



**MINUTES OF THE MEETING OF  
EAST LOTHIAN COUNCIL**

**TUESDAY 10 FEBRUARY 2015  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

**1a**

---

**Committee Members Present:**

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

**Council Officials Present:**

Mrs A Leitch, Chief Executive  
Mr A McCrorie, Depute Chief Executive (Resources and People Services)  
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)  
and Monitoring Officer  
Mr D Small, Director of Health and Social Care Partnership  
Mr J Lamond, Head of Council Resources  
Mr M Leys, Head of Adult Wellbeing  
Mr D Nightingale, Head of Education  
Mr D Proudfoot, Acting Head of Development  
Ms S Saunders, Head of Children's Wellbeing  
Mr T Shearer, Head of Communities and Partnerships  
Mr K Christie, Service Manager – Revenues  
Mr J Cunningham, Service Manager – Benefits  
Ms S Fortune, Service Manager – Business Manager  
Ms M Ferguson, Service Manager – Legal and Procurement  
Mr P Vestri, Service Manager – Corporate Policy  
Mr M Dunlop, UNISON Branch Officer  
Mr D Johnson, Food Safety Officer  
Ms W McGuire, Senior Development Officer  
Ms P Fraser, Finance Officer  
Ms F Currie, Committees Assistant

**Visitors Present:**

None

**Clerk:**

Mrs F Stewart

**Apologies:**

Councillor D Berry

Councillor F McAllister

Prior to presenting his report, Jim Lamond, Head of Council Resources, advised that the paper outlining the Budget Proposals of the SNP Group (Item 5b on the agenda) had been re-issued on 9 February following the discovery of an error. Mr Lamond apologised for any inconvenience this may have caused.

## **1. COUNCIL FINANCIAL STRATEGY 2015/16 TO 2017/18**

A report was submitted by the Depute Chief Executive (Resources and People Services) outlining the Financial Strategy of the Council, which provided the financial context for Councillors in preparing their budgets for the period 2015-18.

The Head of Council Resources, Jim Lamond, presented the report, advising that the Strategy provided financial management guidance for both the Housing Revenue and General Services Accounts and established various parameters within which political groups had been asked to prepare their budget proposals.

He highlighted the key aspects of the Strategy in relation to the Housing Revenue Account (HRA): ensuring the capital programme would be sustainable and affordable through the proposed rent and revenue spending levels; meeting the requirements of the Scottish Housing Quality Standards; responding to the challenges arising from the recent and proposed UK Benefit reforms; ensuring rent arrears would be kept to a minimum; staying within the recommended upper limit for the ratio of debt to overall income of 40%; and maintaining a minimum reserve/balance on the HRA of £1 million.

In relation to the General Services Budget, Mr Lamond advised that nearly 80% of available funding came from Central Government sources and therefore indications of future grant settlements were vital to establish meaningful medium term financial plans. However, for the second year running, only one year of detailed figures (2015-16) had been made available by the Scottish Government. In addition to a potential real terms reduction in government funding, the Strategy also took into account the following key factors: the ongoing Council Tax freeze; the lack of provision made for rises in inflation; the pressures resulting from demographic changes; ongoing pressures on staffing costs; meeting the requirements of new legislation and the need for the Capital Plan to be affordable and sustainable. Mr Lamond had also set out in his report capital spending limits for the next 5 years which aimed to minimise the need for any new borrowing over the strategy period while still allowing an ambitious capital investment programme.

Mr Lamond advised that, in recent years, the Council had successfully managed costs down as a result of efficiency programmes and a Voluntary Early Release Scheme. However, in order to balance future year budgets, further reductions would need to be secured through the Council's established Efficient Workforce Management Planning and BuySmart programmes. The Chief Executive had also established a new Budget Review Group to provide additional financial scrutiny of planned spending and efficiencies across all areas of the Council.

On the use of Reserves, Mr Lamond recommended the retention of already earmarked reserves for the following purposes: balancing current and future budgets; civil emergency; Cost Reduction Fund, Insurance Fund, DSM and MELDAP/DAAT. He proposed that, should any future reserves become available, they should be directed towards the Cost Reduction Fund or the General Services Capital Fund.

On Financial Performance, Mr Lamond stressed that the management of the budget was not a once a year process, but was collectively the responsibility of all Council Officers. His team of Financial Advisers would continue to monitor performance and regular financial reports would be presented to Council and Cabinet.

Concluding his presentation, Mr Lamond stated that he was confident the Council could deliver its priority outcomes within a sustainable and balanced budget.

Mr Lamond confirmed that both budgets presented to the Council had been subjected to four tests and that both had satisfied these tests.

In response to a question from Councillor McLennan seeking clarification of funding in respect of the proposed rail stop at East Linton, Mr Lamond firstly confirmed that the project was still the subject of an open bid to the Scottish Stations Fund. As reported formally to Council in December 2014, those administering the fund had determined that no award could be made until further detailed design work was undertaken and funded by the Council and to enable this, the Council had now made provision within the existing Capital Investment Plan to support this work. In setting their proposed budgets, both political groups had been advised of this situation and had proposed suitable funding provision in 2015/16 to cover the detailed design costs associated with the bid. At this stage, and recognising that the outcome of the bidding process remained uncertain, no specific provision had been made within either set of proposals to fund the actual project works. Should the bid be successful, the Capital Fund would provide the Council with the necessary flexibility to amend its Capital Plan accordingly.

Councillor Currie referred to the Capital Expenditure Limits in the report and enquired about the long term planning for projects, particularly in schools, for the period 2018-20. Mr Lamond replied that all Capital Expenditure figures had to be applied flexibly to take account of other factors which could impact on spending in the future. He acknowledged that the Council would face a challenge on education infrastructure, but stated that the Council hoped to maximise development contributions from housing contractors to fund a significant part of the cost.

Councillor Currie also noted from the report that the Council had a 40% debt to income ratio and enquired what the ratio might be within other Scottish Local Authorities as this information was not a statutory requirement. Mr Lamond replied that he recommended a rate of 40% for East Lothian. He understood that there was a wide variety of levels across the other Local Authorities, ranging from 0% (Authorities with no housing stock) to 70-80%. In his view, the key test was around affordability but it was a complex matter. The Council had been at 0% but the level had risen to service a growing need in the community.

Councillor Veitch stated that there was much to welcome in the Financial Strategy. Efficiency programmes had clearly been effective and the focus had to remain on maximising efficiencies and living within the Council's means.

Councillor Innes thanked Mr Lamond for his report. He stated that the grant from the Scottish Government had fallen by 6% so there would be significant financial challenges ahead. The Council had an ambitious Capital Plan and this could only be achieved if the Administration was trusted to make the right decisions for the people of East Lothian.

## Decision

The Council agreed:

- i. to approve the Financial Strategy, attached as Appendix 1 to the report;
- ii. to approve the 2014/15 budget adjustments, as detailed in Section 3.7 of the report; and
- iii. that, as part of presenting their budget proposals, each Group of Councillors had been recommended to:
  - develop a sustainable General Services budget avoiding the use of reserves in Year 3 (2017/18);
  - develop General Services Capital Plans which, when adjusted, were within the maximum Capital Expenditure Limits outlined at Section 3.6 of the report;
  - adopt the recommended levels for reserves, as detailed in the Financial Strategy;
  - transfer any unexpected reserves at the end of 2014/15 to either the General Services Capital Fund or the Cost Reduction Fund, with any balance on the Capital Fund to be used in future years to directly fund capital expenditure or defray capital charges;
  - prepare balanced budget proposals for General Services taking into account a freeze in the level of Council Tax and the related estimates of Scottish Government Grant;
  - retain within the Housing Revenue Account (HRA) at least £1.0 million of reserves as protection against unexpected costs of loss of income;
  - keep the ratio of income to debt charges within the HRA to below 40%;
  - propose an appropriate rent increase to support the HRA revenue and capital budget proposals.

## 2. COUNCIL TAX 2015/16

A report was submitted by the Depute Chief Executive (Resources and People Services) setting the Council Tax charges for the 2015/16 tax year.

Mr Lamond presented the report, advising that Councillors would be aware of the terms of the financial settlement originally offered by the Scottish Government for 2015/16, whereby an element of the proposed grant might be held back subject to the satisfying of two conditions; firstly in respect of maintaining the Council Tax Freeze and secondly in relation to the provision of places for all probationers under the teaching Induction Scheme. Also within this letter, reference was made to an ongoing joint review of the wider commitment to maintaining teacher numbers. Events over the past few days had suggested that there was now a possibility that the requirement to maintain teacher numbers would be re-instated within the settlement condition. It would therefore be necessary to monitor developments closely and, if and when necessary, he would bring forward updates to the Council.

Mr Lamond also informed Members that both political groups had confirmed their intention to accept the Scottish Government grant offer and therefore to apply a Council Tax Freeze for 2015/16. He also highlighted the discounts in relation to early payment of Council tax and to second homes and reminded Members of the arrangements and funding now confirmed to support continuation of the Council Tax Reduction Scheme.

## **Decision**

The Council agreed:

- i. to approve the Council Tax charges for 2015/16 as listed at Section 3.8 of the report;
- ii. to approve the continued operation of the Council Tax advance payment discount at 2%;
- iii. that the Council Tax second home and long-term empty property discount should remain at 10%.

### **3. PROPOSALS TO INCREASE COUNCIL HOUSE RENTS: CONSULTATION EXERCISE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) outlining the results of the consultation exercise on the proposals to increase Council House rents in 2015/16, and outlining the key aspects of the consultation process.

The Head of Communities and Partnerships, Tom Shearer, presented the report, explaining that the Council had a statutory obligation to consult with all tenants when making proposals to increase rent levels. He drew attention to the work undertaken by the Project Group (established last year) and to the outcome of the consultation, advising that 1031 responses had been received, representing a return rate of 12.2% of all letters issued.

Councillor Hampshire thanked Mr Shearer and his team for carrying out the consultation exercise. He also highlighted that results had shown the majority of tenants wanted more investment in Council houses for East Lothian.

## **Decision**

The Council agreed:

- i. to note the results of the consultation exercise; and
- ii. to note the consultation process, which would be further improved and consolidated on in future years.

### **4. RENT PROPOSALS 2015/16 – 2019/20**

#### **(a) Presentation by the Administration**

Councillor Hampshire presented the Administration's Housing budget to the Council. He thanked officers and East Lothian Tenants and Residents Panel (ELTRP) representatives for their advice and support in developing the proposals.

Councillor Hampshire paid tribute to the dedicated and committed Council staff who continued to deliver an excellent service to tenants. He advised that 91% of the Council's housing was compliant with the Scottish Housing Quality Standard (SQHS) and a stock modernisation programme was in place to ensure that all Council houses would meet this standard. There would also be an additional £57.5m invested in housing over the next 3 years to maintain the Council's high quality housing stock. He acknowledged that this would still not meet the high demand for housing but additional measures, including shared

ownership and allocations of new affordable housing in new housing developments, would increase the number of homes available.

Councillor Hampshire declared that the Council's top priority was to invest in new housing and stated that the proposed rent increase would also allow the Council to continue to invest in the modernisation and extensions programme as well as increase the revenue available to carry out repairs to Council houses.

He called on the Council to support the rent proposals as set out by the Administration.

The Administration proposals were seconded by Councillor Day.

**(b) Presentation by the SNP Group**

Councillor Currie presented the SNP Group housing budget to the Council. He referred to the progress made in delivering new Council housing between 2008 and 2012 and considered that this progress had not continued under the current Administration. In his view, the Administration had also not taken advantage of the additional funding opportunities available from the Scottish Government and other sources to deliver more homes. Councillor Currie summarised his Group's proposals on rents and highlighted that it proposed lower rent increases year on year that would deliver substantial new council houses, kitchens, bathrooms and modernisation for the Councils existing homes.

The SNP Group proposals were seconded by Councillor McLeod.

**(c) Debate and Decision**

Following the presentations, the Provost opened the matter for debate but no debate took place.

Councillor Currie did not accept an invitation to sum up as this was normally done in response to the debate.

Councillor Hampshire responded to Councillor Currie's presentation, stating that he had unfairly criticised the Administration for the slow down in the number of Council houses and private sector housing being built in East Lothian. He pointed out that, during the economic downturn, the Council had been tied into housing developments where construction had stopped and the Council did not have power to move these developments forward. Furthermore, he stated that the development sites which Councillor Currie was taking credit for had already been identified by the Labour Group. He added that the last Administration had also inherited a revenue at 0%.

The Provost then asked the Council to move to the vote.

The HRA budget proposals of the SNP Group for 2015/16 to 2019/20 were put to the vote.

For:	7
Against:	13
Abstentions:	1

The SNP Group's proposals therefore fell.

The HRA budget proposals of the Administration for 2015/16 to 2019/20 were put to the vote.

For: 13  
Against: 7  
Abstentions: 1

The HRA budget as proposed and seconded by the Administration was therefore carried.

### **Decision**

The Council agreed to approve the rent proposals as presented by the Administration and increase Council house rent levels by 5% in 2015/16.

## **5. COUNCIL TAX PROPOSALS 2015/16 to 2017/18**

### **(a) Presentation by the Administration**

Councillor Innes presented the Administration's budget proposals, thanking the Chief Executive, the Council Management Team and Finance officers for their assistance during the process.

Councillor Innes referred to the financial pressures faced by the Council and stated that the budget proposals he was presenting included an additional £2.3 million to fund the new commitments imposed on local authorities by the Scottish Government. These additional costs, including pension changes, increased demand for care of the elderly and children's services, would have to be absorbed without any additional funds from the Scottish Government. He stated that the only way the Council could meet these additional costs was to make further cuts and/or increase charges. However, he stated it was important that staff were confident any cuts made were essential and were the minimum required to safeguard the residents of East Lothian.

Councillor Innes stated that the budget presented by the Administration continued with the strategy devised two years ago that had been successful in stabilising the Council's finances, developing the economy and protecting front line services. He criticised the SNP Group's budget proposals which he considered had not been costed and could not possibly be achieved.

The Administration proposals were seconded by Councillor Veitch, who drew attention to the following proposals:

- £250,000 investment for Adult Wellbeing
- new money for day centres
- an extra £100,000 for Council supported bus services
- a substantial level of funding for town centre regeneration
- retaining the roads budget at a high level; and
- a generous parking improvement budget

Councillor Veitch also highlighted the Administration's financial commitment towards the development of East Linton railway station and hoped that the Council's bid to the Scottish Station Fund would be successful, enabling the station to become operational as soon as possible. He concluded his statement by thanking the officers involved in assisting Members during the budget process and thanked Councillor Innes for his role in bringing the Administration's proposals together.

**(b) Presentation by the SNP Group**

Councillor Currie set out the budget proposals of the SNP Group, stating that these proposals would protect the most vulnerable groups in East Lothian, in particular, Children's Wellbeing, Adult Wellbeing and Education. He drew attention to the key proposals of his Group:

- £500,000 for the Abbey Care Home in North Berwick
- £2 million for a Rail Stop at East Linton
- a new care home for Musselburgh
- £300,000 of investment in Fisherrow Harbour
- limit any increase in charges to the same rate of inflation applied to benefits and pensions
- develop an emergency respite service, increasing the number of beds available in the county
- £500,000 to reduce bed blocking
- invest in town centres and Area Partnerships to take forward regeneration
- £50,000 for the East Lothian foodbank
- remove coastal car parking charges

The SNP Group proposals were seconded by Councillor MacKenzie. He highlighted proposed additional levels of investment in Children's Wellbeing to provide family support workers, social workers and Disabilities Team Workers. The proposals also included a rise in the Education budget to continue supporting the Curriculum for Excellence and GIRFEC.

**(c) Debate and Decision**

Following the presentations, a full debate took place.

Councillor Day, Cabinet spokesperson for Community Wellbeing stated that the financial position remained difficult. However, he believed that the Administration's 3-year budget struck the correct balance between protecting the Council's essential services and ensuring that the Council's finances were both affordable and sustainable in the long term. He praised the work of the Community Wellbeing team and stated that the Healthy Living Service continued to lead on the Council's long-standing commitment to sport. He recalled the successes of East Lothian's sportsmen and women at last year's Commonwealth Games in Glasgow and advised that last year a £1.6 million investment in the county's 3G pitch provision had been completed. On Community Learning and Development, Councillor Day stated that the proposals set out an increase of £150,000 in the partnership grant budget which would make a significant difference to the groups and communities who relied on them. He also paid tribute to the contribution and commitment of volunteers involved in community work.

Councillor Akhtar set out the Administration's proposals for Education and Children's Wellbeing. She stated that education was a priority for the Administration which was committed to driving up standards in all the county's schools. She highlighted an investment of £150,000 over the next 3 years into the Place2Be programme to ensure that young people had access to the support they needed. Education would also be working alongside the Area Partnerships to raise levels of literacy and numeracy and to support this work, each school cluster area would be awarded £100,000.

On Adult Wellbeing, Councillor Grant informed Members that the Administration's Budget proposal was made in the context of having lost £11 million pounds in Revenue Support Grant from the Scottish Government over the last 3 years, and £1.4 million from the 2015/16 Grant. He also advised that, due to the demand for services increasing by 26% over the last



two years, the Council would invest a further £750,000 to support a wide range of measures within the Service. In respect of charges for services, Councillor Grant advised that new charges approved by Cabinet last year would now not be introduced, but existing charges would remain. There would also be ongoing support for Day Centres which provide a valuable care service in the community. The Health and Social Care Partnership, due to begin operating in July 2015, was expected to achieve significant savings for the Council in Year 2. He commented that the SNP Group's proposals appeared to reflect the same high risk policy they presented to Council last year by outsourcing the domiciliary care services and by cutting this year's respite care budget. Despite the challenges facing the Service, he stated that the Administration was committed to protecting and supporting vulnerable people and making best use of available resources.

Councillor McMillan, Cabinet Spokesperson for Economic Development and Tourism, spoke of the Council's commitment to local businesses and increasing economic growth. He also outlined the Council's achievements in supporting culture and the Arts, marketing the county as a desirable tourist destination and developing a strategy for rural broadband.

Councillor Hampshire stated that, in these difficult financial times, the Administration had had to look at all options and take some difficult decisions to reduce costs while still protecting key services. He referred to the redesign of Council services which had taken place over the past year and paid tribute to all staff who had adapted to the changes and continued to deliver quality services. He outlined the major challenges facing the Council and stated that today's 3-year budget proposals were part of a long term strategy for East Lothian. On the Environment, he advised that the Planning Service was currently working on a new Development Plan and Waste Services were being redesigned to meet European Recycling targets. He also advised that parking charges at coastal car parks would be introduced in April and the income reinvested visitor facilities. The SNP Group's proposals, he claimed, would result in reductions in staff across the Council which would not be achievable without major cuts to the services relied upon in the community.

Councillor McNeil doubted that the SNP could deliver on their proposals and commented on their apparent narrow focus on Musselburgh. He welcomed the investment in town regeneration in the Administration's proposals and stated that there would also be support for the rural communities in East Lothian.

Councillor Goodfellow condemned the cuts in staff proposed by the SNP, considering that such a step would have a significant impact on the Council's ability to deliver services. He highlighted the role of the Area Partnerships established in 2014, stating that they would be deciding their own priorities and determining where money needed to be invested in their communities.

Summing up, Councillor Currie argued that the Labour Group had reneged on their manifesto commitments, particularly in relation to investment in the Education Service. He was critical of the Administration's performance on delayed discharges from hospital, the delivery of new housing and the proposal to introduce coastal car parking charges which he noted would provide no income until Year 2 of the budget. He stated that his Group's proposals reflected its ambition for East Lothian and would protect front line services. He recommended the SNP Group's budget to the Council.

Councillor Innes criticised the SNP Group's record on Education and Children's Services and pointed out that the Administration had increased the budgets for both of those services. His Group had also succeeded in implementing the Living Wage as part of the current pay and grading structure for all Council employees. Finally, he stressed the need for the Council to have a responsible attitude towards finances while still protecting the most vulnerable people in the community. He called on Councillors to support the Administration's budget.

The Provost then asked the Council to move to the vote.

The budget proposals of the SNP Group were then put to the vote.

For: 7  
Against: 13  
Abstention: 1

The SNP Group's proposals therefore fell.

The budget proposals of the Administration were then put to the vote.

For: 13  
Against: 7  
Abstention: 1

The budget as proposed and seconded by the Administration was therefore carried.

**Decision**

The Council agreed to approve the budget proposals as presented by the Administration.

Signed .....

Provost Ludovic Broun-Lindsay  
Convener of the Council



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

**TUESDAY 24 FEBRUARY 2015  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

**1b**

---

**Committee Members Present:**

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

**Council Officials Present:**

Mrs A Leitch, Chief Executive  
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)  
and Monitoring Officer  
Mr A McCrorie, Depute Chief Executive (Resources and People Services)  
Mr D Small, Director of East Lothian Health & Social Care Partnership  
Mr J Lamond, Head of Council Resources  
Mr D Nightingale, Head of Education  
Mr D Proudfoot, Acting Head of Development  
Ms M Ferguson, Service Manager – Legal and Procurement  
Mr C Howman, Amenity Protection Officer  
Ms J Mackay, Media Manager  
Mr I McFarlane, Service Manager – Planning  
Ms E Morrison, Service Manager – Customer Services  
Mr J Peoples, Environmental Protection Officer  
Mr P Vestri, Service Manager – Corporate Policy & Improvement

**Visitors Present:**

None

**Clerk:**

Mrs L Gillingwater

**Apologies:**

Councillor McAllister

## **ORDER OF BUSINESS**

*Urgent Item: Prior to the commencement of business, the Provost announced that there was an urgent item of business for consideration, relating to the Local Government Finance Settlement 2015/16. The Provost reminded Members that the Head of Council Resources had, at the budget-setting meeting on 10 February, advised of the possible re-instatement within the finance settlement of a requirement to maintain teacher numbers. The Head of Council Resources had indicated at that meeting that this matter would be monitored and that the Council would be updated on developments. The Provost advised that a resolution had now been reached and he invited the Leader of the Council to make a statement.*

Councillor Innes advised that he had taken the decision to accept the grant settlement on behalf of the Council. He noted that had that Council not accepted the settlement offer, the Scottish Government would have withheld around £800,000 of funds to the Council, which would have had a serious impact on the Council's finances. He also reminded Members that the Administration budget approved on 10 February had included that resource. Councillor Innes reported that he had written to the Finance Secretary, John Swinney, on 20 February (the deadline for responding), advising that East Lothian Council would accept the offer, but that he had also expressed his concern about the lack of a collective agreement on this matter. He suggested that CoSLA should consider this situation and the implications for local authorities. Councillor Innes stated that the Council had no intention of reducing teacher numbers; however, there were concerns about maintaining the pupil/teacher ratio due to rising school rolls, and this would need to be monitored to ensure that the Council did not fail the Scottish Government test applied in respect of teacher numbers.

Councillor Currie requested that a copy of Councillor Innes's letter be lodged in the Members' Library; this request was accepted. He asked if an update on the Council's compliance with the test on teacher numbers could be provided at a future Council meeting. He noted his support for maintaining teacher numbers and asked if the Administration had stated its position on maintaining teacher numbers for future years.

The Head of Council Resources noted that it would be appropriate to provide an update on teacher numbers to the Council meeting in December 2015, as census data would not be available before then.

In response to Councillor Currie's question as regards future years, Councillor Innes reiterated that the Administration had no intention of reducing teacher numbers.

Councillor McMillan suggested that improving educational attainment was not just a matter of teacher numbers, but was also concerned with modern approaches to education.

Councillor Berry also pointed out that pupil numbers tended to fluctuate in certain areas and that this should be taken into account.

### **Decision**

The Council agreed to note the action taken by Councillor Innes on behalf of the Council in relation to the Local Government Finance Settlement 2015/16.

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

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

## **East Lothian Council – 16 December 2014**

*Matters arising:* Item 6 – Closure of Haddington Sheriff Court – Councillor McMillan asked the Chief Executive if information was available in respect of the impact of the court closure on Haddington, and also if a response had been received to the letter sent to the First Minister and the Cabinet Secretary for Justice in January.

The Chief Executive reported that, since the last Council meeting, a further public meeting had taken place to discuss the matter of securing a summary justice facility in East Lothian. A letter had been sent to the First Minister and Cabinet Secretary for Justice in this regard (signed by both the Provost and Council Leader), but a response had not yet been received. As regards the former court accommodation, a settlement had not been reached to date; however, it was hoped that the Council could secure this accommodation to use for summary justice in the future.

Responding to comments regarding why he had not signed the letter to the First Minister and Cabinet Secretary, Councillor Currie advised that he had not signed it on the basis that it did not address the issue of the Lord President's position on the matter. He also felt that the letter merely repeated views already expressed.

Councillor McMillan welcomed the continued support for retaining a justice facility in Haddington and also the proposals to retain the court accommodation. He paid tribute to the work done by local solicitor Angela Craig, and urged Members to lobby Ministers and the Lord President on this issue.

The Chief Executive indicated that early reports had suggested the financial impact on Haddington town centre was more significant than previously anticipated. She also noted that the impact on the time of Council staff spent travelling to and attending Edinburgh Sheriff Court was being monitored. She added that there was anecdotal evidence to suggest that cases were taking longer to be heard at Edinburgh Sheriff Court.

Councillor Berry mentioned that he had written to both the previous and current Cabinet Secretaries for Justice as regards the importance of administering justice locally, especially in an area such as East Lothian.

Councillor Hampshire suggested that the views and concerns of people using the court system should be sought.

Having reiterated his reasons for not signing the letter, Councillor Currie noted that he had put forward suggestions for the future use of the former court premises by community groups and he also looked forward to hearing proposals on how the impact of the closure on the local economy would be mitigated.

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

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

### **East Lothian Partnership – 8 October 2014**

### **3. DECISION OF STANDARDS COMMISSION FOR SCOTLAND IN HEARING OF COMPLAINT AGAINST COUNCILLOR FRASER McALLISTER**

A report was submitted by the Monitoring Officer advising of the statutory duty on the Council to consider the findings of a decision by the Standards Commission for Scotland within 3 months of receipt, and to respond to the direction given on behalf of the Commission, by advising its Executive Director of any decision made by the Council in relation to the Commission's findings.

The Monitoring Officer, Monica Patterson, presented the report, advising Members of the background to the complaint and of the findings of the Standards Commission in respect of the complaint made against Councillor McAllister. She drew attention to the recommendations made by the Standards Commission Panel, noting that a training session had been arranged for all Members on 12 May 2015. She also reminded Members that they should seek advice on the registration and declaration of interests from herself, Morag Ferguson and Kirstie MacNeill, as required.

#### **Decision**

The Council agreed:

- i. to consider the recent decision of the Standards Commission for Scotland following the Hearing held on 14 and 15 January 2015 into a complaint concerning the conduct of Councillor Fraser McAllister;
- ii. as recommended by the Commission, to provide further training for Elected Members on the procedures to follow in relation to the declaration of interests; and
- iii. that its decision would be communicated to the Commission through the Commission's Executive Director.

### **4. TREASURY MANAGEMENT STRATEGY 2015/16 TO 2017/18**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the Council of the Treasury Management and Investment Strategies for 2015/16 to 2017/18.

The Head of Council Resources, Jim Lamond, presented the report, advising that all the figures contained within the report and strategy document reflected the budget decisions taken by the Council on 10 February 2015. He drew attention to an error in Section 3.11 of the report, noting that the closing figure should read £391.127 million, rather than £384.049 million. He then provided a summary of the report, highlighting the key points as regards the management of debt, the Investment Strategy and loans to third parties. He advised that reports on treasury management activity would be lodged in the Members' Library on a quarterly basis, with an annual report being presented to the Audit and Governance Committee.

In response to a number of questions from Councillor Currie, Mr Lamond reported that, in relation to debt charges, the figures reflected an increase. However, he noted that the rate at which it was increasing was reducing, in line with the Council's Financial Strategy. As regards capital limits, he advised that these had been agreed by the Council at its meeting on 10 February. He warned that there many challenges facing the Council, including the delivery of education infrastructure, and if the three-year capital plan required to be amended, this would be reported to Council. He indicated that there was a degree of

slippage within the capital programme and that he could not guarantee that there would not be further slippage; the position would be monitored and reported to Council as appropriate. He was not aware of any projects having been cancelled.

Referring to the Treasury Management report of 2012, Table 2 in particular, Councillor Berry asked for further information on why figures had been changed. Mr Lamond advised that all aspects of Council finances were subject to review. He noted that the combined effect of changes to grants, receipts and developer contributions could have a significant impact. He offered to provide Councillor Berry with further information. Councillor Berry remarked that the current Administration's planned capital expenditure exceeded that of the previous Administration, despite the previous Administration being criticised for overspending.

Mr Lamond stated that the Council had reduced its outlays and capital expenditure during the past three years, and that significant adaptations had been made to capital spending limits, as reflected within the Financial Strategy. He conceded that aspects of treasury management were complicated, but assured Members that there had been an impact on the overall levels of debt.

Councillor Currie commented that the Council still had the second highest net debt ratio of Scottish local authorities, and that debt, debt charges and borrowing was increasing year-on-year. He claimed that as no capital projects had been cancelled, the Administration was seeking to comply with spending limits by delaying projects to future years.

Councillor Innes highlighted the significance of the link between capital expenditure and the revenue budget, and of the importance of controlling capital expenditure in order to reduce the risk of spending cuts in future. Referring to Councillor Berry's comments, he stated that debt levels and capital expenditure had been reduced by the current Administration, and that the Administration was committed to protecting frontline services. His comments were supported by Councillor Veitch, who maintained that the Council was pursuing the correct financial strategy.

## **Decision**

The Council agreed:

- i. to note the Treasury Management Strategy, as detailed in Section 3.4 of the report;
- ii. to note the Investment Strategy, as detailed in Section 3.19 of the report;
- iii. to approve the authorised limits for external debt, as detailed in Section 3.13 of the report;
- iv. to approve the operational boundaries for external debt, as detailed in Section 3.15 of the report;
- v. to approve the delegation of authority to the Head of Council Resources to effect movement between external borrowing and other long-term liabilities, as detailed in Section 3.16 of the report; and
- vi. to approve the detailed Treasury Management Strategy Statement, available in the Members' Library (Ref: 19/15, February 2015 Bulletin).

**5. AMENDMENT TO EAST LOTHIAN PARLIAMENTARY CONSTITUENCY POLLING PLACES SCHEME 2015**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking Council support to formally amend East Lothian Council's Polling Place Scheme in respect of the EL4A polling district, and advising of the proposed temporary use of The Vestry, Spott Parish Church for the forthcoming General Election only.

The Head of Council Resources, Jim Lamond, presented the report, advising Members of the proposed changes to the Parliamentary Polling Places Scheme 2015.

Councillor McMillan paid tribute to the work done by the election team.

**Decision**

The Council agreed:

- i. to approve the permanent amendment to the polling scheme for East Lothian Constituency for Polling District EL4A; and
- ii. to note the temporary change required in Spott.

**6. INVOLVEMENT OF ELECTED MEMBERS IN PRE-APPLICATION STAGES OF MAJOR DEVELOPMENT PROPOSALS IN ACCORDANCE WITH SCOTTISH GOVERNMENT/COSLA GUIDANCE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) proposing a procedure for the involvement of Members in pre-application stages of major development proposals, to contribute to the Scottish Government's agenda for modernisation of the planning system.

The Service Manager – Planning, Iain McFarlane, presented the report, advising that new procedure resulted from Scottish Government/CoSLA guidance in relation to improving public engagement in the planning process. He drew attention to the key aspects of the report and to the proposed procedures for dealing with pre-application stage proposals.

Councillor Currie expressed concern as regards Members expressing opinions on proposals at the pre-application stage, and also asked if that may result in third parties seeking to put forward their views. Mr McFarlane advised that any views put forward would be based on provisional information, and that therefore only a provisional opinion could be given. He noted that the process would be similar to that used for pre-determination hearings.

Councillor Berry noted that there was no reference to windfarm developments and asked if it would be possible for applicants to evade the regulations if they submitted applications for individual turbines rather than for a group of turbines. Mr McFarlane explained that if someone applied for a turbine on, say, an annual basis, then each would be treated as an individual application.

In response to a question from Councillor Berry as regards Members possibly disqualifying themselves from making decisions at Planning Committee due to views previously expressed, Mr McFarlane suggested that Members could state that they supported the principle of a specific development but noting that there were key issues requiring further discussion.



Councillor Hampshire commented that public perception of this new process could be a concern and called on Members to exercise caution during debates of pre-application stage reports.

Councillor Innes highlighted the importance of public confidence in the planning system, remarking that the current system was too complicated.

In response to requests from Members, Mr McFarlane offered to provide training on the new procedures.

### **Decision**

The Council agreed:

- i. to approve the proposed procedures in respect of Councillor pre-application discussions; and
- ii. that the Scheme of Administration for the Planning Committee should be amended to reflect these procedures.

## **7. SCHOOL CONSULTATIONS – MAIN ISSUES REPORT (MIR)**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking (in accordance with processes pertaining to the Main Issues Report) approval from Council to undertake consultations relating to the school estate (schools, catchment areas, location) regarding work necessary to inform the Local Development Plan (LDP), where there is likely to be a need for new or re-provisioned facilities, and that such consultations could be undertaken without individual permission from the Council for each exercise, relating to the LDP, to mitigate any potential delays.

The Head of Education, Darrin Nightingale, presented the report, advising that at present consultations would normally come to Council prior to their commencement. He proposed that in future, officers should be able to commence consultations without seeking approval of Council. He undertook to report back on the outcome of consultations and also to meet with Members to update them on consultations.

### **Decision**

The Council agreed:

- i. that consultations relating to the MIR could be undertaken without further reference to or approval by the Council; and
- ii. that reports would be presented to Council on the outcome of such consultations in order that the Council could make a decision on any proposed changes.

## **8. CHARGING POLICY – CHARGES FOR DOG WASTE BAGS**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking consideration of the introduction of a charge to members of the public for the provision of dog waste bags.

The Service Manager – Customer Services, Eileen Morrison, presented the report, proposing that a charge be introduced for dog waste bags. She referred to a recent service review within her service, a survey of the Citizens Panel, and also a benchmarking exercise to support the proposal, commenting that it was clear that the provision of dog waste bags was a valued service, but that continuing to provide them free of charge could not be justified. She noted that dog wardens would carry bags and issue them without charge.

Responding to questions from Councillor MacKenzie as regards dog walking businesses, Carl Howman, Amenity Protection Officer, advised that the Council had established an approved dog walker scheme in response to concerns from the public in relation to fouling and large numbers of dogs being walked by individuals. As a result of this scheme, the number of complaints had decreased. However, he noted that the scheme was not compulsory and that dog walkers from other areas were coming to East Lothian to walk dogs.

Councillor Trotter questioned the benefits in introducing this charge. Ms Morrison pointed out the costs involved in providing this service, and remarked that the problem of dog fouling would remain. Councillor Innes added that the report was concerned with recovering the costs associated with providing dog waste bags, not about educating dog owners.

Councillor Currie accepted that there was a problem with dog fouling in many areas and that members of the public believed the problem was getting worse. He believed that charging for dog waste bags would have a negative impact and declared that the SNP Group would not be supporting the report recommendations.

Ms Morrison highlighted the importance of making the public aware of the costs associated with providing the bags. She also noted that it was difficult to enforce fines when the culprit could not be identified. She reiterated that the report was concerned about charging for bags and that proposals for dealing with the problem of dog fouling would be the subject of a future report.

Councillors Hampshire and Councillor Berry spoke about the importance of tackling irresponsible owners and increasing enforcement.

The Provost moved to the vote on the recommendations as set out in the report:

For:	13
Against:	7
Abstentions:	2

### **Decision**

The Council agreed:

- i. to approve the introduction of a charge of £1 (including VAT) per 50 dog waste bags (a pack), commencing on 1 April 2015, noting that part of the income derived would be used to cover the cost of the bags, ordering, delivering and distribution, with the remainder of the income to be used to help fund initiatives related to responsible dog ownership; and
- ii. that the charge would be reviewed on an annual basis.

**9. SUBMISSIONS TO THE MEMBERS' LIBRARY, 4 DECEMBER 2014 – 11 FEBRUARY 2015**

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of the reports submitted to the Members' Library since the last meeting of the Council.

Councillor Goodfellow welcomed the appointment of two modern apprentices, as outlined in Ref: 242/14.

Councillor Hampshire drew attention to the extension of Council properties, noting the positive effect these would have on the families occupying these properties.

Members also welcomed the improvements to a number of tennis court facilities around East Lothian.

**Decision**

The Council agreed to note the reports submitted to the Members' Library Services between 4 December 2014 and 11 February 2015, as listed in Appendix 1 to the report.

Signed .....

Provost Ludovic Broun-Lindsay  
Convener of the Council





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

**THURSDAY 19 FEBRUARY 2015  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

**2**

---

**Committee Members Present:**

Councillor T Day (Chair)  
Councillor J Gillies  
Councillor J Goodfellow

**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 S Greaves, Planner  
Mr R Stirrat (Agent, Item 2)

**Committee Clerk:**

Mrs F Stewart

**Declarations of Interest**

None

**Apologies**

Councillor T Trotter  
Councillor J McMillan

Prior to the commencement of the meeting the East Lothian Local Review Body (ELLRB) elected a Member to Chair the meeting. Councillor Goodfellow nominated Councillor Day and Councillor Gillies seconded this nomination. Duly elected, Councillor Day welcomed everyone to the meeting and introduced the Members of the ELLRB and Council Officers present.

**1. REVIEW AGAINST DECISION (REFUSAL)  
PLANNING APPLICATION No: 14/00713/P – REPLACE EXISTING  
PANTILE ROOF WITH PROFILED METAL SHEET ROOFING AT 32-38  
MILLHILL, MUSSELBURGH**

The Legal Adviser stated that the ELLRB 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 explained that this property had previously been used as the plant room for the adjacent Loretto School swimming pool and was now being converted into an indoor golf academy. The application was seeking permission to replace the pantile roof with a new profiled metal sheet roof and Members had observed on the site visit that works were already underway to remove the pantiles. As Members were aware, the Planning Act required decisions on planning applications to be taken in accordance with development plan policy, consisting of the approved Strategic Development Plan for Edinburgh and South East Scotland and the adopted East Lothian Plan 2008, unless material considerations indicated otherwise.

The Planning Adviser stated that the site was within a residential area of Musselburgh, designated under local plan policy ENV1, and within the Musselburgh Conservation Area, although the building was not listed. The site was also within the nationally designated area of the Battle of Pinkie. The main policy considerations relevant to the application were design and impacts on the Conservation Area, as the development plan seeks to preserve or enhance the character of Conservation Areas. The key policies in relation to these matters were Strategic Development Plan policy 1B and Local Plan policy ENV4. In addition, Local Plan policy DP6 states that alterations and extensions should be well integrated to their surroundings and in keeping with the original building. Textures and colours of materials should complement the original building. Also relevant to the application were national policy documents, including Scottish Planning Policy and the Scottish Historic Environment Policy.

The Planning Adviser advised the application had been refused by the Appointed Officer on the basis that the proposed profiled metal sheeting would radically alter the character and appearance of the building, and that this change would be harmful to the character and appearance of the Conservation Area. The application was therefore considered to be contrary to the relevant development plan policies.

The Planning Adviser stated that the request for a review had argued that the building was not listed and consent had been granted for other alterations to the building, including removal of timber louvers at first floor level and rendering of the walls, which would alter the character and appearance of the building. It was stated that while removing the existing pantiles would alter the character of the building, there would be no requirement for planning permission for a like-for-like replacement with new pantiles and this would also alter the appearance of the building. It was also argued that new pantiles would not look significantly different from a profiled metal sheet roof and various photos were supplied in support of this argument. No consultations had been carried out on the application by the Case Officer. Objections had been received from the Architectural Heritage Society of Scotland and the Musselburgh Conservation Society.

The Chair invited questions for the Planning Adviser and there were none. The Chair then asked his fellow Members if they wished to proceed to determine this application today and they unanimously agreed to proceed.

Councillor Goodfellow stated that the key factor for him had been the statement made by the applicant that there was no significant difference between a new pantile roof and new profiled metal sheeting. He was unable to accept that claim. He considered there was a considerable difference between the two materials and the difference was sufficient to merit a refusal of planning permission. He was also of the view that the proposal to replace the roof with profiled metal sheeting did not comply with Conservation Area policy and was disturbed to discover on the site visit that the roof had already been removed. Accordingly, he was minded to uphold the original decision to refuse planning permission. Councillor Gillies shared Councillor Goodfellow's view and would also be supporting the decision of the Case Officer.

Councillor Day, having visited the site, considered that a profiled metal sheet roof would fundamentally change the character of the building. While he accepted that a new pantile roof would also change the appearance of the building, he considered that this would weather over time and that the proposed metal sheet roof would change the character of the building to a greater extent. Pantiles would also weather differently. He would therefore be upholding the decision of the Case Officer.

### **Decision**

The ELLRB unanimously agreed to uphold the original decision to refuse the application for the reason given in the Decision Notice dated 24 October 2014:

1. The loss of the existing pantiles from the roof of the building and their replacement with the profiled metal sheeting would radically alter the character and appearance of the building. Such a change would neither preserve nor enhance but would be harmful to the character and appearance of the building and harmful to the character and appearance of the Conservation Area contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies ENV4 and DP6 of the adopted East Lothian Local Plan and Scottish Planning Policy: June 2014.

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

**2. REVIEW AGAINST DECISION (REFUSAL)  
PLANNING APPLICATION No: 14/00390/P – CHANGE OF USE OF  
VACANT LAND (FORMER MARKET GARDEN) TO USED CAR SALES  
AREA WITH SALES CABIN AND ASSOCIATED WORKS ON LAND AT  
MEADOWMILL, U109 PUBLIC ROAD, MEADOWMILL, TRANENT.**

The Legal Adviser introduced the above application which had been refused by the Appointed Officer. She advised that a site visit had been carried out prior to the meeting and Members had received 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 site was an area of vacant ground at Meadowmill near Prestonpans and the application was seeking permission for a change of use to a used car sales area, with associated works including siting of a sales cabin, the formation of an access and hardstanding, and the erection of fencing and gates.

The Planning Adviser stated that the Planning Act requires decisions on planning applications to be taken in accordance with development plan policy unless material considerations indicate otherwise; the development plan is the approved Strategic Development Plan for Edinburgh and South East Scotland (SESP) and the adopted East Lothian Local Plan 2008.

He advised that the site is located in an area outwith an existing settlement and designated as countryside in the adopted Local Plan under policy DC1, which generally seeks to restrict development to protect countryside character, while allowing some limited forms of appropriate development. Business use may be acceptable where it is of an appropriate scale and character for its location. A number of other development plan policies were also relevant to the application, including in relation to design, transport and road safety. The site is also within the designated area of the Battle of Prestonpans.

The Planning Adviser stated that the application was refused by the Appointed Officer for two reasons; firstly, on the basis that the proposed development would be an unjustified and inappropriate form of development in the countryside, and secondly, that the size, scale and physical appearance of the development would be harmful to the landscape character and appearance of the area. On both counts the application was considered by the Case Officer to be contrary to relevant development plan policies controlling development in the countryside.



The applicant's request for a review argued that the site does not have a 'countryside' character and that it is brownfield land with a derelict appearance. It was also argued that the impact of the proposed development would be less than that of a previous garden nursery business, which operated successfully on the site without adverse impact. It was further argued that other planning permissions at Meadowmill for business uses had set a precedent for this particular proposal. The visual impact of the development was stated to be minimal and it was claimed that the proposal represented an appropriate business that would maintain the character of the countryside and comply with relevant development plan policies.

In respect of the consultation responses, the Council's Roads Services had raised no objections but recommended conditions regarding access and parking. The Environmental Protection Manager had raised no objection subject to a condition controlling noise levels. Both Historic Scotland and the Council's Archaeology Officer had raised no objections in relation to the designated battlefield and archaeological interests and no objections had been received from the other Consultees.

Public objections received related mainly to the impact on residents at Meadowmill in terms of privacy, amenity, parking, road safety and infrastructure and were included in the papers. There were no further representations received in response to the notice of review.

The Chair invited questions for the Planning Adviser and there were none. The Chair then asked his fellow Members if they wished to proceed to determine this application today and they unanimously agreed to proceed.

Councillor Goodfellow stated that the key issue for him was the scale of the operation proposed. He was aware that there was a business located to the east of the application site, but he considered that that business was small and did not have a negative impact on the area. However, in his view, a used car business would be a much larger business and would not meet the criteria stated in policy DC1 as it would be harmful to the character and appearance of the area. He did not accept the claim by the applicant that the site was '*a small piece of residual brownfield land*', and he was concerned that it would create a dangerous precedent to grant planning permission to this application. He would therefore vote to uphold the original decision.

Councillor Gillies, having considered the submissions of both the applicant and the Appointed Officer and having visited the site, stated that he too would be supporting the decision of the Case Officer.

Councillor Day stated that, while he had some sympathy with the applicant, the terms of Policy DC1 made it clear that the proposed development was not appropriate for this site. He stated that the integrity of policy DC1 must be preserved and that the Local Development Plan process would be the correct way to change the site's policy designation.

### **Decision**

The ELLRB unanimously agreed to uphold the original decision to refuse planning permission for the reasons set out in the Decision Notice dated 5 September 2014.

1. The proposed used car sales business would be an unjustified and inappropriate form of development within the East Lothian countryside, contrary to Policy 1B of the approved South East Scotland Strategic

Development Plan (SESplan) and Policy DC1 of the adopted East Lothian Local Plan 2008.

2. The used car sales business, by virtue of its size, scale and physical appearance would be harmful to the landscape character and appearance of the area, contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP2 and Part 5 of Policy DC1 of the adopted East Lothian Local Plan 2008.

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

**REPORT TO:** East Lothian Council  
**MEETING DATE:** 21 April 2015  
**BY:** Chief Executive  
**SUBJECT:** Local Scrutiny Plan 2015/16

---

**3**

## **1 PURPOSE**

- 1.1 To inform Council of the Local Scrutiny Plan 2015/16 provided by Audit Scotland.

## **2 RECOMMENDATIONS**

- 2.1 Council is asked to approve the Local Scrutiny Plan 2015/16.

## **3 BACKGROUND**

- 3.1 Audit Scotland works closely with other local government inspectorates in a Local Area Network (LAN) of local audit and inspection representatives. The LANs undertake a shared risk assessment process for all 32 local authorities to identify targeted, risk-based scrutiny.
- 3.2 This process results in each council receiving a Local Scrutiny Plan (previously known as the Assurance and Improvement Plan) which identifies the risk areas that the LAN has identified as requiring scrutiny or where scrutiny is planned as part of a national programme.
- 3.3 The new Local Scrutiny Plan (see Appendix 1) is much more succinct than the previous Assurance and Improvement Plan. Rather than attempt to assess the full range of performance measures and outcomes the Local Scrutiny Plan takes a much more focused approach by reviewing the key risks identified in the previous year's Plan and identifying possible new risks.
- 3.4 The Council's Local Scrutiny Plan 2015/16 does not propose any additional scrutiny activity beyond:
- monitoring of improvement actions arising from previous inspections – Education Scotland will monitor the impact of the Education Service's strategic improvement planning; and the Scottish Housing Regulator will monitor progress with the

Council's performance in managing rent arrears and improvement actions to meet the Scottish Housing Quality Standards,

- the external auditors will audit of the Council's management of finances, budgeting, monitoring, implementation of the Efficiency Programme and reporting to those charged with governance; and
- possible involvement in nationally driven scrutiny activity.

3.5 This activity is detailed in the appendix to the Local Scrutiny Plan.

#### **4 POLICY IMPLICATIONS**

4.1 The Local Scrutiny Plan 2015/16 provides the Council with the LAN's assessment of areas of risk that will be subject to specific scrutiny activity. It recognises the Council's on-going commitment to continuous improvement and developing self-evaluation. The Plan provides the Council with an indication of areas where the LAN expects improvement work to be targeted.

#### **5 EQUALITIES IMPACT ASSESSMENT**

5.1 This report is not applicable to the well being of equalities groups and Equality Impact Assessment is not required.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial – none

6.2 Personnel – none

6.3 Other – none

#### **7 BACKGROUND PAPERS**

7.1 Appendix 1: East Lothian Council Local Scrutiny Plan 2015/16

<b>AUTHOR'S NAME</b>	Paolo Vestri
<b>DESIGNATION</b>	Service Manager: Corporate Policy and Improvement Manager
<b>CONTACT INFO</b>	<a href="mailto:pvestri@eastlothian.gov.uk">pvestri@eastlothian.gov.uk</a> Tel: 01620 827320
<b>DATE</b>	7 <sup>th</sup> April 2015

# East Lothian Council

## Appendix 1

## Local Scrutiny Plan 2015/16

### Introduction

1. This local scrutiny plan sets out the planned scrutiny activity in East Lothian Council during 2015/16. The plan is based on a shared risk assessment undertaken by a local area network (LAN), comprising representatives of all the scrutiny bodies who engage with the council. The shared risk assessment process draws on a range of evidence with the aim of determining any scrutiny activity required and focusing this in the most proportionate way.
2. This plan does not identify or address all risks in the council. It covers only those risk areas that the LAN has identified as requiring scrutiny, or where scrutiny is planned as part of a national programme. Planned scrutiny activity across all councils in Scotland informs the National Scrutiny Plan for 2015/16, which is available on the Audit Scotland website.

### Scrutiny Risks

3. Last year's Local Scrutiny Plan (previously known as an Assurance and Improvement Plan (AIP)) covering the period 2014-17. It noted that the council continued to take forward a range of improvement activity, including the use of the *How Good is Our Council?* as a self-evaluation framework for its corporate functions and services and implementation of the East Lothian Plan (the ten-year strategic plan that acts as the council and its partners Single Outcome Agreement (SOA)). The council's streamlined senior management structure that was introduced in 2012 and the refreshed SOA are both important aspects of that improvement agenda. The council is continuing to take forward its community planning improvement agenda and established six area partnerships (with its CPP partners) to support it in taking forward the agenda of service integration, locality planning and community engagement across East Lothian.
4. The 2014-17 AIP highlighted the financial challenges facing the council and drew attention to the risk that the council's high level of external net debt might place pressure on future revenue funding as debt and associated interest is paid. The council's Financial Strategy and the Transformation Programme that had been established to deliver planned savings were noted but it was too early at that time to assess their impact. The AIP therefore highlighted the risks to service sustainability if the council was unable to achieve its savings targets. The council's 2014/15 budget forecasts a break-even position, subject to the use of £0.2m of reserves. By 2016/17 the council anticipates breaking even without any use of reserves. Given the council's

historic strategy of utilising reserves and its relatively high level of net external debt as a proportion of revenue KPMG will continue to focus on the council's financial strategy, efficiency programme, and budget monitoring and reporting to those charged with governance as part of the financial health element of the 2014-15 annual audit.

5. The April 2014 joint inspection of services for children and young people in East Lothian identified three key areas of strength:
  - joint working across services to identify children and families who are experiencing difficulties and need additional support
  - a strong child-centred culture that empowers staff to work together in the best interests of children and young people; and,
  - consistent high quality responses to children and young people at risk of abuse
6. It also identified five areas for improvement. Of those, strengthening shared leadership and planning to drive new approaches to early intervention and prevention; and improving the effectiveness of the local Child Protection Committee (CPC), which is a joint East Lothian and Midlothian Public Protection Committee, were the most significant. The council and its partners are in the process of implementing the improvement plan arising from the Joint Inspection of Services for Children. Progress against the improvement plan will be monitored as part of the Care Inspectorate's ongoing engagement with the council (and its partners), with a particular focus on the effectiveness of the local CPC. On this basis, the LAN concludes that no specific scrutiny is currently required in this area.
7. The council carried out a self evaluation of its criminal justice services in April 2014, with support from the Care Inspectorate. The local authority engaged effectively with this process and has now developed an appropriate action plan drawing on the feedback from its peer challengers. Progress against the action plan will be monitored as part of the Care Inspectorate's ongoing engagement with the council. On this basis, the LAN concludes that no specific scrutiny is currently required in this area.
8. The council has agreed that services for adults will be included within the scope of the local integration plan for health and social care services. The East Lothian partnership has adopted a body corporate model and the joint accountable officer has been appointed. The partnership has been working for some time with the Scottish Government's joint improvement team on the development of a commissioning strategy for older people. Although the East Lothian partnership appears reasonably well placed for taking forward health and social care integration some aspects of local performance are mixed. Whilst rates of unnecessary emergency hospital admissions of older people are lower than the Scottish average the partnership has not consistently met the Scottish Government's current target of no delayed discharge from hospital of medically fit older people of more than four weeks. On the basis of current performance it is unlikely that the partnership will be in a position of meeting the more stretching two week target when it is introduced from April 2015. East Lothian is scheduled for a

strategic inspection of adult services during 2015 which will, amongst other things, explore the factors underlying these aspects of partnership performance.

9. Although no major education scrutiny risks were identified in last year's AIP, ongoing monitoring of the education service took place throughout 2014. During that period a revised approach to strategic planning within education has been introduced and a Senior Management Education Board established to develop a 3-year strategic plan for the Education Service. Progress with this planning process, which is intended to inform school improvement plans, has been slower than anticipated and the extent to which it is driving improvements within education is as yet unclear. The LAN has therefore concluded that whilst no specific education scrutiny activity is required at this time it will be appropriate for Education Scotland to engage with the Education Service during 2015/16 to monitor the impact of its strategic improvement planning on learners.
10. In 2014/15 the Scottish Housing Regulator (SHR) engaged with the council in relation to its progress towards meeting the Scottish Housing Quality Standards (SHQS) and its performance in managing rent arrears. The SHR will continue to monitor the progress of the council's improvement actions in these areas during 2015/16.

## Planned scrutiny activity

11. As shown in Appendix 1, the council will be subject to a range of risk-based based and nationally driven scrutiny activity during 2015/16. For some of their scrutiny activity in 2015/16, scrutiny bodies are still to determine their work programmes which specific council areas they will cover. Where a council is to be involved, the relevant scrutiny body will confirm this with the council and the appropriate LAN lead.
12. In addition to specific work shown in Appendix 1, routine, scheduled audit and inspection work will take place through the annual audit process and the ongoing inspection of school and care establishments by Education Scotland and the Care Inspectorate respectively. Audit Scotland will carry out a programme of [performance audits](#) during 2015/16 and individual audit and inspection agencies will continue to monitor developments in key areas of council activity and will provide support and challenge as appropriate. This will help to inform future assessment of scrutiny risk.

### March 2015

## Appendix 1: Scrutiny plan

Scrutiny body	Scrutiny activity	Date
Audit Scotland	Audit Scotland will continue to carry out a programme of housing benefit risk assessments across councils in 2015/16. For East Lothian Council this will be carried out during September 2015.	September 2015
KPMG	Audit work will continue to be focused on the council's management of finances, budgeting, monitoring, implementation of the Efficiency Programme and reporting to those charged with governance. KPMG will report specifically in the annual audit report on these matters.	As part of the 2015/16 annual audit process.
Care Inspectorate and Healthcare Improvement Scotland	The Care Inspectorate and Healthcare Improvement Scotland will be carrying out joint inspections of services for adults during 2015-16. Inspections will initially focus on services for older people then, at the latter part of the year, these will encompass other adults' services, firstly learning disability services then alcohol and drug services. This is part of a wider national planned programme of scrutiny work being undertaken by the Care Inspectorate and Healthcare Improvement Scotland.	August – October 2015/16
Care Inspectorate and HMICS	The Care Inspectorate and HMICS will be undertaking a joint thematic review of Multi-Agency Public Protection Arrangements (MAPPA) in Scotland during 2015. The purpose of the review will be to assess the status, efficiency and effectiveness of the MAPPA process in Scotland, in terms of keeping people safe and reducing the potential risk of serious harm by registered sex offenders in our communities. It will cover all 32 local authorities and involve local authorities, Police Scotland, NHS Boards and the Scottish Prison Service. The joint review will cover the East Lothian Council area during May 2015.	May 2015
Education Scotland	Education Scotland will engage with the Education Service during 2015/16 to monitor the impact of its strategic improvement planning on learners.	Throughout 2015/16
	Education Scotland will be working in partnership with councils to carry out a validated self-evaluation (VSE) of educational psychology services across all councils over a two-year period beginning in 2015/16. Education Scotland will notify councils of its VSE plans each academic term.	Date over the next two years to be determined
Her Majesty's Inspectorate of Constabulary (HMICS)	HMICS will be inspecting local policing across Scotland over the next three years. These inspections will examine, amongst other things, local scrutiny and engagement between Police Scotland and councils. Two local Policing Divisions are programmed to be inspected in addition to Edinburgh Division in 2015/16. The Divisions will be identified approximately three months prior to inspection, the first being no earlier than October.	Date over the next three years to be determined
Her Majesty's Fire Service Inspectorate (HMFSI)	HMFSI will be inspecting local fire and rescue services across Scotland over the next five years. These inspections will examine, amongst other things, local scrutiny and engagement between the Scottish Fire and Rescue Service and councils. As part of its programme, HMFSI will inspect four local fire and rescue services during 2015/16. It has yet to confirm all the local areas in its 2015/16 programme.	Date over the next three years to be determined



Scottish Housing Regulator (SHR)	Ongoing monitoring of progress of the council's improvement actions in relation to meeting the Scottish Housing Quality Standards (SHQS) and performance in managing rent arrears.	Throughout 2015/16
	<p>The Scottish Housing Regulator (SHR) has a planned programme of thematic inquiries into housing services which will be carried out largely in the first quarter of 2015-16, with publication of inquiry reports in the first and second quarters of the year. The thematic inquiries will cover a range of housing services including: Gypsy/Travellers; factoring services; gas safety; complaints handling; customer service standards; repairs; rent consultation; equalities; and openness and accessibility. Some of the thematic inquiries will not involve any on-site work at all and no local authority will be selected for on-site work in more than one thematic. The SHR will contact individual landlords with details about their potential inclusion.</p> <p>During the first and second quarters of the year, the SHR will review the Charter data submitted by social landlords in May 2015 and identify topics for a further programme of thematic inquiries to be taken forward in the second and third quarters of the year.</p>	To be determined



**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Local Government Boundary Review

---

**4**

## **1 PURPOSE**

- 1.1 To inform the Council of the Local Government Boundary Commission's (LGBC) proposals to reduce the number of councillors in East Lothian from 23 to 21 and its proposal to make changes to current ward boundaries in East Lothian.
- 1.2 To seek authority to respond to the consultation, opposing the proposal to change ward boundaries.

## **2 RECOMMENDATIONS**

- 2.1 To note the LGBC's proposals to reduce councillor numbers in East Lothian from 23 to 21 and to change ward boundaries.
- 2.2 To authorise officers to write to the LGBC requesting an extension of the time limit for responses from 19 May until 24 June to enable a further report to be brought to Council on the proposed response to the consultation on ward boundaries.
- 2.3 In the event that an extension until 24 June is refused, to authorise officers to respond to the consultation.
- 2.4 To invite Members to make suggestions as to what they feel should be incorporated in the response to the LGBC.

## **3 BACKGROUND**

- 3.1 The current review of local government electoral arrangements in Scotland formally began on 21 February 2014. East Lothian Council responded to the consultation on a reduction in Councillor numbers in April 2014. The consultation was then opened to members of the public

until August 2014 and a considerable number of citizens of East Lothian responded opposing the proposal.

3.2 When reviewing electoral arrangements the law requires the LGBC to take account of:

- the interests of effective and convenient local government
- that each councillor should represent the same number of electors as nearly as may be
- local ties that would be broken by making a particular boundary
- the desirability of fixing boundaries that are easily identifiable
- special geographical considerations.

3.3 The LGBC report that they have taken into account the likely changes in the number of electors by considering forecast electorate counts in 2019 and have considered the impact of the inclusion of 16 and 17 year olds on the electoral register and they are content that would not affect their proposals. They assert that they have used population distribution and levels of deprivation to group similar councils into categories but that population size is the biggest determinant of councillor numbers and the design of wards.

3.4 The maps showing the proposed changes to ward boundaries in East Lothian have been lodged in the Members' Library (Ref 52/15, April 2015 Bulletin), and can be accessed via the following link:

[http://www.eastlothian.gov.uk/meetings/meeting/5674/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5674/members_library_service)

Twenty-one Councillors are proposed representing three 3-member wards and three 4-member wards reducing the number of wards in the area by 1 and reducing councillor numbers by 2.

3.5 It should be noted that overall the LGBC's proposals will result in a reduction in the number of elected members in Scotland from 1222 to 1217. East Lothian Council's request that the number of councillors in this authority remain unchanged could therefore be accommodated without breaching the Scottish Government's ruling that the boundary review should not result in an increase in the total number of councillors in Scotland.

3.6 The LGBC asserts that these proposals:

- address forecast disparities in existing ward 1 (Musselburgh West)
- place Musselburgh in a single ward to improve local community ties
- make changes to ward boundaries by Inveresk, Macmerry and Pencaitland

- make no changes to existing ward 5 (North Berwick Coastal) and 7 (Dunbar and East Linton)
  - name new wards: Musselburgh; Prestonpans, Seton, Gosford and Macmerry; and Tranent and Wallyford, but make no changes to other ward names
- 3.7 The Council's cross-party LGBC Steering Group meeting on 31 March was strongly and unanimously of the view that the Council should maintain its opposition to the proposed reduction in the number of councillors as set out in within the Council's previous submission to the LGBC. The cross-party group was of the view that the LGBC has failed to adequately answer the concerns raised by the Council as to the inappropriate application of a deprivation factor, especially since the LGBC has failed to provide any robust evidence to support the use of deprivation as a factor to determine councillor numbers.
- 3.8 The cross-party group was particularly concerned that the workload of councillors in the wards most affected by the proposed boundary changes would increase given the larger electorate and the larger number of community organisations they would be expected to work with. It is notable that the wards most affected by the proposed boundary changes are the wards which have the greatest number of areas of deprivation so that perversely the number of councillors representing these three wards would reduce by two even though the LGBC proposals are meant to be based on the need to increase representation in areas of deprivation.
- 3.9 The cross-party group was also concerned that the new ward boundaries proposed by the LGBC cut across existing high school catchment areas and sever a number of long-standing local ties.
- 3.10 The cross-party group therefore recommended that the Council again call upon the LGBC to drop its proposal to reduce the number of East Lothian Councillors from 23 to 21 and the resultant need to make any alteration to ward boundaries. The response to the consultation is required by 19 May. It is recognised that Members may be unable to give this proposal the consideration that is required to respond thoroughly given the imminent General Election and it is therefore proposed that officers request an extension until after the June Council meeting so that a report on the proposed response can be considered at that meeting. If an extension is refused it is proposed that officers, in consultation with members of the LGBC Steering Group, prepare and submit a response to the consultation.

## **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 Report to Council, 22 April 2014 – Boundary Commission Review: Response to Statutory Consultation  
7.2 Correspondence from the Local Government Boundary Commission for Scotland  
7.3 Maps showing proposed changes to ward boundaries (Members' Library Bulletin – April 2015, Ref: 52/15)

<b>AUTHOR'S NAME</b>	Kirstie MacNeill
<b>DESIGNATION</b>	Service Manager - Licensing, Administration and Democratic Services
<b>CONTACT INFO</b>	01620 827164
<b>DATE</b>	10/4/2015

**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Partnerships and Community Services) **5**

**SUBJECT:** Responses to Consultation on the Main Issues Report and Interim Environmental Statement for the East Lothian Local Development Plan

---

## **1 PURPOSE**

- 1.1 To advise Council of a summary of the key messages of the consultation responses to the Main Issues Report (MIR) and Interim Environmental Report (IER) for the East Lothian Local Development Plan (LDP).

## **2 RECOMMENDATIONS**

- 2.1 That Council note the content of this report and the Consultation Feedback: Summaries & Key Messages report, including the MIR and EIR Consultation Question Summaries, published in the Members Library (Ref: 51/15, April 2015 Bulletin):

[http://www.eastlothian.gov.uk/meetings/meeting/5674/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5674/members_library_service)

Members should also refer to the full responses as available on the Council's consultation hub. The Consultation Feedback Report also contains full details of the consultation process and summaries of the public events held.

- 2.2 Further, that Council gives due consideration to the views expressed in the consultation responses noted above when it decides on the development strategy, sites and policies of the proposed Local Development Plan.

### **3 BACKGROUND**

- 3.1 The publication for consultation purposes of the Local Development Plan MIR and IER as approved by Council on 28 October 2014 was a key stage in progress towards the proposed LDP.
- 3.2 The consultation period opened on 17 November 2014 and closed on 8 February 2015. The MIR and IER both contained a number of questions on specific points and sites, which were replicated in the consultation hub, as well as allowing for more general comment.
- 3.3 Responses were submitted via the Council's consultation hub (around half), by email and by post. All responses not submitted via the consultation hub were subsequently entered into it to enable a summary encompassing all responses and to allow public accessibility, subject to Data Protection legislation.
- 3.4 With due regard to duplicate electronic/paper submissions, 1001 responses were received. The number of responses on the hub is 514 (from both hub submissions and written submissions added), with a further 93 form letters in relation to objection to the Goshen proposed site, 101 for Cockenzie, 52 ascribing to the Ravensheugh Tenants and Residents Association response supporting dispersed growth and 51 as signatories to a letter from a resident of Aberlady supporting compact growth. Two anti-fracking petitions were submitted, with a further 72 and 118 signatories respectively.
- 3.5 The details of the number of responses on an issue basis and the breakdown of views within each issue are given in each of the Consultation Question Summaries in Appendices 1 and 2 of the Consultation Feedback report. Some responses that were received by post and email did not respond to the specific questions posed in the document or make clear whether a particular approach or site was supported or opposed. All responses have been included in the summaries, but where a position is implied rather than stated clearly or has not been stated at all this has not been included in the quantitative analysis. There is a degree of cross-over between some of the topics, for example Spatial Strategy and Housing or the Energy section (in relation to Cockenzie) and the Prestonpans cluster. The responses have generally been reported under the topic the responder indicated, but summaries should be read together for a complete picture of views expressed where such cross-over exists.
- 3.6 The summary of key messages given below is itself compiled from extensive Consultation Question Summaries as set out in Appendices 1 and 2 of the Consultation Feedback report, which codify all of the responses given on the hub, by email and in writing. The publication date of the full responses on the consultation hub as subject to redaction, is not confirmed at the time of writing but will be publicised in due course. The full responses will be considered in the preparation of the Proposed LDP.



- 3.7 In respect of each question of the MIR, the key points arising from the consultation responses are as follows.
- 3.8 **Q1** – Visions, aims and objectives: overall there is support for these from all groups, tempered with concerns about scale of growth versus environmental and infrastructure impacts, the effects on character of settlements and coalescence, including with Edinburgh; loss of prime agricultural land; the need to support town centres; developers stress the need to ensure housing allocations are in marketable locations to support delivery; and the need for measurable targets.
- 3.9 **Q2** - Sustainability and climate change: the Scottish Government, suggest the proposed LDP should take account of the delivery of net economic and social benefits through development; SEPA consider that the MIR balances this with environmental/sustainability/climate change factors and risks; Scottish Water is supportive of locating development where there is available capacity and capacity can be created; Network Rail suggest it may be necessary to protect existing development from the effects of climate change, including flood risk; developers suggest that the presumption in favour of development that contributes to sustainable development from Scottish Planning Policy (SPP) June 2014 be a key consideration and the LDP explain how this will be applied; Community Councils suggest that without criteria for assessment the SPP presumption can be used to justify almost anything. Developers also suggest there should be support for renewable electricity generation and infrastructure. Comments from the public reflect concerns about fracking, the sustainability of continued growth and impacts on flood risk and air quality with support for renewable energy provision and improved public transport provision to enhance sustainability of new build areas and existing more isolated settlements.
- 3.10 **Q3** – Spatial strategy: the Scottish Government and key agencies support the compact growth strategy, though agencies express some concerns over some potential environmental impacts; whilst developers share this support a significant number of them are of the view that a combination of compact and dispersed strategy will be needed to deliver housing targets. The views of Community Councils, the Area Partnerships and other community groups generally, though not exclusively, show a distinction between those in the west preferring the dispersed strategy and those in the east supporting the compact strategy. Of the individual member of public responses, many more supported the compact than the dispersed strategy, for housing market, employment and infrastructure reasons. Concerns are expressed over coalescence under the compact strategy and harm to the countryside and smaller settlements under the dispersed strategy. Those supporting dispersed growth see it as a fairer option for all settlements. Overall there is strong support across contributors for Blindwells as an area of growth.
- 3.11 **Q4** – Town centres: The Scottish Government requires the proposed plan to promote the town centre first principle; they and the majority of contributors support introducing a new town centre at Blindwells, though

split over whether this should be local to Blindwells or more of a sub-regional centre. SNH advises that Blindwells centre should be connected to other areas through green infrastructure. Otherwise support is offered for the existing designation of town centres and means of supporting these, some which are outwith the LDP process. Haddington is also suggested for retail investment, including outwith the town centre, as is Dunbar. Traffic, parking and lack of facilities are seen as issues for town centres and the need to improve buildings and spaces.

- 3.12 **Q5** – Planning for employment: the Scottish Government support the preferred approach as consistent with SPP and there is majority support from other contributors, with additional support for greater emphasis on rural enterprise and tourism, including some Community Councils, whilst respondents not supporting the preferred approach gave site specific reasons, including opposition to proposed development at Cockenzie. There are public views that employment sites not be given over to housing.
- 3.13 **Q6** – Planning for housing: The Scottish Government makes no comment on the options but requests that the LDP or Monitoring Statement set out findings on specialist housing provision. Overall, majority support is given for the preferred approach of planning for land releases for a long term housing strategy rather than confining it to current requirements only, including support from key agencies, developers and around half of members of the public who gave a view on this, although there is a view that more smaller sites which are deliverable in the short term need to be brought forward. The longer term view is seen as allowing for infrastructure planning, provision of a generous land supply, more certainty around investment decisions and allowing for intensification of existing allocations. Reasons for supporting the alternative approach include that requirements may change in the future, over allocation may result in less desirable sites being developed before other more strategically important ones and the potential for development and infrastructure to be misaligned. Homes for Scotland and some developers suggest there should be provision for existing allocated sites to be de-allocated. In addition to many comments on the fine detail of housing targets, some concerns are expressed that the level of development expectation is unrealistic.
- 3.14 **Q7** – Green belt: Overall more of those responding supported the preferred approach to green belt, including key agencies and developers; SNH note that protection of natural assets is required; Community Councils, local groups and members of the public are split between the preferred and alternative approaches. Concerns about landscape impact and potential coalescence, including with Edinburgh, are expressed.
- 3.15 **Q8** – Countryside around towns: the Scottish Government and Historic Scotland suggest that the role of the proposed policy needs to be better explained in relation to Special Landscape Area designations; National Trust for Scotland and Scottish Wildlife Trust support it whilst Homes for Scotland sees it as unnecessary; whilst overall there is some support for

the policy, some see it as a potentially restrictive tool and some developers see it as contrary to Sesplan policy 7 and suggest it may be legally challenged. Others have concerns as to how the policy would be applied in the long term if it is subject to review. There is strong public support for it.

- 3.16 **Q9** – Central Scotland Green Network: generally this is acknowledged as a national policy and needs to be followed. There is support from community groups and the public including for the capacity to deliver multiple benefits and integration with other related policy areas; Midlothian Council sees the need to work on cross-boundary strategy; the need is seen for objectives and approaches to be set out in supplementary guidance, including for developer contributions; the role of larger strategic sites in delivering the objectives is particularly recognised. Some concerns are expressed that the policy could have a negative effect on the rural economy and farmers.
- 3.17 **Q10** – Development in the countryside and on the coast: the Scottish Government seek clarification on whether all countryside should be categorised in the same way or there might be different policies for different parts; SNH emphasise development fitting with local patterns and landscape. Scottish Enterprise and Network Rail note a need for balance with essential infrastructure; other national bodies support the present policy; there are bodies of support for both preferred and alternative approaches, including differing views of Community Councils, but also that there should be a more permissive policy for economic development and tourism development in the countryside if not the coast, or where a rural area is remote rather than under development pressure; particular points are expressed in relation to renewable energy related development; there is also support for market as well as/rather than affordable housing in rural areas, including site specific suggestions; however, others are of the view that developers would exploit a more permissive approach. Generally, developers want to see the countryside opened up particularly to housing development whilst members of the public support the present policy.
- 3.18 **Cluster areas.** In respect of each of the clusters there are some general points made in relation to all or most of the clusters: Transport Scotland has concerns about the capacity of the strategic road network, particularly in the west of East Lothian, however, they are working with ELC to identify solutions and funding mechanisms; Midlothian Council shares these concerns; Homes for Scotland is concerned that there are difficulties with meeting SESplan housing requirements; SportScotland raises concerns over potential school expansions where this would impact on sports pitch provision; Developers offer support for their own sites with and opposition to other sites in the same cluster.
- 3.19 **Q11** – Musselburgh cluster: Key Agencies raise a number of specific issues including; Historic Scotland has concerns over Goshen proposed site and would not support Howe Mire, both due to potential battlefield site impacts; Transport Scotland advises there is no commitment to fund

or deliver a Musselburgh Parkway station as safeguarded in the existing Local Plan 2008; SNH has concerns over the Dolphingstone site due to landscape and visual impacts. Midlothian Council sees merit in the compact strategy but has concerns over education/transportation constraints which joint working may address. Community Councils, local interest groups and members of the public express concerns over impacts on traffic, air quality, green belt, agricultural land, infrastructure and services but also there were positive views in relation to housing market demand, links to Edinburgh and potential regeneration benefits. The Goshen site attracted most concerns with key issues being transport and education infrastructure, traffic congestion and air quality, loss of green belt and coalescence. Goshen, Craighall and Wallyford all presented options to overcome education capacity issues. A common theme of responses on education issues is opposition to having two secondary schools in the cluster, mainly in respect of impacts on community integration.

- 3.20 **Q12** – Prestonpans/Port Seton/Cockenzie/Longniddry cluster: Key Agencies raise a number of specific site issues including; Historic Scotland concern at impact on Scheduled Monument at Cockenzie, though they recognise scope for mitigation; SEPA advice on requirement for flood risk assessment at Cockenzie and Longniddry South; SNH advice on need for landscape impact mitigation at Cockenzie. There is a significant level of public opposition to the Cockenzie site as proposed due to a wide range of issues including loss of open space, impact on battlefield site, overall scale of development and impact on communities. Concerns are expressed about the interpretation of NPF3, including whether it supports / reflects all of the development types suggested. Support is also offered for the preferred site as a redevelopment of brownfield land and others support development on the footprint of the power station and coal store. The majority of comments on Longniddry South object to it, the main reasons being lack of integration, overall scale, transport capacity, coalescence and impact on agricultural land. Support is given on the grounds of affordable housing provision, transport infrastructure and opportunities for benefits to the village.
- 3.21 **Q13** – Tranent cluster: Key Agencies raise a number of site specific concerns including; Historic Scotland concern that the Bankpark Grove proposed site would need to be designed to avoid impact to the Prestonpans battlefield site and Tranent Conservation Area; SNH has landscape and visual impact concerns over Elphinstone West proposed site which may be addressed through design guidance and comments on other sites. Local community concerns are particularly about loss of identity of settlements, impact on the road network, poor public transport links, insufficient education capacity and building on prime agricultural land.
- 3.22 **Q14** – Haddington cluster: Key Agencies raise a number of site specific concerns including; Historic Scotland stresses the need to safeguard historic assets around the Dovecot proposed site; SNH raises concerns about the Harperdean proposed site and landscape/visual impact but

supports potential mitigation. The Community Council, developers and the wider public support the preferred approach. Public comments oppose the alternative strategy and development at Amisfield and Dovecot, but this is promoted by some developers. Concerns are raised in relation to more housing demand being closer to Edinburgh, concerns at ability of schools and infrastructure to cope with growth, need for better public transport links and impact on Haddington's character.

- 3.23 **Q15** – Dunbar cluster: Key Agencies make no comment on specific sites, however, Historic Scotland advise on the need to safeguard historic assists in the area. The National Trust states it would not be appropriate to develop land to the north and east of Preston within the proposed area of search for East Linton. Asda would like to see recognition of its site at Spott Road as a commercial or district centre. Public support is given for the preferred compact strategy but that if development at Eweford is to go ahead then there is strong support for an additional link with Dunbar town under or over the East Coast Main Line. There are concerns about impact on education provision and infrastructure and loss of prime agricultural land; support for a rail halt at East Linton (recognising this will attract further housing demand); support for employment sites at Spott Road and East Linton Auction Mart and support for better public transport links. There are concerns at the potential coalescence of West Barns/Belhaven.
- 3.24 **Q16** – North Berwick cluster: Key Agencies raise concerns over site specific issues, including; Historic Scotland over impact of Castlemains Dirleton proposed site on the setting of Dirleton Castle and Dirleton Conservation Area; impact of proposals at Aberlady on its Conservation Area; development at Drem surrounding the village impacting on its Conservation Area and fundamentally altering its character; SNH over the impact of the proposed Tantallon Road site on landscape and visual impact on North Berwick Law with support for alternative and other sites as preferable; Scottish Water over capacity issues, however, this is over the short term and a growth project has been initiated which will include any sites allocated within the cluster. Public support is given for the preferred compact strategy and opposition to specific sites – Ferrygate, Saltcoats in Gullane and Aberlady East as well as concern that villages will lose their character if the alternative approach is followed. There is both opposition to and support for the Aberlady West site and support for mixed use development at the former Fire Service College in Gullane. Similar levels of both support and objection are stated for Foreshot Terrace and Castlemains in Dirleton. There are general concerns about the impact of development on the road network, education capacity, infrastructure, tourism and prime agricultural land. Concerns at the impact of development on Drem are balanced by this being seen to direct development away from other settlements.
- 3.25 **Q17** – Blindwells: Key Agencies support the proposals; Historic Scotland advises that development near the northwest boundary might affect the setting of Seton Castle and its designed landscape; Transport Scotland advises that access solutions should not focus on rail from the outset and

that if a new A1 trunk road interchange is to be promoted it will need the relevant technical assessments; SportScotland recognises the potential for high quality leisure and recreation facilities; Scottish Water advises it would make good use of existing asserts through support alternatives also. Network Rail has concerns over impact of development on the St Germain's level crossing. The Coal Authority supports development and the potential for environmental improvements where mining activity has taken place. Homes for Scotland considers the site constrained and that it will only provide for the LDP period if comprehensive solutions are found for infrastructure issues pre LDP. The RSPB considers that development of the site should mitigate loss of wetland habitat on the northwest of the site.

Developers and landowners with an interest in the site support development of the greater Blindwells site, although some wish to retain the ability to progress separately of the others. Suggestions are made for developer contributions/land exchange to assist with development, whilst one landowner suggests that land to the east of Tranent be included in the area of proposed Blindwells expansion. General concerns expressed by respondents reflect the history and potential costs of developing the existing allocated site as well as the timescales for this.

Community Council and local groups are generally supportive of the proposal but do raise questions over the extent of proposed allocation, the loss of prime agricultural land and potential negative social aspects (unspecified).

Comments from the public raise a number of concerns: need for additional public and commercial facilities; proposed three way phasing strategy could result in piecemeal development and greenfield areas to the east may be developed before the 'brownfield' to the west; a definite plan for education provision needs to be given without putting pressure on Ross High or Preston Lodge; the site is too large and would lead to coalescence; employment opportunities may not be delivered; congestion and air quality impacts from traffic; ground conditions and whether the site can be delivered and should be returned to agriculture. Opportunities are also cited including: potential for proactive design and high quality development; renaming the site Charlestoun to provide an immediate sense of history; potential for a large new town centre and retail park; developer funded schools to alleviate pressure on nearby schools; and if a rail halt cannot be delivered, a park and ride facility could.

- 3.26 **Q18** – Housing land requirements and supply: the proposals here gathered some support and some objection, however, some respondents did not have sufficient understanding of the issue to comment meaningfully. Support is tempered by an acknowledgement that the rate of development needed to meet the targets set out is optimistic in the context of past trends. Significantly, those who do not support the approach are split in their views; that too much land would be made available, as generally held by the public on the basis of past

completions and the SESplan Supplementary Guidance; or that not enough land would be made available, as generally held by developers on the basis that although a significant increase in annual completions would be required, and this is not controlled by the Council, there are policy and technical reasons why there should be a requirement for more land allocations. These relate primarily to the timing of delivery of housing within the SDP and LDP timescales, SPP's new requirement for a generosity allowance (though this ignores other aspects of SPP), and also to contentions about the effectiveness of sites at Blindwells and Wallyford.

The effect of the proposed changes would be to increase the number of houses for which land should be allocated by some 20%. The recommendations of objectors are that the Council: plan for 'generosity' of land supply at the upper end of the 10-20% scale set out in SPP; allocate a range of sites in terms of size, location and type (greenfield/brownfield); be flexible in spatial strategy so as to help deliver houses in the volumes needed; and identify a range of sites in addition to those already identified in the MIR. It is also requested that the Council review its approach to decisions on windfall housing applications before LDP adoption.

- 3.27 **Q19** – Developer contributions: the Scottish Government advise that the alternative approach of a roof tax/standard charge approach may not be consistent with the relevant Circular on planning obligations (Circular 3/2012) and others also suggest this. Support is given to the current and preferred approach of assessing contributions on a case by case basis though the merit of an upfront roof tax approach is acknowledged by some. A key theme is that early, upfront information and clarity are needed through all channels of the planning process, including the LDP. The development industry is of the view that it should be able to understand the obligations being placed on a site before allocation, to inform the viability consideration. Many members of the public consider that the Council should be firmer in its approach to seeking developer contributions, and there is a suggestion that local bodies should have a say on what is sought, potentially through the Area Partnerships.
- 3.28 **Q20** – Affordable housing quota: NHS Lothian supports the alternative approach for a 30% rather than 25% affordable quota; Homes for Scotland supports neither the preferred or alternative approach, but suggests instead the rate should be reviewed on a case by case basis where an applicant presents good evidence that the development would be unviable if the full quota is required; developers overwhelmingly support the preferred option but express concerns that the 25% requirement may make some sites unviable, which should be assessed on a case by case basis in line with SPP guidance; Community Councils, community groups and the public mostly support the preferred approach, however, there is also support for the alternative and flexibility to take into account local demand and circumstances; some note that the 25% quota would not meet affordable housing demand but there is also recognition that the higher 30% could affect viability; some acknowledged

that smaller houses for sale (circa 90 square metres could be held to contribute to affordable housing supply) whilst others are of a view that different tenure approaches, including mid-market rent would also contribute; some also query the trigger for contribution and that this could be raised from 5 units as current to a higher level. Other comments are made in relation to need for affordable housing in particular areas, including rural areas, and some that the quota should be kept as low as possible.

3.29 **Q21** – Affordable housing tenure mix: Homes for Scotland and developers support the preferred approach and the introduction of more flexible tenures for affordable housing provision including small homes (less than 90 square metres) for sale and mid-market rent; some are of the view the mix should be established at pre-application stage to understand development viability; a view that RSLs should be responsible for mix and provision; Community Councils offer some support for preferred approach allowing mix to be tailored to the local area and also that more provision is needed to support an aging population. Views of the public support both the preferred and alternative approaches; additionally, support is given for a wider choice of tenure and house types; self build homes and community trusts building homes and specialist housing for the less-abled and elderly. Concern is expressed that some affordable housing types and tenures may not be maintained as affordable over time.

3.30 **Q22** – Energy including renewable energy:

*Cockenzie* – the Scottish Government considers that the preferred approach closely reflects NPF3 in terms of off-shore renewable, port related activity and grid connections; Scottish Enterprise expresses concern at lack of reference to East Lothian role in off shore renewable and on-shore connections. Cockenzie and Port Seton Community Council supports the approved gas power station development or development within the existing power station footprint. Scottish Power's comments reflect the desire to safeguard the gas power station consent and the related pipeline route. Those involved in the energy industry request a safeguarding of onshore works in relation to offshore renewable, including grid connections. National Trust Scotland refers to existing concerns expressed in relation to Cockenzie and the battlefield site; the RSPB seeks clarification over Cockenzie in relation to Scottish Power's consent for a gas power station and Scottish Enterprise proposals and concerns about the integrity of the Firth of Forth SPA. Some state that the gas power station will not be developed therefore emphasis should be on renewables or a port development. Whilst there is some public support for renewable energy development at Cockenzie there are concerns at the scale proposed.

*Onshore wind* - the Scottish Government notes that further work could be done to refine i.e. reduce community separation distances in the proposed spatial framework and related thresholds; some Community Councils and other groups including the National Trust support a



cautious approach, whilst other groups including the Scottish Greens, Dunbar environmental groups and some landowners consider policy should be more supportive of wind development. The RSPB supports in principle but has concerns about the potential impact on birds, whilst SABEL want to see an updated landscape capacity study taking into account cumulative impact and informing criteria based policy. Concerns at impact on tourism are also expressed. Public views are mixed, with support but some concerns that wind energy is not as green or economic as it is made out to be.

*Heat networks, combined heat and power* – support expressed by the Scottish Government, SEPA and Viridor including for energy from waste where compliant with the Zero Waste Plan; Viridor and Midlothian Council note the potential of the Oxwellmains and Millerhill energy from waste sites respectively; Dunbar Community Council supports energy from waste at Lafarge but this may not reflect community views; support for the principal of heat networks and combined sources from the public and Dunbar environmental groups, though some concerns about impact on development viability are stated.

*Other renewable issues* – general support for preferred approach to microrenewables; Dunpender Community Council suggests renewable energy sources should be fitted to all new houses; general support for solar power, though concerns expressed over solar panels where they affect a conservation area; support for community renewable generation schemes from the Scottish Greens and Dunbar environmental groups.

*Other energy generation* – nuclear power generation is supported by one respondent whilst the Scottish Greens and Dunbar environmental groups support decommissioning at Torness.

- 3.31 **Q23** – Low and zero carbon generating technologies: the Scottish Government advises both preferred and alternative approaches are viable but that the measure to be saved should be in LDP policy and not in supplementary guidance; a majority of those commenting on this support the preferred approach as more realistic and achievable but a significant minority support the higher targets of the alternative.
- 3.32 **Q24** – Minerals: the Scottish Government supports the preferred strategy in respect of onshore oil and gas; the Coal Authority supports the reasonable alternative on identifying areas of search where opencast is most likely to be acceptable; Scottish Water has no preference between the approaches; Midlothian Council supports the preferred approach in relation to unacceptable environmental impacts; the RSPB believe a firmer approach should be taken; some developers suggest a more permissive approach should be taken to allow new mineral resources to come forward. Lafarge is exploring long-term opportunities for their land. Public views are opposed to new areas for open cast coal and other mineral extraction due to impact on local communities and on tourism and support strict policies and particularly a robust policy on unconventional gas extraction (fracking).

- 3.33 **Q25** – Waste: general support for the preferred approach.
- 3.34 **Q26** – Minor policy review: Scottish Government advises there should be a review of flooding policy taking into account revised SPP position on managing flood risk and drainage; Historic Scotland welcomes a policy to protect battlefield sites; the National Trust for Scotland seeks enhancement of environmental and conservation policies; support from developers for a tourism policy; support from the public for policies to support the aging population; support for review of conservation area and designed landscape boundaries; support for integrating policy DC1 and countryside around towns, for encouraging better energy efficiency in new homes and for increasing density of house building.
- 3.35 **Q27** – Other Comments: SportScotland notes that the predicted increase in East Lothian population should lead to an increase in sports provision; the Council’s Amenity Services advises of the need to ensure continued supply of burial space; some community groups believe there should be more joined up thinking in the Council; some view the MIR as inaccessible and difficult for members of the public understand; others think the consultation has been inadequate and has led to confusion amongst the public over housing developments.
- 3.36 In respect of the Interim Environmental Report (IER), overall there were a low number of responses: 22 directly through the hub and 3 statutory Consultation Authorities through the Strategic Environmental Assessment Gateway. A number of additional relevant comments from MIR responses have been added to these. In addition 102 standard letters on Cockenzie are considered in the Site Assessments part of the IER Consultation Question Summaries.
- 3.37 A number of respondents misunderstood that the IER consultation sought views in relation to the adequacy of the assessment rather than seeking views on the merits of strategy or policy approaches being assessed, since this is a matter for the MIR itself. Consequently, the quantitative aspect should be treated with caution since a number of responses focused on the merits of the subject being assessed, not the assessment itself.
- 3.38 A number of responses to the MIR also made comments on the IER, particularly the site assessments where respondents took issue with the content or scoring of the assessment. A number of specific responses to the IER were also received and these have been summarised as part of the relevant MIR submissions. The IER summaries should therefore be read together with the MIR summaries for a complete picture as duplication in reporting has generally been avoided.
- 3.39 In the review of the IER for the preparation of the Proposed Plan, all relevant responses will be considered in the preparation of the associated Draft Environmental Report.

- 3.40 Strategic Environmental Assessment consultation authority comments on the IER are difficult to summarise given their scope and have a unique statutory basis – they should be read in full and in conjunction with the summaries of other IER responses.
- 3.41 For ease of consideration, key points have been mostly grouped here by respondent type: statutory Consultation Authorities; national interest groups; community councils and local interest groups; members of the public.
- 3.42 Although there were relatively few responses, detailed comments were received from all statutory Consultation Authorities including SEPA, SNH and Historic Scotland and these were very positive in respect of the adequacy of the assessment.
- 3.43 In general, more respondents, including the statutory Consultation Authorities, viewed the assessment (including cumulative assessment of the spatial strategy) as appropriate than those who viewed it as inappropriate.
- 3.44 In respect of minerals search, the Coal Authority supports the assessment of the alternative approach proposed.

In respect of mitigation of environmental impacts generally the National Trust for Scotland supports the measures identified in the IER but states that these will only be sufficient if applied thoroughly and effectively.

- 3.45 Some landowners, developers and agents are critical of aspects of the assessment and one believes that the whole assessment should be revised.

Some are critical of the Blindwells proposals as unlikely to be delivered.

They believe employment sites should be smaller, mixed use sites rather than large allocations, and should not be protected from other uses, especially housing.

They have concerns over proposed countryside around towns policy and green network as prescriptive and unlikely to have benefits. One believes weighting should be given to acute housing shortage over environmental constraints.

They take differing views on the impact of the compact and dispersed strategy on the environment, one seeing the compact strategy as environmentally beneficial, another that dispersed growth could have lower impact.

One is opposed to the proposed redevelopment of Cockenzie as NPF3 out of date and seen to be irrelevant.

One also states that all major opportunities for waste sites should be pursued as the Zero Waste Plan is in the early stages of delivery.

One believes that mitigation measures proposed generally appear to be excessive and may stifle delivery, whilst assessments may prevent delivery if costs are excessive and timelines unknown.

- 3.46 Cockenzie and Port Seton Community Council (the only Community Council responding) would like to see a drive towards East Lothian becoming carbon neutral. They support a dispersed strategy to minimise development on green belt land, lessen traffic congestion and reduce coalescence.

They believe new developments should be in character with their surroundings.

They support Blindwells only as a local centre and see retail parks as out of character with East Lothian.

They consider that strategic employment sites should be maintained but opened up to mixed use.

They offer support for countryside towns and green network proposed policies to prevent coalescence.

Development within the Cockenzie power station footprint is supported.

The preferred approach for mineral and other types of extraction is supported.

They also support for the drive to reduce waste in East Lothian and manage it responsibly.

- 3.47 Public comments reflect concerns over low density development, impacts of increased car use, flood risk and the impacts on natural and built heritage and biodiversity.

There are a mix of views as to the benefits of the preferred and alternative development locations.

Some support employment sites having housing located around them or mixed use allocations.

Some support is offered for the compact over the dispersed strategy, though there are concerns over impacts on heritage and landscape.

Strong concerns at the loss of green belt land and related impacts.

Support for proposed countryside around towns policy and green network but some consideration that it replicates other policies e.g. DC1, conservation area designations.

Strong opposition to redevelopment of Cockenzie power station as envisaged under NPF3.

Onshore impacts of offshore mineral and gas extraction should be considered.

One view is that the cumulative scoring is seen as not necessarily consistent with stated facts within the IER.

One respondent sees the process as incredibly positive, another as a thorough and well handled process though difficult to engage with as a consequence of how difficult the task is. Another expresses the view that the consultation process is confusing and intimidating and that other ways of communicating with communities could be more meaningful.

- 3.48 Under Q37 on Site Assessments there are a significant number of comments on individual sites from landowners, agents and developers in relation to how they are assessed and scored on individual environmental impacts. Community Councils, community groups and members of the public also give their views on sites assessed within this part of the IER.

#### **4 POLICY IMPLICATIONS**

- 4.1 This report does not propose policy changes, though consideration of its content may affect the policies of the Local Development Plan.

#### **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 Local Development Plan Main Issues Report  
7.2 East Lothian Local Development Plan Interim Environmental Report  
7.3 East Lothian Consultation Hub Main Issues Report Consultation

<b>AUTHOR'S NAME</b>	Iain McFarlane
<b>DESIGNATION</b>	Service Manager, Planning
<b>CONTACT INFO</b>	imcfarlane@eastlothian.gov.uk
<b>DATE</b>	7 April 2015

**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive - Partnerships and Community Services

**6**

**SUBJECT:** Charging Policy – Memorial Headstone Maintenance Fee

---

## **1 PURPOSE**

- 1.1 That Council approves the introduction of a Maintenance and Management Fee payable on approval of an application to erect a memorial headstone within a Council-managed burial ground.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that Council approves the introduction of a Management and Maintenance Fee of £100 plus VAT, to commence with immediate effect.

## **3 BACKGROUND**

- 3.1 At its meeting on 10 March 2015 Cabinet agreed to adopt the Burial Ground Strategy, which included a recommendation to introduce a management and maintenance fee for headstones within a Council-managed burial ground. The Recommendation concerning the charge was remitted to Council for approval.
- 3.2 The Council, as owners of the land are legally responsible for ensuring the health and safety of visitors and employees within the burial grounds. A significant risk to safety exists from the current condition of approximately 8,000 memorial headstones, the owners of which are generally absent and cannot be pursued to contribute towards the cost of these essential repairs

- 3.3 The Council recently adopted an approach of installing foundations for new headstones and requires that monumental sculptors erect stones in accordance with current industry practice. Therefore, the likelihood of recently erected memorial headstones presenting risk in the future is greatly reduced.
- 3.4 The fee charged by the Council for construction of foundations is cheaper than that traditionally applied by monumental sculptors and therefore represents good value to the customer.
- 3.5 However, there remains a requirement for the Council to inspect all headstones on a minimum 3-yearly cycle and undertake repairs to any stone found to present a danger of collapse. In order to minimise the long-term financial burden to the Council of undertaking these inspections and repairs, it is proposed to introduce a Management and Maintenance Fee, payable on approval of an application to erect a memorial headstone, of £100 over and above the current foundation fee of £133.
- 3.6 On a rolling financial year basis, income from these fees will assist with the cost of stabilising the existing stock of memorial headstones and cover the cost of inspecting, recording and undertaking preventative repairs to the whole stock in perpetuity
- 3.7 Introduction of the Management and Maintenance Fee, combined with the Foundation Fee, would generate income of £233 per application which sits within a range of £61 - £339, an average of £168 for the 16 local authorities who provided benchmark figures although the local authorities at the lower end of the fee scale also charge for permits for additional inscriptions, cleaning, secondary vases and plaques at an average of £42 per application

#### **4 POLICY IMPLICATIONS**

- 4.1 The introduction of the Management and Maintenance Fee is in line with the adopted Burial Ground Strategy and the Council Charging Policy 2015 in so much as it lessens the need for Council Tax payers to subsidise the cost of memorial headstone maintenance.

#### **5 EQUALITIES IMPACT ASSESSMENT**

- 5.1 This report is not applicable to the well being of equalities groups and an Equalities Impact Assessment is not required.



## **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – This proposal reduces the overall revenue cost to the Council of maintaining its statutory burial service
- 6.2 Personnel - None
- 6.3 Other - None

## **7 BACKGROUND PAPERS**

- 7.1 Minutes of Cabinet 13 March 2015

<b>AUTHOR'S NAME</b>	Stuart Pryde
<b>DESIGNATION</b>	Principal Amenity Officer
<b>CONTACT INFO</b>	Tel : 7430 E mail: I s pryde@eastlothian.gov.uk
<b>DATE</b>	9 April 2015



**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive - Partnership and Community Services **7**

**SUBJECT:** Edinburgh City Region Deal

---

## **1 PURPOSE**

1.1 The purpose of this report is:

- i) to provide a progress update in relation to the development of the outline business case of an Edinburgh City Region (ECR) Deal;
- ii) to secure approval to proceed with the development of a detailed business case, with ECR partners, through the next stage of negotiation with UK and Scottish Governments; and
- iii) to agree to adjust Stage 1 funding contribution levels and approve the funding of the next stage of the bid.

## **2 RECOMMENDATIONS**

2.1 That Council notes the progress of the bid arrangements since it agreed in December 2014 to support the development of an initial business case and approve that officers proceed with the next stage of the bid in conjunction with ECR partners.

2.2 Agree to increase Stage 1 funding from a contribution of £5,000 as approved to a maximum of £25,000 and approve further Stage 2 funding to a maximum of £50,000.

## **3 BACKGROUND**

3.1 At its meeting on 16 December 2014, the Council agreed to contribute £5,000 to support the development of an outline business case for an Edinburgh City Regional (ECR) Deal Infrastructure Fund. This contribution was based on a pro rata share based on population size as

agreed with City of Edinburgh Council. Following this, through meetings with ECR partners, it was agreed that each partner would equally share the cost of the development of the initial business case. East Lothian's contribution will now increase to a maximum of £25,000 consistent with other partner authorities..

- 3.2 Work has been undertaken over the past 3 months with consultancy support latterly through KPMG to develop an outline business case.
- 3.3 The ECR wants to build on its strengths and tackle its constraints by setting an ambitious target of a permanent uplift in economic output across the 6 constituent authorities of at least 5% per annum through an initial 10-year programme to be partly paid for out of the additional tax it generates for the UK and Scottish Governments.
- 3.4 Based on the ratios achieved by other infrastructure funds, the ECR would expect to achieve this target with a fund size of around £1bn, which would be comparable, relative to the size of the city region economy, to the Glasgow Infrastructure Fund City Deal.
- 3.5 ECR would expect to leverage additional private sector investment in the region of £3.2b as a result.
- 3.6 Economic growth will be delivered through a programme of prioritised investment. ECR has chosen Gross Value Added (per net £ of investment) as its lead metric to prioritise fund investment. To ensure cohesion across the ECR and to tackle areas of low income and those that lack access to employment opportunities, the fund programme will be further analysed to support 2 secondary objectives (programme minima). These project minima require further work in detail but will be focussed on:
  - a) Ensuring a suitable geographic spread of projects; and
  - b) Tackling inequality
- 3.7 At this stage, the type of infrastructure in scope for the fund has been broadly defined since in practice there are many forms of investment that can drive economic growth and assist in reducing in equality. It is likely to include transport, housing, regeneration, energy, broadband and digital connectivity.
- 3.8 Detailed economic modelling and prioritisation of potential projects will be undertaken in the next stage of business case development. This stage of the process will produce a coherent ECR wide programme of investment to maximise economic growth.
- 3.9 A parallel package of skills measures will be developed to ensure that the ECR's population is able to take full advantage of the additional job opportunities created by the City Deal.

- 3.10 ECR aims to initiate discussions with the UK and Scottish Governments on the basis of this outline proposition and seek agreement on the development of a detailed proposition. Assuming a positive response from Ministers, a detailed business case, including prioritising potential investment would be developed over the next 9 months. This would involve detailed immediate and ongoing dialogue with HM Treasury, Cabinet Office and Scottish Government with a view to reaching agreements by the end of 2015 / early 2016. This would also help ensure that the ECR is taken into account when the Comprehensive Spending Review (CSR) is being worked up after the UK Election and any funding package is considered as part of an Autumn Statement and the Draft Scottish Budget published in October 2015.
- 3.11 Key stages in the development of a detailed business case would include:
- Creating the analytical framework for measuring impacts
  - Agree baselines with Scottish and UK Government's against which to measure improvements, and demonstrate local additionality
  - Identify relevant candidate projects
  - Create appropriate joint working arrangements and governance structures across the city region.

Appendix A contains an indicative timetable towards an agreed deal.

- 3.12 Delivering the detailed business case will require further funding. ECR partners have agreed that contributions for this next stage of the development work should be calculated proportionately (pro rata share based on population). East Lothian Council's contribution is estimated at £50,000.

#### **4 POLICY IMPLICATIONS**

- 4.1 Although there are no direct policy implications arising directly from this report, an agreement on a deal for the Edinburgh City Region would support delivery of the Council priorities in respect of Growing our Economy, People and Communities as set out within the Council Plan and the SOA. Such a deal would have significant potential implications for the Council's Financial Strategy and its future Capital Plans.

#### **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

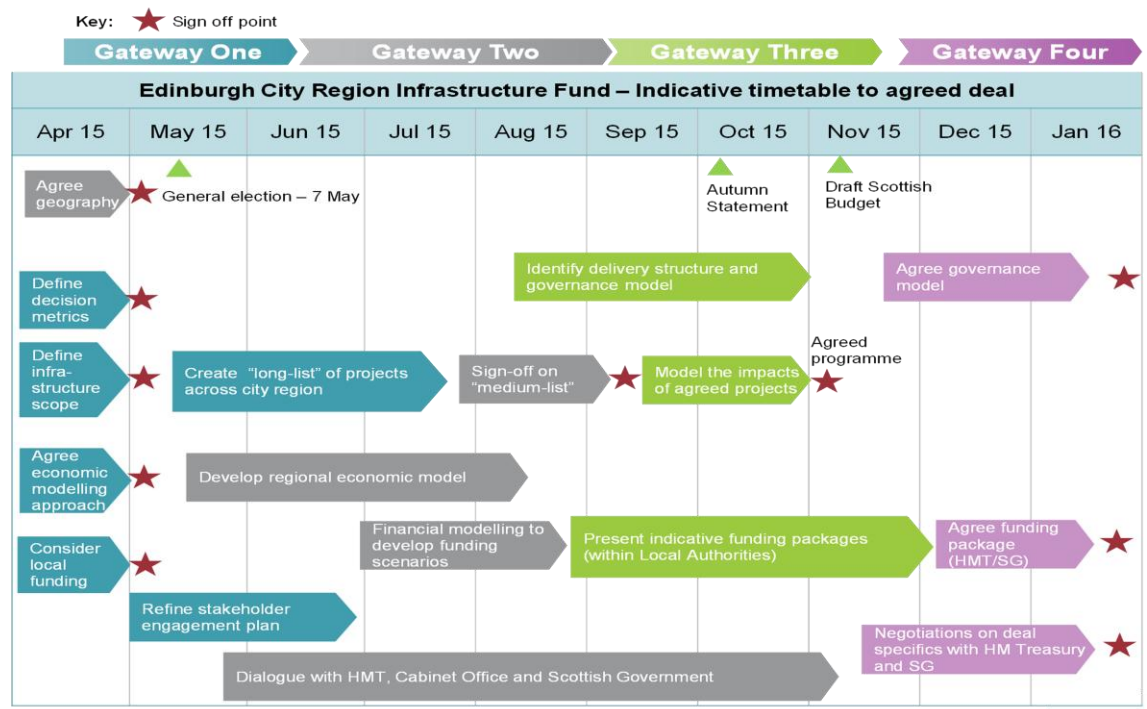
- 6.1 Financial – The increase in contribution from £5,000 to £25,000 to develop the outline business case will be met from the existing 2014/15 Economic Development and Strategic Investment service budget. The contribution of £50,000 for the development of the detailed business case will be met from the approved 2015/16 Economic Development and Strategic Investment service budget.
- 6.2 Personnel - Allocation of staffing resource to support the development of the detailed business case will be required across a range of services. In the longer term should a deal proceed, it will be necessary to provide adequate resources and support to take forward any local projects.
- 6.3 Other - None

## 7 BACKGROUND PAPERS

- 7.1 Edinburgh City Region Deal, East Lothian Council, 16 December 2014  
[East Lothian Council - East Lothian Council](#)
- 7.2 A copy of the outline Business Case has been lodged in the Members Library.

<b>AUTHOR'S NAME</b>	Douglas Proudfoot
<b>DESIGNATION</b>	Interim Head of Development
<b>CONTACT INFO</b>	Douglas Proudfoot – <a href="mailto:dproudfoot@eastlothian.gov.uk">dproudfoot@eastlothian.gov.uk</a> Esther Wilson – <a href="mailto:ewilson@eastlothian.gov.uk">ewilson@eastlothian.gov.uk</a>
<b>DATE</b>	6 April 2015

# Indicative Timetable to Agreed Deal







**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Resources and People Services)

**8**

**SUBJECT:** Amendments to Standing Orders – Scheme of Administration

---

## **1 PURPOSE**

- 1.1 To seek approval of the proposed revision to the Scheme of Administration to allow substitutes for the Petitions Committee.

## **2 RECOMMENDATIONS**

The Council is asked:

- 2.1 to approve the proposed amendments to the Scheme of Administration, and any relevant Standing Orders, as detailed at sections 3.2 and 3.3 of this report.
- 2.2 to note that the revised Scheme of Administration for the Petitions Committee will be published on the Council website as soon as practicable.

## **3 BACKGROUND**

- 3.1 Members will recall that the Council approved revised Standing Orders and associated appendices in August 2013. A number of revisions to the Scheme of Administration and the Scheme of Delegation have subsequently been approved by Council. This report seeks a revision to the Scheme of Administration for the Petitions Committee.
- 3.2 Council has determined that the Petitions Committee only has a membership of four. The Scheme of Administration states that the quorum for the Petitions Committee is three. If there are apologies or declarations of interest in items, there is a high risk of the meeting being inquorate. This report therefore seeks to allow substitutes for the Petitions Committee to avoid this situation in the future.

- 3.3 It is proposed that where a Member is not able to attend a meeting of the Petitions Committee, they would seek a substitute from their own political group.
- 3.4 If approved, the revisions will be incorporated into the Scheme of Administration and any relevant Standing Orders will be amended. Updated documents will be published 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 Report to Council, 25 June 2013 – Review of East Lothian Council Standing Orders
- 7.2 East Lothian Council Standing Orders

<b>AUTHOR'S NAME</b>	Jill Totney
<b>DESIGNATION</b>	Team Manager – Democratic Services
<b>CONTACT INFO</b>	jtotney@eastlothian.gov.uk x7225
<b>DATE</b>	26 March 2015

**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Resources & People Services)

**SUBJECT:** Schedule of Meetings 2015/16

---

9

**1 PURPOSE**

- 1.1 To set the Schedule of Meetings of the Council, Committees and other forums for 2015/16.

**2 RECOMMENDATIONS**

- 2.1 The Council is asked to approve the proposed Schedule of Meetings for 2015/16.

**3 BACKGROUND**

- 3.1 The annual Schedule of Meetings for 2015/16 is presented to Members for approval. The schedule largely follows the pattern set for previous years, in that there will be a week-long mid-term break in October, a two-week winter break over Christmas/New Year and a two-week break over the Easter period.
- 3.2 Members will note that a number of dates have been scheduled for Members' briefing sessions. The briefing session topics will be communicated to Members in due course.
- 3.3 On approval of the dates, venues will be booked and confirmed with Members and officers.
- 3.4 Members are asked to note that the Schedule is subject to change and that any changes will be communicated as soon as practicable.

**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 Standing Orders

<b>AUTHOR'S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager – Democratic Services
<b>CONTACT INFO</b>	<a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a> x7225
<b>DATE</b>	31 March 2015

**East Lothian Council**  
**Draft Schedule of Meetings 2015/16**

Day	Date	Time	Committee/Meeting	Venue (tbc)
Tues	25 August 2015	10.00 14.00	East Lothian Council Member Briefing (topic tbc)	
Thurs	27 August 2015	10.00 14.00	East Lothian Licensing Board Local Review Body (Planning)	
Tues	1 September 2015	09.15 10.00	Haddington Common Good Committee Planning Committee	
Wed	2 September 2015	14.00	Joint Consultative Committee	
Thurs	3 September 2015	10.00 14.00	Employee Appeals Sub-Committee Social Work Complaints Review Committee	
Tues	8 September 2015	09.00 10.00 13.00	Musselburgh Joint Racing Committee Cabinet Member Briefing (topic tbc)	
Thurs	10 September 2015	10.00 14.00	Licensing Sub-Committee Petitions Committee	
Tues	15 September 2015	10.00 14.00	Audit & Governance Committee Musselburgh Common Good Committee	
Wed	16 September 2015	14.00	Resilient People Partnership	
Thurs	17 September 2015	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	22 September 2015	09.15 10.00	North Berwick Common Good Committee Education Committee	
Wed	23 September 2015	14.00	Sustainable Economy Partnership	
Thurs	24 September 2015	10.00	East Lothian Licensing Board	
Mon	28 September 2015	14.00	Safe & Vibrant Communities Partnership	
Tues	29 September 2015	10.00 14.00	Dunbar Common Good Committee Policy & Performance Review Committee	
Thurs	1 October 2015	10.00	Employee Appeals Sub-Committee	
Tues	6 October 2015	10.00	Planning Committee	
Wed	7 October 2015	14.00	East Lothian Partnership	
Thurs	8 October 2015	10.00	Licensing Sub-Committee	
<i>Autumn Recess: Friday 9 October – Monday 19 October</i>				
Tues	20 October 2015	10.00 13.00	Cabinet Member Briefing (topic tbc)	
Thurs	22 October 2015	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	27 October 2015	10.00	East Lothian Council	
Thurs	29 October 2015	10.00	East Lothian Licensing Board	
Tues	3 November 2015	10.00	Planning Committee	
Thurs	5 November 2015	10.00	Employee Appeals Sub-Committee	
Tues	10 November 2015	10.00 14.00	Cabinet Education Committee	
Thurs	12 November 2015	10.00	Licensing Sub-Committee	
Tues	17 November 2015	10.00	Audit & Governance Committee	

		13.00	Member Briefing (topic tbc)	
Wed	18 November 2015	14.00	Resilient People Partnership	
Thurs	19 November 2015	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Mon	23 November 2015	14.00	Safe & Vibrant Communities Partnership	
Tues	24 November 2015	09.15 10.00	North Berwick Common Good Committee Policy & Performance Review Committee	
Thurs	26 November 2015	10.00	East Lothian Licensing Board	
Tues	1 December 2015	09.15 10.00	Haddington Common Good Committee Planning Committee	
Wed	2 December 2015	14.00	Joint Consultative Committee	
Thurs	3 December 2015	10.00 14.00	Employee Appeals Sub-Committee Social Work Complaints Review Committee	
Tues	8 December 2015	09.00 10.00 14.00	Musselburgh Joint Racing Committee Cabinet Musselburgh Common Good Committee	
Thurs	10 December 2015	10.00 14.00	Licensing Sub-Committee Petitions Committee	
Fri	11 December 2015	10.00	Dunbar Common Good Committee	
Tues	15 December 2015	10.00	East Lothian Council	
Wed	16 December 2015	14.00	Sustainable Economy Partnership	
Thurs	17 December 2015	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
<i>Winter Recess: Friday 18 December 2015 – Monday 4 January 2016</i>				
Tues	5 January 2016	10.00	Planning Committee	
Thurs	7 January 2016	10.00	Employee Appeals Sub-Committee	
Tues	12 January 2016	10.00 13.00	Cabinet Member Briefing (topic tbc)	
Thurs	14 January 2016	10.00	Licensing Sub-Committee	
Tues	19 January 2016	10.00	Audit & Governance Committee	
Wed	20 January 2016	14.00	East Lothian Partnership	
Thurs	21 January 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	26 January 2016	10.00	Policy & Performance Review Committee	
Thurs	28 January 2016	10.00	East Lothian Licensing Board	
Tues	2 February 2016	09.15 10.00	North Berwick Common Good Committee Planning Committee	
Thurs	4 February 2016	10.00	Employee Appeals Sub-Committee	
Tues	9 February 2016	10.00	East Lothian Council (budget-setting)	
Thurs	11 February 2016	10.00	Licensing Sub-Committee	
Thurs	18 February 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Mon	22 February 2016	14.00	Safe & Vibrant Communities Partnership	
Tues	23 February 2016	10.00	East Lothian Council	
Thurs	25 February 2016	10.00	East Lothian Licensing Board	
Tues	1 March 2016	09.15 10.00 14.00	Haddington Common Good Committee Planning Committee Member Briefing (topic tbc)	
Wed	2 March 2016	14.00	Joint Consultative Committee	

Thurs	3 March 2016	10.00 14.00	Employee Appeals Sub-Committee Social Work Complaints Review Committee	
Tues	8 March 2016	10.00 14.00	Cabinet Education Committee	
Wed	9 March 2016	14.00	Resilient People Partnership	
Thurs	10 March 2016	10.00 14.00	Licensing Sub-Committee Petitions Committee	
Fri	11 March 2016	10.00	Dunbar Common Good Committee	
Tues	15 March 2016	10.00 14.00	Policy & Performance Review Committee Musselburgh Common Good Committee	
Wed	16 March 2016	14.00	Sustainable Economy Partnership	
Thurs	17 March 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	22 March 2016	09.00 14.00	Musselburgh Joint Racing Committee Audit & Governance Committee	
Thurs	24 March 2016	10.00	Licensing Board	
<i>Spring Recess: Friday 25 March – Monday 11 April 2016</i>				
Tues	12 April 2016	09.00 10.00 13.00	Musselburgh Joint Racing Committee Cabinet Member Briefing (topic tbc)	
Thurs	14 April 2016	10.00	Licensing Sub-Committee	
Tues	19 April 2016	10.00	Planning Committee	
Thurs	21 April 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	26 April 2016	10.00	East Lothian Council	
Thurs	28 April 2016	10.00 14.00	East Lothian Licensing Board Employee Appeals Sub-Committee	
Tues	10 May 2016	10.00 14.00	Cabinet Policy & Performance Review Committee	
Wed	11 May 2016	14.00	East Lothian Partnership	
Thurs	12 May 2016	10.00	Licensing Sub-Committee	
Tues	17 May 2016	10.00 14.00	Audit & Governance Committee Musselburgh Common Good Committee	
Thurs	19 May 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tues	24 May 2016	10.00	North Berwick Common Good Committee	
Thurs	26 May 2016	10.00	East Lothian Licensing Board	
Tues	31 May 2016	09.15 10.00 13.00	Dunbar Common Good Committee Education Committee Member briefing (topic tbc)	
Wed	1 June 2016	14.00	Joint Consultative Committee	
Thurs	2 June 2016	10.00 14.00	Employee Appeals Sub-Committee Social Work Complaints Review Committee	
Tue	7 June 2016	09.15 10.00	Haddington Common Good Committee Planning Committee	
Thurs	9 June 2016	10.00 14.00	Licensing Sub-Committee Petitions Committee	
Tue	14 June 2016	10.00 14.00	Cabinet Audit & Governance Committee	
Wed	15 June 2016	14.00	Sustainable Economy Partnership	

Thurs	16 June 2016	10.00 14.00	Homelessness Appeals Sub-Committee Local Review Body (Planning)	
Tue	21 June 2016	09.00 10.00 13.00	Musselburgh Joint Racing Committee Policy & Performance Review Committee Member Briefing (topic tbc)	
Wed	22 June 2016	14.00	Resilient People Partnership	
Thurs	23 June 2016	14.00	East Lothian Licensing Board	
Mon	27 June 2016	14.00	Safe & Vibrant Communities Partnership	
Tue	28 June 2016	10.00	East Lothian Council	
Tue	5 July 2016	09.00	Musselburgh Joint Racing Committee	

30 March 2015



**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Appointment of Representatives to Outside Bodies

---

**10**

**1 PURPOSE**

- 1.1 To seek Council approval of the nomination of Councillor John McNeil to the Lothian Valuation Joint Board and Lothian Electoral Joint Committee, replacing Councillor Norman Hampshire.

**2 RECOMMENDATIONS**

- 2.1 That the Council approves of the nomination of Councillor John McNeil to the Lothian Valuation Joint Board and Lothian Electoral Joint Committee.

**3 BACKGROUND**

- 3.1 The Council currently has two appointed representatives on the Lothian Valuation Joint Board and Lothian Electoral Joint Committee – Councillors Norman Hampshire and Jim Gillies. Councillor Hampshire has recently notified the Administration that he wishes to relinquish his position on these bodies due to other Council commitments. The Administration has nominated Councillor McNeil to replace Councillor Hampshire.
- 3.1 Members are asked to note that the updated list of representation on outside bodies will be published on the Council’s 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 – 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

<b>AUTHOR'S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager - Democratic Services
<b>CONTACT INFO</b>	<a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a> x7225
<b>DATE</b>	1 April 2015

**REPORT TO:** East Lothian Council

**MEETING DATE:** 21 April 2015

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Submissions to the Members' Library Service  
12 February – 8 April 2015

---

**11**

**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 12 February and 8 April 2015, 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 public 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

<b>AUTHOR'S NAME</b>	Lel Gillingwater
<b>DESIGNATION</b>	Team Manager - Democratic Services
<b>CONTACT INFO</b>	<a href="mailto:lgillingwater@eastlothian.gov.uk">lgillingwater@eastlothian.gov.uk</a>
<b>DATE</b>	8 April 2015

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD  
12 February – 8 April 2015**

<b>Reference</b>	<b>Originator</b>	<b>Document Title</b>	<b>Access</b>
18/15	Head of Communities and Partnerships	Abolition of the Right to Buy / End of Pressured Area Status	Public
19/15	Head of Council Resources	Treasury Management Strategy Statement 2015/16	Public
20/15	Depute Chief Executive – Partnerships and Community Services	Service Review - Road Services	Private
21/15	Depute Chief Executive – Partnerships and Community Services	Cafeteria Assistant, Prestonpans Community Centre	Private
22/15	Acting Head of Development	Acquisition of Haddington Sheriff Court	Private
23/15	Acting Head of Development	Sale of Former Day Centre, Gullane	Private
24/15	Acting Head of Development	Grant of lease of land at Winterfield Park, Dunbar	Private
25/15	Acting Head of Development	Renewal of Leases Granted to EE to Locate Radio Masts at Brunton Hall, Musselburgh and Mid Road Industrial Estate, Prestonpans	Private
26/15	Depute Chief Executive – Partnerships and Community Services	Service Review – Engineering Services and Building Standards	Private
27/15	Depute Chief Executive (Partnerships and Community Services)	Burial Ground Strategy and Supporting Documents	Public
28/15	Depute Chief Executive (Partnerships and Community Services)	North Berwick Parking Strategy Summary of Questionnaire	Public
29/15	Director of Health and Social Care Partnership	Health and Social Care Integration: East Lothian Integration Scheme – Approval of Final Draft	Public
30/15	Head of Infrastructure	Award of Contract – Traffic Modelling – Musselburgh and Tranent	Public
31/15	Head of Infrastructure	Flood Risk Management Strategy	Public
32/15	Head of Infrastructure	Flood Risk Management Strategy Appendix 2 – part 1	Public
33/15	Head of Infrastructure	Flood Risk Management Strategy Appendix 2 – part 2	Public
34/15	Depute Chief Executive (Partnerships and Community Services)	Building Warrants Issued under Delegated Powers between 1 <sup>st</sup> and 28 <sup>th</sup> February 2015	Public
35/15	Council Leader (per Head of Council Resources)	Local Government Finance Settlement 2015/16	Public

36/15	Head of Council Resources	Interim Service Review and Staffing Report – Strategic Asset and Capital Plan Management	Private
37/15	Head of Council Resources	Corporate Policy and Improvement Service Review – Phase 1	Private
38/15	Acting Head of Development	Purchase of Two Residential Properties from the Scottish Fire and Rescue Service	Private
39/15	Service Manager - Planning	Planning Enforcement Notices issued between 1 <sup>st</sup> January 2015 and 28 <sup>th</sup> February 2015	Public
40/15	Head of Council Resources	Customer Services Team Restructure - Part 3	Private
41/15	Acting Head of Development	Grant of Lease for 0.88 Hectare (Approx) of Land in Haddington	Private
42/15	Acting Head of Development	Variation of Terms for the Sale of Alderston House, Haddington	Private
43/15	Director (Health & Social Care Partnership)	Adult Wellbeing – Revisions to Existing Charges	Public
44/15	Acting Head of Development	Proposed Work Notice Repair Works at 134B, 136 & 138 North High Street, Musselburgh	Public
45/15	Head of Communities & Partnerships	Learning At Work Policy – April 2015	Public
46/15	Head of Council Resources	Service Review – Museums Service	Private
47/15	Head of Council Resources	Lead Officer - Education	Private
48/15	Head of Council Resources	Prestonpans Infants School - Creation of Additional Part-time Sessional Dining Room Supervisor	Private
49/15	Head of Infrastructure	East Coast Main Line Authorities Update	Public
50/15	Service Manager – Corporate Policy	Scottish Police Authority/Police Scotland Joint Agreement on Police Policy Engagement	Public

8 April 2015