



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 24 JUNE 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

1

Committee Members Present:

Provost L Broun-Lindsay (Convener)	Councillor W Innes
Councillor S Akhtar	Councillor M Libberton
Councillor D Berry	Councillor P MacKenzie
Councillor S Brown	Councillor F McAllister
Councillor J Caldwell	Councillor P McLennan (until Item 11)
Councillor S Currie	Councillor K McLeod
Councillor A Forrest	Councillor J McMillan
Councillor J Gillies	Councillor J McNeil
Councillor J Goodfellow	Councillor T Trotter
Councillor D Grant	Councillor M Veitch
Councillor N Hampshire	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 R Montgomery, Head of Infrastructure
Mr T Shearer, Head of Communities & Partnerships
Mr S Allan, Senior Auditor
Ms P Bristow, Communications Officer
Ms M Ferguson, Service Manager – Legal and Procurement
Mr P Forsyth, Roads Services Asset and Regulatory Manager
Ms S Fortune, Service Manager – Business Finance
Mr E Hendrickson, Principal Sports Development Officer (Item 18)
Ms J McCabe, Senior Solicitor
Mr T Reid, Service Manager – Waste Services
Mr P Vestri, Service Manager – Corporate Policy & Improvement

Visitors Present:

Mr P Denning, District Inspector, Local Area Network (Item 3)
Chief Superintendent G Imery, Police Scotland (Item 4)
Chief Inspector A Clark, Police Scotland (Item 4)
Mr P Heath, Scottish Fire and Rescue Service (Item 5)
Mr J Dickie, Scottish Fire and Rescue Service (Item 5)
Mr P Lambie, Musselburgh Museum and Heritage Group (Item 18)
Mr B Turner, Musselburgh Museum and Heritage Group (Item 18)
Mr T Price, Musselburgh Tennis Club (Item 18)

Clerk:

Mrs L Gillingwater

Apologies:

Councillor Day

Prior to the commencement of business, the Provost made an announcement in relation to the Queen's Baton Relay, which had taken place in East Lothian on 17 June. On behalf of the Council, the Provost congratulated all those who had taken part in the event and thanked all those who responsible for the preparations, in particular Stuart Baxter (Transportation), Eamon John and Gwen Stewart (Sport, Countryside and Leisure), and officers from Police Scotland.

The Provost also announced that Councillor Day would be getting married in the US later in the day. On behalf of the Council, he conveyed his best wishes to Councillor Day.

Order of Business

The Provost advised that Item 4 on the agenda would take place immediately following Item 2.

1. COUNCIL AND COMMITTEE MINUTES FOR APPROVAL

The minute of the Council meeting specified below was submitted and approved

East Lothian Council – 22 April 2014

Matter arising: Councillor Currie asked when the coastal car parking charges would be implemented. The Head of Infrastructure reported that work on this was ongoing and he still expected the charges to commence autumn 2014.

2. COUNCIL AND COMMITTEE MINUTES FOR NOTING

The minute of the Council and Committee meeting specified below was noted:

Local Review Body (Planning) – 24 April 2014

4. EAST LOTHIAN POLICE PERFORMANCE REPORT, 1 APRIL 2013 – 31 MARCH 2014

A report was submitted by Police Scotland reporting on performance within East Lothian for the period 1 April 2013 to 31 March 2014.

The Provost welcomed Chief Superintendent Gill Imery of Police Scotland to the meeting. Chief Inspector Imery presented her report, advising that the figures contained in the report would be published nationally as the first year of Police Scotland figures following a meeting of the Scottish Police Authority on 25 June. She reported that detection rates for Groups 1–5 were down slightly on the same period for the previous year, and that the volume of offences had increased from 3363 to 3503 for the same period. Chief Superintendent Imery provided a summary of the key aspects of the report.

Councillor MacKenzie asked for an update on break-ins in coastal communities. He also asked a question in relation to the format of the report. Chief Superintendent Imery advised

that there had been some success in detecting travelling criminals in coastal areas. She also offered to format future performance reports in a way that would reflect priority areas in the new Local Policing Plan. Chief Inspector Clark added that the figures were for the year 2013/14 and therefore reflected the format of the previous Policing Plan.

Councillor Berry remarked that he had not been aware of or involved in any consultation on the priorities. He also questioned how some of the data was presented and how it should be interpreted, referring particularly to Group 17. Chief Superintendent Imery undertook to provide the raw data for Group 5 in future. As regards the data in Group 17, she advised that the figures were indicative of increased police activity, adding that detecting drug supply was a local priority. Responding to a follow-up question from Councillor Goodfellow on the same issue, Chief Superintendent Imery provided an explanation as to how resources were allocated and pointed out that she took operational decisions about priorities. She also noted that, in relation to seizures through the Proceeds of Crime Act, property, vehicles and other goods, as well as cash, could be seized.

Councillor Currie welcomed the information on stop and search activities being intelligence led. He also highlighted the importance of public confidence, particularly with respect to drug-related issues.

Councillor Berry paid tribute to the work of local police officers, particularly those in his own ward. He questioned the value of stop and search activities, believing that this policy was being applied nationally but was not appropriate for East Lothian.

Councillor MacKenzie commented that East Lothian had benefited greatly from the support of specialist police units, and welcomed the continued services of the Council-funded officers.

Councillor Innes highlighted the positive working relationship between the Police and the Council, and the importance of maintaining this relationship. Pointing out that performance figures had not been adversely affected by the changes in policing over the past 18 months, he felt positive about future performance and the Council's partnership working with the Police.

Decision

The Council agreed to note the report.

3. ASSURANCE AND IMPROVEMENT PLAN UPDATE

A report was submitted by Chief Executive informing the Council of the Assurance and Improvement Plan (AIP) 2014 – 2017, provided by Audit Scotland.

The Provost welcomed Mr Phil Denning, District Inspector of the Local Area Network, to the meeting.

Mr Denning advised that there had been a change of focus for the AIP to concentrate on the Single Outcome Agreement (SOA), the integration of Health and Social Care, Police, Fire and welfare reform. He reported on the two major scrutiny activities of 2013/14 – Children's Services and Education, pointing out that although major strengths had been identified in both areas, service performance had declined and further monitoring would be carried out during 2014/15.

Mr Denning highlighted the financial challenges facing the Council. He made reference to progress in achieving efficiencies and the Council's transformation programme, which had been established to reduce costs and deliver the Council Plan. He warned that if sufficient progress was not made in delivering efficiencies, it was likely that the Council would be subject to strategic scrutiny in 2015.

Responding to questions from Councillor Berry in relation to the Council's leadership and financial management, Mr Denning explained that, as the Council was making progress, it was felt that it would not be in the best interests of the Council to carry out a specific audit on financial management, and that the LAN would work with the Council and its external auditor for a further year. He noted that there would be a stronger focus on the SOA and the Council's strategic performance in the coming year.

The Chief Executive commented that Audit Scotland was considering the Best Value Audit process, with a view to moving towards community planning audits. She noted that officers were currently engaged in reviewing the Council Plan and that recommendations would be presented to Members in due course. Mr Denning added that work was underway to develop a scrutiny process that would cover partnership working arrangements.

Councillor Currie asked if, in the future, information on housing debt and general services debt would be separated. He also raised concerns about the effect on services of not achieving efficiency savings and asked if this would be considered by the LAN.

Mr Denning indicated that there would be a focus on achieving efficiency savings, noting that the concerns raised about Education and Children's Services may be related to budget issues. He reiterated that the LAN would work with the Council for a further year and monitor progress in this area. He also informed Members that the LAN was working with the Education service to improve performance. He did point out, however, that as East Lothian is a small authority, the effect of one high school not performing well had a proportional impact on the others. He noted that, in relation to Positive Destinations, work was ongoing with head teachers resolve the identified problems areas.

Councillor McLeod remarked that it was for the Council's scrutiny committees to decide where scrutiny was required.

Councillor Veitch welcomed the AIP and the work done by officers to achieve savings.

Councillor Hampshire thanked Mr Denning for the LAN's positive approach in supporting the Council realise improvements and efficiencies.

Councillor Currie argued that housing debt and general services debt should not be combined, as the accrual of debt to build houses was a positive step. He expressed concern at reductions in the budgets for Adult Wellbeing and Children's Wellbeing and the impact this would have on service provision. He also questioned the reduction in capital spending, and advised that he would welcome further scrutiny in all of these areas, as well as in Education services.

Councillor Innes thanked Mr Denning for his positive report, and welcomed the approach taken by the LAN to support the Council. In response to Councillor Currie's comments, he declared that the Administration had taken action to improve the Council's financial position and would continue to do so. Councillor Akhtar echoed these comments, paying tribute to the commitment of Members and officers to deliver the best possible services.

Councillor Berry commented that he was supportive of the approach taken by the LAN. On housing debt, he pointed out that many people had been housed as a result of the previous

Administration's policy, and he believed that this was the right thing to have done. He noted that, as Convener of the PPRC, he should have been consulted on this report. Both Mr Denning and the Chief Executive agreed that there would be merit in the AIP being reviewed by the Audit & Governance Committee and PPRC.

Councillor MacKenzie pointed out that the LAN report of August 2012 had recorded no areas of decline and that, at that point, there had been confidence in the financial management of the Council.

Councillor Goodfellow reminded Members that the analysis on the Council's debt had been carried out by Audit Scotland and that, despite the different interpretations as regards this debt, it still represented a financial challenge to future budgets.

Decision

The Council agreed to note the Assurance and Improvement Plan 2014 – 2017.

5. EAST LOTHIAN FIRE AND RESCUE SERVICE PERFORMANCE REPORT, 1 APRIL 2013 TO 31 MARCH 2014

A report was submitted by the Scottish Fire and Rescue Service reporting on performance within East Lothian for the period 1 April 2013 to 31 March 2014.

The Provost welcomed Mr Peter Heath, Senior Officer for East Lothian, Midlothian and Scottish Borders to the meeting.

Mr Heath presented his report, drawing attention to the priorities of the service and providing a summary of the performance for 2013/14. He spoke of the commitment of the Fire and Rescue Service to work in partnership with the Council and communities.

Councillor Berry expressed his concern at the high volume of false alarm calls resulting from equipment failure and asked what action was being taken to address this. Mr Heath advised that an initiative was underway to reduce such calls, involving the intervention of a fire safety officer to prevent repeat occurrences. He noted that fire safety legislation could be enforced but that the preferred approach was to work with business owners to ensure that equipment was tested and maintained properly.

Councillor Goodfellow asked why only three targets had been identified. Mr Heath explained that these were set at a national level.

In response to a request from Councillor McLeod as regards including information on fire prevention measures, such as home safety visits, Mr Heath advised that this information was already included in the quarterly reports to the Safe and Vibrant Communities Partnership, but that he could also include it in future reports to Council.

With reference to accidental fires in single occupancy dwellings, Councillor McAllister asked if alcohol was a factor. Mr Heath explained that the Fire and Rescue Service worked with the Police and Social Work services to identify the location of vulnerable people, the associated risks, and the best methods of intervention. He also noted that data was collected at incidents and judgements could be made as to whether alcohol or other substances were a factor. He added that the sharing of information was carried out sensitively and in accordance with the data protection legislation. He pointed out that, although more than 50% of fires in this category involved alcohol, a greater number of fires were caused by cooking than by smoking or drinking.

Decision

The Council agreed to note the report.

6. 2014/15 COUNCIL IMPROVEMENT PLAN

A report was submitted by the Chief Executive seeking approval of the 2014/15 Council Improvement Plan (CIP).

The Service Manager – Corporate Policy and Improvement, Paolo Vestri, presented the report, drawing attention to the progress made on the 2013/14 CIP and the 11 action points contained within the 2014/15 CIP. He pointed out that the LAN had not raised any concerns about the Council's governance arrangements. He also advised that the Council had recently been awarded Investors in People (IiP) accreditation, which demonstrated the Council's progress from improvement to excellence.

Councillor Berry questioned whether the CIP was concerned more with satisfying the auditors than with making improvements for East Lothian residents. He also asked how the Council was ensuring that staff were providing the best customer service without being too bureaucratic. The Chief Executive pointed out that the CIP focused on internal improvement and improving the capacity of the workforce and that the Council Plan and Single Outcome Agreement would contain the Council's aspirations. She drew attention to the entry in the CIP on the Workforce Development Plan and also to the achievement of the IiP accreditation.

Councillor Berry asked if training could be provided for Members on the Local Review Body (LRB) process. Mr Vestri advised that this training had been included in the Induction Programme for Elected Members, although not all Members had attended that session. He noted that a refresher session could be arranged.

Councillor McMillan commended the professionalism of Council officers in dealing with LRB applications. He also made reference to a number of measures and initiatives designed to improve services, such as partnership working, the introduction of local area partnerships, the forthcoming transformation agenda and the Council's efforts as regards continuous improvement.

Decision

The Council agreed:

- i. to note the update report on the 2013/14 Council Improvement Plan; and
- ii. to approve the 2014/15 Council Improvement Plan.

7. INTEGRATION OF HEALTH AND SOCIAL CARE

A report was submitted by the Director of Health and Social Care updating the Council on progress with the integration of health and social care and seeking agreement on a range of issues that would enable progress with proposals with integration.

The Director of Health and Social Care, David Small, presented the report, advising that it was anticipated that Social Work services for adults and older people would be delegated by

the Council to the Integration Joint Board in April 2015. He highlighted the services that would be covered. He also mentioned the proposals in relation to Children's Wellbeing services and the scope of the delegation of NHS functions to East Lothian.

In response to a question from Councillor Currie in relation to the impact on East Lothian should Edinburgh City Council opt for the 'lead agency' model, Mr Small advised that it was difficult to speculate what the impact would be, but that consideration could be given to this issue within the timescales for submission of the consultation response.

Welcoming the report, Councillor Berry asked for assurances as regards the required level of cooperation between Adult Wellbeing, Children's Wellbeing and NHS services. Mr Small noted that good tracking arrangements were in place, and that this would also include Housing services.

Councillor Grant highlighted the positive work carried out to date and noted that further discussion was required on a number of issues, such as housing support and Children's Wellbeing services.

Councillor Currie also welcomed the report and the positive partnership working between the Council and the NHS. With reference to the membership of the Integration Joint Board, he requested that consideration be given to the involvement of the Trades Unions.

Decision

The Council agreed:

- i. to note progress on the integration of health and social care;
- ii. to approve the proposed response on key issues arising from the consultation on draft guidance;
- iii. 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;
- iv. that the Council should, in conjunction with NHS Lothian, approve that the body corporate model should be adopted in East Lothian;
- v. that the definition of adult social care functions should be delegated;
- vi. to approve the proposed position on the integration of criminal justice services;
- vii. to approve the proposed position on the integration of children's health and social care services; and
- viii. to note the position on NHS services that will be delegated

8. TRANENT CARE FACILITY

A report was submitted by the Director of Health and Social Care advising Members of the new care facility scheduled to open in Tranent later in 2014. The report also advised of the services that would be provided by the new facility and arrangements for care home provision in Musselburgh and North Berwick.

The Director of Health and Social Care, David Small, presented the report, advising that the new Tranent care facility would open in September 2014. He advised that the facility would have 40 care beds and 20 step-down beds for East Lothian residents delayed in hospital. He pointed out that the funding for the step-down beds was non-recurrent.

Responding to a question from Councillor Currie on the refresh of the Older People's Strategy (OPS), Mr Small advised that the Council was committed to refreshing the OPS as part of the strategy plan for the Health and Social Care Partnership. This work would involve looking at demographics and age profiles up to 2030, and the strategic plan would need to be in place for the launch of Integration Joint Board.

Mr Small informed Members that the Council would have a total of 97 care beds and 20 step-down beds once the Tranent facility opens. The funding for the 20 step-down beds would be funded by the Older People's Change Fund and the NHS for the first year of operation. He also noted that although Eskgreen and the Abbey Care Homes were not compliant with new standards, there was no immediate threat from the Care Inspectorate as to their continued use as care facilities; however, the long term future of these facilities would have to be considered.

Councillor Berry asked a question in relation to the management of the Tranent care facility. Mr Small advised that this would be a Council-managed facility, with staff from the Council and the NHS working together. He believed that this arrangement would be beneficial in terms of information and skill sharing.

Councillor McAllister remarked that there was under-provision of care beds in Musselburgh and asked how this would be addressed. Mr Small indicated that this issue would be addressed in the strategic plan, and that the profiles of each area would be incorporated into the area partnership profiles.

Councillor Grant welcomed the report and paid tribute to the efforts of everyone involved in delivering this project. He highlighted the importance of reducing delayed discharges from hospital. He advised that discussions were ongoing with the Tranent Day Centre committee as regards their use of the Tranent facility and also welcomed the retention of the Eskgreen and Abbey care homes. His comments were supported by Councillor McLeod.

Councillor Currie expressed his concern in relation to delayed discharge levels and of the need to take a long-term view about care provision. He also spoke in support of Council-run care services and suggested that the Council should work to shift the balance so that the majority of care services were operated by public services.

Councillor Innes commended the work of those involved in developing the new facility and the additional capacity that this would bring. He added that the proposed new community hospital in Haddington would also be part of the solution to address care issues.

Decision

The Council agreed:

- i. to note the update on the Tranent Care Facility;
- ii. to 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; and

- iii. that a refresh of the existing Older People's Strategy should be carried out as part of the development of the Strategic Plan for the Health and Social Care Partnership.

9. RESPONSE TO THE SCOTTISH GOVERNMENT CONSULTATION ON PROPOSALS FOR REDESIGNING THE COMMUNITY JUSTICE SYSTEM

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval of the Council's response to the Scottish Government consultation on Proposals for Redesigning the Community Justice System.

The Director of Health and Social Care, David Small, presented the report, advising of the proposal that local authorities should retain responsibility for community justice services and that a national body for improvement of services be established. He advised that further information on this national body was required.

Councillor Grant commented that he had been surprised about the proposed creation of the new national body. He also drew attention to Question 13, noting that there was some uncertainty about the incorporation of community justice services into the Health and Social Care Partnership.

Councillor Berry remarked that community justice would not work if it was administered centrally.

Decision

The Council agreed to approve the proposed consultation response, noting that it would be submitted to the Scottish Government by 2 July 2014.

10. WASTE STRATEGY

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing a proposal for the provision of waste services in recognition of the additional statutory obligations that must be met.

The Service Manager – Waste Services, Tom Reid, presented the report, advising Members of the Council's statutory obligations in relation to waste services, of the Council's performance in relation to recycling and of the need to introduce a food waste collection. He drew attention to the proposed changes to this service and to the additional costs associated with these changes, warning that the Council would incur penalties should it fail to meet government targets by the end of 2015.

Responding to a number of questions from Councillor Berry, Mr Reid hoped that recycling rates would increase from 45% to 56-60% with the introduction of fortnightly refuse collections. He also advised that, in relation to commercial waste, the Council had 1650 customers, 850 of which were small businesses.

As regards garden waste collections, Mr Reid informed Members that this service covered around 80% of properties at present, noting that some new-build developments could not receive this service at present. He advised that each property would be provided with one brown bin and that householders would be encouraged to take surplus garden waste to one of the recycling centres.

Councillor Goodfellow asked for further information as regards the under-utilisation of the recycling centres. Mr Reid explained that these centres had been designed to cope with greater capacity and that, although they were busy at weekends, the through-put was not as high as initially expected. He advised of plans for these centres to be marketed in a more effective way. Councillor McNeil paid tribute to the staff working at the recycling centres.

Councillor Williamson asked about support available to householders. Mr Reid noted that support would be provided on a case-by-case basis, stating that customer care was the main focus of the service.

Councillor Hampshire spoke of the success of the Council's waste service, thanking the staff for their work and the public for their efforts in recycling. He also praised those involved in remodelling the service to meet new challenges whilst retaining a quality service. He was optimistic in relation to receiving financial support from Zero Waste Scotland to introduce the changes and was confident that the Council could achieve a recycling target of 60%.

Councillor Currie welcomed the report, but expressed concern about the continued use of boxes for recycling. He suggested that wheelie bins would be more appropriate for this purpose. He also commented on the lack of recycling facilities in the streets of towns and villages and the difficulties experienced by residents of flats as regards recycling.

Councillor Hampshire responded, advising that the Council would be considering the most appropriate containers for future recycling. He added that work was ongoing with communities as regards recycling facilities in the street.

Decision

The Council agreed to approve the changes to the provision of Waste Services as outlined in the report.

Sederunt: Councillor McLennan left the meeting.

11. WHISTLEBLOWING POLICY

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) advising Council of the updated Whistleblowing Policy.

The Senior Auditor, Stuart Allan, presented the report, advising that this policy was initially approved by Cabinet in December 2004 and had now been updated.

Responding to a question from Councillor Goodfellow as regards training of Whistleblowing Contact Officers, Mr Allan advised that training had been delivered some time ago and that this could be refreshed as part of the Council's subscription to Public Concern at Work.

On a procedural question raised by Councillor MacKenzie, Mr Allan stated that there was not an option for Whistleblowing Contact Officers to do nothing when an issue had been raised. He advised of the procedures and reporting mechanism.

Councillor McMillan questioned whether there was a conflict of interest for Internal Audit to have involvement in this area. Mr Allan explained that the updated policy was based on the previous joint HR/Internal Audit policy, and that it was consistent with Public Concern at Work's model policy. He added that not every concern would be investigated by Internal

Audit, and that an independent investigation could take place where there was a potential conflict of interest.

Decision

The Council agreed to approve the updated Whistleblowing Policy.

12. ROAD TRAFFIC REGULATION ACT 1984: PROPOSED EXPERIMENTAL TRAFFIC REGULATION ORDER, 20 MPH SPEED LIMITS – 3 AREAS IN COCKENZIE, NORTH BERWICK AND TRANENT

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval to commence the statutory process necessary to promote Experimental Traffic Regulation Orders to prohibit the driving of motor vehicles in excess of 20 mph within the specified areas.

The Roads Services Asset and Regulatory Manager, Peter Forsyth, presented the report, explaining to Members to process involved. He advised that speeds could be recorded and adherence to the Order could be monitored. He noted that the proposals had been discussed with Police Scotland, and no significant objections had been raised. Further consultation would take place as part of the statutory process.

Councillor McLeod asked how monitoring was carried out. Mr Forsyth pointed out that policing of the Order was the responsibility of Police Scotland. He advised that spot checks would be carried out and that speed recording at set points and times would be undertaken.

Councillor Berry asked why certain streets within the areas outlined were not included in the Order. Mr Forsyth explained that the guidance within the speed limit policy requires the Council to consider the nature of the roads and that roads which are general distributor roads should not be considered. He added that the proposals had been designed to address concerns of communities. He also mentioned that other locations would be considered, focusing on residential areas at the current time.

Councillor Goodfellow welcomed the report and the involvement of communities in this initiative. His comments were echoed by a number of other Members, who paid particular tribute to the efforts of residents in Cockenzie and the Muirpark Tenants and Residents Association in Tranent. Thanks were also conveyed to Mr Forsyth and Colin Baird, Transportation Area Officer East, for their work on this scheme.

Councillor Veitch also remarked on the success of a similar initiative already in place in Dunbar and thanked those who had been involved in that particular initiative. He, and other Members, looked forward to this policy being extended to other areas.

Decision

The Council agreed to 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.

13. AMENDMENTS TO APPENDIX 2 – SCHEME OF DELEGATION OF THE COUNCIL'S STANDING ORDERS

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval 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.

The Clerk presented the report and drew attention to the proposed changes to the Scheme of Delegation.

Decision

The Council agreed to approve the amendment to Section 12.2 of Appendix 2 to the Council's Standing Orders, as detailed in Sections 3.3 and 3.4 of the report.

14. CHANGES TO CORPORATE PROCUREMENT PROCEDURES

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of updated Corporate Procurement Procedures.

The Service Manager – Legal and Procurement, Morag Ferguson, presented the report, advising that the revised procedures took account of changes to Council structures, job titles and updates in legislation.

Decision

The Council agreed to approve the amended Corporate Procurement Procedures (Version 10), which forms Appendix 3b to Standing Orders.

15. 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 one Elected Member to the East Lothian Education Trust.

The Clerk advised that Councillor Veitch had recently resigned from the East Lothian Education Trust and that the Council was asked to provide a replacement representative.

Councillor Innes, seconded by Councillor Goodfellow, nominated Councillor Libberton to represent the Council on the East Lothian Education Trust. No other nominations were made.

Decision

The Council agreed to nominate Councillor Libberton to represent the Council on the East Lothian Education Trust, replacing Councillor Veitch.

16. SUBMISSIONS TO THE MEMBERS' LIBRARY, 10 APRIL – 13 JUNE 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.

With reference to Bulletin Ref: 88/14, Councillor McAllister expressed concern that meetings about the Scottish Independence Referendum could not be publicised in Council buildings. The Chief Executive indicated that she would be happy to discuss this issue outwith the meeting, but stated that whilst the guidance did permit the advertising of meetings, the Council had to be clear that it could not promote any particular views on this matter.

With reference to Bulletin Ref: 83/14, Councillor Currie remarked that in disposing of the Mansfield Road Resource Centre, the Council had missed an opportunity to bring together a number of voluntary sector bodies within one location

With reference to Bulletin Ref: 96/14, Councillor Veitch commented that he was encouraged to see that none of the wind turbines mentioned in the report would breach the 'Area of Significant Restraint' as set out in the Council's Guidance for Windfarms over 12 MW. He did express concern, however, at the increase in turbines on the eastern Lammermuirs, and stated that he could not support the report's recommendations or the further extension of the Crystal Rig Wind Farm.

Councillor Currie raised a question in relation to Bulletin Ref: 77/14, and was advised by the Provost that as this was a private item of business, it should be raised at the end of the meeting.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 10 April and 13 June 2014, as listed in Appendix 1 to the report.

17. NOTICE OF MOTION – SUPPORTING DADSWORK

A motion on 'Supporting Dadswork' had been submitted by Councillors Currie and Williamson. Councillor Currie reported that, as the terms of the motion had now been satisfied, subject to an appropriate service level agreement being drawn up, he was happy to withdraw his motion. He thanked Tom Shearer (Head of Communities and Partnerships) and Myra Galloway (Service Manager – Community Partnerships) for their efforts in supporting Dadswork.

Councillor Williamson seconded the withdrawal of the motion.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

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

Musselburgh Common Good Fund Applications

Two applications submitted to the Musselburgh Common Good Fund were approved, as outlined below:

- Musselburgh Museum and Heritage Group - £11,000
- Musselburgh Tennis Club - £80,000

Submissions to the Members Library Service, 10 April – 13 June 2014

Councillor Currie raised a question in relation to Ref: 77/14 of the Bulletin. The debate on this item was continued.



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

**THURSDAY 12 JUNE 2014
COUNCIL CHAMBERS, TOWNHOUSE, HADDINGTON**

2a

Committee Members Present:

Provost L Broun-Lindsay
Councillor W Innes
Councillor S Currie

Other Councillors present:

Councillor J Goodfellow

Council Officials Present:

Ms M Ferguson, Service Manager – Legal and Procurement
Mr P Forsyth, Roads Services – Asset and Regulatory Manager
Mr K Dingwall, Principal Planner

Petitioner(s) Present:

Mr J Lapish

Clerk:

Ms F Currie, Committees Assistant

Others present:

Mrs Lapish

Apologies:

Councillor M Veitch

Declarations of Interest:

None

1. PETITION PRESENTED TO THE PETITIONS COMMITTEE FOR CONSIDERATION

PET 1404: CALLING ON EAST LOTHIAN COUNCIL TO MAINTAIN COO'S GREEN INDEFINITELY AS A GREEN SPACE FOR THE ENJOYMENT OF RESIDENTS AND VISITORS TO NORTH BERWICK

Councillor Broun-Lindsay welcomed everyone to the meeting and briefly outlined the procedure that would be followed. He invited Mr Lapish to speak first regarding his petition.

Mr Lapish read out a prepared statement to Members regarding his petition. In it he referred to a number of considerations, some of which may have been missing from the consultation document. He outlined the historical, environmental and social importance of Coo's Green and commented on the significant problems in relation to parking and access to the site. In addition to his written petition, Mr Lapish advised Members that an online petition had attracted over 1300 signatures. He concluded by urging Members to take on board the views of residents in North Berwick, the majority of which were clearly opposed to the idea of using Coo's Green for car parking.

Mr Peter Forsyth, Roads Services – Senior Area Officer East, and Mr Keith Dingwall, Principal Planner, presented the Council's submission. Mr Forsyth explained that in April 2013 Cabinet agreed to a consultation on four possible options for car parking in North Berwick. This consultation concluded in May 2014 and a report on the recommendations would shortly be prepared for Cabinet or the Members' Library Service. He confirmed that the results of the consultation did not support Coo's Green as a viable option.

Mr Dingwall added that planning permission would be required for any new car park in North Berwick. The town was part of a conservation area and covered by planning guidelines which supported the protection of open spaces. Both of these factors, as well as the views of residents and an additional objections, would be taken into account should any planning application be forthcoming.

In response to questions from Councillor Currie, Mr Forsyth agreed that the information provided in the petition and in Mr Lapish's statement would assist the decision-making process.

In their debate, the Members acknowledged the importance of taking account of residents' views rather than attempting to impose a solution without community support. While they could not offer any guarantee in perpetuity, they pointed to the planning process as another means of securing the future of this site. The Members agreed that the petition had merit and that the matter should be referred to the appropriate Cabinet Spokesperson for further consideration. They concluded that it would be helpful to have this information, in addition to the results of the consultation, in the report on the North Berwick Parking Strategy when the matter is brought before Council/Cabinet later in the year.

Decision

The Committee agreed that the petition did have merit and they therefore referred the matter to the Cabinet Spokesperson for the Environment for further consideration.

2. PETITION SUBMITTED DEEMED TO BE OUT WITH THE REMIT OF THE PETITIONS COMMITTEE

PET 1402: TO EAST LoTHIAN COUNCIL IN RESPECT OF ANTI-SOCIAL BEHAVIOUR AT WHITTINGEHAME HOUSE AND THE INEFFECTIVENESS OF THE AUTHORITIES IN ITS CONTROL (2011 – PRESENT)

The Convenor presented the report informing Committee Members of petition PET 1402 which had been rejected on the grounds that it did not meet the criteria for consideration by the Committee.

The reasons for refusal were that the Council has no statutory power to immediately confiscate/destroy livestock; immediately impose an ASBO on an individual; evict an individual from a private tenancy; or impose a lifetime ban on keeping livestock. It is also incumbent upon the Council to reject petitions which relate to ongoing court cases.

Decision

The Members noted that the petition did not meet the criteria and would therefore not be considered by the Committee.

3. UPDATE ON PETITIONS PRESENTED TO THE PETITIONS COMMITTEE FOR CONSIDERATION DURING SESSION 2013/14

The Convenor invited Members to note the update provided on the petitions heard by the Committee during 2013/14.

Morag Ferguson, Service Manager – Legal and Procurement, advised Members that there was no set timescale for dealing with petitions referred for further consideration. The timescale would vary depending on the issues raised in each particular petition.

Decision

The Committee noted the report.

Signed

Provost Ludovic Broun-Lindsay
Convener of the Petitions Committee



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

**THURSDAY 26 JUNE 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

2b

Committee Members Present:

Councillor J Goodfellow (Chair)
Councillor J McMillan
Councillor W Innes

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

Ms C Molloy, Senior Solicitor

Committee Clerk:

Mrs F Stewart

Declarations of Interest

None

Apologies

Provost L Broun-Lindsay

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

**1. REVIEW AGAINST DECISION (REFUSAL)
PLANNING APPLICATION No: 13/00880/P – REPLACEMENT WINDOWS
TO HOUSE AT 47 BRIDGE STREET, TRANENT**

The Legal Adviser stated that the LRB was meeting today to review the above application which had been refused by the Appointed Officer. A site visit had been carried out prior to the meeting and 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 the replacement of seven windows on the front elevation of the two storey semi-detached house. The existing windows were single-glazed timber sliding sash and case windows and the proposed replacements were double-glazed PVC sliding sash and case windows. The glazing pattern was proposed to remain the same. He reminded Members that the Planning Act required decisions on planning applications to be taken in accordance with development plan policy unless material considerations indicated otherwise. The Listed Buildings and Conservation Areas Act further required that, when exercising Planning functions within Conservation Areas, special attention is paid to the desirability of preserving or enhancing the character or appearance of the area.

He stated that the site was within the boundary of Tranent town centre, designated under local plan policy ENV2, and within the Tranent Conservation Area although the building was not listed. He advised that the development plan seeks to preserve or enhance the character of Conservation Areas and the key policies in this regard were Strategic Development Plan policy 1B and Local Plan policy ENV4. In addition, Local Plan policy DP8 related specifically to replacement windows, normally meaning that they should retain the proportions of the window opening, the opening method, colour and construction material of frames. Three exceptions are provided for: firstly multiple glazing where there is no visible difference, secondly where a building does not positively contribute to the area's character, and thirdly where the window cannot be seen from a public place.

Also relevant to the application were national policy documents, including Scottish Planning Policy and the Scottish Historic Environment Policy, which provides guidance on the historic environment. The application had been refused by the Appointed Officer on the basis that the proposed replacement windows would appear significantly different to those of the adjoining building due to their PVC frames. This was considered to fail to preserve the positive contribution that the existing windows make to the house and to the Conservation Area. The proposals were therefore considered to be contrary to the relevant development plan policies. The reasoning for this decision is set out in full in the case officer's report.

The Planning Adviser summarised that the request for a review argued that the proposed new windows would not appear significantly different to the existing windows and that the appearance of the Conservation Area would be preserved. The proposals were therefore argued to comply with relevant development plan policies. It was stated that many properties in the Tranent Conservation Area and on Bridge Street already had PVC double-glazing. It was also stated that the proposed windows were A-rated for energy efficiency and would be made from recycled PVC windows and were therefore a sustainable material. It was also argued that refusal of the application was unfair as other properties on Bridge Street within the Conservation Area had installed non sash and case brown PVC windows. A number of photos were supplied in support of the case.

The Planning Adviser advised that no consultations had been carried out on the application by the Case Officer. One representation from the Architectural Heritage Society of Scotland had objected on the basis that the proposed windows would appear visibly different to the existing ones, would be out of place in a Conservation Area, and that double-glazing could be fitted to the existing windows.

The Chair invited questions from Members. Councillor McMillan referred to Paragraph 10 of the Applicant's submission and asked if it was correct that the Architectural Society of Scotland (AHSS) had not objected to this application, but had objected to the Applicant's previous application. The Planning Adviser stated that the applicant appeared to be mistaken in that regard and directed Members to the copy of the objection letter in the written papers. [Post Meeting Note: The objection to this planning application was received from the AHSS on 6 December 2013.] The Chair also received clarification from the Planning Adviser on the 'construction material' referred to in policy DP8.

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 Innes stated that the application clearly did not comply with the Local Development Plan policy on replacement windows in Conservation Areas. The Applicant had also, in his Statement, acknowledged that there was an alternative solution to replacing the windows which would meet the Council's planning policy criteria. Councillor Innes believed Tranent Conservation Area was as important as any other. He had considered the position of the house on the street and described

the front elevation of the house as 'quite imposing'. He had also observed that the matching semi detached property still had timber sash and case windows and the proposed new windows would result in non-conformity. He did not agree with the applicant's view that the proposed windows would look the same as the present timber framed windows. He would therefore not be supporting the application. In respect of the Applicant's claim that other properties in the vicinity had installed new windows without planning permission, Councillor Innes recommended that the Planning Department should investigate this and seek retrospective applications where appropriate.

Councillor McMillan also supported the decision of the Planning Officer to refuse the application. He had found the site visit informative and described the properties at the applicant's address as fine buildings which made a positive contribution to the area. He had carefully considered the terms of planning policy DP8 which states that replacement windows in a Conservation Area must preserve or enhance the area's special architectural character and that the construction material of frames should be retained. He considered that the proposed windows did not meet this criteria and that it was important No 47 Bridge Street remained a mirror image of the neighbouring property at No 45. He also agreed that enforcement action needed to be taken against property owners who did not have planning permission for alterations to their property.

The Chair echoed the views of his colleagues and supported the decision of the Planning Officer. He considered that, as the property was in the Tranent Conservation Area, the proposals should not deviate from the terms of policy DP8 in relation to the construction material. To do so would make enforcement action in Conservation Areas difficult in future. He stated that policy DP8 could be looked at in the review of the Local Plan as PVC windows had moved on in recent years.

Decision

The ELLRB unanimously agreed to uphold the original decision to refuse the application for the reasons given in the Decision Notice dated 20 December 2013.

REPORT TO: East Lothian Council
MEETING DATE: 26 August 2014
BY: Depute Chief Executive (Resources and People Services)
SUBJECT: Summer Recess Business 2014

3

1 PURPOSE

- 1.1 To inform the Council of the urgent business undertaken over the Summer Recess period in terms of the procedures set out in Standing Order 15.5.
- 1.2 It should be noted that full copies of the undernoted reports have been lodged in the Members' Library.

2 RECOMMENDATIONS

- 2.1 The Council is requested to note the business undertaken over the Summer Recess period.

3 BACKGROUND

3.1 Amendments to Appendix 2 – Scheme of Delegation – of the Council's Standing Orders (Members' Library Reference 138/14)

A report submitted by Depute Chief Executive (Resources and People Services) sought approval to amend the Council's Scheme of Delegation to allow the Chief Executive (after consultation with the Leader, Provost and Elected Member Departmental Spokesperson) to appoint an acting/temporary Depute Chief Executive or Head of Service from within the staff of the Council or from an external source, with immediate effect. This report was approved by the Council Leader and Depute Leader.

3.2 Adult Wellbeing – Payments to Third Sector Agencies (Members' Library Reference 155/14)

A report submitted by the Depute Chief Executive (Resources and People Services) sought approval to make payments to third sector agencies. This report was approved by the Depute Leader and Provost.

4 POLICY IMPLICATIONS

4.1 As outlined in each of the submitted reports specified in Section 3.

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 – As outlined in each of the submitted reports specified in Section 3.

6.2 Personnel – none.

6.3 Other – As outlined in each of the submitted reports specified in Section 3.

7 BACKGROUND PAPERS

7.1 East Lothian Standing Orders

7.2 Reports lodged in the Members' Library as specified in Section 3.

7.3 Background papers as detailed in each of the submitted reports specified in Section 3.

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DATE	13 August 2014

REPORT TO: East Lothian Council

MEETING DATE: 26 August 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: 2013-14 Financial Review

4

1 PURPOSE

- 1.1 To inform Council of the unaudited financial position for the financial year 2013-14, and to finalise arrangements for the carry-forward of funds into 2014-15.

2 RECOMMENDATIONS

2.1 The Council is recommended to:

- Note the financial results for 2013-14, their impact on both reserves and the Council's Financial Strategy.
- Approve the transfer of the surplus reserves to the General Services Capital Fund, in line with the Council's agreed financial strategy.

3 BACKGROUND

Overall Summary

- 3.1 The draft accounts for 2013-14 were submitted for audit on 26 June 2014 which is within the statutory deadline set by the Accounts Commission. Audit work is well advanced and will be completed by the end of September. The figures reported on below and in the subsequent appendices are unaudited and these could change as a result of ongoing discussions with our external auditors.
- 3.2 The draft accounts were presented to and discussed at the Audit and Governance Committee meeting held on 15 July 2014 and prior to that a full copy of the draft accounts was submitted to the Members Library.
- 3.3 The key highlights from the 2013-14 closure of accounts are as follows:

- Useable Reserves decreased by £3.608 million. This reduction comprises a decrease of £0.966 million in the HRA and a General Services decrease of £2.642 million.
- Capital spending totalled £45.6 million (£24.825 million relating to General Services and £20.805 million relating to HRA capital).
- To support this, external borrowing increased by £24.8 million (7.7%). The difference between capital spending and external borrowing has been funded from capital grants and external contributions or from the Council's own cash resources.
- Pension liabilities as measured by the actuary increased by £18.0 million to £128.8 million.

3.4 The results for the year have a number of implications for the Council's financial strategy. In particular:

- For General Services the actual use of reserves was less than planned as part of setting the 2013-14 budgets. In the case of General Services the planned use of reserves was estimated at £5.2 million (£2.2 million general plus £3 million from the Cost Reduction Fund to support VERS) against an actual use of £2.642 million. In the case of the Housing Revenue Account the planned use of reserves was £902,000 against an actual use of £966,000.
- The Council enters 2014-15 with reserves broadly in line with planning expectations although with a modest favourable movement in respect of General Services relative to that expected when setting the 2014-17 budgets.
- The Council remains on track with its current financial strategy of removing the dependency upon reserves and balancing income and expenditure by 2016-17. However it remains clear that despite an improved immediate financial position, significant new risks and cost pressures continue to emerge and these will require to be carefully managed within a period of continued financial austerity.

3.5 In line with the Financial Strategy for 2014-15 to 2016-17, agreed by Council at its meeting on 11 February 2014, any unplanned, additional reserves at the end of 2013-14 will be transferred to either the General Services Capital Fund or the Cost Reduction Fund. Having assessed the potential calls to be made upon the Cost Reduction Fund it is recommended that the additional reserves be transferred to the General Services Capital Fund which may be used to directly fund capital expenditure thereby reducing the need for future borrowing.

General Services Summary

- 3.6 The final results for the various General Services revenue budgets were generally in line with expectations and as reported in the various quarterly reports made to Cabinet during the year. A summary of the financial position across each of the Business Groups at the end of March 2014 is attached at Appendix A. The summary includes an adjusted position reflecting the non-recurring cost of VERS, the cost of which is being met from within the Cost Reduction Fund.
- 3.7 In overall terms there were underspends across a number of Council revenue budgets collectively leading to less use of reserves as noted above. All of the Groups, with the exception of Facility Support, who had been rated as 'High' financial risk within the Quarter 3 report to Cabinet, overspent their approved budgets.
- 3.8 The main areas of movement across the Council Services are set out below. Within the Resources and People Services this includes:
- Children's Wellbeing Group – the quarterly reports presented to Cabinet during the year have continued to highlight pressures primarily though not only relating to external placement and adoption costs. The actual budget outturn when adjusted for VERS is an overspend of £198,000 (1.5%).
 - Primary School – reporting an overspend of £324,000 (£294,000 (0.8%) when adjusted for VERS). This overspend is in line with expectations reported at Quarter 3 and is due to the agreed change to the charging approach for Janitorial Services, with the full cost of the service now charged to the service user.
 - By contrast, the Secondary School budget has reported a significant underspend of £677,000 largely due to the receipt of 'windfall' income relating to the PPP contract. The receipt of this income has been highlighted in recent Quarterly forecast reports, with an approved budget adjustment to transfer some of the current allocated budget being used to support Pre-School and Children's Wellbeing Group.
 - The Health & Adult Care Partnership Directorate is reporting an overspend of £894,000, which when adjusted for VERS brings the reported overspend to £436,000 (0.9%). By far the main area of overspend continues to focus upon the purchase of care packages for the Elderly, in particular Care at Home packages. Whilst some savings have been made in other areas of the Adult Wellbeing budget in order to mitigate some of the overspend, this area continues to be of focus for management.
 - The Partnerships & Services for Communities Directorate (excluding the Housing Revenue Account) delivered an adjusted underspend of around £1.6 million. The largest contributor to the overall positive position for this department were underspends within the Community

Housing Group and the surpluses produced by the Property Services trading activity.

- In addition, the Landscape and Countryside Management (£391,000 – adjusted outturn £491,000) and Transport and Waste Group (£154,000 – adjusted outturn £504,000) have both reported underspends largely due to the management of and non-recruitment to vacant posts.
- In addition to the respective service outturns, Debt charges were £549,000 less than budgeted levels as a combined result of a reduced level of capital spending during the year and effective treasury management which meant that the Council paid, on average, an interest rate of 3.59%.

Reserves

- 3.9 During 2013-14 the Council used £2.642 million of its useable General Services reserves. An analysis of the movement and the current balances on each of the different reserves is included at Appendix B.
- 3.10 In line with the Financial Strategy for 2014-15 to 2016-17 it is recommended that the favourable movement in reserves be transferred to the General Services Capital Fund which may be used to directly fund capital expenditure thereby reducing the need for future borrowing. The balance on the Cost Reduction Fund will be used to meet the costs associated with the various Efficient Workforce Management Plan reviews taking place across various parts of the Council as well as on-going costs associated with the previous restructuring of management within the Council's secondary schools.
- 3.11 As part of its General Services usable reserves, the Council continues to maintain an Insurance Fund, with the balance on this Fund to be approximate to the value of total outstanding liabilities against which the Council self insures. The most recent valuation of the Fund carried out in 2012-13 recommended an on-going gradual increase in the year-end balance of the fund, with 2013-14 continuing this approach. This position will continue to be kept under review to ensure that an appropriate balance is retained within the Fund over the following years.
- 3.12 Appendix B highlights two elements of the General Services reserves that have been earmarked to support particular purposes. The first is £489,000 which is earmarked as carry-forwards for the schools under the Devolved School Management scheme. The second is £192,000 for Midlothian & East Lothian Drugs & Alcohol Project (MELDAP). This is a project that has been funded by a range of partners over an extended period of time.
- 3.13 Under the DSM scheme, the old year surplus or deficit for each school is added to or deducted from the current year budget for that school, all of which is funded by this earmarked element of the General Services reserve. Going into 2014-15 all Primary and Secondary schools with the

exception of one Secondary school, have positive DSM carry forwards. The Head of Education is actively engaged with the respective Secondary school to ensure any financial pressures can be managed within 2014-15.

- 3.14 At the end of 2013-14 the Council retains £10.743 million of usable General Service reserves, all of which are earmarked for specific purposes. Taking into account the proposed transfer to the General Services Capital Fund, there are currently no 'spare' General Services reserves.

Trading Activities

- 3.15 East Lothian Council currently operates three trading activities. Every trading operation has the statutory financial target of breaking even over a cumulative three year period. This is seen as an important indicator of whether Best Value has been achieved in these services.
- 3.16 The annual outturn and cumulative financial target for all three trading activities are set out in Table 1 below. Two of the Council's trading activities (Property Maintenance and Roads Services) produced a surplus during 2013-14 and continue to generate a healthy three year cumulative surplus. However the third trading activity, Facility Services, despite ending the year with an unaudited surplus of £106,000, has produced a cumulative three year financial deficit of £57,000. The cumulative deficit relates primarily to a delayed review in charging for Janitorial Services in 2012-13 and as such resulted in the non-achievement of planned efficiency targets agreed as part of the 2012-13 budget. A change in the charging for Janitorial Services (also referred to in paragraph 3.8) has now been implemented pending final agreement on the future shape of the service. In light of this, management remain confident that the service is and will continue to deliver Best Value and satisfy future statutory requirements.
- 3.17 Given that the Facility Services trading operation has failed to meet its statutory financial target, the Council's external auditors have advised that this will be raised as an 'emphasis of matter' within their statutory audit report. The Head of Council Resources has already agreed to undertake a full review of all trading activities during 2014-15, including Facility Services, to ensure that all statutory requirements are continued to be met by the Council and the continued achievement of Best Value in how these services are delivered.

Table 1 – Trading Activities Revenue Budget Performance for 13-14

Trading Activity	(Surplus) / Deficit for the period £'000	Cumulative (Surplus) / Deficit over the past three years.
Property Maintenance	(540)	(1,810)
Roads Services	(595)	(1,450)
Facility Services	(106)	57

Housing Revenue Account

- 3.18 In overall terms, the financial results for the Housing Revenue Account were broadly in line with expectations. Rental income was under budget due to the slower than anticipated rate at which the new affordable housing properties are moving onto the rent roll, and this in turn has delivered higher than expected void levels. This was offset partly by a reduction in debt charges which were under budget by around £1.2 million.
- 3.19 2013-14 has seen an increase in the total housing income debt from £2.629 million to £3.002 million. One of the financial effects of this was to require an increase in the bad debt provision to £515,000, an increase from the budgeted amount of £380,000.
- 3.20 Secondly, property repair costs remain over budget by around £394,000. Around half of this £181,000 is attributable towards repairing fire damage costs, with other costs associated with the additional repair costs of bringing up many of the Open Market Acquisition and Mortgage to Rent Properties to an East Lothian Standard.
- 3.21 In addition, there continues to remain pressure relating to the increasing cost of gas maintenance contract and other standard repairs and these areas will require ongoing review during 2014-15.
- 3.22 The HRA reserves of £4.610 million are split between HRA General Services of £2.020 million and a Capital Fund of £2.590 million. The later can be used in the future to either finance capital expenditure or allow for the redemption of debt. The advantage of this reserve is that it can be used flexibly in the coming years to manage the effect of rising debt costs particularly those associated with the new build programme.

Budget Adjustments

- 3.23 As part of the year-end 'closedown' we are required by relevant statutory provisions to process a number of accounting adjustments in order that

the statements we submit are in approved format. The most significant adjustments are as follows;

- Central Support Reallocations – to ensure that we report the total cost of each service provision we are required to reallocate the costs and budgets for central support services such as Finance / IT / Human Resources to ‘service’ accounts such as Adult Wellbeing and Education.
- IAS19 Pension Adjustment / Credit – for the majority of staff the Council made under statutory arrangements an employer’s pension contribution representing 16.6% of salary plus an amount to fund the interest on the previous years’ deficit. In accounting terms, this charge is too high since it covers the necessary charge for the financial year plus a charge for pension contributions relating to previous years. An accounting adjustment needs to be undertaken at the end of the financial year to reflect this.
- Depreciation – in order that the Council follows generally accepted accounting practice we are also required to allow for depreciation in our annual accounts preparation.

3.24 The requirement to carry out these adjustments results in the final year-end figures being reported on a different basis compared to budget reports issued to management during the year. To minimise any uncertainty that may arise from this, where possible, budgets are entered for depreciation and the majority of pension credits. We also adjust for central support costs and reserves transfers as appropriate. In addition, a further budget adjustment has been made to reflect the cost of VERS savings which had been estimated in setting the 2013-14 budget.

Capital Investment and Borrowing

3.25 Table 2 below shows the amount spent on capital assets during 2013-14 and the two preceding years.

Table 2 – Capital Expenditure

Year	Gross Capital Spend (£M)	HRA Capital Spend (£M)	General Services Capital Spend (£M)
2013-14	£45.6	£20.8	£24.8
2012-13	£52.2	£23.7	£28.5
2011-12	£71.5	£33.2	£38.3

3.26 The total capital spend in 2013-14 was £45.6 million – with the HRA accounting for £20.8 million of this total. The HRA capital spend and

financing over the year has been detailed at Appendix C and can be summarised as follows;

- £9.915 million was spent on Affordable Homes projects such as Goosegreen Stables and Kilwinning Street both situated within Musselburgh, and also the Law Site in North Berwick.
 - Just over £2.1 million was spent on new additional House Purchases including Mortgage to Rent properties. £8.8 million was spent on Modernisation and Upgrade work.
 - In overall terms, capital expenditure was £4.8 million less than that expected largely due to slippage in capital projects.
- 3.27 During the year gross capital expenditure within General Services was £24.825 million which was less than the revised budget figure of £32.470 million. Full detail of the expenditure on the adjusted Capital Plan can be seen at Appendix D.
- 3.28 The main grant income from the Scottish Government and other funders was in line with expectations. Full detail of the capital income received / used in the year can be found at Appendix E. All capital income has been used to defray the cost of borrowing.
- 3.29 Borrowing has increased in line with capital investment. During 2013-14 long-term and short-term borrowing increased to £348.0 million, an increase from £323.2 million in 2012-13.
- 3.30 A significant level of underspending within the capital programme relates to slippage and will simply fall to another year within the capital plan. It is my intention to bring forward a related refresh of the capital plan as part of the normal quarterly monitoring reports to Cabinet during 2014-15.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with the recommendations contained in this report although the report does illustrate both the relevance of the Council's Financial Strategy and the impact of financial performance for 2013-14.

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 – as described above

6.2 Personnel - none

6.3 Other - none

7 BACKGROUND PAPERS

7.1 Council 12 February 2013 – Item 1 – Council Financial Strategy 2013/16
Members Library 133/3 – Managing the Workforce – VER Scheme

7.2 Cabinet 9 April 2013 – Item 6 – HRA Capital Investment Plan 2013/14

7.3 Council 25 June 2013 – Item 5 – Revision to Chief Officer Structure

7.4 Audit & Governance Committee 23 July 2013 – All papers

7.5 Council 27 August 2013 – Item 6 – 2012/13 Year-End Financial Review

7.6 Cabinet 10 September 2013 – Item 2 – Financial Review 2013/14 Q1

7.7 Cabinet 12 November 2013 – Item 3 – Financial Review 2013/14 Q2

7.8 Council 11 February 2014 – Item 1 – Council Financial Strategy 2014/17

7.9 Cabinet 11 March 2014 – Item 2 – Financial Review 2013/14 Q3

7.10 Council 22 April 2014 – Item 5 – Revisions to Capital Plan 2014-2017

7.11 Members Library 139/14 – ELC Draft Statement of Accounts 2013-14

7.12 Audit & Governance Committee 15 July 2014 – All papers

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DATE	18/8/14

Appendix A

REVENUE BUDGET PERFORMANCE at 31 March 2014

	Q4 Budget per FRX £000	Actual to 31/03/14 £000	Budget for the period £000	(Surplus) / Deficit for period £000	VERS Cost 31/03/14 £000	Adjusted (Surplus) / Deficit for the period (Surplus) / Deficit £000	(Surplus) / Deficit %	Financial Risk Assessment	Change since last assessment
Resources & People Services									
Children's Wellbeing	13,285	13,923	13,285	638	440	198	1.5%	High	No change
Pre-school Education & Childcare	5,276	5,176	5,276	(100)	21	(122)	(2.3%)	Medium	No change
Additional Support for Learning	7,998	8,115	7,998	117	75	42	0.5%	High	No change
Schools - Primary	34,818	35,142	34,818	324	30	294	0.8%	Medium	No change
Schools - Secondary	35,553	34,876	35,553	(677)	12	(688)	(1.9%)	Low	No change
Schools Support Services	3,065	2,887	3,065	(178)	70	(248)	(8.1%)	Low	No change
Financial Services	132	132	132	(0)	109	(109)	(82.9%)	Low	No change
Revenues & Benefits	1,665	1,636	1,665	(29)	124	(152)	(9.2%)	Low	No change
IT Services	0	0	0	(0)	24	(24)	0.0%	Low	No change
Law & Licensing	210	160	210	(50)	0	(50)	(23.8%)	Low	No change
Human Resources	0	0	0	(0)	0	(0)	(100.0%)	Low	No change
Governance/Internal Audit	2,222	2,254	2,222	32	59	(27)	(1.2%)	Low	No change
	104,222	104,301	104,222	79	965	(886)	(0.9%)		
Health & Adult Care Partnership									
Adult Wellbeing	47,191	48,085	47,191	894	458	436	0.9%	High	No change
	47,191	48,085	47,191	894	458	436	0.9%		
Partnerships & Services for Communities									
Community Housing	3,045	2,631	3,045	(414)	23	(437)	(14.4%)	Low	No change
Housing Revenue Account	0	1,081	0	1,081	47	1,034	0.0%	Low	No change
Planning & Environmental Services	2,748	2,818	2,748	70	364	(294)	(10.7%)	Low	No change
Property Services	2,077	1,927	2,077	(150)	249	(399)	(19.2%)	Low	No change
Facility Support	330	373	330	43	71	(28)	(8.5%)	High	Increase
Landscape & Countryside Mgt	6,337	5,946	6,337	(391)	100	(491)	(7.7%)	Low	No change
Transport & Waste Services	17,200	17,046	17,200	(154)	350	(504)	(2.9%)	Low	No change
Communications & Marketing	14	9	14	(5)	92	(97)	0.0%	Low	No change
Corporate Policy	973	937	973	(36)	0	(36)	(3.7%)	Low	No change
Community Partnerships	1,158	1,344	1,158	186	0	186	16.1%	High	No change
Cultural Services	2,480	2,324	2,480	(156)	40	(196)	(7.9%)	Low	Decrease
Community Development	4,657	4,459	4,657	(198)	25	(222)	(4.8%)	Medium	No change
Healthy Living	5,818	5,821	5,818	3	120	(116)	(2.0%)	Medium	Decrease
Economic Development	2,028	2,151	2,028	123	12	111	5.5%	Low	No change
Customer Services	3,661	3,914	3,661	253	355	(102)	(2.8%)	Low	No change
	52,526	52,781	52,526	255	1,848	(1,593)	(3.0%)		
Total All Departments	203,939	205,167	203,939	1,228	3,271	(2,043)	(1.0%)		
Corporate Management									
Revenue Support Grant (inc. NNDR)	(208,827)	(208,951)	(208,827)	(124)			0.1%	Low	No change

Debt Charges/Asset Management	4,152	5,704	4,152	1,552	37.4%	Medium	Increase
Joint Board Requisitions	674	674	674	0	0.0%	Low	No change
Other	3,293	3,003	3,293	(290)	(8.8%)	Low	No change
HRA Transfer	(995)	(995)	(995)	0	0.0%	Low	No change
Use of Reserves	(2,236)	(4,602)	(2,236)	(2,366)	0.0%	Low	No change
	(203,939)	(205,167)	(203,939)	(1,228)	0.6%		
Total All Council	0	0	0	(0)			

Notes

Use of Reserves included above	4,602
Of which	
HRA Capital Receipts Reserve	(150)
General Services Capital Receipts Reserve	(845)
Useable Reserves Decrease	3,607

Appendix B

2013-14 Financial Review - Appendices

	(£m)	(£m)	(£m)	(£m)	(£m)
	Opening Position	Change	Current Position Updated -12/13 Closedown	Change	Current Position Updated -13/14 Closedown
General Services Reserves					
Required to support future budgets	6.357	-4.147	2.210	-2.166	0.044
Civil Emergency	2.000	0.000	2.000	0.000	2.000
Property Renewals	0.932	-0.932	0.000	0.000	0.000
Cost Reduction Fund	3.753	3.402	7.155	-3.577	3.578
Earmarked Reserves					
• DSM (Devolved School Management)	0.573	0.028	0.601	-0.112	0.489
• MELDAP/DAAT	0.062	0.212	0.274	-0.082	0.192
Insurance Fund	0.973	0.172	1.145	0.375	1.520
Capital Receipts Reserve	0.095	-0.095	0.000	0.000	0.000
Gen Services Capital Fund	0.000	0.000	0.000	2.920	2.920
Sub-total General Services Reserves	14.745	-1.360	13.385	-2.642	10.743

Appendix C

Housing Capital Spend and Financing 2013-14

	<u>Budgeted</u> <u>(£000s)</u>	<u>Actual</u> <u>£000s)</u>	<u>Remaining</u> <u>Spend (£000s)</u>
House Purchases	0	1,189	1,189
Mortgage to Rent	646	947	301
Total Gross House Purchase spend	646	2,136	1,490
Modernisation Spend			
Fees	528		(528)
Disabled Adaptations	750	615	(135)
Central Heating / Leasing Purchases	2,364	2,367	3
Electrical Re-wiring	1,700	1,497	(203)
Fencing Programme	50	33	(17)
Energy Efficiency	50	8	(42)
Kitchen Replacement Programme	1,650	1,285	(365)
Re-roofing Programme	50	32	(18)
Stair Improvement Programme	30	4	(26)
Extensions / Roughcast / Building Envelope	1,400	368	(1,032)
Play Areas	50	50	0
Dispersed Alarms	50	4	(46)
Local Initiative Projects	200	122	(78)
Window & Door Replacement Prog	10	186	176
Bathroom Replacement	942	1,057	115
Lead Water Pipes	200	326	126
Asbestos Works	400	769	369
Groundcare Projects	100		(100)
IT Projects	125	31	(94)
Total Modernisation spend	10,649	8,754	(1,895)
Gross Affordable Homes spend	14,335	9,915	(4,420)
Gross Total Housing Capital Spend	25,630	20,805	(4,825)
Financed by:			
Grants	5,662	5,472	(190)
Asset Sales / Capital Reserves	1,052	777	(275)
Borrowing	18,916	14,556	(4,360)
	25,630	20,805	(4,825)

Appendix D

GENERAL SERVICES CAPITAL SPEND - 2013-14

Name of Project	Budgeted Spend	Actual Spend	Over / (Under) £000
	2013/14 £000	2013/14 £000	
New Day Centre - Gullane	2,512	2,420	-92
Fa'side Tranent - New residential home and day centre	6,802	6,459	-343
Haddington Day Centre	95	0	-95
Haddington Town House - Steeple	241	137	-104
Mobile Working	-	13	13
PV installations in public buildings	15	13	-2
Gypsy Traveller Site	472	461	-11
Property Renewals	585	611	26
Property Fees/Internal Architect etc fees	1,445	1,536	91
Environment Fees	111	0	-111
Brunton Hall - Theatre and Main Hall refurbishment	100	140	40
Dunbar - new Community facility	75	68	-7
Dunbar Town House Museum	46	46	-0
John Gray Centre Haddington	79	0	-79
Prestongrange Museum	10	8	-2
Whitecraig Community Centre	50	38	-12
Ormiston Community Centre	15	17	2
Village Halls - Matched Funding	50	0	-50
Tranent Library	105	30	-75
North Berwick Museum - refurbishment	737	568	-169
Community Intervention	200	0	-200
Red School Prestonpans	99	0	-99
Support for Business - Land Acquisition/Infrastructure/Broadband	500	0	-500
Support for Business - Town Centre Regeneration	-	0	0
Reprovision of Pathways Home	500	0	-500
Dunbar - Lochend Campus	202	234	32
Dunbar - Lochend Campus/Additional Classrooms	30	0	-30
Gullane PS - Additional Space	142	126	-16
Haddington IS / St Mary's RCPS - New shared Campus	276	66	-210
Dunbar Grammar School Extension	150	104	-46
Dirleton Classroom Extension	918	527	-391
Macmerry PS Extension	337	380	43
Pinkie St Peter's PS Extension/Levenhall Nursery reprovision	600	595	-5
Law Primary School	20	3	-17
Windygoul PS Permanent Additional Classrooms	160	262	102
Replacement Vehicles	2,838	1,090	-1,748
East Lothian Legacy Project - 3G Pitches	45	0	-45

Pavilions	150	42	-108
East Lothian Legacy Project - Meadowmill Alterations	125	66	-59
Sports Centres - refurbishment & Equipment	200	71	-129
Expansion of 3G pitch provision	1,541	1,276	-265
Schools IT	938	719	-219
Corporate IT Program	240	463	223
Server Room Upgrade	250	0	-250
Core Path Plan Implementation	50	13	-37
John Muir Country Park Play Area	2	0	-2
Cuthill Park	87	8	-79
Lochend Road - Play Area	97	100	3
Amenity Services Machinery & Equipment - replacement	167	127	-40
Cemeteries - Extensions/Allotments	469	0	-469
Coastal Car Parks/Toilets	730	49	-681
Peppercraig Depot Haddington	400	42	-358
Coastal Protection/Flood	300	134	-166
Promenade Improvements - Fisherrow	25	0	-25
Pencaitland Paths/Community Car Park	200	0	-200
Cycling Walking Safer Streets (Ring-fenced grant funded)	104	0	-104
Roads/CWSS/Hotspot Safety Improvements	5,350	5,677	327
Roads: safety hotspot surveys & improvements	30	0	-30
Parking Improvements	300	2	-298
Purchase of New Bins	153	84	-69
Gross Capital Spend	32,470	24,825	-7,645

Appendix E

General Services Capital Income 2013-14

Developer Contributions	Budgeted Income 2013-14	Actual Income 2013-14	Over / (Under) £000
Lochend Road	-28	-28	0
Dirleton PS Classroom Extension	-561	-561	0
Gullane Extension	-13	-13	0
Macmerry PS - Additional Classroom	-82	-82	0
Dunbar PS	0	-75	-75
	-684	-759	-75

Asset Sales

Carlyle House	-120	-120	0
31-33 Court Street	-215	0	215
Abbey Road	-145	-145	0
6-8 Lodge Street	-385	-385	0
Pinkie St Peters Servitude	-50	-50	0
Glenorchy Road	-375	0	375
Yester School	-80	0	80
Vehicle Sales	-10	-73	-63
3 Goldenstones	0	-3	-3
Loch Road	0	-14	-14
32 Salisbury Walk	0	-6	-6
Orcherfield East Linton	0	-50	-50
	-1,380	-846	584

Specific Project Income

John Gray Centre - HLF	-86	-86	0
John Gray Centre - Historic Scotland	-19	-19	0
Brunton Hall - Creative Scotland	-50		50
New 3G Pitches - Sports Scotland	-600	-600	0
New 3G Pitches - Scottish Football Partnership	-60	-60	0
CWSS Grant	-104	-116	-12
Gullane Day Centre - NHS Contribution	-1,366	-1,368	-2
Dirleton - CFCR from Property Budgets	-66	-66	0
Pinkie - CFCR from Property Budgets	-250	-250	0
Vehicles - CFCR	-1,200	-72	1,128
Haddington Town House - Common Good	-90	-41	49
Haddington Town House - Historic Scotland	-58	-41	17
Lochend Road Playpark - ATRA Contribution	-57	-9	48
Lochend Road Playpark - VIRADOR Contribution	0	-50	-50
Lochend Road Playpark - Local Housing	-12	-13	-1
Cemeteries/Allotments - CFCR from Landscape	-3		3

TP Site - Midlothian Contribution	-62		62
TP Site - ELC Contribution from Housing	-62		62
TP Site - SG Grant	-369		369
Haddington Day Centre Contribution	-50		50
	-4,564	-2,791	1,773
General Capital Grant	-6,986	-6,980	-6,980
Total Income	-13,614	-11,376	-4,698

REPORT TO: East Lothian Council

MEETING DATE: 26 August 2014

BY: Depute Chief Executive (Partnerships and Community Services)

5

SUBJECT: Cockenzie Energy Park / Former Cockenzie Power Station

1 PURPOSE

1.1 The purpose of this report is to:

1.1.1 provide information to Members regarding the positive potential opportunities for redevelopment of the former Cockenzie Power Station site; and

1.1.2 seek the agreement of the Council on its economic development position in this regard.

2 RECOMMENDATIONS

2.1 It is recommended that Council:

2.1.1 recognises the significant contribution the emerging proposals at the former Cockenzie Power Station site could make to the creation of new jobs for East Lothian and to the local economy as a whole.;

2.1.2 engages with all parties involved in emerging proposals and work in partnership to ensure all potential opportunities and benefits are explored and maximised whilst all risks and drawbacks are identified and mitigated;

2.1.3 develops supporting material from an Economic Development perspective that will inform debate;

2.1.4 works with the relevant parties to ensure the requirements of the planning and other consenting processes are fully adhered to, including full, continuous and informed consultation with local communities by prospective applicants;

- 2.1.5 agrees that officers should explore all options, including joint venture, to secure the future of the proposed site should this be required to optimise its potential; and
- 2.1.6 agrees to form a cross party member and officer group to oversee option and engagement work undertaken.

3 BACKGROUND

- 3.1 Strategic national planning requirements mean that East Lothian will witness the development of up to 10,000 new homes over the next 10 years. This is a step-change. As well as creating the environment and supporting infrastructures for this to occur, East Lothian Council will have to do everything that it can to generate lasting new employment such that our local economy can grow. We must also ensure that we take advantage of regeneration opportunities when they present, particularly when they offer to deliver jobs within East Lothian for East Lothian citizens.
- 3.2 Cockenzie's coal fired power station has ceased generation and the site offers a major redevelopment opportunity of a strategic asset of national importance.
- 3.3 Cockenzie Power Station, operated between 1968 and 2013, latterly by Scottish Power, has been a valuable contributor to the local and regional economy through direct and indirect jobs and supply chain.
- 3.4 Scottish Enterprise, the national economic development agency, has identified that the former power station site at Cockenzie has the potential to become a strategic national Energy Park, which would contribute to building a long term future for the Renewable Energy Sector in Scotland, ensuring that East Lothian, the City Region and Scotland benefit by participating in a key growth sector. Inward investment and strengthening links with new and future growth sectors are part of a process of change which can address industrial closures and the loss of the range of jobs at the former power station.
- 3.5 Scottish Power remain the owners of the site and have a key role to play in the future use of this strategic asset. However, there continues to be uncertainty regarding the ownership of the site in the short to medium term. Stable and predictable ownership will be crucial in 2015 when decisions around site options are taken.
- 3.6 The Scottish Government has a clear objective to maximise the sustainable economic growth potential of a Scotland based offshore renewable industry. To deliver this, Scottish Enterprise and Highlands and Islands Enterprise have developed a National Renewables Infrastructure Plan (N-RIP), to ensure that appropriate (both manufacturing and operations & maintenance) sites are available in the right locations for investors to provide the platform for the growth of this industry. Having the right locations and allied infrastructure for the

industry is critical if Scotland is to become a home for the offshore renewable supply chain. Alongside this, work is planned to support the development of a workforce to service the industry, maximise potential supply chain companies to compete for orders and the development of Scotland's position as a location where the industry can innovate and test new devices.

- 3.7 The Scottish Government's Third National Planning Framework – Ambition, Opportunity, Place, (NPF3), identifies Cockenzie as a national development for thermal energy generation as well as a location of significance in respect of renewable energy and states the following:

'Whilst we have safeguarded Cockenzie as a site for future thermal generation, it may present significant opportunities for renewable energy-related investment. We expect developers, East Lothian Council and the key agencies including Scottish Enterprise to work together to ensure that best use is made of the existing land and infrastructure in this area. Given the particular assets of Cockenzie, if there is insufficient land for competing proposals, we wish to see priority given to those which make best use of this location's assets and which will bring the greatest economic benefits.'

- 3.8 Scottish Enterprise aims to secure significant investment into the site that is at a level that would generate considerable numbers of direct and indirect jobs. Most jobs in the thermal energy and renewable energy sectors are well paid. A substantial number of further jobs would also be created through the extended local supply chain. The scale and range of jobs, the prospect of reducing unemployment and the chance to create opportunity are all substantial and would help to deliver the East Lothian Community Planning Economic Development Strategy. There is also the opportunity to connect any potential redevelopment with a world-class research base and training centre. The relationship that the Council already has with The Edinburgh College, Queen Margaret University, Skills Development Scotland and the Energy Skills Partnership could ensure that East Lothian's current and future workforce are trained and equipped to flourish.
- 3.9 Good practice principles being consulted upon by Scottish Government for the industry sector should help deliver and maximise community benefits. A community benefit fund is considered a fundamental component of such a benefit package though other components may also be considered including, for example, apprenticeship schemes.
- 3.10 The areas of Prestonpans, Cockenzie, Port Seton, Wallyford and Whitecraig have recently been designated as areas of Regional Selective Assistance by the European Commission for the period 2014 to 2020, which means that grant aid will be available for initial investment and job creation in those areas.
- 3.11 The types of uses which a development of this kind may see include on-site future thermal generation of electricity and / or renewable energy related industry. Examples of which may include manufacturing,

assembly and fabrication of offshore wind turbines (nacelles/blades/towers), offshore grid connections, specialist marine devices (wave/tidal), foundation elements and bases together with ancillary research and development functions (which might include carbon capture technology, designated as a countrywide national development in NPF3). In any development of this nature, it would be envisaged that there would be on-site and off-site opportunities in ancillary supply chain manufacturing and long term contracts associated with marine operations and maintenance.

- 3.12 There may also be opportunity for a cruise liner berthing, utilising the port facilities developed primarily for the energy sector as a shared and complementary use of marine infrastructure.
- 3.13 Scottish Enterprise is undertaking a feasibility study into the potential options for use of the site and in seeking the statutory consents which would be necessary for redevelopment. In this regard, East Lothian Council have a key role to play as the planning authority.
- 3.14 To date, Scottish Enterprise has issued a Prior Information Notice (PIN) to test the market and gain insight into the likely level of market interest and how this would inform delivery and operation of the site. The PIN stated that Scottish Enterprise is exploring options for the potential redevelopment of the site. It is envisaged that the Energy Park could become a major hub within the wider Forth/Tay renewable energy cluster and operate in combination with other N-RIP locations.
- 3.15 Scottish Enterprise has advised the Council of their intent to bring forward an application for Planning Permission in Principle (PPP) for the site and a Proposal of Application Notice (PAN) has been submitted as statutorily required for national / major developments to ensure that communities are aware of and have the opportunity to comment on emerging proposals. The Council will ensure that any subsequent planning application is processed in accordance with statutory planning and related legislation.
- 3.16 Scottish Enterprise has commenced a programme of Pre-Application Consultation with local communities, as required before a formal planning application is submitted. Scottish Enterprise have reported that early consultation events have been well attended with a range of issues identified many of which noting community concerns including around the lack of available detail being provided, the perception of imposition, the effect on the coastline and direct impacts on noise, vision and traffic. Scottish Enterprise has agreed to work with the Council to share the findings of their early consultation, reflecting the feedback from all consultees.
- 3.17 The Council is currently scoping the Environmental Impact Assessment required for these proposals, to ensure methodologies are agreed in advance of detailed studies being undertaken.

- 3.18 In addition to planning permission, other required consenting and licensing requirements would include a Harbour Empowerment Order and Marine Licenses.

Proposals

- 3.19 As Planning Authority, East Lothian Council will ensure that all relevant statutory procedures are followed in terms of Planning and Environmental legislation. A summary of all that is involved in the context of an application of this nature is set out for your information in Appendix 1.
- 3.20 Economic Development staff will work with Scottish Enterprise, and other partners / stakeholders, to maximise opportunities on the site and further throughout East Lothian.
- 3.21 That council officers consider all options, including joint venture, as a means of securing the future of this strategic site of national importance and realising its significant potential. Should this become a proposed option, a further report on the nature of any such proposals would be presented to Council for consideration.
- 3.22 It is also proposed that a cross party member and officer group is established to oversee the option and engagement work undertaken in respect of 3.20 and 3.21.

4 POLICY IMPLICATIONS

- 4.1 The East Lothian Plan – Single Outcome Agreement 2013, Outcome 1; East Lothian has a growing sustainable economy. East Lothian Economic Development Strategy 2012 – 2022; lack of large employers, rising unemployment levels, renewable, bringing land zoned for economic use to market, skilled workforce and increasing the proportion of people both living and working in East Lothian.

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 – no direct implications on the Council’s revenue or capital budget at this stage.
- 6.2 Personnel - none.

- 6.3 Other – ongoing engagement from Council officers at a senior level with applicant and other stakeholders.

7 BACKGROUND PAPERS

- 7.1 East Lothian Partnership, the East Lothian Plan, Single Outcome Agreement 2013 – 23; East Lothian Economic Development Strategy 2012 – 2022; Scottish Enterprise and Highlands & Islands Enterprise National Renewables Infrastructure Plan (N-RIP); Scottish Government Third National Planning Framework (NPF3).

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DATE	14 August 2014

Cockenzie Energy Park - Planning Authority Actions

As Planning Authority, East Lothian Council will ensure that all relevant statutory procedures are followed in terms of Planning and Environmental legislation. This appendix sets out broadly the responsibilities of the Council when dealing with an application of this nature. Whilst this is set out to help inform Council of due process, we need to be minded that if a processing agreement is reached between the applicant and the Council then the timescales relate to that and that also the process does change in part if the application is called in by Ministers.

On receipt an application will be checked to see if it meets the statutory requirements for validation and registration as a competent application. (This will include for the submission of sufficient plans to identify the development, any required ownership certificates, an Environmental Statement, a Pre-Application Consultation Report, a Design and Access Statement and the requisite application fee).

Once registered, the Council will ensure that the statutory requirements for neighbour notification and advertisement are carried out and the application allocated to a case officer who will notify all statutory and other consultees, requesting their comments on the ES and the application.

From the date of registration the Council will endeavour to determine the application within the 4 month target period, though there is a statutory mechanism which allows the Council and applicant to extend this period of time by written (including electronic) agreement. Alternatively, if the applicant and Council enter into a processing agreement then the relevant timescales will be set out in that agreement, which will be published.

The case officer will manage the application process to ensure that consultations, responses and any further information requirements are dealt with efficiently. If there are changes to the timescale for determination then this will be published.

The Council will consider any representations lodged up until the officer commences a report on the application, rather than limiting this to the statutory minimum 3 week period.

Once all consultation responses have been received, including on any additional information requested, the case officer will complete a report with a recommendation to Council. The report will set out all of the material considerations relevant to the determination of the application, all of the grounds of objection and/or support and any other matters raised, together with an assessment of all of these which informs the recommendation and the design principles to be required of any grant of planning permission.

The report would be subject to a pre-determination hearing at a meeting of the Planning Committee and then a determination hearing at a meeting of the full Council, as required by statute. If the Council approves the application the decision would then be issued. If the Council is minded to approve subject a legal agreement then there is a six month time limit for its conclusion.

If refused, the applicant can then appeal to the Scottish Ministers. If approved, there is no third party right of appeal, however, the decision can be challenged in the Court of Session if lodged within 6 weeks of the decision.

If approved then the applicant would require to submit detailed applications for buildings, structures etc on the site. The due process outlined above would be followed for these.

REPORT TO: East Lothian Council

MEETING DATE: 26 August 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Common Good Funds – Budget 2014/15 to 2016/17

6

1 PURPOSE

- 1.1 To seek approval for the budgets for the Dunbar, Haddington, Musselburgh and North Berwick Common Good Funds over this and the following two years and to recommend that Fund Committees develop their local expenditure proposals within these budgets.

2 RECOMMENDATIONS

- 2.1 As required under the Common Good Funds Scheme of Administration (the Scheme), the Council is recommended to approve the budgets for the four Common Good funds for 2014/15 to 2016/17. These are contained at Appendices 1a – 1d.
- 2.2 The Council is asked to note the investment performance of long-term Common Good fund balances with East Lothian Council's investment managers, Investec Wealth & Investment Ltd.

3 BACKGROUND

- 3.1 Appendices 2a – 2d show the final income and expenditure figures for 2013/14 for each of the Common Good funds. The Common Good is accounted for in accordance with the latest local government accounting standards including the LASAAC guidance, "Accounting for The Common Good Fund". The accounts for the Common Good have also now been restated and prepared to comply with the International Financial Reporting Standards (IFRS).
- 3.2 At 1 April 2014 the accumulated funds for each of the Common Good funds were as follows:

<u>Common Good Fund</u>	<u>£000</u>
Dunbar	94
Haddington	281
Musselburgh	3,765
North Berwick	247
Total	4,387

- 3.3 The Scheme requires the Council to approve an annual budget for each of the four Common Good Funds. The budgets for 2014/15 to 2016/17 are detailed in Appendix 1.
- 3.4 The budgets are based on historical spending patterns and known commitments for 2014-15 and beyond. In the first instance income is used to maintain the assets with any surplus funds being used to benefit the inhabitants of the area covered by the fund.
- 3.5 Each of the Common Good funds is administered by a committee which has the authority to award grants of up to £10,000 provided they meet the criteria detailed in the Scheme. Details of the grants awarded by each of the Common Good Committees are reported quarterly in the Members Library.

The Common Good Committees have authority to make recommendations regarding expenditure over £10,000; however a decision by the Council is required before these recommendations can be actioned.

Investments

- 3.6 East Lothian Council currently uses an external investment broker, Investec Wealth & Investment Ltd to manage an investment portfolio on behalf of the charitable trusts which the council is responsible for administering and the Common Good Fund balances have been added to this portfolio:

	£	£	£
<u>Common Good</u>	<u>Invested</u> <u>2009/10</u>	<u>Valuation at</u> <u>31 March 2014</u>	<u>Projected Income</u> <u>2014/15</u>
Dunbar	20,000	23,750	696
Haddington	55,000	65,312	1,913
Musselburgh	2,180,000	2,589,847	75,870

North Berwick	125,000	148,435	4,348
<u>TOTAL</u>	2,380,000	2,827,344	82,827

3.7 It is recommended that the investment policy for the Common Good funds continue to be the same as that which applies to current investment portfolio. This policy is to balance growth in income and capital over the long term with a medium level of risk. There are no other restrictions on the investments.

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

5.1 Financial – as set out in the report

5.2 Personnel – none

5.3 Other - none

7 BACKGROUND PAPERS

7.1 Council 27 August 2007 – “Common Good Funds” Accounting for the Common Good Fund: A Guidance Note for Practitioners (LASAAC December 2007)

7.2 Council 23 April 2013 – Common Good Funds – Budget 2013/14 to 2015/16

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DATE	18 August 2014

Dunbar Common Good

Income & Expenditure Budget

	Actual 2012/13 £000	Actual 2013/14 £000	Budget 2014/15 £000	Budget 2015/16 £000	Budget 2016/17 £000
Expenditure					
Employees	2	1	2	2	2
Premises Repairs & Maintenance	14	9	14	14	14
Premises - Rates	0	0	0	0	0
Supplies & Services	3	2	3	3	3
Grants	4	2	4	4	4
Total Expenditure	<u>23</u>	<u>14</u>	<u>23</u>	<u>23</u>	<u>23</u>
Income					
Rents & other income	(25)	(25)	(25)	(25)	(25)
Interest / Investment Income	(1)	(1)	(1)	(1)	(1)
Total Income	<u>(26)</u>	<u>(26)</u>	<u>(26)</u>	<u>(26)</u>	<u>(26)</u>
Net Surplus for the Year	<u>(3)</u>	<u>(12)</u>	<u>(3)</u>	<u>(3)</u>	<u>(3)</u>
Common Good Fund opening balance	(35)	(38)	(50)	(53)	(56)
Accumulated fund	<u>(38)</u>	<u>(50)</u>	<u>(53)</u>	<u>(56)</u>	<u>(59)</u>

Haddington Common Good

Income & Expenditure Budget

	Actual 2012/13 £000	Actual 2013/14 £000	Budget 2014/15 £000	Budget 2015/16 £000	Budget 2016/17 £000
Expenditure					
Repairs & Maintenance	0	0	2	2	2
Supplies & Services	2	2	2	2	2
Grants	4	92	10	10	10
Total Expenditure	6	94	14	14	14
Income					
Rents	(34)	(34)	(34)	(34)	(34)
Interest / Investment Income	(2)	(5)	(2)	(2)	(2)
Total Income	(36)	(39)	(36)	(36)	(36)
Net Surplus for the Year	(30)	55	(22)	(22)	(22)
Common Good Fund opening balance	(336)	(366)	(366)	(388)	(410)
Accumulated fund	(366)	(311)	(388)	(410)	(432)
Proposals under consideration					
None					

Musselburgh Common Good

Income & Expenditure Budget

	Actual 2012/13 £000	Actual 2013/14 £000	Budget 2014/15 £000	Budget 2015/16 £000	Budget 2016/17 £000
Expenditure					
Premises Repairs & Maintenance	40	43	41	42	43
Premises - Utilities	3	0	4	5	6
Premises - Rates	14	14	15	16	17
Premises - Cleaning & Janitorial	22	0	23	24	25
Supplies & Services	34	72	35	36	37
Grants	121	33	100	100	100
Total Expenditure	234	162	218	223	228
Income					
Ash Lagoons	-73		0	0	0
Rents	-350	-366	-350	-350	-350
Interest / Investment Income	-74	-155	-70	-70	-70
Total Income	-497	-521	-420	-420	-420
Net Surplus for the Year	-263	-359	-202	-197	-192
Common Good Fund opening balance	-3143	-3406	-3765	-3,967	-4,164
Accumulated fund	-3406	-3765	-3967	-4,164	-4,356

North Berwick Common Good
Income & Expenditure Budget

	Actual 2012/13 £000	Actual 2013/14 £000	Budget 2014/15 £000	Budget 2015/16 £000	Budget 2016/17 £000
Expenditure					
Premises Costs - Repairs & Maintenance	0	0	3	3	3
Premises Costs - Rates	2	2	3	3	3
Supplies & Services	2	3	3	3	3
Grants	7	10	10	10	10
Total Expenditure	11	15	19	19	19
Income					
Rents	(34)	(27)	(34)	(34)	(34)
Interest / Investment Income	(4)	(6)	(4)	(4)	(4)
Total Income	(38)	(33)	(38)	(38)	(38)
Net Surplus for the Year	(27)	(18)	(19)	(19)	(19)
Common Good Fund opening balance	(202)	(229)	(247)	(266)	(285)
Accumulated fund	(229)	(247)	(266)	(285)	(304)

Dunbar Common Good Account

2012/13 £000s	2013/14 £000s
Income	
(25) Rents and other income	(25)
<u>(25)</u>	<u>(25)</u>
Expenditure	
2 Employees	1
14 Premises-related expenditure	9
3 Supplies and services	2
4 Third party payments	2
26 Depreciation	25
<u>49</u>	<u>39</u>
24 Cost of Services	14
- Gains/Losses on the disposal of non current assets	(1)
(1) Financing and investment income and expenditure	(1)
23 (Surplus) or Deficit on Provision of Services	13
- Surplus or deficit on revaluation of Property, Plant and Equipment	-
(2) Surplus or deficit on revaluation of available for sale financial instruments	-
(2) Other Comprehensive Income and Expenditure	-
21 Total Comprehensive Income and Expenditure	13

Dunbar Common Good Balance Sheet

31 March 2013	31 March 2014
1,177 Property, Plant & Equipment	1,151
23 Long Term Investments	23
251 Long Term Debtors	251
<u>1,451</u> Long Term Assets	<u>1,425</u>
- Sundry debtors	1
62 Short-term loans	74
<u>62</u> Current Assets	<u>75</u>
- Short-term creditors	-
- Current Liabilities	-
1,513 Net Assets	1,500
(3) Financial Instruments Adjustment Reserve	(3)
(562) Revaluation Reserve	(552)
(867) Capital Adjustment Account	(851)
(81) Common Good Fund	(94)
(1,513) Total Reserves	(1,500)

Haddington Common Good Account

2012/13 £000s	2013/14 £000s
Income	
(35) Rents and other income	(34)
(35)	(34)
Expenditure	
- Employees	-
- Premises-related expenditure	
2 Supplies and services	2
4 Third party payments	92
- Depreciation	
6	94
(29) Cost of Services	60
- Gains on the disposal of non current assets	(2)
(1) Financing and investment income and expenditure	(3)
(30) (Surplus) or Deficit on Provision of Services	55
- Surplus or deficit on revaluation of Property, Plant and Equipment	-
(5) Surplus or deficit on revaluation of available for sale financial instruments	(3)
(5) Other Comprehensive Income and Expenditure	(3)
(35) Total Comprehensive Income and Expenditure	52

Haddington Common Good Balance Sheet

31 March 2013 £000s	31 March 2014 £000s
- Property, Plant & Equipment	29
61 Long Term Investments	64
372 Long Term Debtors	334
Long Term Assets	
433	427
1 Sundry debtors	1
128 Short-term loans	82
129 Current Assets	83
- Short-term creditors	-
- Current Liabilities	-
562 Net Assets	510
(7) Financial Instruments Adjustment Reserve	(10)
- Revaluation Reserve	-
(219) Capital Adjustment Account	(219)
(336) Common Good Fund	(281)
(562) Total Reserves	(510)

Musselburgh Common Good Account

2012/13 £000s	2013/14 £000s
Income	
(425) Rents and other income	(376)
<u>(425)</u>	<u>(376)</u>
Expenditure	
- Employees	-
80 Premises-related expenditure	47
34 Supplies and services	82
121 Third party payments	33
44 Depreciation	44
<u>279</u>	<u>206</u>
(146) Cost of Services	(170)
- Gains on the disposal of non current assets	(64)
(74) Financing and investment income and expenditure	(81)
<u>(220) (Surplus) or Deficit on Provision of Services</u>	<u>(315)</u>
- Surplus or deficit on revaluation of Property, Plant and Equipment	-
(243) Surplus or deficit on revaluation of available for sale financial instruments	(79)
<u>(243) Other Comprehensive Income and Expenditure</u>	<u>(79)</u>
<u>(463) Total Comprehensive Income and Expenditure</u>	<u>(394)</u>

Musselburgh Common Good Balance Sheet

31 March 2013 £000s	31 March 2014 £000s
1,359 Property, Plant & Equipment	1,316
2,440 Long Term Investments	2,558
747 Long Term Debtors	746
Long Term Assets	
<u>4,546</u>	<u>4,620</u>
35 Sundry debtors	48
1,246 Short-term loans	1,553
<u>1,281</u> Current Assets	<u>1,601</u>
(1) Short-term creditors	(1)
<u>(1) Current Liabilities</u>	<u>(1)</u>
<u>5,826</u> Net Assets	<u>6,220</u>
(314) Financial Instruments Adjustment Reserve	(393)
(171) Revaluation Reserve	(170)
(1,935) Capital Adjustment Account	(1,892)
(3,406) Common Good Fund	(3,765)
<u>(5,826) Total Reserves</u>	<u>(6,220)</u>

North Berwick Common Good Account

2012/13 £000s	2013/14 £000s
Income	
(33) Rents and other income	(24)
<u>(33)</u>	<u>(24)</u>
Expenditure	
- Employees	-
2 Premises-related expenditure	2
2 Supplies and services	3
7 Third party payments	10
8 Depreciation	8
<u>19</u>	<u>23</u>
(14) Cost of Services	(1)
- Gains on the disposal of non current assets	(4)
(4) Financing and investment income and expenditure	(5)
<u>(18)</u>	<u>(10)</u>
(Surplus) or Deficit on Provision of Services	
- Surplus or deficit on revaluation of Property, Plant and Equipment	-
(13) Surplus or deficit on revaluation of available for sale financial instruments	(5)
<u>(13)</u>	<u>(5)</u>
Other Comprehensive Income and Expenditure	
<u>(31)</u>	<u>(15)</u>
Total Comprehensive Income and Expenditure	
<u></u>	<u></u>

North Berwick Common Good Balance Sheet

31 March 2013 £000s	31 March 2014 £000s
270 Property, Plant & Equipment	263
139 Long Term Investments	147
- Long Term Debtors	
Long Term Assets	
<u>409</u>	<u>410</u>
2 Sundry debtors	3
105 Short-term loans	120
Current Assets	123
<u>107</u>	<u>123</u>
- Short-term creditors	-
Current Liabilities	-
<u></u>	<u></u>
516 Net Assets	533
(17) Financial Instruments Adjustment Reserve	(23)
(71) Revaluation Reserve	(70)
(199) Capital Adjustment Account	(193)
(229) Common Good Fund	(247)
<u>(516)</u>	<u>(533)</u>
Total Reserves	
<u></u>	<u></u>

REPORT TO: East Lothian Council

MEETING DATE: 26 August 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Appointment of Representatives to Outside Bodies

7

1 PURPOSE

- 1.1 To seek Council approval of the nomination of Councillor Libberton to represent the Council on the Musselburgh Joint Racing Committee.

2 RECOMMENDATIONS

- 2.1 That the Council approves the nomination of Councillor Libberton to represent the Council on the Musselburgh Joint Racing Committee, replacing Councillor McMillan.

3 BACKGROUND

- 3.1 The Council is required to appoint four Members to serve on the Musselburgh Joint Racing Committee. Councillor McMillan has recently resigned his position on this Committee and the Administration has nominated Councillor Libberton as his 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	13 August 2014

REPORT TO: East Lothian Council

MEETING DATE: 26 August 2014

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Submissions to the Members' Library Service
14 June – 13 August 2014

8

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 14 June and 13 August 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 August 2014

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
14 June – 13 August 2014**

Reference	Originator	Document Title	Access
100/14	Depute Chief Executive (Resources and People Services)	Changes to Corporate Procurement Procedures	Public
101/14	Depute Chief Executive (Resources and People Services)	Musselburgh Common Good Committee Application – Musselburgh Tennis Club	Private
102/14	Depute Chief Executive (Partnerships and Community Services)	Development Plan Scheme No 6	Public
103/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Creation of Graduate Placement Posts within the Planning Service	Private
104/14	Director of Health and Social Care Partnership	Service Review Report – Unit Manager for new Care Home Facility in Tranent	Private
105/14	Depute Chief Executive (Resources and People Services)	Service Review Report – Creation of a Graduate Placement Post within the IT Service	Private
106/14	Depute Chief Executive (Resources and People Services)	Service Review Report – Wraparound Care at Dunbar and Tranent	Private
107/14	Depute Chief Executive (Resources and People Services)	Transfer of a member of staff from Customer Services to Licensing, Administration and Democratic Services	Private
108/14	Director of Health and Social Care Partnership	Service Review Report – Creation of Additional Occupational Therapist Posts	Private
109/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Customer Services Team Restructure Part 1	Private
110/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Team Managers, Road Services	Private
111/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Facilities Management Services, Mailroom	Private
112/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Sport, Countryside and Leisure Services, staffing update linked to continued funding	Private

113/14	Depute Chief Executive (Resources and People Services)	Service Review Report – Creation of Home Economics Auxiliary within Dunbar Grammar School	Private
114/14	Depute Chief Executive (Resources and People Services)	Service Review Report – Creation of Project Manager, Website Redevelopment Project	Private
115/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Facilities Management Services, Staff and Function Catering	Private
116/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Facilities Management Services, Area Officer	Private
117/14	Depute Chief Executive (Resources and People Services)	Service Review Report – Physical Education Specialist	Private
118/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Facilities Management Services, Musselburgh Museum, Cleaner	Private
119/14	Depute Chief Executive (Partnerships and Community Services)	Service Review Report – Facilities Management Services, Cleaner	Private
120/14	Director of Health and Social Care Partnership	ELC Response to Consultation on Mental Health (Scotland) Bill	Public
121/14	Depute Chief Executive (Partnerships and Community Services)	Countryside Services Annual Report 2013/14	Public
122/14	Director of Health and Social Care Partnership	Domiciliary Care Inspection Reports	Public
123/14	Depute Chief Executive (Partnerships and Community Services)	Future Model for Community Justice in Scotland - Consultation Paper	Public
124/14	Director of Health and Social Care Partnership	Award of CON-13-054 Help to Live at Home Framework	Public
125/14	Depute Chief Executive (Partnerships and Community Services)	Grant of Lease for Land at Memorial Recreation Park, Gullane	Private
126/14	Depute Chief Executive (Partnerships and Community Services)	Proposed Public Toilets at Olivebank Stadium, Musselburgh	Private
127/14	Head of Development	Sale of Land in Haddington	Private
128/14	Head of Development	Framework Award – Provision of Extensions and Alterations to Council Houses	Public
129/14	Head of Development	Proposed Summer Enabling Works at Pinkie St Peter's Primary School, Musselburgh	Public
130/14	Head Of Development	Proposed Work Notice Repair Works at 134B, 136 & 138 North High Street, Musselburgh	Public

131/14	Head of Development	Framework Award – Provision of Social Work Access Ramps & Driveway Works to Council Properties	Public
132/14	Depute Chief Executive (Partnerships & Community Services)	Building Warrants Issued Under Delegated Powers Between 1 st and 30 th June 2014	Public
133/14	Director of Health & Social Care	Tyneholm Stables Care Home Inspection Report	Public
134/14	Director of Health & Social Care	Non-Voting Membership of East Lothian Health and Social Care Partnership Shadow Board	Public
135/14	Head of Council Resources	Service Review Report – Adult Wellbeing – Temporary Posts	Private
136/14	Depute Chief Executive (Partnerships & Community Services)	Food and Safety Service Plan 2014-15	Public
137/14	Acting Head of Development	Lease of ground at War Memorial Park in East Linton	Private
138/14	Chief Executive	Amendments to Appendix 2 - Scheme of Delegation of the Council's Standing Orders	Public
139/14	Head of Council Resources	ELC Draft Statement of Accounts 2013-14	Public
140/14	Depute Chief Executive (Partnerships & Community Services)	North Berwick Harbour – Galloway's Pier Refurbishment	Public
141/14	Head of Council Resources	Staffing – New Care Home Facility, Tranent	Private
142/14	Head of Council Resources	Service Review Report: Better Movers and Thinkers Programme – Knox Cluster – 1 Day Additional PE Teacher	Private
143/14	Head of Council Resources	Service Review Report: Children and Young People (Scotland) Act – Requirement for Additional Nursery Nurse Posts	Private
144/14	Head of Council Resources	Service Review Report: Amendment to Facilities Management Services Structure – Caretaking and Cleaning at Humbie Primary School	Private
145/14	Head of Council Resources	Service Review report: Amendment to Facilities Management Services Structure – Cleaning Services at Stables Pavilion, Musselburgh Racecourse	Private
146/14	Head of Council Resources	Staffing Report – 1 year Extension of temporary post of Fa'side Family Outreach Worker	Private
147/14	Head of Council Resources	Service Review Report: Amendment to Facilities Management Services Structure – Cleaning Services at West Barns Primary School	Private

148/14	Head of Council Resources	Service Review Report – Amendment to Facilities Management Services Structure – Cleaning Services at the Gatehouse, Musselburgh	Private
149/14	Head of Council Resources	Service Review Report – Amendment to Facilities Management Services Structure – Cleaning Services at Musselburgh Library	Private
150/14	Head of Council Resources	Service Review Report: Amendment to Facilities Management Services Structure – Cleaning Services at Kinwegar Waste Services Depot	Private
151/14	Depute Chief Executive (Resources & People Services)	Information regarding SCAPE Frameworks for Procurement	Public
152/14	Depute Chief Executive (Resources & People Services)	Knox Academy Minor Service Review – Temporary Pupil Support Worker (Additional New Post)	Private
153/14	Depute Chief Executive (Resources & People Services)	Prestonpans Primary School - Creation of a new Class Teacher	Private
154/14	Head of Development	Staffing Report – Consolidation of transitional staffing arrangements within East Lothian Works	Private
155/14	Head of Council Resources	Adult Wellbeing – Payments to Third Sector Agencies	Public
156/14	Head of Council Resources	Customer Services Team Restructure Part 2	Private
157/14	Head of Council Resources	Amendment to Facilities Management Services Structure – Janitorial Services at Macmerry Primary School	Private
158/14	Head of Council Resources	Tynebank Resource Centre Staffing	Private
159/14	Chief Executive	Response to the Scottish Government Consultation on Draft Regulations and Orders Relating to Public Bodies (Joint Working) (Scotland) Act 2014	Public
160/14	Depute Chief Executive (Partnerships and Community Services)	Building Warrants Issued under Delegated Powers, 1-31 July 2014	Public
161/14	Head of Education	Amendment to Reserving Places at Yester Primary School for District Pupils Who Move Into the Catchment Area during the Academic Year 2014/15	Public
162/14	Depute Chief Executive (Partnerships and Community Services)	Mortgage to Rent Scheme – Purchase of House in North Berwick	Private

13 August 2014