding such as reserves. To sustain the capital investment plan the Council needs to demonstrate that there is no structural deficit in its budget by 2016/17.</p> <p>A transformation programme has been established to implement change projects which reduce costs and support delivery of the Council plan. A clear strategy and allocation of the cost reduction fund will be needed to support this programme. It is too early to assess the impact of this programme</p> <p>Accordingly the LAN will seek to monitor this area through the work of the external auditor in 2014 with a view to reviewing progress and possible scrutiny for next year's AIP.</p>	
People management The effectiveness of the	No scrutiny required	A voluntary early release scheme was approved by Cabinet on	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
council's workforce planning and management arrangements.		<p>12 March 2013. Management recognise the pressure on remaining staff and have identified actions to address services with lower self assessment scores. This includes a review of the people strategy and forming a workforce development plan, which should support workforce transformation, in order to deliver services and achieve savings.</p> <p>The Council is developing a Workforce Development Plan to meet the challenges of public sector reform, reducing budgets and increasing public expectations by ensuring that the council's workforce is skilled, motivated, flexible and well-managed. Several initiatives are already in place to support achievement of this aim including a Chartered Management Institute Level 5 course for all senior managers and a CMI Level 3 course for team leaders and supervisors. This area of human resources will crucial to the achievement of the Transformation Programme and the delivery of efficient services.</p> <p>Accordingly the LAN will seek to monitor this area through the work of the external auditor in 2014 with a view to reviewing progress and possible scrutiny for next year's AIP.</p>	
Asset management The council's arrangements for managing assets and	No scrutiny required	Due to a number of recent capital projects exceeding the allocated capital sum, management undertook a review of capital programme management. This review incorporated the findings of the Audit Scotland report <i>Major capital investment in councils</i> .	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
how this key resource is used to support effective service delivery.		These recommendations will support improvements in the asset management processes and enable management to make capital programme decisions. The appointed auditor will consider this area as part of the annual audit process.	
Procurement How effectively corporate procurement contributes to the council maximising value for money in the goods and services it uses to deliver its services.	No scrutiny required	<p>The Council's PCA score has increased steadily over the last 3 years and is now in line with national averages. There is a strong focus in financial management in achieving value for money.</p> <p>Overall, external audit found that controls over procurement are operating effectively. The corporate procurement procedures manual has been updated and added to the council's revised Standing Orders as an appendix, and these were approved by Council on 25 June 2013. The addition of the manual to this core document demonstrates a commitment to the improvement of procurement and purchasing arrangements at the council.</p>	No specific scrutiny activity
Risk management The effectiveness of the council's arrangements for identifying, managing and mitigating risks and how its management of risk contributes to the	No scrutiny required	Management continue to review risk management arrangements to provide assurance to elected members over the mitigation of identified risks. A corporate risk register is in place and is supported by departmental risk registers. Both the corporate risk register and the risk management strategy have been reviewed and updated during 2012-13. In accordance with the Risk Management Strategy Very High and High risks identified in the Corporate Risk Register are subject to closer scrutiny by the	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
successful delivery of public services.		<p>Council Management Team, the Cabinet and the Audit and Governance Committee. The 2013 Corporate Risk Register includes no Very High risks, 10 High risks and nine Medium risks. Risk appetite is briefly mentioned in the strategy, which suggests that training can help staff to understand this in relation to the council. However, it does not give any more information. This would be useful for users of the strategy, to be aware of the council's overall risk appetite.</p> <p>Accordingly the LAN will seek to monitor this area through the work of the external auditor in 2014 with a view to reviewing progress.</p>	
<p>Information management</p> <p>The effectiveness of the council's arrangements for managing information as a key resource in delivering services.</p>	No scrutiny required	<p>Data Protection and FOI policies were adopted by the Council in June 2012. East Lothian Council has adopted the Model Publication Scheme 2013 produced by the Scottish Information Commissioner. The scheme has the Commissioner's approval until 31 May 2017. An Information and Records Management Policy was adopted in June 2013. The Council is presently working on its Record Management Plan. The Council regularly reviews and its Freedom of Information Act and Data Protection Compliance Statistics are regularly reported to Cabinet</p> <p>The IT service in East Lothian has a flexible and committed workforce. The service is committed to using self-evaluation and service planning to continue the improvement process.</p>	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
<p>Joint working</p> <p>Progress with any significant shared services initiatives, in particular in relation to governance or pace of implementation.</p>	<p>No scrutiny required</p>	<p>Senior Management and elected members continue to view partnership working as important in delivering further value through shared resources. There are particular financial and management challenges, as the council's overall budget position in a difficult financial climate is finely balanced. Integration and collaboration of services will enable good practice to be shared as well as supporting the achievement of efficiencies.</p> <p>The Council is continuing to explore options for partnership working with Midlothian Council. Management are considering collaborative working arrangements for risk management, internal audit and emergency planning. A six-month pilot of a shared Health and Safety Manager post has been continued and the two councils have recently agreed to create joint/ shared Managers posts for Trading Standards and Environmental Health.</p> <p>The move from the proposal to share educational services will not now progress as planned although partnership working is continuing.</p> <p>The LAN will continue to monitor this through the work of the external auditor.</p>	<p>No specific scrutiny activity</p>
<p>Efficiency</p>	<p>No scrutiny</p>	<p>Management apply a robust budget setting process, recognising</p>	<p>No specific scrutiny activity</p>

Area	Risk assessment	Current position	What we plan to do
<p>How effectively the council is improving its efficiency in response to the budget challenges being faced.</p>	<p>required</p>	<p>identified corporate commitments and costs pressures. Uncertainty remains over the extent and precise nature of changes that will be required. There are risks to financial sustainability if efficiency savings cannot be achieved. The utilisation of reserves to cover deficits is only viable in the short-term.</p> <p>A transformation board supported by a transformation programme manager has been set up, to facilitate implementation, monitor savings programs and review the impact of the programs to achieve efficiency gains on service delivery. This should help to mitigate the identified risks. It is too early to assess the impacts of this programme.</p> <p>Quarterly financial position reports are presented to council or cabinet which show high level financial performance against budget for each business group. This is a development on the prior year and supports further scrutiny of financial performance.</p> <p>The 2013/14 budget included efficiency savings and budget reductions totally £6.7m to balance expenditure with available income. These savings have included:</p> <ul style="list-style-type: none"> £3m from the Voluntary Early Release Scheme £400,000 from changes to the staff travel scheme 	

Area	Risk assessment	Current position	What we plan to do
		<p>Spending restrictions on Capital Expenditure to reduce debt charges</p> <p>The Q2 and Q3 financial monitoring reports shows the Council is achieving its savings on the majority of business groups and is on target to use fewer reserves than the estimated £2.2 million of reserves planned as part of setting the 2013/14 budget</p> <p>Accordingly the LAN will seek to monitor this area through the work of the external auditor in 2014 with a view to reviewing progress and possible scrutiny for next year's AIP.</p>	
<p>Equalities</p> <p>Whether the council is providing effective leadership of equalities and is meeting its statutory obligations.</p>	<p>No scrutiny required</p>	<p>The Council's Equality Plan 2013-2016 was approved by Cabinet, 14th May 2013 and published. All policies and council reports undergo a combined impact assessment to assess likely impact on equalities, social, economic and environmental wellbeing.</p> <p>The council is in an improving position with regard to gender employment equality and is above average in terms of the percentage of council employees in the top five per cent of earners that are women.</p> <p>The percentage of public service buildings that are suitable for and accessible to disabled people is significantly lower than the Scottish average. However, this area has seen a slowly improving trend since 2010/11 and The Council adopted a Physical Disability</p>	<p>No specific scrutiny activity</p>

Area	Risk assessment	Current position	What we plan to do
		Strategy in January 2013 The LAN will monitor this area in 2014-15.	

Service performance

33. The following table provides an assessment of scrutiny risk relating to the performance of the council's main inspected public services (education, social care services and housing) and non-inspected services (e.g. corporate services, culture and leisure services, environmental services).

Area	Risk assessment	Current position	What we plan to do
Education The quality of local education services and the resulting outcomes (including early years).	No scrutiny required	<p>In recent inspections evaluations have varied from weak to excellent. Three primary schools and one secondary school are receiving continuing support from Education Scotland - three as a result of inspection findings and the other as a result of a request from the Education Authority. One secondary school inspected in 2013 was evaluated as good and very good.</p> <p>Performance post appeal in national examinations highlight a significant variation in performance across the attainment profile. Performance in English and mathematics at Scottish Credit and Qualifications Framework (SCQF) level three or better indicates a fall from above the national average to being in line with the national average. The performance of girls is notably poorer than boys. There is now a three year decline in the number of young people achieving five awards at SCQF level three by the end of S4, notably girls.</p> <p>Performance has changed from well above the national average to being in line with the average. Similarly, there is a three year decline in performance at five awards at SCQF level four or better, moving from well above national averages to in line; and a two year decline at five</p>	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
		<p>awards at SCQF level five, moving from above to below national averages.</p> <p>In preschool and primary school published reports, a positive picture emerges of the transition process between nursery and P1 and between P7 and secondary school. On leaving secondary school, the data show that while East Lothian performs better than comparators and the national average in terms of progression to employment, it is a less positive picture in terms of progression to further education, training and for young people who do not achieve a positive destination.</p> <p>The areas for support and challenge identified above are service performance risks in 2014-15 are in the Education Scotland Partnership Agreement with East Lothian Council.</p> <p>Accordingly the LAN will seek to monitor this area through the work of Education Scotland in 2014 with a view to reviewing progress and possible scrutiny for next year's AIP.</p>	
<p>Social care services The quality of local social work and care services and the resulting outcomes (including adult care, older peoples services, learning disability services, criminal justice services,</p>	No scrutiny required	The recent Joint Inspection of services for children and young people in the East Lothian CPP area shows that staff across services have a well-established history of effective joint working which is continuing to have a very positive impact on the well-being of individual children and young people and families. Staff are committed to providing timely and helpful support and many children and families benefit from reliable and flexible services. As a result, there are a number of demonstrable improvements in the life chances of vulnerable children and young people. Partners have carried out work which provides them with a	There will be follow up activity by the Care Inspectorate

Area	Risk assessment	Current position	What we plan to do
mental health services, children and families).		<p>clear understanding of where they need to prioritise resources to reduce the inequalities that exist for individual children, families and communities. However, the leadership, strategic direction and planning has not been strong enough to drive forward new approaches to early intervention and prevention to achieve measurable improvements. There are important weaknesses in the way in which the Child Protection Committee was fulfilling its key functions to drive continuous improvement and provide assurance about how well children are protected and their needs met. Robust and systematic joint self-evaluation across children's services is now needed to both meet this service performance risk and achieve an accurate self-awareness that leads to sustainable change and improvement..</p> <p>Inspectors are confident that partners, with support to address weaknesses in planning and leadership, will be able to make the necessary improvements in the light of the inspection findings. Accordingly the LAN will seek to monitor this area through the work of the Care Inspectorate in 2014 with a view to reviewing progress.</p>	
<p>Housing and homelessness</p> <p>The quality of housing and homeless services and the resulting</p>	Further information required	Current tenant rent arrears and gross tenant arrears (current and former) have increased steadily since 2010/11 and sit at a higher rate than peers. During the most recent inquiry into the Scottish Housing Quality Standard (SHQS) and aspects of homelessness, SHR discussed the council's worsening arrears performance. This position	SHR Performance Inquiry on arrears management

Area	Risk assessment	Current position	What we plan to do
outcomes.		<p>does not appear to have improved. Rent collection at the council sits within the finance department. The SHR intends to meet with the council to clarify its position on arrears management and further discuss its plans to improve performance in this area.</p> <p>As advised in the council's AIP for 2013-16, SHR recently carried out a thematic inquiry into the outcomes that local authorities are achieving by delivering housing options and prevention of homelessness services. A sample of councils were selected to take part and the findings at a national level could potentially lead to further engagement, as may any other future thematic inquiries conducted between 2014/15 and 2016/17.</p>	
<p>Non-regulated services</p> <p>Particular strengths and challenges in the range of non-regulated services provided by the council, and any significant changes to performance.</p>	No scrutiny required	<p>Of the seven main non-regulated services, the council performs well, with performance levels that are above average or in line with national averages. This places them in the top quartile. The main areas of concern where SPI performance is declining relates to housing services. There are regular reports to councillors on performance and the council is now actively extending its self-evaluation approaches to non-regulated services. There will be ongoing work with the LAN and the council to support self-evaluation.</p>	No specific scrutiny activity

Improving and transforming public services / public performance reporting

34. The following table provides an assessment of scrutiny risk relating to how the council is improving and / or transforming public services, and the extent to which it is meeting its public performance reporting obligations under the Local Government in Scotland Act 2003.

Area	Risk assessment	Current position	What we plan to do
<p>Improving and transforming public services</p> <p>The council's arrangements for continuing to deliver services with reducing resources and growing demand, and what impact this is having on service outcomes.</p>	No scrutiny required	<p>Management has recognised the requirement to make changes to how the council is organised and operates within available resources.</p> <p>The Council's Improvement Framework – From Improvement to Excellence – consists of five inter-related elements through which the Council plans to move from Improvement to Excellence</p> <p>A transformation programme has been established to implement change projects to reduce costs and support delivery of the council plan. Many of the change projects (including the voluntary early release scheme, the procurement improvement panel, efficient workforce management planning, strategic asset management and shared / integrated services with Midlothian Council) are in progress and are reflected in the budget changes to 2015-16. It is too early to assess the impact of these developments. The success of the transformation programme and change projects will influence the achievability of the financial strategy. This area will be a focus in the external audit plan.</p>	No specific scrutiny activity

Area	Risk assessment	Current position	What we plan to do
<p>Public performance reporting (PPR)</p> <p>The progress that is being made by councils in meeting their PPR obligations.</p>	<p>No scrutiny required</p>	<p>The council continues to use a well established approach to self-evaluation through the use of the How Good is our Council model, which is being extended across more council departments. Management intend for three year service plans to be developed, aligning with the three year budgets to help deliver alignment of priorities within the challenging financial context. The council has effectively assessed their arrangements against the characteristics of an effective performance management and improvement process as detailed in Audit Scotland’s report <i>Managing performance: are you getting it right?</i></p> <p>Performance against the council’s performance indicators is reported in an annual public performance report. The main element of performance management takes place through monitoring service performance against agreed performance indicators. The Council reports on the 25 SPIs and also has a range of other performance indicators which it has developed to demonstrate progress to the outcomes contained in the Council plan and the Single Outcome Agreement. The Council uses the Aspireview system to input, manage, interrogate and present data.</p> <p>Elected member scrutiny is primarily performed by the policy and performance review committee and the audit and governance committee. In addition, the corporate management team reviews performance on a continuous basis. The 2012-13 performance report highlighted that the council’s performance improved for 41 per cent of the performance indicators, with 36 per cent showing little or no change and 23 per cent</p>	<p>No specific scrutiny activity</p>

Area	Risk assessment	Current position	What we plan to do
		<p>deteriorating. In 2011-12, 61 per cent of indicators showed an improvement in performance. This has instigated a review of key performance indicators and adoption of a framework of Best Value reviews that will assist services in their continuous improvement journey. The LAN will continue to support the council in its use of How Good is Our Council. The LAN considers that this will support continuous improvement in performance reporting. There will be ongoing work with the LAN and the council to support self-evaluation.</p>	

Appendix 1: Scrutiny plan

EAST LOTHIAN COUNCIL		2014/15											
Scrutiny activity year 1	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
Monitoring of action plan and follow up by Care Inspectorate (dates TBC following finalisation of the report)													
SHR: Performance Inquiry on arrears management (date TBC)													
National or supported self evaluation work year 1													
Audit Scotland: targeted follow up of national report <i>Arm's length external organisations (ALEOs): are you getting it right?</i>	X												
Audit Scotland: targeted follow up of national report <i>Major capital investment in councils</i>		X						X					
Ongoing LAN support to self evaluation													
Education Scotland education psychology VSE (TBC)													

Note: The focus of the AIP is strategic scrutiny activity - that is, scrutiny activity which is focused at a corporate or whole-service level. However, there will also be baseline scrutiny activity ongoing at a unit level throughout the period of the AIP, for example, school and residential home inspections. Scrutiny bodies also reserve the right to make unannounced scrutiny visits. These will generally be made in relation to care services for vulnerable client groups. The annual audit of local government also comprises part of the baseline activity for all councils and this includes work necessary to complete the audit of housing benefit and council tax benefit arrangements. Education Scotland, through the Area Lead Officer and Local Partnership Agreement, will continue to support and challenge education services regularly and as appropriate. The Care Inspectorate will continue to regulate care services and inspect social work services in accordance their responsibilities under the Public Services Reform (Scotland) Act 2010.

East Lothian

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“The data provided in this report is for information purposes to allow Board Members to conduct their scrutiny responsibilities. It should be noted that the timing of this meeting of the Board is in advance of the completion of the year end procedures and reconciliation processes that are undertaken every year in association with the publication of official statistics. Given this timing there may be minor amendments between the information in this report and the final 2013/14 statistics – for example due to delayed reporting or recording of crimes, road crashes or incidents. It would not therefore be accurate or appropriate to refer to, quote or use the data in this report as either end of year or official statistics.”

**REPORTING PERIOD : 1st April 2013 to 31st March 2014
(unless otherwise indicated)**

East Lothian Police, Fire and Safer Communities Board

Performance Update 01/04/2013 - 31/03/2014					
		TYTD 2013/14	LYTD 2012/13	Source	Change
1	Detection Rate: Groups 1 to 5 Crimes	3503 / 1667 47.6%	3363 / 1628 48.4%	UNIFI (to 31/03)	- 0.8%
Priority 1 - Protecting People					
2	Increase detection rates for crimes of Domestic Abuse	613 crimes 72.9%	269 crimes 72.9%	ScOMIS (to 31/03)	0.0%
3	Increase the detection rate for Sexual Offences (Group 2 Crime)	131 / 95 72.5%	96 / 65 67.7%	UNIFI (to 31/03)	+ 4.8%
Priority 2 - Reducing Anti-Social Behaviour					
4	Reduce the number of Disorder incidents	4,586	4,759	ScOMIS (to 31/03)	- 173
5	Increase the detection rate for Hate Crime	79.3%	80.5%	ScOMIS (to 31/03)	- 1.2%
Priority 3 - Reducing Violence					
6	Reduce the level of Violent Crime	78	83	UNIFI (to 31/03)	- 5
7	Increase the proportion of positive stop and searches for Offensive Weapons	636 / 32 5.0%	1143 / 32 2.8%	Intranet / Pronto	+ 2.2%
Priority 4 - Tackling Substance Misuse					
10	Increase the proportion of positive stop and searches for Drugs	1355 / 207 15.3%	1536 / 176 11.5%	Intranet / Pronto	+ 4.2%
11	Increase the number of licensed premises visits	1129	725	EL Licensing	+ 404
Priority 5 - Making Our Roads Safer					
12	Reduce the number of people killed or seriously injured on our roads				
	Killed / Seriously Injured	38	24	ScOMIS (to 31/03)	+ 14
	Slightly Injured	177	177	ScOMIS (to 31/03)	0
	Children (aged <16) killed/seriously injured	3	0	ScOMIS (to 31/03)	+ 3
13	Increase the number of people detected for Drink/Drug Driving offences	77	87	UNIFI (to 31/03)	- 10
Priority 6 - Tackling Serious Organised Crime					
16	Increase the number of cash seizures and restraints through the Proceeds of Crime Act	£ 29, 773.94	Data unavailable	DIU POCA	n/a
17	Increase the number of people detected for Supplying Drugs	39	74	UNIFI (to 31/03)	- 35

East Lothian Police, Fire and Safer Communities Board

Context Report Performance Update 01/04/13 - 31/12/2013	
1	Detection Rate: Groups 1 to 5 crimes Although overall detection has proportionately slightly reduced, it is reassuring to note that East Lothian remains a safe place to work, live, socialise and visit.
2	Increase detection rates for crimes of domestic abuse It is evident that when more resource and energy is put into an area of concern, the number of instances will increase due to more confidence in victims to report the incident to police, knowing that action will be positive. Although the detection rate has remained constant the number of reported crimes is more than double that of the previous year.
3	Increase the detection rate for sexual offences (Group 2 crime) There are still active investigations ongoing in this area and through DNA analysis, etc; there is a confidence that the detection rate will increase even further.
4	Reduce the number of Disorder incidents The consistent reduction in public space disorder is undoubtedly due to the co-ordinated work of several agencies utilising antisocial behaviour legislation, joint partnership patrols, CCTV coverage, proactive checks of bail curfews and organised dispersal plans.
5	Increase the detection rate for hate crime Our system of investigating and monitoring the progress of reported Hate Crime is a robust and thorough one with overview by local community inspectors unfortunately despite this, the detection rate has lowered, compared to the previous year.
6	Reduce the level of violent crime Whilst sometimes difficult to evidence, there is no doubt this decrease in violent crime can be largely contributed to the active multi-agency partnership and joint working in East Lothian. The pro-active and intelligent use of Anti-social behaviour legislation, joint tactical and coordinating meetings, joint partnership patrols and bail curfews in the county provides evidence of this partnership work.
7	Increase the proportion of positive stop and searches for offensive weapons All officers within the County have undergone training in the ethics and benefits around stop and searching the right people, at the right time and in the right place. This negates random stop and searching and concentrates on utilising analytical data to direct officers to the right areas whether it be to deter housebreakers, knife carriers or those intent on dealing drugs. The positive rate of finding person with illegal implements or contraband on their person has increased from last year, evidencing that the stop and search is more intelligence led.
10	Increase the proportion of positive stop and searches for drugs As above more targeted searches have improved the proportion of positive searches.
11	Increase the number of licensed premises visits The focus on licensed premises checks along with co-ordination of information on licensing breaches and subsequent intervention and working with licensees has contributed to the noted reductions in disorder and violence in East Lothian.
12	Reduce the number of people killed or seriously injured on our roads The tragic collision and death of three young members of our community at Tynninghame, one of which was only 15 years old, and the subsequent fatal collision on the A1 near to Torness resulting in a further three deaths and a final fatal accident are all judged to have been the results of driver error and therefore difficult to prevent. As well as the 15 year old above, two other children unfortunately suffered serious injury in separate accidents at Haddington and Pencaitland. It is understandable why road safety is one of the priorities for policing and partnership work within the County and one we remain committed to through schemes such as 2moro's driver.

East Lothian Police, Fire and Safer Communities Board

13	Increase the number of people detected for drink/drug driving offences Despite several initiatives targeting drink/drug driving the detection rate is lower than last year. Efforts will continue in the coming year to improve detection.
16	Increase the number of cash seizures and restraints through the Proceeds of Crime Act
17	Increase the number of people detected for supplying drugs In 2012/13 reporting year, two prolonged drugs initiatives were progressed in East Lothian and produced a higher detection rate. Steps are in place to work on this area and carry out more targeted initiatives in the coming months to enhance the detection of drug offenders in the county.



Report to East Lothian Council

Performance Update 1 April 2013 – 31 March 2014

1. Purpose

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This report provides an update to Elected Members on the performance of the Scottish Fire and Rescue Service within East Lothian for the period 1 April 2013 to 31 March 2014.

2. Background

2.1 Performance reporting of the Scottish Fire and Rescue Service takes place at the East Lothian, Safe and Vibrant Communities Meetings under the Community Planning Partnership arrangements. The reports are presented by the Local Senior Officer (LSO) and the local East Lothian Group Manager.

2.2 There is currently, a local fire and rescue service plan in place for East Lothian covering the Period 2013/14. The current local plan includes the following headline priorities. Objective 1: To reduce the occurrence of accidental fires in the home resulting in deaths and injury; Objective 2: To reduce the occurrence of road traffic collisions and the resulting in death and injury; Objective 3: To reduce the occurrence of special service incidents and resulting death and injury; Objective 4: To reduce the occurrence of other primary fires and resulting death and injury; Objective 5: To reduce the occurrence of unwanted fire signals and the associated disruption; Objective 6: To reduce the occurrence of deliberate secondary fires and associated anti-social behaviour.

The specific performance indicators contained within the headline priorities are reported on in the attached report for 2013/14.

3. Recommendations

Members are invited to comment or otherwise note the update.

4. Look forward

4.1 The local East Lothian fire and rescue service plan for 2014/17 sets out the Scottish Fire and Rescue Service priorities for the East Lothian Area.

Peter Heath

Local Senior Officer, East Lothian, Midlothian and Scottish Borders



SCOTTISH
FIRE AND RESCUE SERVICE
Working together for a safer Scotland

East Lothian

Committee/Sub Group - East Lothian Safe and Vibrant Communities Group

Population (based on GROS mid-year estimates 2011) = 98170
Dwellings (based on GROS mid-year estimates 2011) = 45138
Land mass = 70094 Hectares

GROS - General Register Office for Scotland



ID	Key Performance Indicator (KPI)	Pg	Target	YTD	
				Perf.%(+/-)	% Targets
2bi	All accidental dwelling fires	3	DWELLING	-5.8%	-10%
3ai	All fatal fire casualties	4	CASUALTY	50.0%	-5%
3aiii	Non-fatal fire casualties (incl. precautionary checkups)	5	AVE.	-50.0%	
3bi	All fatal accidental dwell. fire casualties	6	CASUALTY	200.0%	-5%
3biii	Non-fatal accidental dwell. fire casualties (incl. precautionary checkups)	7	AVE.	-43.8%	
1a	All deliberate fires	8	AVE.	-14.8%	
1b	All deliberate primary fires	9	AVE.	-38.6%	
1c	All deliberate secondary fires	10	AVE.	-7.7%	
1ci	All deliberate secondary refuse fires	11	AVE.	-39.0%	
5a	Special Service - RTCs	12	AVE.	23.8%	
6a	Non-fatal casualties per RTC	13	AVE.	50.0%	
6b	Fatal casualties per RTC	14	AVE.	200.0%	
10a	False Alarms - All	15	AVE.	5.5%	
10c	False Alarm - Malicious	16	AVE.	-58.2%	
10d	False Alarm - Equipment failure	17	AVE.	14.9%	
10b	False Alarm - Good Intent	18	AVE.	-7.6%	
2a	All accidental fires	19	AVE.	31.2%	
2c	All accidental secondary fires	20	AVE.	172.7%	
2ci	All accidental secondary refuse fires	21	AVE.	116.7%	
5b	Special Service - Flooding	22	AVE.	-79.3%	

Commentary

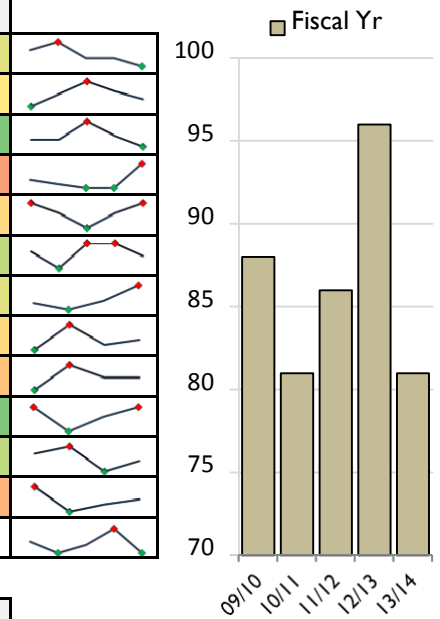
This report summary provides the full year data for East Lothian.

Where a specific target is shown this reflects the target listed in the Fire & Rescue Framework 2013.

It should be borne in mind that although some of the percentage changes appear extreme, the actual numbers in most cases is relatively small and thus, any change produces a large percentage rise/reduction. For example, on page 6 'All fatal accidental dwelling tragically there was one fire fatality but this is expressed as a 200% increase.

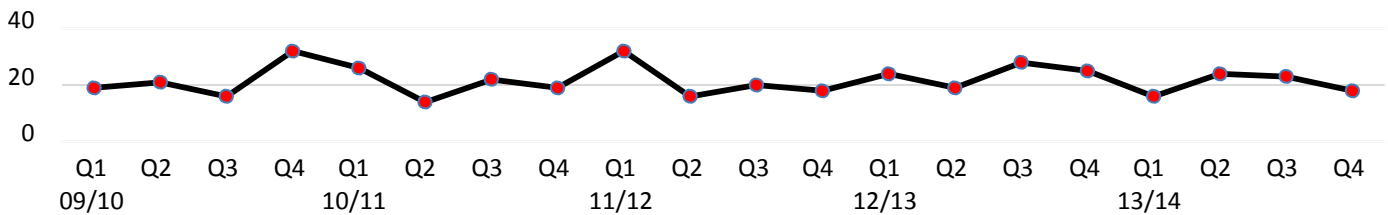
All accidental dwelling fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	10	12	8	8	6
May	4	9	14	10	7
June	5	5	10	6	3
July	7	6	5	5	11
August	8	6	3	6	8
September	6	2	8	8	5
October	5	2	6	13	6
November	4	9	5	6	8
December	7	11	9	9	9
January	11	6	9	11	3
February	8	10	3	6	5
March	13	3	6	8	10
Fiscal Yr	88	81	86	96	81



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	88	81	86	96	81

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	19	26	32	24	16
Quarter 2	21	14	16	19	24
Quarter 3	16	22	20	28	23
Quarter 4	32	19	18	25	18

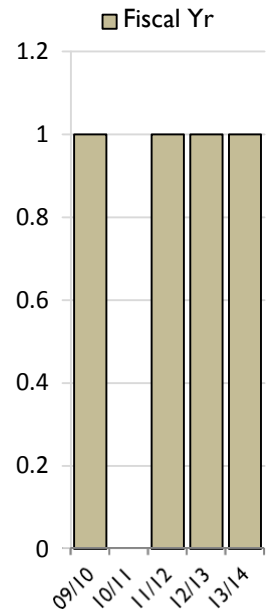


Commentary

It is pleasing to see that in the last quarter of 2013/14 there was a decrease in accidental dwelling fires from 25 the previous year. Out of the 18 fires 7 were in the Musselburgh wards and 5 in the Dunbar ward. This is the first quarter of the year where 100% of these dwelling fires occurred in single occupancy households. This again confirms the need to continually work with partners to ensure we have the correct information in relation to the most vulnerable people in East Lothian. The 5-year trend has shown a very slight reduction in accidental dwelling fires within our area.

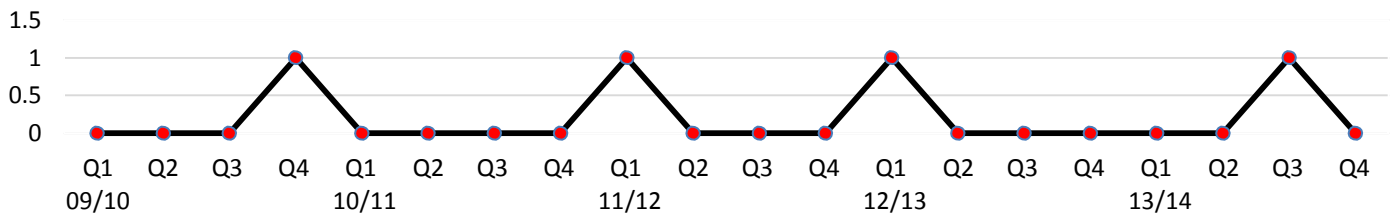
All fatal fire casualties

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	0	0	0	0	0
May	0	0	1	0	0
June	0	0	0	1	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	1
December	0	0	0	0	0
January	1	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
Fiscal Yr	1	0	1	1	1



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	1	0	1	1	1

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	0	0	1	1	0
Quarter 2	0	0	0	0	0
Quarter 3	0	0	0	0	1
Quarter 4	1	0	0	0	0

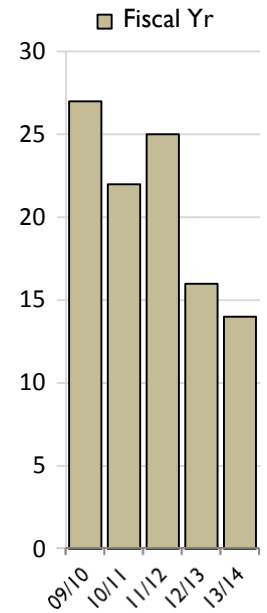


Commentary

Again this past reporting year we have unfortunately had 1 fatal fire casualty, a trend that has been apparent over the last 5 years.

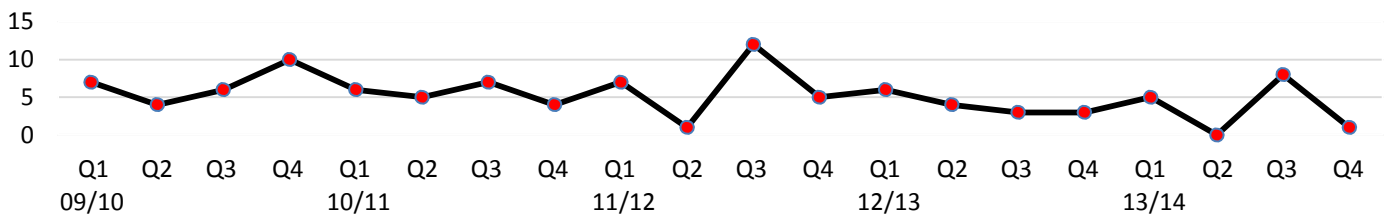
Non-fatal fire casualties (incl. precautionary checkups)

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	1	2	3	2	3
May	5	0	1	1	2
June	1	4	3	3	0
July	3	1	0	1	0
August	1	1	1	0	0
September	0	3	0	3	0
October	0	0	4	2	1
November	2	2	4	1	1
December	4	5	4	0	6
January	3	1	4	2	0
February	1	3	1	1	1
March	6	0	0	0	0
Fiscal Yr	27	22	25	16	14



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	27	22	25	16	14

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	7	6	7	6	5
Quarter 2	4	5	1	4	0
Quarter 3	6	7	12	3	8
Quarter 4	10	4	5	3	1



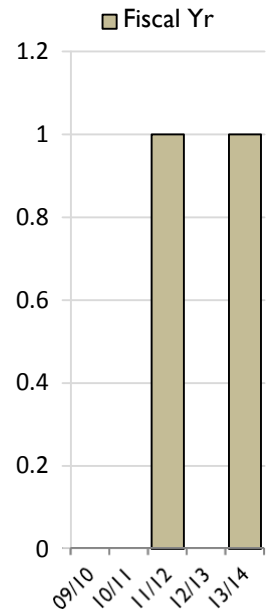
Commentary

There was a slight reduction in the number of non-fatal fire casualties from 16 the previous reporting year to 14 in this one. In the last quarter of the year, there was one casualty because of fire. The 5-year trend shows a very positive decline in the number of non-fatal casualties.

* Including precautionary checkup means that the person was either taken to hospital, advised to seek medical assistance or given oxygen at the scene by fire crews/paramedics. During the last quarter only 1 casualty required a precautionary checkup.

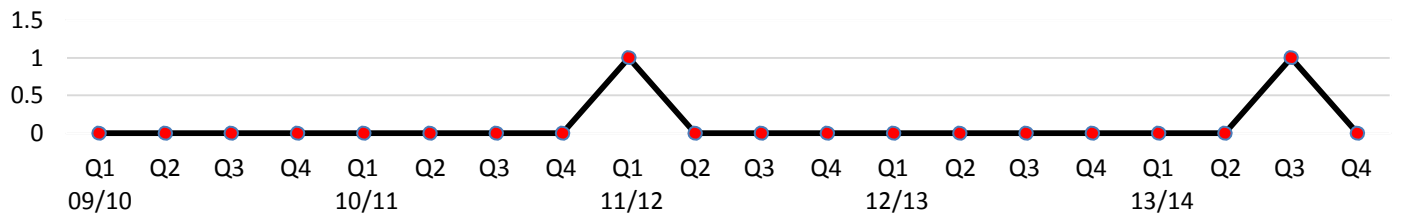
All fatal accidental dwell. fire casualties

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	0	0	0	0	0
May	0	0	1	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	1
December	0	0	0	0	0
January	0	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
Fiscal Yr	0	0	1	0	1



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	0	0	1	0	1

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	0	0	1	0	0
Quarter 2	0	0	0	0	0
Quarter 3	0	0	0	0	1
Quarter 4	0	0	0	0	0

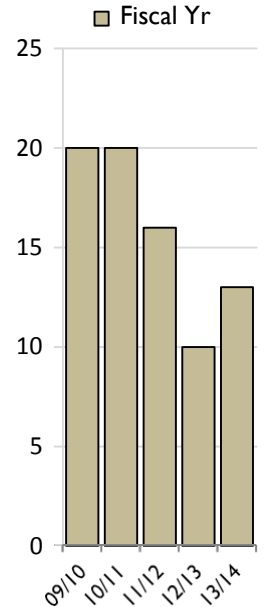


Commentary

This past reporting year we have unfortunately had 1 fatal fire casualty.

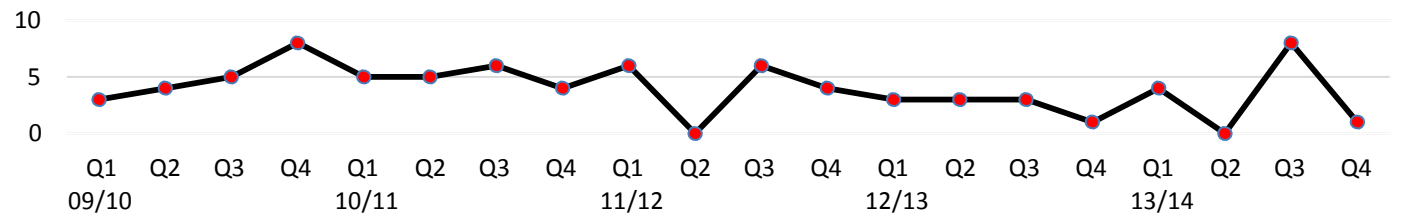
Non-fatal accidental dwell. fire casualties (incl. precautionary checkups)

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	1	2	3	1	3
May	1	0	1	1	1
June	1	3	2	1	0
July	3	1	0	1	0
August	1	1	0	0	0
September	0	3	0	2	0
October	0	0	4	2	1
November	2	2	1	1	1
December	3	4	1	0	6
January	1	1	4	1	0
February	1	3	0	0	1
March	6	0	0	0	0
Fiscal Yr	20	20	16	10	13



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	20	20	16	10	13

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	3	5	6	3	4
Quarter 2	4	5	0	3	0
Quarter 3	5	6	6	3	8
Quarter 4	8	4	4	1	1



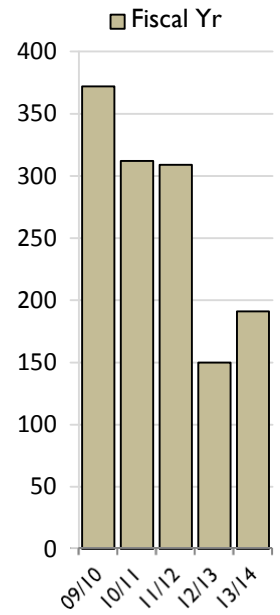
Commentary

There was a slight increase in the number of non-fatal accidental dwelling fire casualties from 10 the previous reporting year to 13 in this one. In the last quarter of the year, there was one casualty as a result of an accidental dwelling fire. Overall, the 5-year trend had been steadily decreasing but December of last year has shown a significant increase meaning that last year's performance had halted the trend.

* Including precautionary checkup means that the person was either taken to hospital, advised to seek medical assistance or given oxygen at the scene by fire crews or paramedics. During the last quarter, only one casualty required a precautionary checkup.

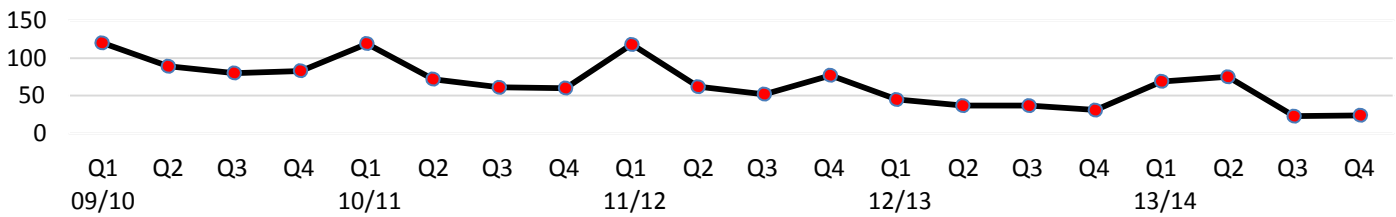
All deliberate fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	50	60	51	24	33
May	29	31	39	12	23
June	41	28	28	9	13
July	25	17	21	14	27
August	22	24	15	10	22
September	42	31	26	13	26
October	51	34	14	15	5
November	22	16	30	12	14
December	7	11	8	10	4
January	18	15	27	6	8
February	15	12	17	5	9
March	50	33	33	20	7
Fiscal Yr	372	312	309	150	191



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	372	312	309	150	191

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	120	119	118	45	69
Quarter 2	89	72	62	37	75
Quarter 3	80	61	52	37	23
Quarter 4	83	60	77	31	24

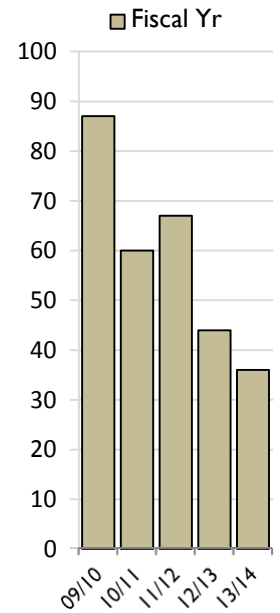


Commentary

Deliberate fires increased in the first 2 quarters of last reporting year mainly due to the extremely warm and dry weather we experienced. This has unfortunately stopped the 5-year declining trend although the overall figure of 191 is still a significant reduction on the figure from 2009/10.

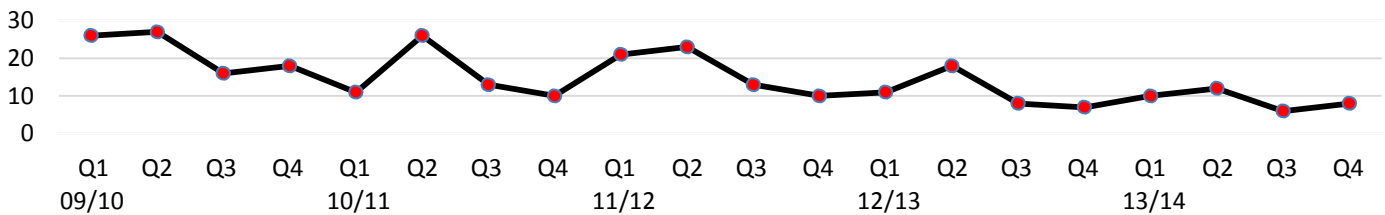
All deliberate primary fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	9	3	5	5	2
May	6	4	11	1	6
June	11	4	5	5	2
July	7	9	8	8	1
August	6	7	4	4	5
September	14	10	11	6	6
October	12	6	5	1	3
November	3	2	6	2	2
December	1	5	2	5	1
January	9	3	5	4	4
February	7	2	0	1	3
March	2	5	5	2	1
Fiscal Yr	87	60	67	44	36



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	87	60	67	44	36

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	26	11	21	11	10
Quarter 2	27	26	23	18	12
Quarter 3	16	13	13	8	6
Quarter 4	18	10	10	7	8



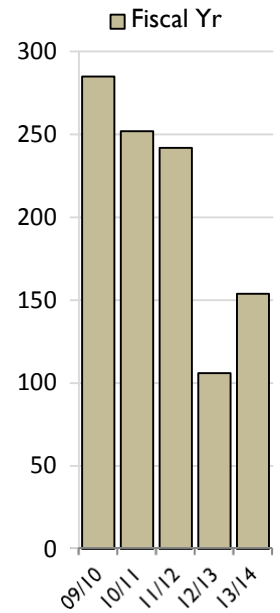
Commentary

Deliberate primary fires show a 5-year decreasing trend. The effect that building and vehicle fires have on community safety and perception is significant therefore, this trend is very pleasing.

*These are fires in Buildings or Caravans not used for domestic purposes as well as Vehicles, Outdoor storage and Agricultural premises.

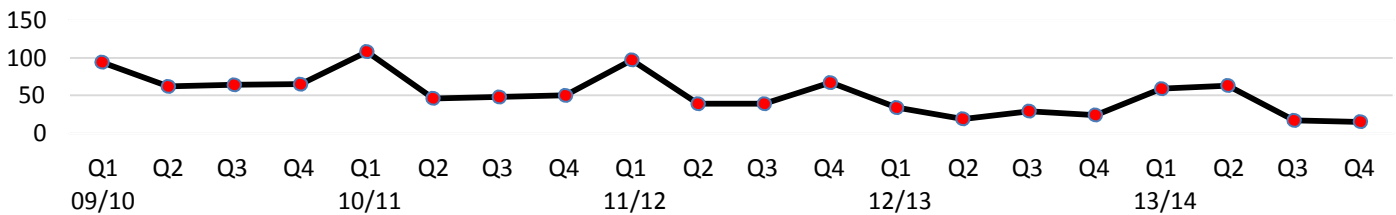
All deliberate secondary fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	41	57	46	19	31
May	23	27	28	11	17
June	30	24	23	4	11
July	18	8	13	6	26
August	16	17	11	6	17
September	28	21	15	7	20
October	39	28	9	14	2
November	19	14	24	10	12
December	6	6	6	5	3
January	9	12	22	2	4
February	8	10	17	4	6
March	48	28	28	18	5
Fiscal Yr	285	252	242	106	154



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	285	252	242	106	154

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	94	108	97	34	59
Quarter 2	62	46	39	19	63
Quarter 3	64	48	39	29	17
Quarter 4	65	50	67	24	15

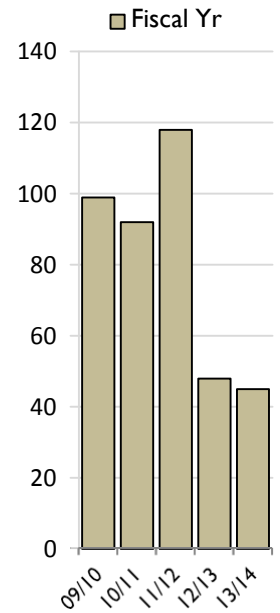


Commentary

Deliberate secondary fires increased in the first 2 quarters of last reporting year mainly due to the extremely warm and dry weather we experienced. This has unfortunately stopped the 5-year declining trend although the overall figure of 154 is still a significant reduction on the figure from 2009/10.

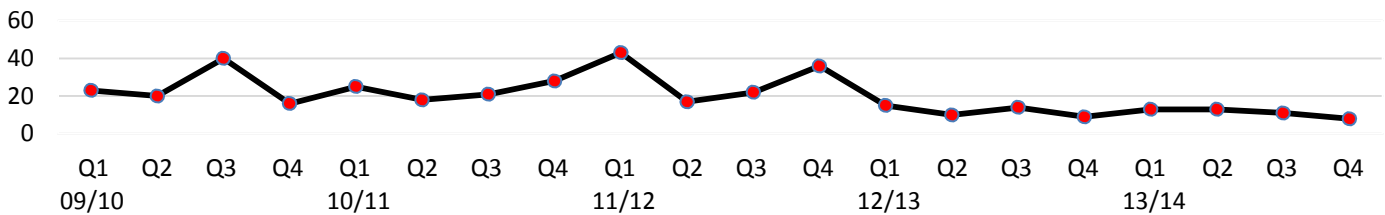
All deliberate secondary refuse fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	10	14	17	8	4
May	6	4	17	5	6
June	7	7	9	2	3
July	7	2	4	4	3
August	8	4	8	3	6
September	5	12	5	3	4
October	28	17	2	9	2
November	8	2	16	3	8
December	4	2	4	2	1
January	2	10	16	0	2
February	3	7	9	2	4
March	11	11	11	7	2
Fiscal Yr	99	92	118	48	45



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	99	92	118	48	45

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	23	25	43	15	13
Quarter 2	20	18	17	10	13
Quarter 3	40	21	22	14	11
Quarter 4	16	28	36	9	8

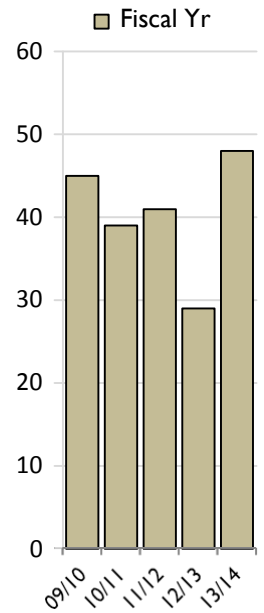


Commentary

There is a declining trend in the amount of deliberate secondary refuse fires across East Lothian which again can help with community perception as refuse fires tend to be in built up areas.

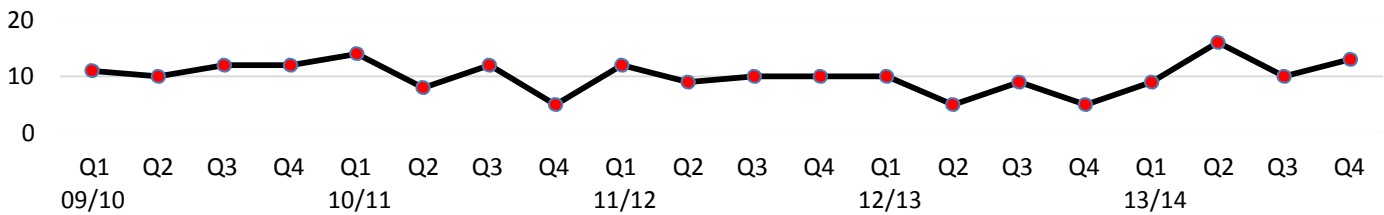
Special Service - RTCs

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14	
April	4	2	6	2	3	
May	5	5	3	5	3	
June	2	7	3	3	3	
July	5	3	2	1	8	
August	4	4	4	2	4	
September	1	1	3	2	4	
October	4	5	4	1	5	
November	2	4	2	6	3	
December	6	3	4	2	2	
January	3	2	6	1	5	
February	3	2	1	2	5	
March	6	1	3	2	3	
Fiscal Yr	45	39	41	29	48	



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	45	39	41	29	48

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14	
Quarter 1	11	14	12	10	9	
Quarter 2	10	8	9	5	16	
Quarter 3	12	12	10	9	10	
Quarter 4	12	5	10	5	13	

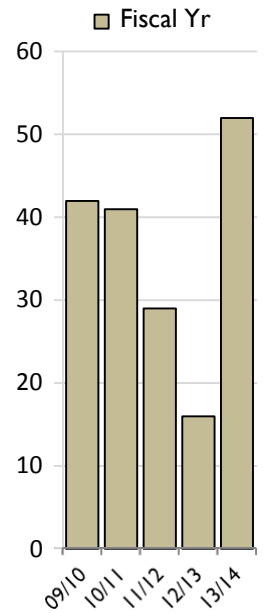


Commentary

Again in the 4th quarter of last year there has been an increase in the number of RTC's we have attended, this is the 3rd consecutive quarter showing an increase and is the highest year in the last 5 years.

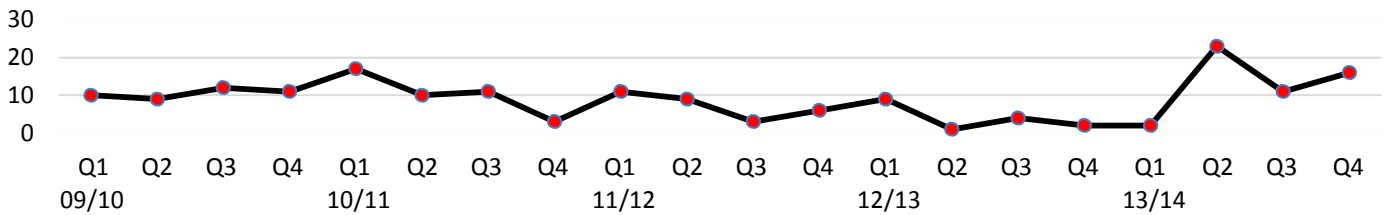
Non-fatal casualties per RTC

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	4	3	2	2	1
May	4	9	5	4	0
June	2	5	4	3	1
July	4	2	4	0	4
August	4	4	3	0	8
September	1	4	2	1	11
October	5	8	1	1	5
November	1	1	0	2	5
December	6	2	2	1	1
January	4	2	4	0	9
February	4	1	1	0	4
March	3	0	1	2	3
Fiscal Yr	42	41	29	16	52



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	42	41	29	16	52

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	10	17	11	9	2
Quarter 2	9	10	9	1	23
Quarter 3	12	11	3	4	11
Quarter 4	11	3	6	2	16

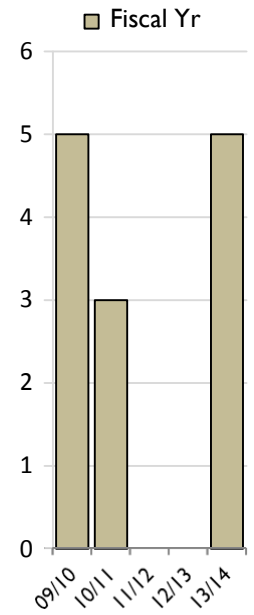


Commentary

Again in the 4th quarter of last year there has been an increase in the number of non-fatal casualties from RTC's, this is the 3rd consecutive quarter showing an increase and is the highest year in the last 5 years.

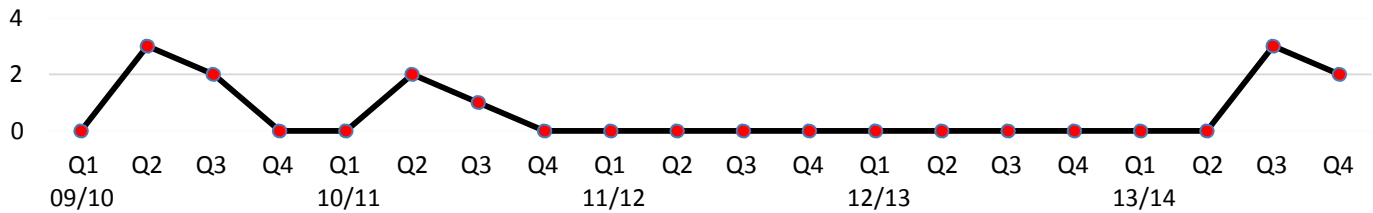
Fatal casualties per RTC

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
July	3	0	0	0	0
August	0	2	0	0	0
September	0	0	0	0	0
October	0	1	0	0	0
November	2	0	0	0	3
December	0	0	0	0	0
January	0	0	0	0	2
February	0	0	0	0	0
March	0	0	0	0	0
Fiscal Yr	5	3	0	0	5



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	5	3	0	0	5

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	0	0	0	0	0
Quarter 2	3	2	0	0	0
Quarter 3	2	1	0	0	3
Quarter 4	0	0	0	0	2

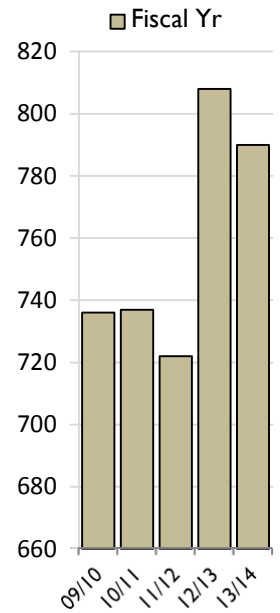


Commentary

The last 2 quarters of the 2013/14 year have shown an increase in fatal RTC's.

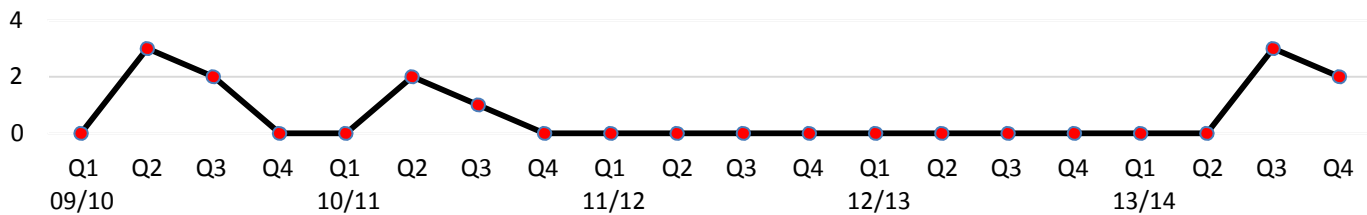
False Alarms - All

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	51	63	66	51	61
May	45	57	57	65	44
June	58	33	58	53	51
July	67	79	54	66	94
August	84	65	66	86	65
September	59	62	56	71	69
October	86	78	75	68	81
November	59	78	58	70	75
December	52	70	63	72	61
January	47	46	66	57	59
February	62	51	55	61	62
March	66	55	48	88	68
Fiscal Yr	736	737	722	808	790



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	736	737	722	808	790

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	154	153	181	169	156
Quarter 2	210	206	176	223	228
Quarter 3	197	226	196	210	217
Quarter 4	175	152	169	206	189

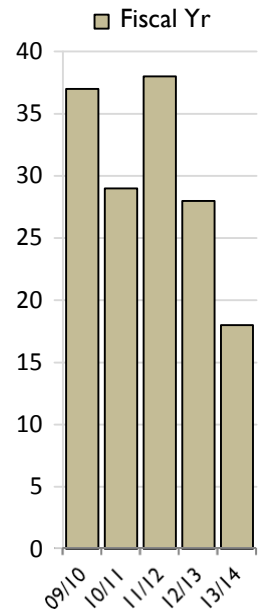


Commentary

The total number of false alarms within East Lothian is down on the previous year but still higher than the average in the 5-year trend.

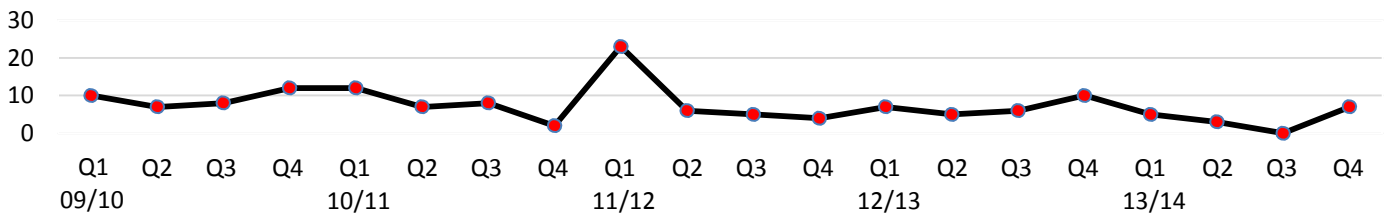
False Alarm - Malicious

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	4	5	6	3	1
May	6	5	15	4	2
June	0	2	2	0	2
July	3	1	1	1	0
August	1	2	2	1	0
September	3	4	3	3	3
October	5	4	3	5	1
November	1	4	2	1	2
December	2	0	0	0	0
January	5	0	1	3	1
February	2	0	3	3	2
March	5	2	0	4	4
Fiscal Yr	37	29	38	28	18



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	37	29	38	28	18

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	10	12	23	7	5
Quarter 2	7	7	6	5	3
Quarter 3	8	8	5	6	0
Quarter 4	12	2	4	10	7

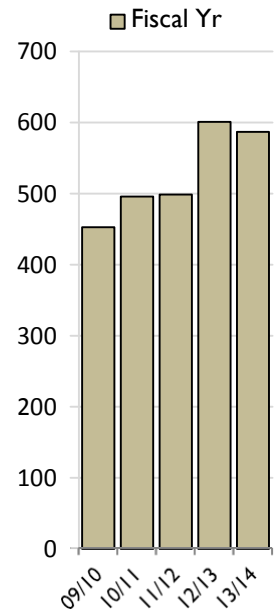


Commentary

It is comforting to note that malicious false alarms have reached their lowest point in the past 5 years.

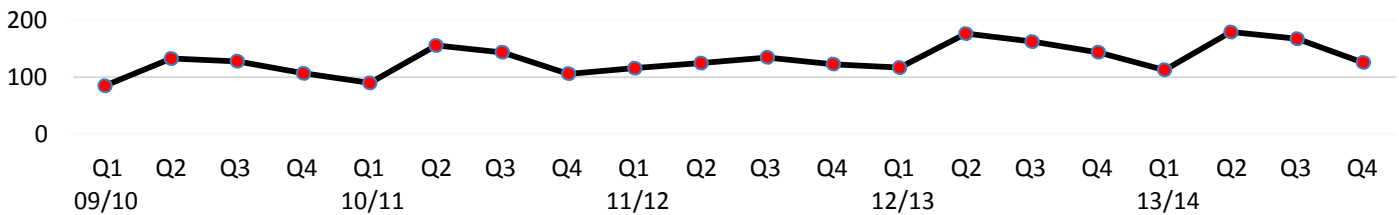
False Alarm - Equipment failure

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	24	41	44	33	49
May	29	30	30	41	32
June	32	19	42	43	32
July	44	60	31	56	74
August	50	50	54	68	48
September	39	46	40	53	58
October	60	46	53	52	65
November	38	54	37	53	54
December	30	44	45	58	49
January	23	29	51	43	38
February	43	35	37	43	44
March	41	42	35	58	44
Fiscal Yr	453	496	499	601	587



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	453	496	499	601	587

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	85	90	116	117	113
Quarter 2	133	156	125	177	180
Quarter 3	128	144	135	163	168
Quarter 4	107	106	123	144	126

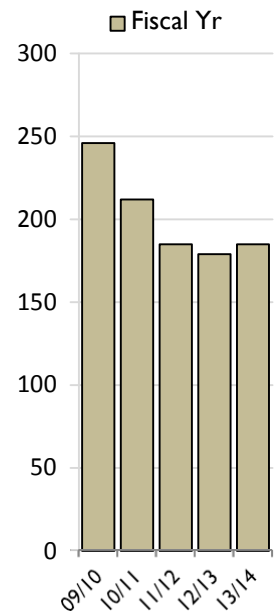


Commentary

Although the number of unwanted fire alarm signals has decreased on last year's total it is still concerning that there is an increasing trend. We will continue to work with managers of local premises to ensure this number starts to decline.

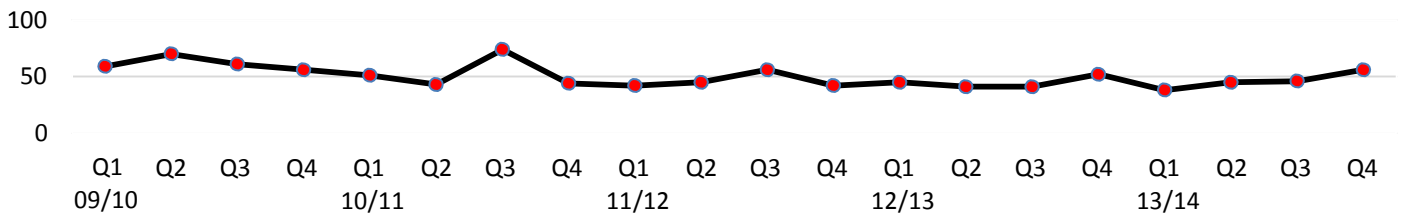
False Alarm - Good Intent

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	23	17	16	15	11
May	10	22	12	20	10
June	26	12	14	10	17
July	20	18	22	9	20
August	33	13	10	17	17
September	17	12	13	15	8
October	21	28	19	11	15
November	20	20	19	16	19
December	20	26	18	14	12
January	19	17	14	11	20
February	17	16	15	15	16
March	20	11	13	26	20
Fiscal Yr	246	212	185	179	185



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	246	212	185	179	185

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	59	51	42	45	38
Quarter 2	70	43	45	41	45
Quarter 3	61	74	56	41	46
Quarter 4	56	44	42	52	56

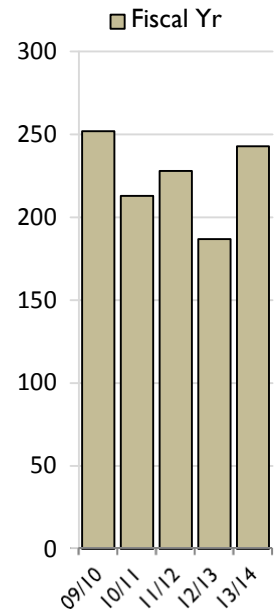


Commentary

Over the past 5 years good intent calls have shown a slight reduction, this may be attributable to te reduction in calls overall.

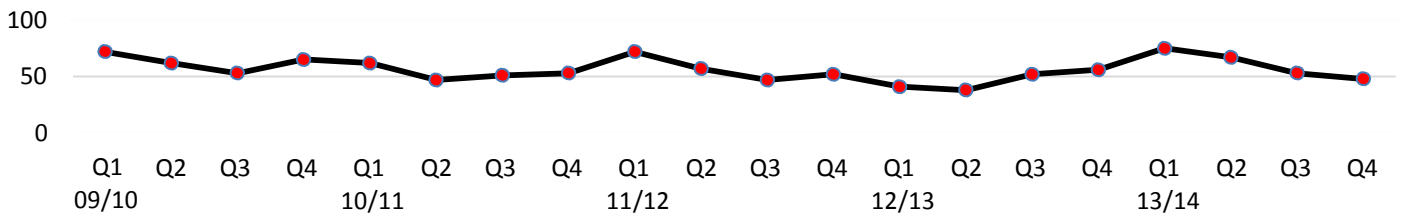
All accidental fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	34	29	24	14	37
May	19	18	25	16	18
June	19	15	23	11	20
July	18	11	22	8	34
August	24	19	13	12	20
September	20	17	22	18	13
October	19	11	13	21	16
November	16	16	14	15	20
December	18	24	20	16	17
January	19	14	17	22	9
February	17	13	19	14	12
March	29	26	16	20	27
Fiscal Yr	252	213	228	187	243



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	252	213	228	187	243

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	72	62	72	41	75
Quarter 2	62	47	57	38	67
Quarter 3	53	51	47	52	53
Quarter 4	65	53	52	56	48

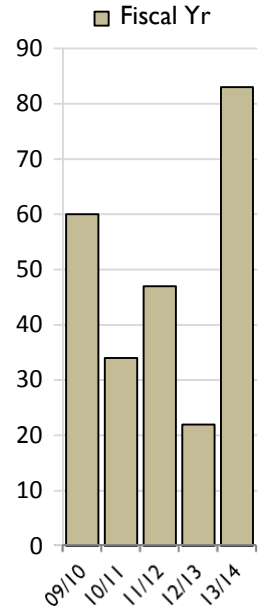


Commentary

The numbers of accidental fires in the last 5 years have been consistent with the exception of 2012/13 which was lower most probably due to the wet weather that year.

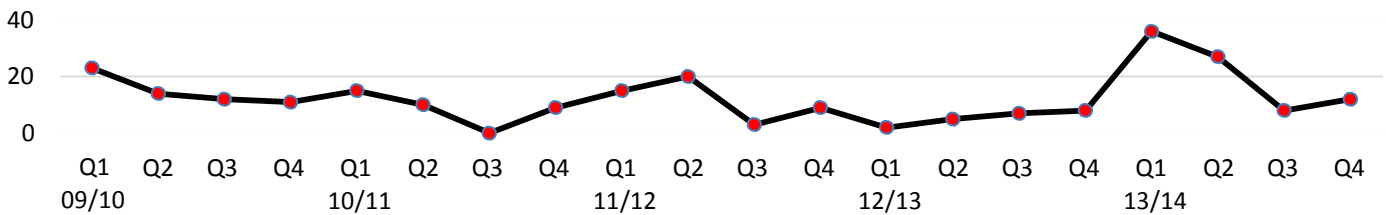
All accidental secondary fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	7	7	6	1	18
May	11	4	4	1	8
June	5	4	5	0	10
July	3	1	13	0	18
August	7	5	4	1	6
September	4	4	3	4	3
October	4	0	1	3	4
November	6	0	2	4	3
December	2	0	0	0	1
January	2	2	0	2	0
February	2	1	4	2	2
March	7	6	5	4	10
Fiscal Yr	60	34	47	22	83



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	60	34	47	22	83

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	23	15	15	2	36
Quarter 2	14	10	20	5	27
Quarter 3	12	0	3	7	8
Quarter 4	11	9	9	8	12

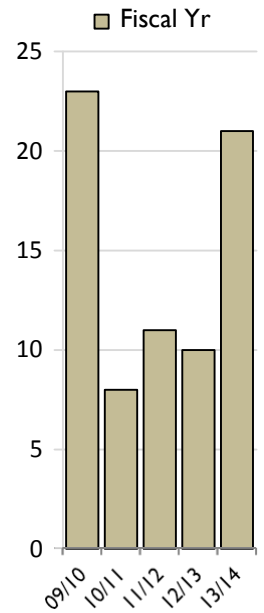


Commentary

Last year has shown the highest number of secondary fires in the previous 5 years. The warm/dry weather in the first quarter is mainly responsible for this increase. We continue to raise awareness of fire safety within the communities.

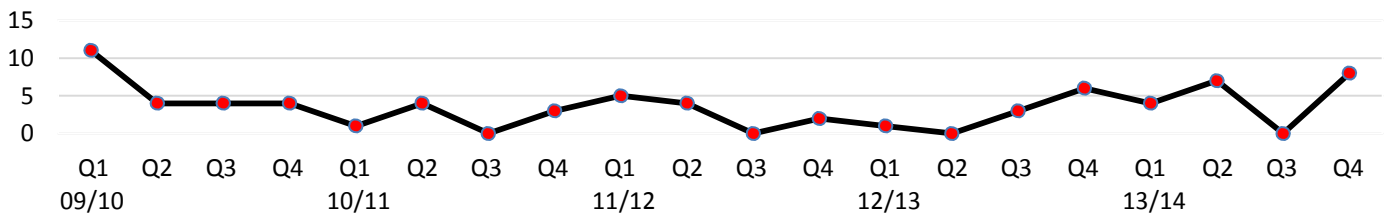
All accidental secondary refuse fires

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	3	0	0	0	2
May	7	1	1	1	2
June	1	0	4	0	0
July	1	0	1	0	5
August	3	2	3	0	1
September	0	2	0	0	1
October	1	0	0	1	1
November	3	0	0	2	1
December	0	0	0	0	0
January	1	0	0	1	0
February	1	1	0	1	2
March	2	2	2	4	6
Fiscal Yr	23	8	11	10	21



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	23	8	11	10	21

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	11	1	5	1	4
Quarter 2	4	4	4	0	7
Quarter 3	4	0	0	3	0
Quarter 4	4	3	2	6	8

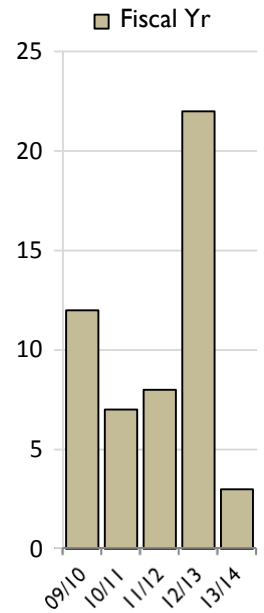


Commentary

There has been an increase in accidental refuse fires in the last year. We will continue to raise awareness of this issue at community safety events.

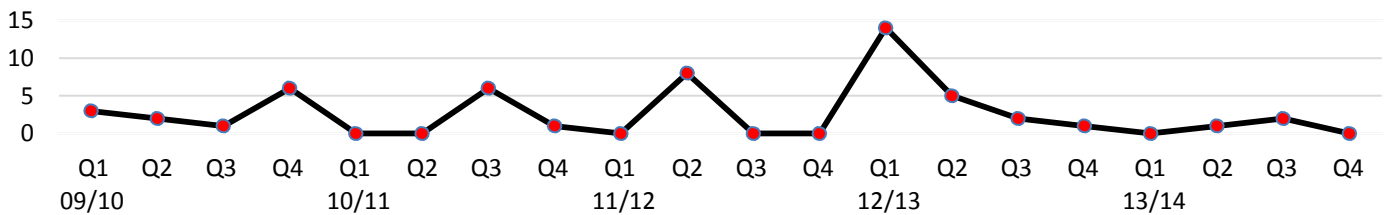
Special Service - Flooding

Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
April	0	0	0	1	0
May	0	0	0	1	0
June	3	0	0	12	0
July	0	0	0	3	1
August	0	0	8	1	0
September	2	0	0	1	0
October	0	1	0	0	0
November	1	0	0	1	1
December	0	5	0	1	1
January	0	1	0	1	0
February	0	0	0	0	0
March	6	0	0	0	0
Fiscal Yr	12	7	8	22	3



Month/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Fiscal Yr	12	7	8	22	3

Qtr/Year	2009/10	2010/11	2011/12	2012/13	2013/14
Quarter 1	3	0	0	14	0
Quarter 2	2	0	8	5	1
Quarter 3	1	6	0	2	2
Quarter 4	6	1	0	1	0



Commentary

Due to the dry weather in last reporting year we have experienced very limited flooding in East Lothian.

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Chief Executive

SUBJECT: 2014/15 Council Improvement Plan

6

1 PURPOSE

- 1.1 To present the 2014/15 Council Improvement Plan to the Council for approval.

2 RECOMMENDATIONS

- 2.1 That Council notes the update report on the 2013/14 Council Improvement Plan (Appendix 2) and agrees the 2014/15 Council Improvement Plan (Appendix 3).

3 BACKGROUND

- 3.1 The diagram in Appendix 1 illustrates the sources used to determine the 2014/15 Council Improvement Plan. The action points in the Plan are primarily drawn from the results of the How Good is Our Council? (HGIOC) self-evaluation carried out by all services and the Corporate Governance self-evaluation (reported to Audit & Governance Committee, 20 May 2014). All of the improvement points raised in the self-evaluations have been reviewed to ascertain which actions should be addressed corporately. The results of the 2014 Employee Engagement Survey have also been taken into account. Improvement points from HGIOC and other sources relating to specific Council services are not contained within the Council Improvement Plan as they are dealt with in Service and Business Plans.
- 3.2 In preparing the 2014/15 account has also been taken of Audit Scotland's Overview of Local Government in Scotland, the auditor's Annual Report to Members and the Shared Risk Assessment prepared by the Local Area Network.
- 3.3 Appendix 2 provides an update on the 2013/14 Council Improvement Plan. All of the 21 action points have either been completed or are due to be completed. The five action points that have not been fully completed have been carried forward into the latest Plan.

- 3.4 In accordance with the principles of Best Value the Council strives to pursue 'continuous improvement' and seeks to deliver services in as effective and efficient way as possible. The recommendations arising from Council's self-evaluations, review and inspection work identified above help to inform the Council's pursuit of 'continuous improvement' through the adoption and implementation of the 2014/15 Council Improvement Plan.
- 3.5 The 2014/15 Plan includes 15 action points, significantly fewer than previous years' plans. The improvement actions which have been carried out over the last three years have addressed the weaknesses that have been identified in previous self-evaluations. This improvement work has contributed to positive feedback received from the most recent Assurance and Improvement Plan 2014-2017 published by the Accounts Commission, which reported: "*The Local Area Network has worked actively and positively with the council to support self-evaluation activities throughout the year. This, along with other improvements in performance, has helped to change the LAN's assessments in 18 areas from last year's AIP from further information required to no scrutiny required.*"
- 3.6 The reports of the Council's auditors (interim Management Report to Audit & Governance Committee, May 2014) and the Local Area Network (Assurance and Improvement Plan 2014-2017, to be reported to Council in June) provide assurance that there are no major concerns about the council's governance arrangements.
- 3.7 Also, it should be noted that the Council recently applied for and was awarded Investor in People accreditation. This is the first time that the whole Council has achieved the IIP standard and is a great achievement for the Council and a great reflection on the work and commitment of its staff. Whilst further development is required in a number of areas the award of IIP status is assurance that the Council is progressing on its journey from improvement to excellence.
- 3.8 Implementation of the Plan will be assured via ongoing internal monitoring of progress on key actions points by the relevant lead officers and Executive Directors. Monitoring reports on progress with implementing the Plan will be made to the Council Management Team and the Audit and Governance Committee.

4 POLICY IMPLICATIONS

- 4.1 One of the four areas of focus of the Council Plan 2012-2017 is *Growing the Capacity of Our Council* which has one specific outcome: *We deliver excellent services as effectively and efficiently as possible*. All the improvement points in the 2014/15 Council Improvement Plan will contribute to growing the capacity of the Council to meet this outcome.
- 4.2 The Council Plan established five core principles that underpin or influence the Plan. The 2014/15 Council Improvement Plan supports four of these principles:
- Services built around people and communities

- Effective, efficient and excellent services
- Working together to achieve outcomes
- Prioritising prevention and promoting equality

4.3 The 2014/15 Council Improvement Plan will assist the Council in demonstrating that it is achieving Best Value. It will provide the necessary focus to improve key areas of the Council at a corporate level, thus aiding delivery of the Council Plan. Moreover, it will support East Lothian Council in its constant striving for continuous improvement, to continue improving the quality and delivery of its services and to meet the Council Plan outcome: ‘*We deliver excellent services as effectively and efficiently as possible.*’

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 – none.

6.2 Personnel – none directly, although certain actions within the Plan are likely to require the commitment of staff resources.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 Corporate Governance Self-Evaluation and Annual Governance Statement 2014; report to Audit & Governance Committee, 20th May 2014

7.2 Appendix 1: Sources of the Content of the Council Improvement Plan

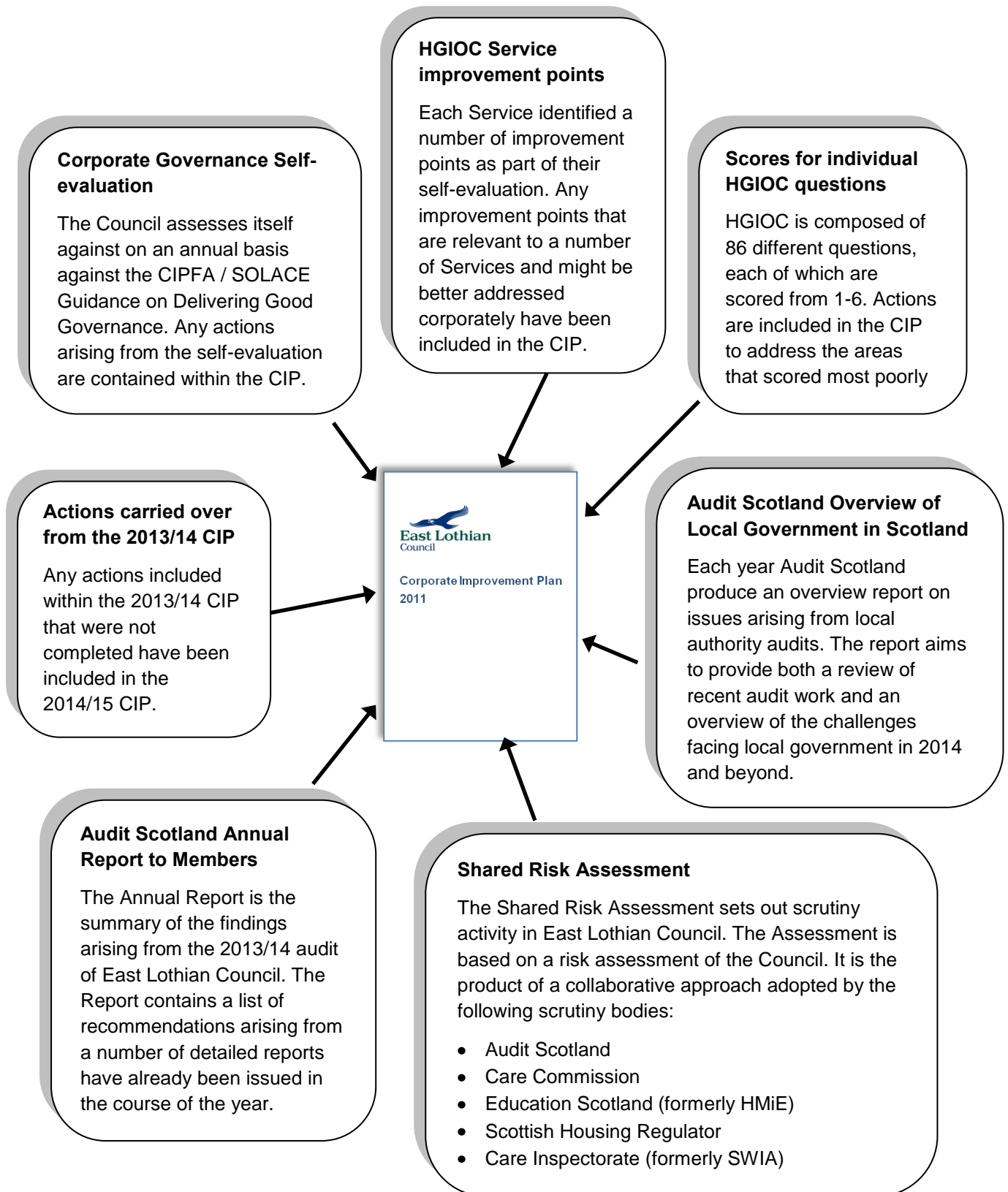
7.3 Appendix 2: 2013/14 Council Improvement Plan Update

7.4 Appendix 3: 2014/15 Council Improvement Plan

AUTHOR'S NAME	Paolo Vestri
DESIGNATION	Service Manager: Corporate Policy & Improvement
CONTACT INFO	pvestri@eastlothian.gov.uk Tel: 01620 827320
DATE	6 th June 2014

Appendix 1: Sources of the Contents of the Council Improvement Plan

Actions contained within the Corporate Improvement Plan have arisen from several different sources.



Appendix 2: 2013/14 Council Improvement Plan: Monitoring Statement (April 2014)

2013/14 Council Improvement Plan

	ACTION	LEAD SERVICE	TIMESCALE	Update (April 2014)
1	Develop toolkit for self-evaluation of strategic partnerships	Communities and Partnerships	Nov 2014	<p>The Toolkit will be based on the Improvement Service Community Planning Partnership self-evaluation toolkit. East Lothian Partnership will undertake a self-evaluation supported by the Improvement Service in autumn 2014</p> <p>The self-evaluation will ensure that the Partnership is aware of its strengths and weaknesses and can identify appropriate improvement actions that will contribute to the delivery of the Single Outcome Agreement</p>
2	Review consultation strategy with view to ensuring that service users' views about quality of services is measured and used effectively	Communities and Partnerships	Completed	<p>Review of consultation strategy led to the decision to establish a Citizens' Panel with two surveys a year and scope for ad hoc surveys. The Panel is being established and the first survey will be conducted in June 2014</p> <p>The Citizens Panel will provide the</p>

				views of a representative sample of residents on quality of life, public services and key issues that will help to monitor outcomes in the Single Outcome Agreement and inform future service priorities
3	Roll out CPD for elected members and continue to support elected member and senior management development	Council Resources/ Communities and Partnerships	Completed	<p>Five elected members have signed up for the CPD and the Council has begun a programme of Elected members' briefings on key issues</p> <p>A management development course leading to a Chartered Institute of Management level 5 qualification is being undertaken by senior managers</p> <p>Evaluation of development training for elected members and senior managers will be carried out to assess the impact of the development opportunities and further improve the Council's management and political leadership</p>
4	Hold training session for elected members on new Standing Orders including session on Members Conduct delivered by the Standards Commission	Council Resources	Completed	A briefing session on the Councillors' Code of Conduct was conducted by the Standards Commission
5	Training for Audit & Governance Co and PPR Co members	Council Resources	Completed	A CIPFA training course on the role of Audit Committee was held and attended by members of the Committee. The course had a positive evaluation from the members present

				<p>and they have put some of the learning into practice at Committee meetings</p> <p>Further consideration should be given to providing scrutiny training for members of the PPR Committee</p>
6	Induction programme for all members of new Community Planning Partnerships, including elected members	Communities and Partnerships	Completed	An induction session was held for all East Lothian Partnership members in June 2013. A handbook on the role of members of the Partnership has been produced
7	Review and revise the Improvement Framework and make more effective use of benchmarking, develop guidance and training on the use of benchmarking, Best Value reviews and options appraisal	Communities and Partnerships	July 2014	<p>The Council is participating in two national benchmarking exercises being run by the Improvement Service. Several desk based exercises have been undertaken to ascertain whether more detailed process based benchmarking of lowest performing Performance Indicators should be carried out</p> <p>A Best Value review of parts of the Adult Wellbeing service has been carried out</p> <p>A template for Best Value Reviews, incorporating options appraisal is being prepared to assist services to undertake Best Value exercises</p> <p>The Assurance and Improvement Plan 2014-2017 has highlighted that the</p>

				Improvement Framework and work around performance management shows that: <i>“There continues to be a very strong commitment from officers and members to improving the work of the council.”</i>
8	Focused work with Local Area Network on an agreed programme of self-evaluation for improvement	Communities and Partnerships	Completed	<p>Local Area Network (LAN) members participated as ‘critical friends’ in the Council’s How Good is Our Council? peer review sessions led by the Chief Executive</p> <p>The Council Management Team has had several meetings with the Local Area Network</p> <p>The Assurance and Improvement Plan 2014-2017 highlights the positive relationship between the Council and the LAN and the positive impact this has had on the Shared Risk Assessment for East Lothian Council: <i>“The LAN has worked actively and positively with the council to support self-evaluation activities throughout the year. This, along with other improvements in performance, has helped to change the LAN’s assessments in 18 areas from last year’s AIP from further information required to no scrutiny required.”</i></p>

9	Implement programme of action to respond to the results of the Employee Engagement Survey	Communities and Partnerships	Completed	See 13 below
10	Review Whistleblowing Policy and publicise to all staff	Internal Audit	Completed	The Whistleblowing Policy has been reviewed and contacts updated following the re-structuring of Council services. The revised policy has been agreed by the Council Management Team and will be publicised to staff
11	Introduce Combined Impact Assessment and process for monitoring the needs of minority and vulnerable groups	Communities and Partnerships	August 2014	<p>The framework and associated guidance for conducting Combined Impact Assessments covering equalities, social, economic and environmental impacts of new policies has been finalised and will be considered by the Council Management Team in June.</p> <p>The use of Combined Impact Assessments (replacing Equality Impact Assessments) will be rolled out along with the new Council Committee Reports template in August 2014</p>
12	Review People Strategy including the how the values from the East Lothian Way are disseminated to staff	Communities and Partnerships	Completed	This has been incorporated in the Workforce Development Plan (see 13 below)
13	Develop Workforce Development Plan (including supporting internal jobs market, management of change, leadership development and succession planning)	Communities and Partnerships	Completed	The Workforce Development Strategy and Plan has been prepared. The strategy and Plan respond to the issues

				<p>raised in the Employee Engagement Survey and include a refresh of the East Lothian Way and staff communications as well as leadership development, managing change and other development issues</p> <p>The Strategy and Plan respond directly to issues raised by the Employee Engagement Survey and the HGIOC self-evaluation. They are based around four workforce related themes that have been identified as being crucial to the facilitation of the Council Plan:</p> <ul style="list-style-type: none"> • Supporting transformational change • Building and sustaining leadership and management capacity • Sustaining a skilled, flexible and motivated workforce • Developing the workforce for the future
14	Review and further develop How Good is Our Council? self-evaluation, including involvement of stakeholders	Communities and Partnerships	Completed	HGIOC has been reviewed and new guidance including around stakeholder involvement has been issued (see 8)
15	Review service planning guidance and develop 3-year service plans	Communities and Partnerships	Completed	Service planning guidance has been reviewed. Development of 3-year service plans has been delayed until 2015 to allow new services created following the Council re-structuring in late 2013 to be embedded

16	Review staff communications	Communities and Partnerships	Completed	Staff communications has been reviewed. A new format for Team Talk and other initiatives to communicate effectively with and engage with and involve staff in the Council's improvement journey will be rolled out
17	Prepare and implement Records Management Plan setting out arrangements for management and retention of records in line with requirements of the Public Records (Scotland) Act 2011	Council Resources	October 2014	The full plan is due to be completed by October 2014 and will then be the basis for a 5 year improvement model on this area of activity across the organisation. This will further link in with the work being undertaken on the Electronic Document and Records Management System and also on compliance with Data Protection & Freedom of Information legislation. Some improvements are being implemented as they are discovered rather than waiting for formal introduction. The whole the process is moving onwards to bring about improvement to the Records Management provision and efficiency across the entire Council.
18	Complete review of Standing Orders and Schemes of Administration and Delegation	Council Resources	Completed	Revised Standing Orders and Schemes of Administration and Delegation were approved by Council in August 2013
19	Develop a methodology for systematically reviewing and updating corporate policies	Council Resources	August 2014	Further work to be undertaken to agree scope of the policies to be included in the review and update schedule

20	Review and further strengthen the Council's financial management process	Council Resources	Completed	<p>In accordance with agreed actions arising from the annual audit process, a number of improvements have now been implemented e.g. introduction of a new Efficiency Progress Rating that supplements the existing Financial Risk Rating</p> <p>The 2012/13 Audit Report had fewer action points than previous audits</p> <p>The unaudited 2013/14 financial outturn shows less reserves being used than planned</p> <p>2014-2017 budget uses less reserves than previous budgets</p>
21	Focused work with the Local Area Network and external auditors as part of an agreed programme of external audit to meet the financial challenges faced by the Council	Council Resources	Completed	<p>The Council's external auditors have completed their audit of the 2012/13 accounts and associated work. The auditors' Annual Report to Members provided positive assurances that the Council is meeting its financial challenges</p> <p>The shared risk assessment in the Assurance and Improvement Plan 2014-17 provides assurance that action is being taken to deal with the financial challenges faced by the Council and that the Council's auditors will review the financial management processes</p>

Appendix 3: 2014/15 Council Improvement Plan

2014/15 Council Improvement Plan

We deliver excellent services as effectively and efficiently as possible

	ACTION	LEAD SERVICE	TIMESCALE	SOURCE
1	Develop toolkit for self-evaluation of strategic partnerships	Communities and Partnerships	November 2014	Corporate Governance Self-evaluation & carried over from 2013/14 Plan
2	Scrutiny training for PPR Co members	Council Resources	The Committee will consider future development needs at its meeting on the 23/09/14	Corporate Governance Self-evaluation & carried over from 2013/14 Plan
3	Review and revise the Improvement Framework and make more effective use of benchmarking, develop guidance and training on the use of benchmarking, Best Value reviews and options appraisal	Communities and Partnerships	July 2014	Corporate Governance Self-evaluation & carried over from 2013/14 Plan
4	Introduce Combined Impact Assessment and process for monitoring the needs of minority and vulnerable groups	Communities and Partnerships	August 2014	Corporate Governance Self-evaluation & carried over from 2013/14 Plan

5	Prepare and implement Records Management Plan setting out arrangements for management and retention of records in line with requirements of the Public Records (Scotland) Act 2011	Council Resources	October 2014	Legislative requirement & carried over from 2013/14 Plan
6	Work with partners to develop and implement the Children's Services inspection Improvement Plan	Children's Wellbeing	March 2015	Corporate Governance Self-evaluation
7	Review and develop elected members' training and briefings including briefing on Capital Investment Strategy and development issues arising from Councillors' responses to a survey based Audit Scotland Overview of Scottish Local Government Councillors' Checklist	Communities and Partnerships / Council Resources	September 2014	Corporate Governance Self-evaluation
8	Implement the action plan based on the Investors in People Improvement Plan and Workforce Development Plan	Communities and Partnerships	March 2015	Investors in People and HGIOC
9	Review and revise the staff communications plan to ensure staff are fully informed of and engaged	Communities and Partnerships	October 2014	HGIOC
10	Implement the Web Development strategy to provide a more responsive and effective Council website that will support more 'self-service' activity by council service users	Communities and Partnerships	March 2015	HGIOC
11	Further develop the Council's service planning process moving towards three-year service planning linked to financial planning based on staff and stakeholder engagement	Communities and Partnerships	November 2014	HGIOC

REPORT TO: East Lothian Council
MEETING DATE: 24 June 2014
BY: Director of Health & Social Care
SUBJECT: Integration of Health and Social Care

7

1 PURPOSE

- 1.1 To update the Council on progress with integration of health and social care.
- 1.2 To seek agreement on a range of issues to enable progress with proposals for integration.

2 RECOMMENDATIONS

Members are asked to:

- 2.1 Note progress on integration of health and social care.
- 2.2 Agree the proposed response on key issues arising from the consultation on draft guidance.
- 2.3 Agree that the Chief Executive (in consultation with the Council Leader and Spokespersons) should have delegated authority to submit a full response from the Council on the guidance by 1 August 2014.
- 2.4 Agree that the Council should, in conjunction with NHS Lothian, approve that the body corporate model should be adopted in East Lothian.
- 2.5 Agree the definition of adult social care functions to be delegated.
- 2.6 Agree the proposed position on integration of Criminal Justice services.
- 2.7 Agree the proposed position on integration of Children's Health and Social Care Services.
- 2.8 Note the position on NHS services that will be delegated.

3 BACKGROUND

- 3.1 In March 2013 the Council approved a report on integration of Health and Social Care proposing the establishment of a Shadow Joint Board with NHS Lothian to oversee the process of integration and the appointment of a Joint Director of Health and Social Care.
- 3.2 Both of these proposals have been implemented.
- 3.3 In March 2014 the Public Bodies (Joint Working) (Scotland) Act was passed by the Scottish Parliament. This requires all Councils and NHS Boards to formally and legally establish integration of health and social care by April 2016 at the latest.
- 3.4 The legalisation allows for two models of integration. The “Body Corporate” and the “Lead Agency”.
- 3.5 The Scottish Government issued the first tranche of draft guidance for consultation on 12 May 2014. This covers:
- Prescribed information to be Included in the Integration Scheme
 - Prescribed Functions that must be delegated by Local Authorities
 - Prescribed functions that must or may be delegated by Health Boards
 - Prescribed national health and wellbeing outcomes
 - Interpretation of what is meant by health and social care professionals
 - Prescribed functions conferred upon a Local Authority officer

The second tranche was issued on 26 May 2014. This covers:

- Prescribed groups which must be consulted on integration schemes, strategic plans and localities.
 - Membership, powers and proceedings of Integration Joint Boards
 - Establishment, membership and proceedings of Integration Joint Monitoring Committees.
 - Prescribed membership of strategic planning groups
 - Prescribed form and content of performance reports.
- 3.6 The deadline for responses to the first consultation is 1 August 2014 and the second consultation is 18 August 2011. These dates are during Council recess. Therefore it is proposed that the Chief Executive should have delegated authority to submit a full response on behalf of the Council in consultation with the Council Leader and Cabinet Spokesperson.

Issues Arising from Set 1 of Guidance

Model

- 3.7 In line with the March 2013 report it is proposed that the Body Corporate model should be the model used for the scheme of integration and that the Council should agree with NHS Lothian that the Scheme of Integration should be based on this model.

Scope of Delegation of Council Functions

- 3.8 In line with the March 2013 report and taking account of the draft guidance it is proposed that Social Work Services for adults and older people (defined as services that relate to persons of at least 18 years old) should be delegated by the Council to the Integration Joint Board in April 2015.

- 3.9 This includes (as set out in the guidance):

- Services and support for adults with physical and learning disabilities
- Mental Health Services
- Drug and Alcohol Services
- Adult Protection and Domestic Abuse
- Carers Support services
- Community Care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Housing support services including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision
- Occupational therapy services
- Re-ablement services, equipment and telecare

- 3.10 The guidance does not specifically mention Home Care. Given the scale of that service and its crucial role in supporting people at home. It is proposed that the Council agrees that directly provided and externally provided home care should be included.

- 3.11 The guidance does not specifically mention Criminal Justice services. Given the importance of these services and since the Scottish

Government consultation document on redesigning these services suggested including them in health and social care partnerships. Through Community Planning Partnerships these services could improve outcomes by building on the links with mental health services, drug and alcohol services, public protection, domestic abuse and women's services. In addition the outcome of the recent national review is that Councils should continue to provide these services. It is proposed that the Council agree that the provision of Criminal Justice social work services should be included.

- 3.12 The guidance does not cover the interface between adult and child protection. In East Lothian a decision has been taken with Midlothian and other Partners to establish a public protection service covering children and adults.
- 3.13 It is recommended that these issues should be included in the Council's response to the consultation.
- 3.14 A number of these functions are currently partially provided by the Adult Wellbeing service and partially provided by other services for example, Health Improvement and Housing Support. There is also overlap with the Children's Wellbeing services as regards public protection and transitions for young people with complex needs. Further work will be undertaken to clarify the detail of what is proposed to delegate to the Integration Joint Board. This will be set out in the Scheme of Integration.
- 3.15 The partnership for adult and older people's services as set out in this paper will be established from April 2015. The delegated NHS functions will include Health Visiting and School Nursing.
- 3.16 The Council and NHS Lothian propose that for the first year Council Children's Wellbeing services will not be included in the partnership in order to allow the partnership to become established. The Council and NHS Lothian will work with the partnership to review progress in the first year and to reach agreement on the details of the future partnership arrangement that will apply for Children's Health and Social Care Services and the statutory functions around Child Protection and GIRFEC.
- 3.17 The benefits of integrating health and social care services could apply equally to Children and Young People and therefore The Council and NHS Lothian intend to include Children's Wellbeing and East Lothian NHS Children's Services in a partnership arrangement subject to the review in 3.20 above. It will be important to take account of the ongoing requirement for strong links with Education services.
- 3.18 In this period accountability for NHS Children's services will be carried by the Integration Joint Board. These services are currently managed across East and Midlothian and an arrangement will be put in place to secure the viability of these services in this period. This will include the option of joint management arrangements.

- 3.19 This will be co-ordinated with Midlothian Health and Social Care Partnership since Midlothian Council has agreed that Children's services will be part of the health and social care partnership within two years.
- 3.20 The East Lothian Community Planning Partnership has agreed to establish a Children's Strategic Partnership to provide strategic leadership for all service for children and young people in East Lothian. All partners have agreed the importance of this and of joint working. This will be required regardless of future organisational arrangements for Council and NHS services.

Scope of Delegation of NHS Functions

- 3.21 NHS Lothian will receive a report on integration of health and social care at its meeting on 25 June.
- 3.22 The NHS functions that must be delegated that are already in East Lothian CHP are:
- District Nursing
 - Health Visiting
 - Community mental health
 - Allied Health professional services
 - General Medical Services
 - GP Prescribing
 - Unplanned inpatients (Roodlands, Edington, Belhaven)
 - Care of Older People (Roodlands, Edington, Belhaven, Herdmanflat)
- 3.23 The guidance does not specifically mention School Nursing Services which are a core part of CHP services. NHS Lothian will include these services in the scope of delegation.
- 3.24 The guidance does not specifically mention General Dentistry, Community Pharmacy or Optometry in the delegated functions list, but the professions are covered in the definition of health professionals. It is proposed to suggest to NHS Lothian that these functions should be delegated.
- 3.25 The NHS functions that must be delegated that are currently hosted by East Lothian CHP for the whole of Lothian are:
- GP Out of Hours services
- 3.26 The NHS functions that must be delegated that are not currently managed by East Lothian CHP are:
- Unplanned inpatients (at hospitals outside East Lothian)
 - Accident and Emergency

- Care of Older People (at hospitals outside East Lothian)
 - Clinical Psychology
 - Community Learning Disabilities
 - Addiction services
 - Women's Health
 - Public Dental Health service
 - Continence service
 - Home dialysis
 - Health promotion
- 3.27 The guidance does not specifically mention Prison Healthcare Services and adult complex care services, both of which are currently hosted by East Lothian CHP.
- 3.28 NHS Lothian will propose that following services be disaggregated and directly delegated to each partnership:
- Adult complex care
 - Learning disabilities
 - Addictions
- 3.29 NHS Lothian will propose that the following services remain managed by one partnership on behalf of all.
- Clinical Psychology – West Lothian
 - Women's Health – Edinburgh
 - Public Dental Health – West Lothian
 - Continence service – Edinburgh
 - NHS equipment service – Edinburgh
 - Home Dialysis – University Hospitals
 - Dietetics – Midlothian
 - Art and Music Therapy – Midlothian
 - Prison Healthcare – East Lothian
 - GP Out of Hours – East Lothian
- 3.30 Concern has been expressed at the implications for the East Lothian Partnership of hosting these services.
- 3.31 Further work is required on hospital services outside East Lothian, which will need to address the complexity of four partnerships all having delegated functions for the same hospitals, but the guidance makes clear that the responsibility for integrated planning for these services will be delegated to the partnership.

Prescribed National Health and Wellbeing Outcomes

- 3.32 The list of prescribed outcomes does not raise any issues.

Interpretation of what is meant by Health and Social Care Professionals

- 3.33 This guidance does not raise any issues.

Prescribed Functions Conferred on a Local Authority Officer

- 3.34 This guidance restricts the specified persons who can carry out functions under the Adult Support and Protection (Scotland) Act 2007 that are delegated to the Integration Joint Board. This does not raise any issues.

Issues Arising from Set 2 of Guidance

Prescribed List of Consultees

- 3.35 The list of prescribed consultees does not raise any issues.

Membership, Powers and Proceedings of Integration Joint Boards

- 3.36 The guidance makes it clear that voting membership of Integration Joint Boards must be either elected councillors or members of NHS Boards in order to assure accountability. This maintains the current Council position on voting membership. It does, however, change the current NHS Board position which includes one voting member who is not a member of the NHS Board. It is proposed that the Council agree its support for this principle as it applies to the Council.
- 3.37 The guidance allows the currently agreed 4 voting members from each of East Lothian Council and NHS Lothian to be retained. It is proposed that the Council agree its support for this arrangement.
- 3.38 The guidance sets out a minimum list of non-voting membership which differs from the current non-voting membership of the Shadow Board in that it includes a staff-side representative and excludes an independent sector representative. It is proposed that non-voting membership is addressed in detail in the Scheme of Integration.
- 3.39 The arrangements for the chair and vice chair of the Integration Joint Board allow the current agreement between the Council and NHS Board to continue.

Prescribed Membership of Strategic Planning Group

- 3.40 The prescribed membership of the Strategic Planning Group does not raise any issues.

Prescribed Content of Performance Reports

- 3.41 The prescribed form and content of performance reports does not raise any issues.

4 POLICY IMPLICATIONS

- 4.1 The Council has already agreed in March 2013 to the integration of Adult Wellbeing services and NHS services.
- 4.2 The paper seeks agreement to the use of the body corporate model for integration.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An equalities impact assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – there are no direct implications of this paper.
- 6.2 Personnel - there are no direct implications of this paper.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 East Lothian Council Cabinet paper September 2012 – Response to the Scottish Government Consultation on Integration of Health and Social Care
- 7.2 East Lothian Council paper March 2013 - Integration of Health and Social Care Update
- 7.3 Public Bodies (Joint Working) (Scotland) Act 2014
- 7.4 Consultation on set 1 of guidance
<http://www.scotland.gov.uk/Publications/2014/05/5284>
- 7.5 Consultation on set 2 of guidance
<http://www.scotland.gov.uk/Publications/2014/05/6659>

AUTHOR'S NAME	David Small
DESIGNATION	Director of Health and Social Care
CONTACT INFO	david.a.small@nhslothian.scot.nhs.uk
DATE	9 th June 2014

REPORT TO: East Lothian Council
MEETING DATE: 24 June 2014
BY: Director of Health & Social Care
SUBJECT: Tranent Care Facility

8

1 PURPOSE

- 1.1 To provide information about the new care facility scheduled to open in Tranent later this year.
- 1.2 To describe the services that will be provided by this important new facility and arrangements for care home provision in Musselburgh and North Berwick.

2 RECOMMENDATIONS

Members are asked to:

- 2.1 Note the update on Tranent Care facility;
- 2.2 Confirm the proposal to retain Eskgreen Care Home in Musselburgh and the Abbey care Home in North Berwick as East Lothian Council managed care homes for the foreseeable future;
- 2.3 Agree that the refresh of the existing Older People's Strategy be carried out as part of the development of the Strategic Plan for the Health and Social Care Partnership.

3 BACKGROUND

- 3.1 The ambition for new build care facilities in Tranent, Musselburgh and Dunbar was a key feature of the East Lothian Older People's Strategy which was agreed by the Council for approval in May 2011.
- 3.2 Council noted at that time that the Strategy supported two new 60-bed care homes in Tranent and Musselburgh as re-provision for Fa'side

Lodge, Greenfield Park and Eskgreen. It was noted that the Abbey in North Berwick would be retained.

- 3.3 The new-build care facility in Tranent has been financed through the Council's capital plan and is due to open in September 2014.
- 3.4 The new building will provide 60 beds. 40 beds will be direct re-provision of care home beds at Fa'side and Greenfield Park Care Homes and 20 beds will provide step down care for East Lothian residents currently delayed in hospital. The financial resources available from Fa'side and Greenfield Park will fund the revenue costs of 40 care home beds and a combination of Change Fund and NHS investment will fund the revenue costs required for the 20 step down beds.
- 3.5 It should be noted that the funding for the 20 beds is non-recurrent and that it will be necessary to secure recurrent funding. Achieving reductions in delayed discharges will be a key indicator of success.
- 3.6 Work is ongoing to open the day centre in January 2014 as a facility to support service users with a high level of support need.
- 3.7 It is proposed that the future of Eskgreen Care Home in Musselburgh and the Abbey Care Home in North Berwick be addressed through the refresh of the Older People's Strategy and the Strategic Plan for the Health and Social Care Partnership and that both homes be retained for the foreseeable future subject to the outcome of the strategic planning process.
- 3.8 A new care home in Musselburgh is referenced in the Council's approved capital plan for 2017/18. Minor refurbishment works have been undertaken at Eskgreen to extend the life of the facility.
- 3.9 The new Tranent care facility has been designed as a high quality, warm and welcoming environment that will meet a diverse range of needs for residents, patients and day services users on an integrated basis. Close working with the Dementia Services Development Centre at the University of Stirling has ensured that the building meets the latest dementia design standards and will be fit to meet the needs of the predicted growth in numbers of people with dementia in East Lothian in the future.
- 3.10 Following recent consultation with local primary schools and care home residents, the six wings of the care home have been named as Fleets, Winton, Howden, Bankton, Tynemount and Seton. An online survey will be open until the end of June to identify a preferred name for the whole facility. The survey can be accessed at:

<https://www.surveymonkey.com/s/8RR77FC>

4 POLICY IMPLICATIONS

- 4.1 The Tranent Care Facility was devised as a key project for the East Lothian Older People's Strategy (approved May 2011).
- 4.2 The requirement for the Older People's Strategy to be refreshed was recognised as a manifesto commitment by the current Administration.
- 4.3 The Integration Joint Board, when formed, will be required by the Public Bodies (Joint Working) (Scotland) Act (2014) to establish a strategic planning group which will develop, consult on and finalise a strategic plan. Work to develop care home services in East Lothian will be part of this strategic planning process.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 An equalities impact assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – the revenue budgets of Fa'side Lodge and Greenfield Park will be brought together to form the revenue budget for Tranent Care Home. The costs associated with the 20 step down beds will be met by NHS Lothian and the change fund including a contribution to the overall management costs of the facility.
- 6.2 Personnel - a joint service review report is being prepared which identifies the staffing need of the new care facility with reference to social care and facilities management staff.
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Report by Executive Director of Community Services to East Lothian Council, 'Older People's Strategy', 17 May 2011
http://www.eastlothian.gov.uk/meetings/meeting/1577/east_lothian_council

AUTHOR'S NAME	Margaret O'Connor
DESIGNATION	Service Manager, Adult Wellbeing Resources
CONTACT INFO	moconnor@eastlothian.gov.uk
DATE	11 June 2014

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Partnership and Community Services)

9

SUBJECT: Response to the Scottish Government's Consultation on Proposals for Redesigning the Community Justice System

1 PURPOSE

- 1.1 The Scottish Government has stated that as part of the redesign of the Community Justice System, criminal justice services should remain in local authority control with emphasis on building local partnerships. Questions regarding the impact of the proposed changes to the community justice system were identified by the Scottish Government and have formed the basis of this consultation paper. This response document details the view of East Lothian Council.
- 1.2 To inform Members of this consultation process and attach the proposed response report from East Lothian Council. This report will be submitted to the Scottish Government for the end of the consultation process – 2 July 2014.

2 RECOMMENDATIONS

That Council accept the contents of this report and agree its submission to Scottish Government by 2 July 2014.

3 BACKGROUND

- 3.1 The Scottish Government's agenda on the redesign of Community Justice has been driven by a number of critical audit reports and a recommendation by the Commission on Women Offenders for a single centralised service for criminal justice.
- 3.2 The Scottish Government began a consultation on the redesign of Community Justice in 2012. The first response document was submitted in April 2013 which recommended that East Lothian Council supported

the local authority model whereby local authorities would assume responsibility for the strategic planning, design and delivery of offender services in the community.

- 3.3 In December 2013, the Scottish Government published its response and advised that the 8 Community Justice Authorities would cease their role in 2016/17, with community justice moving towards a local model with a national body (the Community Justice Improvement Scotland: CJIS) overseeing matters. Community Planning Partnerships would be central to the strategic planning and delivery of services. A further consultation would take place to comment on and contribute to, the development of this new model. This consultation lasts until 2 July 2014.

4 POLICY IMPLICATIONS

- 4.1 The Scottish Government’s consultation paper poses 15 questions.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 Question 14 in the consultation paper specifically relates to this.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – Commented on in the consultation paper
 6.2 Personnel - As above
 6.3 Other – As above

7 BACKGROUND PAPERS

- 7.1 Consultation document attached.

AUTHOR’S NAME	Fiona Duncan
DESIGNATION	Service Manager (Criminal Justice)
CONTACT INFO	(01620) 827897 fduncan@eastlothian.gov.uk
DATE	12 th June 2014



The Future Model of Community Justice in Scotland

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

East Lothian Council

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Leitch

Forename

Angela

2. Postal Address

John Muir House

Brewery Park

Haddington

East Lothian

EH41 3DX

Phone (01620) 827827

Email

3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

Yes No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate

Yes No

Yes, make my response,
name and address all
available

or

Yes, make my response
available, but not my name
and address

or

Yes, make my response
and name available, but
not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

CONSULTATION QUESTIONS**Chapter 2**

Question 1: Do you have any general comments on the overview of the new arrangements for community justice?

The local model with local accountability is positive as this is what we want to build on and enhance. Developing partnerships will enable us to address local need as the individuals requiring help, often have multiple and complex needs which require multi-agency input.

Criminal Justice has developed nationally over the past 20 years or so (ie National Standards; national programmes for sex offenders; national templates; etc). Whilst there remains a need for national direction and governance to provide consistency across Scotland, there is also the need for autonomy within local authorities and community partnerships. Finding the correct balance within this is crucial to the future success of criminal justice and community justice.

There remain questions as to whether the new arrangements, as currently stated, have the correct balance and mix required.

Chapter 3

Question 2: What are your views on the governance and accountability arrangements?

Reducing re-offending is a complex issue. As such, members of the national board will need to have the correct balance of knowledge and experience. Making membership to the board for a time limited period (ie.3 years), may help maintain drive, commitment and focus.

There is slight confusion as to the type and number of documents that could arise from this - CJ annual reports, CPP plans, CPP annual reports, etc. Whilst there needs to be governance and accountability, the Scottish Government needs to ensure that this is done in an agreed and informed way rather than duplication and possible confusion.

The creation of another national body, and the subsequent inspection/auditing powers that goes with it appears to be against the spirit and practice of the Crerar Report (2007) which stressed the importance of reducing the burden of inspection and audit to leave a simpler and less cluttered landscape.

National commissioned services can be restrictive. For example, the current mentoring process does not offer enough flexibility to local authorities. As a result, those who could benefit from this service are not being able to access it in an effective way as the nationally identified target group is not appropriate for East Lothian clients. This is frustrating as the resource could be hugely beneficial if we had the room to adapt the service to meet local needs.

Chapter 4

Question 3: What are your views on the arrangements for local strategic planning and delivery of services for community justice?

Local services already exist. However, we do need to build on these as working relationships can vary enormously.

The new arrangements would add another layer onto SOAs and Community Planning. Again, this has the danger of complicating the delivery on and reporting to, of outcomes. What should be locally determined outcomes and indicators, would under this arrangement, also have the added layer of reporting on national outcomes and indicators.

The paper raises the issue of MAPPA. Currently aligned with CJAs, this process is highly effective in ensuring multi agency risk assessments and monitoring are in place. As CJAs are to be removed under the new model, significant thought and work needs to be done in this area so that the effectiveness of this process is not lost.

Chapter 5

Question 4: What suggestions do you have on how a national performance framework for community justice in Scotland could operate under the new model?

Measuring outcomes is vital. Having a nationally agreed criteria framework should be encouraged as there currently exist different recording and measuring criteria depending on who is requesting information. This is confusing and time consuming. Consideration may need to be given to IT and computer programming as this is very under resourced by national government. What is available within local authorities may not be appropriate or able to meet the needs of what the Scottish Government is requesting.

Consideration also needs to be given to the supervision and monitoring of high risk offenders. Whilst the aim will always be to reduce re-offending, there will also be a group of clients who require multi-agency monitoring and supervision aimed at restricting their behaviour, managing their risk, and working to protect victims.

Chapter 6

Question 5: What are your views on the functions to be delivered by Community Justice Improvement Scotland?

The CJIS, as a national body driving forward the CJ agenda, is positive. However, it is questionable whether the CJIS can be the 'voice' of CJ due to the potential divergent membership of the Board.

What requires more clarity is whether the functions of the CJIS are to support, inform and advise, or whether, it will have more formal powers to influence. Until this is specified, it is difficult to comment further regarding this.

Question 6: Does the name “Community Justice Improvement Scotland” adequately reflect the responsibilities of the new national body and the functions?

Using ‘improvement’ in the title is confusing. Keeping it simple and to the point – eg. Community Justice Scotland – would help provide clarity.

Chapter 7

Question 7: Are the skills and competencies in paragraph 105 and referenced in paragraph 106 sufficient to allow the body to fulfil its functions as noted in Chapter 6?

The balance of skills and competencies is essential, as is the need to support and advise rather than simply instruct.

Question 8: Is the organisational structure shown at Figure 3 and the expected size of the staffing complement sufficient to allow Community Justice Improvement Scotland to fulfil its functions as noted in Chapter 6?

Whilst we are working towards ‘de-cluttering’ the landscape, this appears to be doing the opposite. The senior managers to staff ration appears to be quite hierarchical and potentially inflexible.

Question 9: What other suggestions do you have for the organisational structure for Community Justice Improvement Scotland to allow it to fulfil its functions as noted in chapter 6?

No comment

Question 10: What are your views on the proposed location for the headquarters of Community Justice Improvement Scotland?

No comment

Chapter 8

Question 11: Are the professional areas noted in the list at paragraph 114 appropriate to allow the Board of Community Justice Improvement Scotland to fulfil its functions?

Again, the correct balance of experience, knowledge and skills is crucial.

Chapter 9

Question 12: What are your views on the arrangements for the national Hub for innovation, learning and development?

This has the potential to duplicate what already exists. It would make sense to improve funding streams to things that already exist (ie the CJ SW Development Centre) rather than create something new only to do the same thing.

The Training and Development Officers attached to CJAs have provided excellent training programmes for staff. This is something that needs to be continued.

Access to national training is an issue for new staff, particularly newly qualified CJ social workers. If they cannot access training for our risk assessment tool (Iscomi) they cannot carry a caseload. A national Hub may be better placed to co-ordinate this type of training rather than on a local level.

Chapter 10

Question 13: What are your views on the arrangements in support of the transition process?

There is a significant time gap between this consultation and the actual changes taking place. The need for good communication with clear timescales is paramount. There is also the possibility that areas will establish different working arrangements – eg. local authorities are discussing whether criminal justice should join the H+SC Partnership now or later – this is on a local basis, not nationally. Possible confusion in relation to this therefore exists.

How criminal justice will be funded remains unclear. The concern is that if ring-fenced funding is removed, priorities may not be met. Further, funding for the collation of data; research findings; and recording processes for outcomes continue to be under-financed. As some of this is currently done by the CJA, the onus for collecting this information in the future would appear to lie within the local authority. This cost needs to be highlighted.

Chapter 12

Question 14: What impact on equalities do you think the proposals outlined in this paper may have on different sectors of the population?

By focussing on local need and designing services to address these, there should be a positive impact on equalities in the community. However, there needs to be improved working relationships between agencies and partners so that we move away from working in 'silos' to more effective working and targeting of resources to needs.

Chapter 13

Question 15: What are your views regarding the impact that the proposals in this paper may have on the important contribution to be made by businesses and the third sector?

There appears to be a potential difficulty here in relation to the third sector and CPPs between what is required and what would be imposed. There are suggestions that legal changes may be introduced so that the third sector must be involved in the delivery of community justice rather than when necessary/appropriate.

As employment is a major factor in helping to reduce re-offending, encouraging private businesses to build some links with agencies working with offenders would make good sense. There may be an opportunity to do this.

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Waste Strategy

10

1 PURPOSE

- 1.1 To provide Council with a proposal for the provision of waste services in recognition of the additional statutory obligations that must be met.

2 RECOMMENDATIONS

- 2.1 That Council approves the changes to the provision of Waste Services outlined in this report.

3 BACKGROUND

- 3.1 East Lothian Council has a statutory obligation to provide services for the collection and management of waste and recycling. Changes to how the Council collects and manages this waste are needed in order to comply with the Waste (Scotland) Regulations 2012.
- 3.2 The Waste Services business unit is responsible for the daily delivery of these services and ensuring the Council meets national targets and policy objectives. A reduction in budget coupled with a projected growth in population and a demand for new and extended services, presents the unit with a considerable challenge to provide all the services required as cost effectively as possible while still progressing towards meeting national targets.
- 3.3 The impact of failing to comply with the legislation is not clear but could be significant. Failure to meet targets could potentially lead to financial penalties, although the exact levels have yet to be published.

- 3.4 Although positive discussions have taken place with the Scottish Government via Zero Waste Scotland they have indicated that grant support to local authorities to help contribute towards the delivery of food waste collection services and strategy development has been exhausted. They have stated, however, that should Council approve the strategy we should contact them to discuss financial support related to project management, advertising and public engagement. For the purpose of this report the costs for these have been allocated into Council revenue expenditure.
- 3.5 Considerable modelling work has been undertaken to determine the feasibility of proposed changes and the strategy below is presented as a balance between retaining a high service level for our customers, whilst taking into consideration, the environmental, financial, legal and service parameters that exist.
- 3.6 Providing the following services from a proposed implementation on 1 April 2015 will enable the Council to work towards national targets whilst fulfilling our statutory obligations.
- Move to a fortnightly refuse collection
 - Introduce a weekly food waste collection to all households
 - Retain the fortnightly garden waste collection and expand it to cover all households
 - Retain a fortnightly multi-material recycling collection box collection service (to be reviewed in 2017 at the contract maturation point).
 - Introduce a dedicated trade waste service
 - Alter the Bulky Uplift Service categories to exclude black bags and mixed domestic waste as this is accommodated in the kerbside collection strategy.
- 3.7 Whilst every effort has been made to model accurately and all figures have been independently audited by Finance with an overview from Zero Waste Scotland and WRAP, the predicted revenue costs, levels of landfill diversion and increased recycling are dependent upon uptake, presentation and quality of material which are to a large extent out with our control.

4 POLICY IMPLICATIONS

- 4.1 None

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 – This scenario will require an additional £118,000 per annum in revenue. It will also require a one off capital cost of £304,000 from 14/15 capital resources with consideration of any potential carry forward from 13/14 (see Appendix 1).
- 6.2 Personnel - Skills, knowledge and experience are available in-house to implement the new waste collection strategy and we will seek to utilise support available from Zero Waste Scotland in the form of project management and communications staff to assist in the implementation process.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Thomas Reid
DESIGNATION	Waste Services Manager
CONTACT INFO	01620 827391
DATE	29 th May, 2014

WASTE STRATEGY OPTION COST ANALYSIS - 2015/16

Service	Proposed		Notes	System	Revenue	Capital	Comments	Risk
	System	Frequency			Cost/Saving	Cost/Saving		
Refuse Collection	Bins	Fortnightly		Bins			£0 11 frontline routes to 7. Spare utilised for trade and garden	County Expansion
Disposal		Annual					<i>Landfill Savings</i>	
		Loss from Residual	Down by 1000t per annum		£117K		£0 £117 landfill tax + gate fee & haulage.	Speculative
		Through restricted collections						
	Boxes	Loss through Kerbside	500t additional capture		£59K		Anticipating 8 % increase in participation.	
	Food		2925t capture (45,000)		£342K		Based upon 1.25kg per household per week	
	Garden		1524t capture		£178K		Roll out to all properties	
Garden Waste	Bins	Fortnightly (all properties)	Capture up by 1524t per annum	Bins	£40K	£80K	1 additional route added 4000 properties from refuse - essential	County Expansion Demand increase
		£26.00 per tonne contract charge						
Kerbside Recycling	Boxes	Fortnightly (No change)	Capture up by 500t per annum	Boxes		£73K	12,000 extra box sets required @ £6.07 inc covers Unlikely to exceed due to fortnightly boxes	
		£85.00 per tonne contract charge			£43K			
Food Waste		Weekly all households	Capture of 2925t	Caddies	£777K	£250K +£50K	45000 Purchase and delivery costs	
		£72 p tonne disposal & haulage		Liners		£1K	4 months supply to each household delivered with the caddies.	
Trade	Bins	Separate collections		Bins		£0	£0 2 vehicles from spare refuse Potential income from recycle?	Loss of customers to private enterprise
		Two pass, 1 for waste, 1 for recycling						
		Trade Food utilise Growing Forth options				£0	£0 stating intent to commence once funding is provided.	

Solution	Revenue Cost	CAPEX	Savings	Expenditure
Fortnightly Refuse + Fortnightly Garden + Fortnightly Boxes + Weekly Food (All)	£164K	£454K	£117K +£59K + £342K+£178 = £696K	£40K+£777K +£43K= £860K
Carry Forward		£150K		
Additional Budget Provided for 15/16 by the Administration March 14 to cover ZW Strategy Requirements	£150K			
Additional Revenue Requirement (One Off)				
Project Management Costs	Potential Partner	Revenue Cost		
Advertising & Public Engagement	ZWS	£35K		
	ZWS	£69K		
			£1.50 per property	
Additional Budget Requirement for 2015/16	£118K	£304K		

REPORT TO: East Lothian Council
MEETING DATE: 24 June 2014
BY: Depute Chief Executive (Resources & People Services)
SUBJECT: Whistleblowing Policy

11

1 PURPOSE

- 1.1 The purpose of the report is to inform Council of the updated Whistleblowing Policy.

2 RECOMMENDATION

- 2.1 Council is asked to approve the updated Whistleblowing Policy.

3 BACKGROUND

- 3.1 The Council has in place a Whistleblowing Policy. The Policy is designed to provide guidance to employees on reporting incidents of malpractice or wrongdoing which occur at work. The Policy gives clear instructions on how matters can be dealt with thoroughly, discreetly and in a confidential way.
- 3.2 The Council's Whistleblowing Policy was initially approved by Cabinet in December 2004 and was subsequently updated in 2009 and 2012.
- 3.3 The Policy has recently been updated to reflect:
- the provisions of the Enterprise and Regulatory Reform Act 2013;
 - changes to the nominated Whistleblowing contact officers.
- 3.4 The updated Whistleblowing Policy is attached as Appendix A.

4 POLICY IMPLICATIONS

4.1 None

5 EQUALITIES IMPACT ASSESSMENT

5.1 This report is not applicable to the well being of equalities groups and Equality 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 Cabinet Report, 14 December 2004 – Council Policy on Whistleblowing

AUTHOR'S NAME	Mala Garden
DESIGNATION	Internal Audit Manager
CONTACT INFO	01620 827326
DATE	12 June 2014

WHISTLEBLOWING POLICY

(Disclosure of Serious Concerns in the Workplace)

This policy applies to all employee groups

SECTION

- 1 INTRODUCTION**
- 2 SCOPE OF THE POLICY**
- 3 POLICY COMMITMENT**
- 4 RAISING A CONCERN**
- 5 RESPONSIBILITIES OF THE PERSON WITH WHOM
YOU RAISE YOUR CONCERN**
- 6 INDEPENDENT ADVICE**
- 7 HANDLING YOUR CONCERN**
- 8 THE OUTCOME OF YOUR CONCERN**
- 9 MONITORING THIS POLICY**

Appendices:

Appendix 1 Whistleblowing Contact Officers

Appendix 2 Council-Wide Contact Officers

Appendix 3 External Contacts

Appendix 4 Trade Union Contact Details

Appendix 5 Whistleblowing Record Form

Appendix 6 Summary: Procedure for Handling Your Concern

*Updated May 2009
Updated June 2012
Updated June 2014*

Whistleblowing Policy

**December
2004**

WHISTLEBLOWING POLICY - DISCLOSURE OF SERIOUS CONCERNS IN THE WORKPLACE

1 INTRODUCTION

- 1.1 This Policy is designed to provide guidance to employees on reporting incidents of malpractice or wrongdoing, which occur at work. It gives clear instructions on how matters can be dealt with thoroughly, discreetly and in a confidential way.
- 1.2 At one time or another you may have had concerns about certain incidents, which have occurred at work. Usually these concerns can be easily resolved. However, when they relate to unlawful conduct, financial malpractice, health and safety issues or dangers to the environment, it can be difficult to know what to do.
- 1.3 The Council, with the support of the Trade Unions, has introduced this Policy to enable you to raise your concerns as soon as you have a suspicion of any malpractice or wrongdoing. The disclosure should be made in the public interest, which includes a risk to the wider public, customers, staff or the organisation itself.
- 1.4 This Policy applies to all employees of the Council and to all workers engaged in the business of the Council e.g. consultants and sub-contractors.
- 1.5 This Policy does not deal with individual employee grievances; a separate Procedure exists for this purpose.

2 SCOPE OF THE POLICY

- 2.1 This Policy covers the following categories of malpractice or potential malpractice:
 - a) A criminal offence;
 - b) A failure to comply with any legal obligation;
 - c) A miscarriage of justice;
 - d) A danger to the health and safety of any individual;
 - e) Damage to the environment; or,
 - f) The deliberate concealment of information indicating any of the above matters.

2.2 Examples of malpractice which should be reported might include:

- Theft of Council property
- Misappropriation of Council Funds
- Release of illegal substances into the water system
- Delivery of services when not registered to do so
- Breach of Health and Safety Regulations
- Concealment of fraudulent conduct

3 POLICY COMMITMENT

Your Security

3.1 East Lothian Council is committed to good practice and high standards and wants to be supportive of employees who raise a genuine concern. The Council recognise that the decision to raise a concern can be a difficult one to make and will protect an employee who raises a genuine concern if:

- they honestly and reasonably believe that what they are reporting is true; and
- they believe that their disclosure is in the public interest.

3.2 The Council will not tolerate harassment or victimisation and will take appropriate action to protect an employee who raises a concern in the public interest. The Council will consider it a disciplinary matter if any employee causes detriment to a Whistleblowing colleague.

Keeping Your Confidence

3.3 We recognise that you may want to raise a concern in confidence under this Policy. All concerns raised in accordance with this Policy will be treated with the utmost sensitivity and will be kept confidential unless there is an overriding reason why the identity of the employee(s) raising the concern should be disclosed (for instance if the evidence is needed in court or at a disciplinary hearing). In such circumstances, we may be unable to resolve the concern without revealing your identity. If it becomes necessary to reveal your identity the reasons for doing so will be fully discussed with you in advance.

3.4 To assist in the effective investigation of concerns this Policy strongly encourages individuals to reveal their identity when reporting a concern. Protection can only be given under this policy to someone who discloses their identity to the contact officer when reporting their concern.

However, where an anonymous report is received about an alleged malpractice or wrongdoing this also will be acted upon.

4 RAISING A CONCERN

4.1 There are a number of routes available to raise any concern you may have (either in person, in writing or by telephone):

Route 1: If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager or team leader. This may be done verbally or in writing.

Route 2: You can call the Council's dedicated Whistleblowing hotline **01620 827878** or email whistleblowing@eastlothian.gov.uk

Route 3: You can raise your concern with any of the nominated Whistleblowing contact officers from within your service area. Contact details of these individuals are attached as Appendix 1.

Route 4: If you prefer not to raise your concern within your service area, you can raise your concern with any of the nominated Whistleblowing contact officers from other service areas or with any of the Council-wide contact officers. Details of Council-wide contact officers are attached as Appendix 2.

Route 5: If you are unable to make a disclosure using routes 1, 2, 3 or 4 and prefer not to raise your concern internally, you can raise it with an appropriate External Agency such as the Health and Safety Executive, the Scottish Environmental Protection Agency or Audit Scotland. A list of useful contact details is attached as Appendix 3.

(Please note: The statutory provisions providing protection to individuals reporting a concern to external agencies are effective only if certain conditions are satisfied). Confidential advice about external agencies and the circumstances in which you should contact them, is available from Public Concern at Work (see below, under Section 6 - Independent Advice).

5 RESPONSIBILITIES OF THE PERSON WITH WHOM YOU RAISE YOUR CONCERN

5.1 Whichever route you choose, the person with whom you raise your concern has the responsibility to:

- consider if your disclosure is being made in the public interest,
- consider the details of your concern and confirm that it falls within the scope of this Policy,

- formally record your concern and consider how best to deal with it (a Record Form is attached as Appendix 5),
- review the details of your concern and determine how to progress it,
- tell you how your concern will be dealt with and keep you up to date with progress.

6 INDEPENDENT ADVICE

- 6.1 You may wish to talk to someone confidentially **before** you raise your concern. Independent, free and confidential advice is available to you from Public Concern at Work (Tel: **0207 404 6609** or email: help@pcaw.org.uk).
- 6.2 Public Concern at Work are an independent charity providing advice on what to do if you have a serious concern about possible malpractice at work. They will be able to advise you on the appropriate route to follow to raise your concern and on the circumstances in which you may be able to raise your concern with an external agency.
- 6.3 If you are a member of a Trade Union, you may also contact your Trade Union representative. Contact details for local Trade Unions are attached as Appendix 4.
- 6.4 Free independent advice is also available from the Acas helpline on **0300 123 1100**.

7 HANDLING YOUR CONCERN

- 7.1 Once you have informed a contact officer of your concern, the officer (or external agency) will assess what action should be taken. This may involve an internal investigation. You will be told who is handling the matter, how you can contact them and whether you may be needed to give any further assistance. If you wish, we will write to you summarising your concern and setting out how we propose to handle it.
- 7.2 When you raise your concern, you may be asked how you think the matter might best be resolved. If you have any personal interest in the matter, you must tell us at the outset.
- 7.3 A summary of the procedure to be followed in handling your concern is attached as Appendix 6.

8 THE OUTCOME OF YOUR CONCERN

- 8.1 You will be given feedback on the outcome of any investigation. If you wish, we will provide this feedback in writing. However we may not be able to tell you the precise action taken where this would infringe the duty of confidence owed by us.
- 8.2 If following investigation, it is established that an employee raising a concern, did not do so in good faith, but instead knowingly made a false and malicious allegation, then this will be regarded as potential misconduct, which may warrant disciplinary action.

9 MONITORING THIS POLICY

- 9.1 A summary of concerns raised under this Policy and the outcomes arising from these concerns will be reported to the Audit and Governance Committee on an annual basis. No individuals will be named in this report.
- 9.2 The Head of Council Resources, Service Manager – Legal and Procurement and Internal Audit Manager will undertake an overview of the operation of this Policy. To assist in this, anyone raising a concern under the scope of this Policy may contact any of these three officers to give feedback of their experiences of using the Policy, including suggestions for improvements.

East Lothian Council

December 2004

Whistleblowing Contact Officers

Resources and People Services

Sharon Saunders, Head of Children's Wellbeing
ssaunders@eastlothian.gov.uk
01620 827632

Richard Parker, Service Manager – Education (Strategy & Operations)
rparker@eastlothian.gov.uk
01620 827494

Raymy Boyle, GIRFEC Service Manager
rboyle@eastlothian.gov.uk
01875 824335

Richard Campbell, Service Improvement Officer
rcampbell@eastlothian.gov.uk
01620 826650

Kenny Christie, Service Manager – Revenues
kchristie@eastlothian.gov.uk
01620 827431

Alan Cruickshank, Service Manager – IT Infrastructure
acruickshank@eastlothian.gov.uk
01620 827220

Partnerships and Community Services

Tom Shearer, Head of Communities and Partnerships
tshearer@eastlothian.gov.uk
01620 827560

Paul Iannetta, Service Manager – Engineering Services & Building Standards
pianetta@eastlothian.gov.uk
01620 827241

Tony McAuley, Service Manager – Trading Standards
tmcauley@eastlothian.gov.uk
01620 827919

Joyce Marlow, Service Manager – Facilities
jmarlow@eastlothian.gov.uk
01620 827820

East Lothian Health and Social Care Partnership

Fiona Duncan, Service Manager – Criminal Justice
fduncan@eastlothian.gov.uk
01620 827897

Margaret O'Connor, Service Manager – Resources
moconnor@eastlothian.gov.uk
01620 827576

Linda Young, Service Manager – Operations
lyoung@eastlothian.gov.uk
01620 827969

Council-Wide Contact Officers

Morag Ferguson, Service Manager – Legal and Procurement
mferguson@eastlothian.gov.uk
01620 827770

Jim Lamond, Head of Council Resources
jlamond@eastlothian.gov.uk
01620 827278

Mala Garden, Internal Audit Manager
mgarden@eastlothian.gov.uk
01620 827326

External Contacts

Health and Safety Executive (HSE)

Belford House
59 Belford Road
Edinburgh
EH4 3UE

Tel: 0131 247 2000 Information line: 0870 145 5500

Fax: 0131 247 2121

Website: www.hse.gov.uk

Scottish Environmental Protection Agency (SEPA)

Clearwater House
Heriot Watt Research Park
Avenue North
Riccarton
Edinburgh
EH14 4AP

Tel: 0131 449 7296

Fax: 0131 449 7277

Website: www.sepa.org.uk

Audit Scotland

110 George Street
Edinburgh
EH2 4LH

Tel: 0131 477 1234

Fax: 0131 477 4567

Website: www.audit-scotland.gov.uk

Email: info@audit-scotland.gov.uk

Trade Union Contact Details

UNISON

John Nisbet
Branch Secretary
East Lothian Branch
Block B, Brewery Park
Haddington
EH41 3HA
Tel : 01620 827345
Jnisbet.unison@eastlothian.gov.uk

EIS

Gael Gillan
Secretary
Block B, Brewery Park
Haddington
EH41 3HA
Tel: 01620 829010
eastlothian@eis.org.uk

GMB

Dominic Allen
Organising Officer
2/4 Glebe Street
Falkirk
FK1 1HU
Tel: 01324 670676

UCATT

Graham Turnbull
Full-Time Officer
53 Morrison Street
Glasgow
G5 8LB
Tel: 0141 420 2880

UNITE

Please contact your local representative

Whistleblowing Record Form

Section 1: To be completed by the Contact Officer on receipt of Concern

INITIAL CONTACT:

Contact Officer:

Name:

Tel No:

Date of 1st Contact:

Concern Raised by:

Name:

Tel No:

Post:

Business Unit:

Method of 1st Contact:

Brief Details of Concern:

Course of Action:

Section 2: To be completed by the Contact Officer and Concerned Individual

CONFIDENTIAL DISCUSSION MEETING:

Present:

Date:

Summary of Concern Raised:

Individual's Suggestions for Handling Concern:

Course of Action:

In Confidence (Permission to Disclose Name): Yes / No

Signed:

Concerned Individual:

Contact Officer:

Date:

Section 3: To be completed by Contact Officer

STEPS TO BE TAKEN TO INVESTIGATE CONCERN:

Section 4: To be completed by Contact Officer

OUTCOME OF CONCERN RAISED:

Section 5: To be completed by Contact Officer

RECORD OF FEEDBACK TO CONCERNED INDIVIDUAL:

Signed

Contact Officer:

Date:

SUMMARY

Procedure for Handling Your Concern

You: Identify Your Concern and gather together any evidence you may have uncovered.

You: Obtain a copy of the Whistleblowing Policy (available from ELNet, your Line Manager, your Trade Union or from Human Resources).

You: May take independent advice on How to Handle Your Concern.

You: Raise Your Concern: 1st Contact With Internal/External Contact Officer.

Contact Officer: Listens to your Concern, identifies that it falls within the Scope of the Policy, makes a written record of your 1st Contact, agrees a time to meet with you privately and in confidence to discuss in greater depth.

Contact Officer and You:

Meet and discuss in detail the substance of your Concern. You provide any evidence you may have uncovered. Agree if there is any requirement to give further evidence. Jointly, complete the Record Form. Contact Officer provides you with details of how to make further contact.

Contact Officer: Considers the details you have provided. Identifies how best to investigate your Concern. Identifies whom to pass details for investigation. Advises you of this step and of any role you may play in the investigation.

Investigation Officer:

Investigates the Concerns raised, considers any evidence provided, conducts the investigation to the standard adopted in internal disciplinary processes e.g. signed statements etc.

Contact Officer: Receives details of the outcome of the investigation. Considers these and provides you with feedback on the outcome of the investigation. Potential outcomes may include:

Changes to Policy and Practice
Improved Management Practices
Disciplinary Processes
Audit Investigation
Police Enquiry etc.

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Partnerships and Community Services)

12

SUBJECT: Road Traffic Regulation Act, 1984 Proposed Experimental Traffic Regulation Order, 20mph Speed Limits – 3 Areas in Cockenzie, North Berwick & Tranent

1 PURPOSE

- 1.1 To seek Council approval to commence the statutory approval necessary to promote Experimental Traffic Regulation Orders to prohibit the driving of motor vehicles in excess of 20mph within the specified areas.

2 RECOMMENDATIONS

- 2.1 That Council approve the initiation of the statutory procedure necessary to make the Order in accordance with 'The Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 and such amendments that are in force.

3 BACKGROUND

- 3.1 East Lothian Council as Local Roads and Traffic Authority is responsible for the setting of speed limits on the local road network. All mandatory speed limits (other than national limits) are made by speed limit order under Section 84 of the Road Traffic Regulation Act 1984
- 3.2 The East Lothian Plan SOA 2013-23, *Outcome 7: East Lothian is an even safer place* – this outcome endeavours to reduce collisions, casualties and deaths on our roads and is also a priority for both the police and fire and rescue services.
- 3.3 East Lothian Council has been working with Sustaining Dunbar (a local development trust set up to promote sustainability in the community) - primarily encouraging walking and cycling but also actively engaging with the local community promoting the ethos of a 20mph limit.

- 3.4 Sustaining Dunbar is a member of '20's Plenty for Us' - the national campaign for 20 mph default speed limits, without traffic calming, where people live.
- 3.5 Subject to successful 'buy-in' by the community the Experimental Orders could come into effect on 1st November 2014 for a period of 18 months. Speeds will be recorded before during and after to establish the limit's effectiveness. A follow-up report will be submitted to Cabinet at the conclusion of the trial for members' consideration in respect of making the Order permanent.
- 3.6 The Experimental Orders will cover
 - 3.6.1 Whin Park Area, Cockenzie (Appendix A)
 - 3.6.2 Law Area, North Berwick (Appendix B)
 - 3.6.3 Muirpark & Steading View Areas, Tranent (Appendix C)
- 3.7 Preliminary discussions with Police Scotland indicate no significant objection to making of these Orders.

4 POLICY IMPLICATIONS

- 4.1 Reducing road casualties contributes towards the national casualty reduction targets in Scotland's Road Safety Framework
- 4.2 These proposals will contribute towards The East Lothian Plan - Single Outcome Agreement (SOA) 2013 and our 3 strategic objectives - to create, support and maintain a Sustainable Economy, Resilient People and Safe and Vibrant Communities
- 4.3 The Safe and Vibrant Communities Partnership aims to contribute towards East Lothian's SOA *Outcome 7 - East Lothian is an even safer place*. The introduction of measures to reduce inappropriate speeds ought to help with meeting this objective.

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

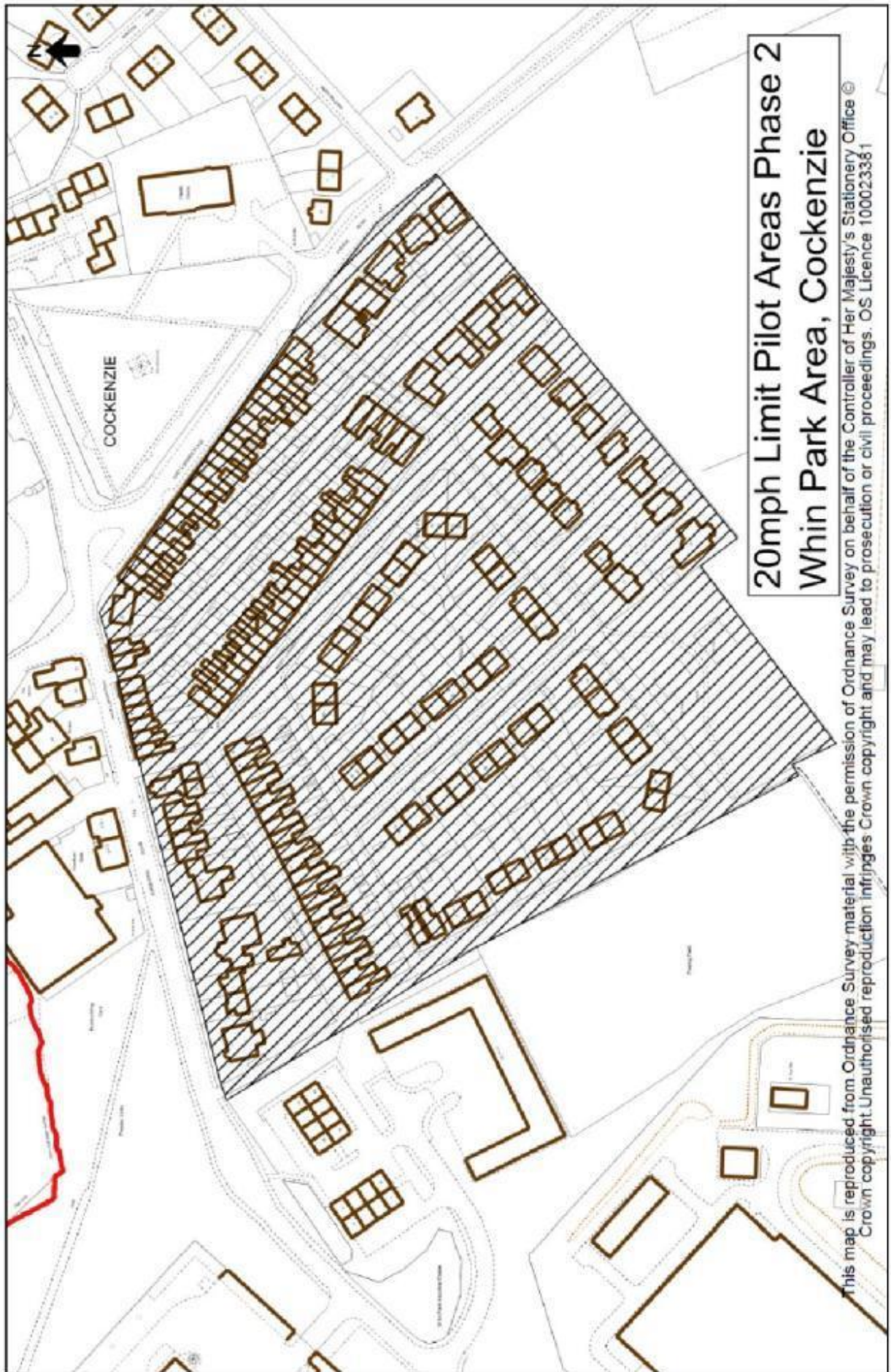
- 6.1 Financial – All costs involved in the consultation, advertising, design, staff time and implementation associated with the making of this Order can be accommodated within the 2014-15 Roads Network revenue budget.
- 6.2 Personnel - None
- 6.3 Other – None

7 BACKGROUND PAPERS

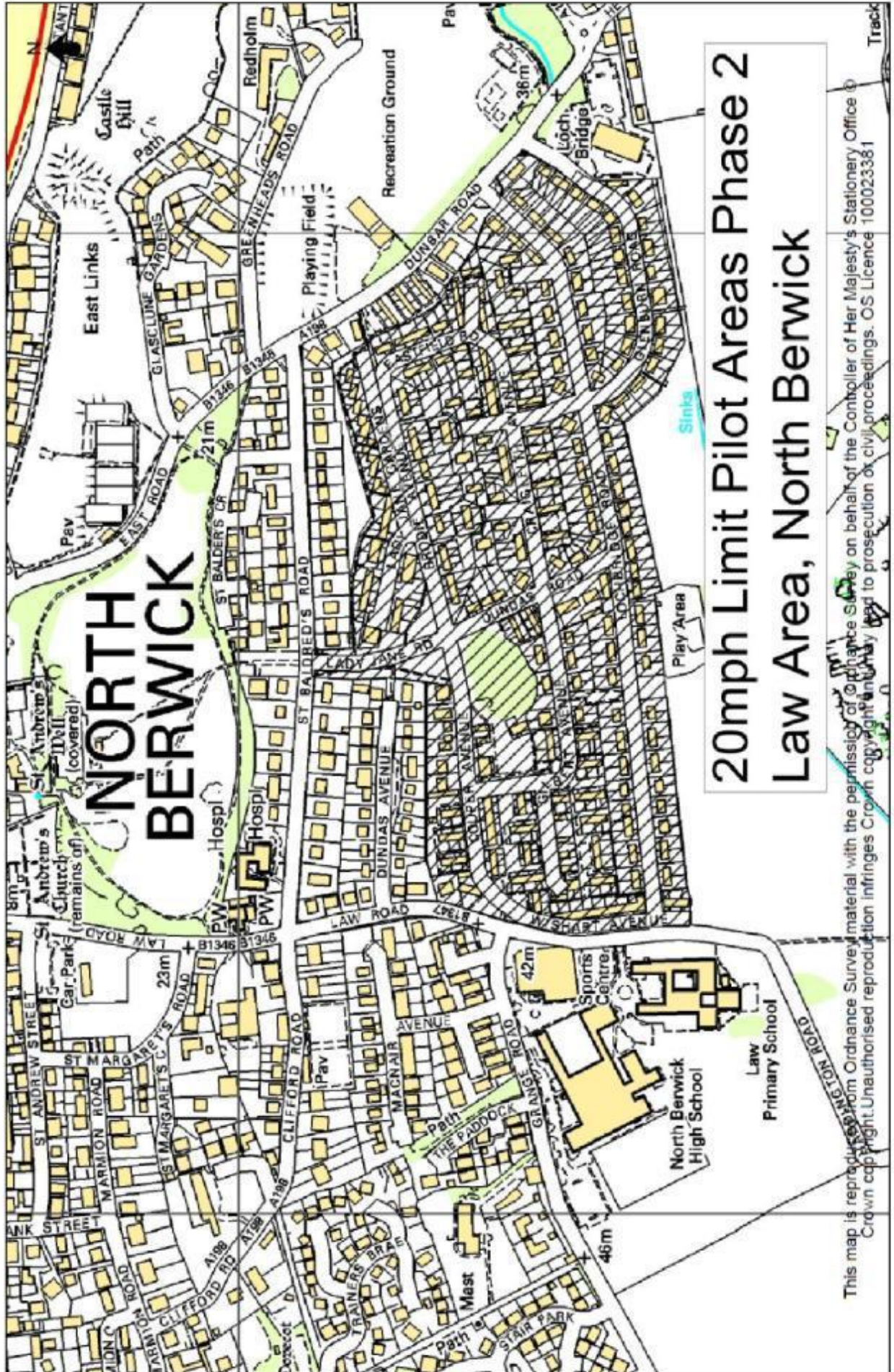
- 7.1 Speed Limit Review and Proposed Speed Limit Policy 9th November 2010
- 7.2 Road Traffic Regulation Act, 1984 Proposed Experimental Traffic Regulation Order – 20mph Speed Limits – Hallhill Area, Dunbar 13th November 2012

AUTHOR'S NAME	Peter Forsyth
DESIGNATION	Senior Area Officer, Roads Network
CONTACT INFO	Colin Baird Ext 7739 or cbaird@eastlothian.gov.uk
DATE	08/05/14

26 February 2014
Colin Baird
1:2000



26 February 2014
Colin Baird
1:5000



20mph Limit Pilot Areas Phase 2
Law Area, North Berwick

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26 February 2014
Colin Baird
1:5000



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REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Amendments to Appendix 2 – Scheme of Delegation of the Council’s Standing Orders

13

1 PURPOSE

1.1 To amend the Council’s Scheme of Delegation to take account of title changes and to appoint officers to carry out the duties of statutory officers when they are unavailable.

2 RECOMMENDATIONS

2.1 That Council approves the amendment to Section 12.2 of Appendix 2 to the Council’s Standing Orders, as detailed in 3.3 and 3.4 of this report.

3 BACKGROUND

3.1 The Council must by law appoint individual officers for a variety of purposes. These officers are authorised to take the actions that are an essential part of their roles. These appointments are listed at Section 12.1 of Appendix 2 of the Council’s Standing Orders.

3.2 These officers cannot delegate their duties to other officers. If they are unavailable and unable to carry out their duties they can, however, arrange for other officers to carry out their duties. Details of those who can carry out these duties are contained in the table in 12.2 of Appendix 2 of Standing Orders:

Proper officer appointed for the roles set out in part 12.1	Officer who will carry out duties if the proper officer is not available
If the Returning Officer is not available for election purposes	Depute Returning Officer
If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer	Service Manager – Legal Services Service Manager – Licensing, Administration and Democratic Services

If a Depute Chief Executive is not available to act as an officer	The relevant Head of Service
If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board	Service Manager – Legal Services
If the Chief Executive is not available to act as the Head of Paid Service	Depute Chief Executive as agreed
If the Head of Adult Wellbeing is not available to act as the Chief Social Work Officer	Children’s Wellbeing and Adult Wellbeing Service Managers

3.3 The table requires to be updated and Council is asked to amend Appendix 2, 12.2 by replacing the existing table with the following table:-

Proper officer appointed for the roles set out in part 12.1	Officer who will carry out duties if the proper officer is not available
If the Returning Officer is not available for election purposes	Depute Returning Officer
If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer	Service Manager – Legal and Procurement Service Manager – Licensing, Administration and Democratic Services
If a Depute Chief Executive is not available to act as an officer	The relevant Head of Service
If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board	Service Manager – Legal and Procurement Senior Solicitor
If the Chief Executive is not available to act as the Head of Paid Service	Depute Chief Executive as agreed
If the Head of Adult Wellbeing is not available to act as the Chief Social Work Officer	Children’s Wellbeing and Adult Wellbeing Service Managers and the Area Practice Manager, Children’s Wellbeing
If the Head of Council Resources is not available to act as s.95 Chief Finance Officer	Depute Chief Executive (Resources and People Services)

3.4 The changes are:-

- Service Manager – Legal Services becomes Service Manager – Legal and Procurement
- A Senior Solicitor can act as Clerk of the Licensing Board in the absence of the Service Manager – Licensing Administration and Democratic Services
- In addition to the Children’s Wellbeing and Adult Wellbeing Service Managers, the Area Practice Manager, Children’s Wellbeing can act as the Chief Social Work Officer in the absence of the Head of Adult Wellbeing

- The Depute Chief Executive (Resources and People Services) can act as s.95 Chief Finance Officer in the absence of the Head of Council Resources.

4 POLICY IMPLICATIONS

4.1 None

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 - none

6.2 Personnel - none

6.3 Other - none

7 BACKGROUND PAPERS

7.1 Standing Orders

AUTHOR'S NAME	Kirstie MacNeill
DESIGNATION	Service Manager - Licensing, Administration and Democratic Services
CONTACT INFO	kmacneill@eastlothian.gov.uk 01620 827164
DATE	6/6/2014

REPORT TO: East Lothian Council
MEETING DATE: 24 June 2014
BY: Depute Chief Executive (Resources and People Services)
SUBJECT: Changes to Corporate Procurement Procedures

14

1 PURPOSE

- 1.1 To amend and update the Corporate Procurement Procedures.

2 RECOMMENDATIONS

- 2.1 Council is asked to approve the amended Corporate Procurement Procedures (Version 10), which forms Appendix 3b to Standing Orders. These procedures have been published in the Members' Library Service: Ref: 100/14 (June 2014 Bulletin).

3 BACKGROUND

- 3.1 The Council's Corporate Procurement Procedures, which are an appendix to Standing Orders, set out the process to be followed by officers in selecting contractors and entering into contracts on behalf of the Council. They include details of legislation and regulation governing procurement and set out the roles and responsibilities of different parties in the procurement process. As legislation, regulation and the Council's structure changes, consequential changes are required to the Corporate Procurement Procedures. In particular, a recent report by Internal Audit noted that the reporting requirements in the Corporate Procurement Procedures was inconsistent with the reporting requirements set out in Standing Order 3.4, as adopted by the Council in June 2013.
- 3.2 In order to address these changes, an updated version of the Corporate Procurement Procedures (version 10) has been produced. Due to the size of this document, it has been placed in the Members Library Service, Ref: 100/14 (June 2014 Bulletin) in accordance with Standing Order 3.4(b). However, Appendix 1 to this report contains a note of the changes.

- 3.3 There has been no change in Procurement Policy in this new version of the Corporate Procurement Procedures. There is currently a new EU directive awaiting implementation by both the UK and Scottish Governments and the Procurement Reform (Scotland) Bill in its progress through the Scottish Parliament. When these new pieces of legislation are enacted, it is proposed that the Council's policy on procurement will be reviewed to take account of any changes.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications as a result of this report. The changes are confined to an update to reflect current legislation, regulation and the Council's own structure.

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 - None
6.2 Personnel - None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 Updated Corporate Procurement Procedures (V10) lodged in Members Library Service, Ref: 100/14 (June 2014 Bulletin).

AUTHOR'S NAME	Morag Ferguson
DESIGNATION	Service Manager - Legal & Procurement
CONTACT INFO	mferguson@eastlothian.gov.uk 01620 827770
DATE	12/06/2014

Appendix 1

Page	Change
5	Update to reflect new TUPE Regulations
6	Update to reflect new EU thresholds Note added regarding forthcoming EU Regulations and Procurement Reform (Scotland) Bill
9	New provisions regarding approval/award and reporting to ensure consistency with Standing Orders
10	Roles and Responsibilities updated to reflect Scheme of Delegation and Council Structure
11	Table updated to reflect new job titles in Council Structure
13	Table updated to reflect new job titles in Council Structure
14	Table updated to reflect change in process
17	Change to reflect new job titles in Council Structure
21	Addition of reference to Corporate Procurement Team
22	Change to reflect new job titles in Council Structure
26	Addition of reference to Shortlist in Supplier Selection
27	Change to reflect new job titles in Council Structure
30	Change to reflect new job titles in Council Structure New provisions regarding reporting to ensure consistency with Standing Orders
31	Update to reflect current EU Regulations
37	Change to reflect new job titles in Council Structure
48	'Lowest Cost' added to definitions

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Appointment of Representatives to Outside Bodies

15

1 PURPOSE

- 1.1 To seek Council approval of the nomination of one Elected Member to the East Lothian Education Trust.

2 RECOMMENDATIONS

- 2.1 That the Council nominates one Elected Member to represent the Council on the East Lothian Education Trust, replacing Councillor Veitch.

3 BACKGROUND

- 3.1 The Council is required to appoint seven Members to serve on East Lothian Education Trust. These Members must be members of the Education Committee. Councillor Veitch has recently resigned his position on the Trust and the Council is therefore asked to appoint a replacement.

4 POLICY IMPLICATIONS

- 4.1 None.

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 – There may be expenses incurred in relation to allowances and other expenses Council appointees attending meetings of such Bodies, but these will be similar to expense for such purposes incurred in the past and will be met from the appropriate budgets.
- 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	9 June 2014

REPORT TO: East Lothian Council

MEETING DATE: 24 June 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Submissions to the Members' Library Service
10 April – 13 June 2014

16

1 PURPOSE

- 1.1 To note the reports submitted to the Members' Library Service since the last meeting of Council, as listed in Appendix 1.

2 RECOMMENDATIONS

- 2.1 Council is requested to note the reports submitted to the Members' Library Service between 10 April and 13 June 2014, as listed in Appendix 1.

3 BACKGROUND

- 3.1 In accordance with Standing Order 3.4, the Chief Executive will maintain a Members' Library Service that will contain:
- (a) reports advising of significant items of business which have been delegated to Councillors/officers in accordance with the Scheme of Delegation, or
 - (b) background papers linked to specific committee reports, or
 - (c) items considered to be of general interest to Councillors.
- 3.2 All reports submitted to the Members' Library are available on the Council website.

4 POLICY IMPLICATIONS

- 4.1 None

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 – None
6.2 Personnel – None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders – 3.4

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Democratic Services Manager
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	13 June 2014

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
10 April – 13 June 2014**

Reference	Originator	Document Title	Access
67/14	Head of Education	Extra In-service Day for Secondary Schools in Session 2014/15	Public
68/14	Head of Infrastructure	Cycling, Walking & Safer Streets 2013-14 Projects – Amendment	Public
69/14	Depute Chief Executive – Partnerships and Community Services	East Lothian Citizens' Panel	Public
70/14	Chief Executive	Response from East Lothian Council to the Public Petitions Committee – PE1488	Public
71/14	Depute Chief Executive – Partnerships and Community Services	Service Review – Face-to-Face Services Report	Private
72/14	Depute Chief Executive – Partnerships and Community Services	Building Warrants Issued Under Delegated Powers between 1 and 31 March 2014	Public
73/14	Head of Development	Grant of Lease of Land in Dunbar	Private
74/14	Head of Development	Proposed Garden Improvements at Steading View, Tranent	Public
75/14	Head of Communities & Partnerships	Sports Award Scheme – Special Award	Public
76/14	Head of Infrastructure	Zebra Crossings, High Street, Dunbar - Option Appraisal	Public
77/14	Depute Chief Executive (Partnerships and Community Services)	Purchase of the site of the of the former bowling at Limelylands Road, Ormiston	Private
78/14	Head of Development	Corporate Asset Management Plan 2014-16	Public
79/14	Head of Development	Sale of Land at Luffness Court, Aberlady	Private
80/14	Chief Executive	Regulators Strategic Code of Practice – Consultation Response	Public

81/14	Chief Executive	Questionnaire to Scottish Local Authorities on the Impact of Welfare Reform on 2014/15 and 2015/16 Spending Plans and Resources	Public
82/14	Depute Chief Executive (Partnerships and Community Services)	Building Warrants issued under Delegated Powers, April 2014	Public
83/14	Head of Development	Approval to Dispose of the Former Mansfield Road Resource Centre, Musselburgh	Public
84/14	Head of Development	Sale of 210m ² of Land at Dunbar Road, Haddington	Private
85/14	Head of Development	Implementation of High Hedges (Scotland) Act 2013	Public
86/14	Head of Communities and Partnerships	Implementation of the Marriage and Civil Partnership (Scotland) Act 2014	Public
87/14	Head of Communities and Partnerships	Sports Awards Scheme – Special Awards	Public
88/14	Head of Communities and Partnerships	Guidance on Display of Posters, Leaflets, Banners, Advertising and Exhibition Materials	Public
89/14	Depute Chief Executive (Partnerships and Community Services)	Sale of Land at Macmerry Industrial Estate	Private
90/14	Head of Development	Approval to Dispose of the Former Library, Newton Port, Haddington	Private
91/14	Depute Chief Executive (Resources and People Services)	East Lothian Council Retention Schedule	Public
92/14	Depute Chief Executive (Partnerships and Community Services)	Building Warrants Issued under Delegated Powers between 1 st and 31 st May 2014	Public
93/14	Depute Chief Executive – (Partnerships and Services for Communities)	Proposed Demolitions and Enabling Works at Millhill Lane, Musselburgh	Public
94/14	Head of Communities and Partnerships	Sports Award Scheme – Special Award	Public
95/14	Deputy Chief Executive (Partnerships and Community Services)	Proposed Lift Installation & Associated Works at North Berwick Community Centre, North Berwick	Public
96/14	Depute Chief Executive (Partnerships and Community Services)	Consultation by the Scottish Government on a Section 36 application for the Crystal Rig Wind Farm (phase 3), 10 km south of Dunbar, with addendum dated February 2014	Public
97/14	Depute Chief Executive (Partnerships and Services for Communities)	Proposed Roof Replacement & External Maintenance Works at 1-30 Tyne Court, Haddington	Public

98/14	Director of Health & Social Care Partnership	Call for Written Views - Stage 1 consideration of the Assisted Suicide (S) Bill	Public
99/14	Depute Chief Executive (Partnerships and Services for Communities)	Proposed Fire Risk Assessment Works at Wallyford Primary School, Wallyford	Public
100/14	Depute Chief Executive (Resources and People Services)	Corporate Procurement Procedures	Public

13 June 2014

MOTION TO EAST LoTHIAN COUNCIL
24th June 2014

SUPPORTING DADSWORK

This Council pays tribute to the great work of Dadswork in Musselburgh, and elsewhere in East Lothian, working with fathers by providing support groups and a place for dads to meet other dads and talk about their experiences.

The Council is concerned at the potential closure of this valuable community based service and agrees to:

1. Express support for the work of Dadswork.
2. Provide emergency funding to lift the threat of closure.
3. Request that Council Officers bring forward proposals for long term funding for the project to the appropriate committee for approval.

Proposed by:  Councillor Stuart Currie

Date: 12th June 2014

Seconded by:  Councillor John Williamson

Date: 12th June 2014



17

