



MINUTES OF THE MEETING OF THE CABINET

TUESDAY 12 MAY 2015
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

1

Committee Members Present:

Councillor S Akhtar
Councillor T Day
Councillor D Grant
Councillor N Hampshire
Councillor W Innes (Convener)
Councillor J McMillan
Councillor M Veitch

Other Councillors Present:

Councillor D Berry
Councillor L Broun-Lindsay
Councillor S Brown
Councillor S Currie
Councillor A Forrest
Councillor J Gillies
Councillor J Goodfellow
Councillor M Libberton
Councillor P MacKenzie
Councillor F McAllister
Councillor K McLeod
Councillor J McNeil
Councillor J Williamson

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive – Resources and People Services
Ms M Patterson, Depute Chief Executive – Partnerships and Community Services
Mr D Small, Director of Health and Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Acting Head of Development
Ms S Saunders, Head of Children's Wellbeing
Mr T Shearer, Head of Communities and Partnerships
Mrs M Ferguson, Service Manager – Legal and Procurement
Mr C Forbes, Principal Officer, Economic Development and Strategic Investment
Ms J Holland, Senior Solicitor
Mrs K MacNeill, Service Manager – Licensing, Administration and Democratic Services
Ms J Ogden-Smith, Communications Officer
Ms E Wilson, Service Manager – Economic Development and Strategic Investment

Clerk:

Mrs L Gillingwater

Apologies:

None

Declarations of Interest:

None

1. MINUTES OF THE MEETING OF THE CABINET OF 10 MARCH 2015

The minutes of the meeting of the Cabinet of 10 March 2015 were approved.

2. MANAGING EMPLOYEE PERFORMANCE POLICY

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking Cabinet approval of amendments to the Managing Employee Performance Policy, following further consultation with the Joint Trades Unions.

The Head of Council Resources, Jim Lamond, presented the report, reminding Members that this policy had originally been presented to Cabinet for approval in November 2014. However, following approval of the policy, the Joint Trades Unions had requested a further opportunity to discuss the policy and had subsequently proposed a number of amendments for consideration. He drew attention to those proposed amendments, as outlined in Appendix 1 to the report, indicating that the changes provided greater clarity on the application of the policy.

Councillor Currie commented that it was preferable to reach a collective agreement with the Trades Unions on such policies.

Councillor Innes welcomed the report, noting that the revised policy demonstrated the Council's willingness to work with the Trades Unions in all areas of Council policy.

Decision

The Cabinet agreed to approve the proposed amendments to the Managing Employee Performance Policy.

3. FLAG FLYING AND MOURNING PROTOCOLS

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval to regularise the Council's position in relation to the flying of flags and books of condolence, and the steps to be taken in the event of the death of the reigning Sovereign and other senior members of the Royal Family and National Figures.

The Service Manager – Licensing, Administration and Democratic Services, Kirstie MacNeill, presented the report, advising Members of the current procedures as regards the flying of flags on Council buildings, and drawing attention to the proposed protocol which would provide clarity for the flying of flags on a permanent basis and on certain significant occasions. She also highlighted the proposed arrangements in relation to marking the death of the reigning sovereign, senior members of the Royal Family and certain other national figures, noting that these proposals had been approved by the Lord Lieutenant.

Councillor MacKenzie suggested that where an unexpected event occurred that did not fall within the guidelines set out in the report, a cross-party group should be established to make a decision on how such events should be observed. Councillor Innes indicated that he would consider this proposal.

Councillor McAllister asked if the Scottish Flag Trust and Saltire Festival organisers had been consulted on the proposals. He was advised that they had been consulted. He also asked about the arrangements for the flying of flags on buildings in Dunbar and Musselburgh. Mrs MacNeill advised that Dunbar Community Council had responsibility for flags in Dunbar, and that there were a number of issues as regards flags in Musselburgh that required further consideration.

Responding to a question from Councillor Hampshire, Mrs MacNeill confirmed that where the Union Flag and Saltire were flying together, the Union Flag would take precedence, in accordance with national protocol.

Councillor Veitch expressed his disappointment at remarks made by Councillor McAllister in relation to the lowering of the flag to mark the death of the former prime minister, Margaret Thatcher, and the decision of Dunbar Community Council to fly the Union Flag, rather than the Saltire, during an event to mark the centenary of John Muir's death.

Councillor Currie welcomed the report and the establishment of the protocols. He supported the comments made by Councillor McAllister concerning Lady Thatcher.

Councillor Berry also welcomed the report and the recognition of the Saltire as Scotland's national flag.

Decision

The Cabinet agreed to approve the Protocol on Flags and Books of Condolence, and the Protocol for Marking the Death of the Reigning Sovereign and other Senior Members of the Royal Family and National Figures, as detailed in Appendices 1 and 2 to the report.

4. FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 AND DATA PROTECTION ACT 1998 – COMPLIANCE STATISTICS

A report was submitted by the Depute Chief Executive (Resources and People Services) reporting on the Council's compliance with the 20 working day timescale laid down by the Freedom of Information (Scotland) Act 2002 for the period 1 October 2014 to 31 March 2015, and on the Council's compliance with the 40 calendar day timescale laid down by the Data Protection Act 1998 for the period 1 October 2014 to 31 March 2015.

The Service Manager – Licensing, Administration and Democratic Services, Kirstie MacNeill, presented the report, providing a summary of Freedom of Information and Data Protection requests received by the Council in the six months to 31 March 2015. She advised that 96.5% of Freedom of Information and Environmental Information requests, and 93% of Data Protection requests, had been responded to within the specified timescales, noting that the Council remained one of the top performing councils in Scotland in this field.

In response to a question from Councillor Berry concerning the costs incurred by the Council for processing requests, Mrs MacNeill advised that some work on this had been done in relation to Freedom of Information requests, with the average cost being £42 per request. However, she added that a more comprehensive study of the costs would be undertaken and the results would be presented to Members. She also noted that the Council was limited as to how much could be charged for processing requests.

Councillor Currie requested further details on enquiries from commercial organisations and journalists. Mrs McNeill reported that all local authorities were receiving a significant number of enquiries from commercial organisations, such as 'no win, no fee' legal firms and businesses seeking information on, for example, IT equipment suppliers. She advised that the Council was now publishing a great deal of information on the website in an attempt to restrict requests from journalists.

Councillor Innes welcomed the Council's performance in responding to requests.

Decision

The Cabinet agreed to note the contents of the report.

5. DEVELOPING THE YOUNG WORKFORCE – IMPLEMENTING THE RECOMMENDATIONS OF THE COMMISSION FOR DEVELOPING SCOTLAND'S YOUNG WORKFORCE

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) which raised awareness of Developing the Young Workforce – Scotland's Youth Employment Strategy – Implementing the Recommendations of the Commission for Developing Scotland's Young Workforce.

The Principal Officer for Economic Development and Strategic Investment, Colin Forbes, presented the report, drawing attention to initiatives underway to provide greater opportunities for young people entering the workplace, and the partnership arrangements in place with education providers, local businesses, industry and other agencies. Members were advised of the key themes contained within the Scottish Government's Youth Employment Strategy.

In response to a number of queries raised by Councillor MacKenzie in relation to the types and numbers of job opportunities for young people, Mr Forbes advised that employers had an expectation that young people would be 'job ready'. He provided examples of opportunities available, both for school leavers and new graduates, highlighting in particular the internship positions recently created by the Council. Mr Forbes also spoke of work being done within schools to prepare young people for employment, and of the range of activities being offered by East Lothian Works.

Councillor Hampshire asked what was being done to help young people who had been unemployed for a long period of time. Mr Forbes admitted that this was a challenging area, but noted that the East Lothian Works was working with Job Centre Plus and Community Learning and Development to identify suitable training in order to address the needs of that group.

Councillor Berry asked how the effectiveness of the initiatives mentioned would be monitored. Mr Forbes referred to a recent detailed report to the Policy & Performance Review Committee, adding that a further report would be presented to that committee in spring 2016.

In response to a request from Councillor Berry for a more detailed report, the Chief Executive suggested that a briefing to Members may be more appropriate. She also highlighted the Council's commitment to support young people and adults into sustainable employment through East Lothian Works and working with partner organisations.

Mr Forbes made mention of the Council's Community Benefits in Procurement framework, and the opportunities being offered by contractors. He also spoke of the positive working relationship with Edinburgh College and local schools.

As Economic Development Spokesperson, Councillor McMillan welcomed the report and congratulated Mr Forbes on the progress made by East Lothian Works. He drew attention to a number of initiatives involving local schools and the work being undertaken to ensure that school leavers were ready for employment.

A number of Members spoke of the importance of preparing young people for employment and of the role of education providers, local businesses and industry in ensuring that opportunities were made available.

Decision

The Cabinet agreed:

- i. to note the Scottish Government publication of Developing the Young Workforce – Scotland’s Youth Employment Strategy – Implementing the Recommendations of the Commission for Developing Scotland’s Young Workforce;
- ii. to acknowledge that implementation of the seven-year programme would require significant cultural change to develop the young workforce in constructive partnership with all partners involved in East Lothian’s education and employer communities; and
- iii. to note that a further report would be brought to Cabinet in due course, detailing East Lothian’s approach to implementing the Strategy.

6. CHILDREN’S WELLBEING – PAYMENTS TO PARTNERS AND VOLUNTARY ORGANISATIONS (SERVICE LEVEL AGREEMENTS) 2015/16

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of payments to partners and voluntary organisations providing services for service users of Children’s Wellbeing for the amounts specified, for the financial year 2015/16.

The Head of Children’s Wellbeing, Sharon Saunders, presented the report, highlighting the services being provided by partner and voluntary organisations and noting the effective working relationship between those organisations and the Council.

Councillor Currie asked how the Children’s Hospice Association Scotland (CHAS) was being funded. Ms Saunders advised that an agreement had been reached between CHAS and CoSLA, with each council paying a share towards the services provided by CHAS. She noted that a similar arrangement to fund With Scotland had also been agreed.

On self-directed support, Ms Saunders pointed out that this was administered in the same way as for Adult Wellbeing services, whereby the families would be assessed and provided with the appropriate level of funding in order that they could source their own arrangements for care and support. It was noted that there were not many families currently using the self-directed support facility for Children’s Wellbeing services.

Councillor Akhtar welcomed the report and the investment in Children’s Wellbeing services. She drew attention to the work done by a number of organisations, and paid tribute to the staff and volunteers providing services.

Councillor Day highlighted in particular the contribution made by the volunteers at East Lothian Special Needs Play Scheme.

Councillor MacKenzie spoke in support of the comments made by other Members and emphasised the importance of the voluntary sector in providing vital services.

Councillor Currie warned that some services would come under pressure in future years due to the reforms to the welfare system. He also expected further cuts in grant funding from the UK Government in future.

Welcoming the report, Councillor Innes accepted that the Children's Wellbeing budget was under pressure, but believed that the Scottish Government could prioritise spending in this area.

Decision

The Cabinet agreed to award the payments for 2015/16, as shown in Appendix 1 to the report.

7. CORPORATE RISK REGISTER 2015

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) presenting the Corporate Risk Register 2015 for discussion, comment and approval.

The Head of Partnerships and Communities, Tom Shearer, presented the report. He advised Members that service-specific risk registers were presented to the Audit & Governance Committee. He summarised the process used for assessing risks.

Referring to the recent UK Government announcement that there would be a further reduction of £12 billion in the welfare budget, Councillor Currie asked if a report would be presented to Council/Cabinet on the impact of these cuts and the Council's ability to mitigate the risks. Mr Shearer indicated that risks were continually reviewed, with any changes being reported to the Audit & Governance Committee through the service-specific risk registers, and to Council/Cabinet where significant.

Responding to a question by Councillor MacKenzie on the savings made through partnership working with Midlothian Council, Mr Lamond advised that the main objective of working with Midlothian Council was to achieve service outcomes rather than financial efficiencies. The Chief Executive added that partnership working with Midlothian Council had been established in a number of service areas, and that further opportunities would be explored. She expected that efficiency savings had been made, but reiterated that the main purpose of this partnership working was to increase capacity to provide services and mitigate risks.

Councillor McLeod asked a question in connection with the IT disaster plan, to which he was advised by Mr Lamond that this plan would be in place by autumn 2015.

Councillor Currie remarked that it would be difficult to mitigate risks associated with the impact of welfare reform, particularly the effect on vulnerable people. Mr Lamond undertook to provide regular updates to Members on this issue.

Decision

The Cabinet agreed to approve the Corporate Risk Register for 2015, attached at Appendix 1 to the report, and in doing so agreed:

- i. that the relevant risks had been identified;
- ii. that the significance of each risk was appropriate to the current nature of the risk;

- iii. that the total profile of corporate risk could be borne by the Council at this time in relation to the Council's appetite for risk;
- iv. to recognise that although the risks presented were those requiring close monitoring and scrutiny throughout 2015, many were in fact longer term corporate risks for the Council that were likely to be a feature of the Risk Register over a number of years; and
- v. to note that the Council Management Team would review all risks in the Corporate Risk Register on a regular basis.

Signed

Councillor Willie Innes
Council Leader and Convener of the Cabinet

REPORT TO: Cabinet
REPORT DATE: 9 June 2015
BY: Depute Chief Executive (Resources and People Services)
SUBJECT: Staff Benefit Scheme - Salary Sacrifice for Cars

2

1 PURPOSE

- 1.1 To secure Cabinet approval to implement an employee salary sacrifice scheme for cars.

2 RECOMMENDATIONS

- 2.1 That the Cabinet support the implementation of an employee salary sacrifice scheme for cars as outlined in this report.

3 BACKGROUND

- 3.1 The Council implemented new employee business travel arrangements on 1 July 2013 following a collective agreement with the Joint Trades Unions. As part of the implementation the Council gave the JTU an undertaking that it would investigate the viability of implementing a salary sacrifice scheme.
- 3.2 A salary sacrifice scheme enables most employees to be provided with a new low emission car of their choice, fully maintained and insured by a third party provider. Employees will pay for the car under salary sacrifice arrangements through a monthly gross salary deduction which means a saving in tax, NI and pension for any employee using the scheme.
- 3.3 Salary sacrifice happens when an employee gives up the right to receive part of their cash pay due under his or her contract of employment. Usually the sacrifice is made in return for the employer's agreement to provide the employee with some form of non-cash benefit. The 'sacrifice' is achieved by varying the employee's terms and conditions of employment relating to pay. Salary sacrifice is a matter of employment law, not tax law. Where an employee agrees to a salary sacrifice in

return for a non-cash benefit, they give up their contractual right to future cash remuneration for the period of the salary sacrifice.

- 3.4 The Council anticipates a number of potential benefits from such a scheme:
- it would deliver an employee benefit to Council employees at no cost to the Council
 - it would contribute to the reduction in carbon emissions by offering low carbon vehicles
 - it would contribute towards the local economy through vehicles potentially being serviced in the East Lothian area.
- 3.5 As part of the process, two potential providers of the service were identified (Tusker and NHS Fleet solutions) and both were invited to present to a group of representatives from the Council, including representatives from UNISON and the EIS, to assess the potential benefits of such a scheme.
- 3.6 Both providers deliver broadly the same scheme, however the procurement requirement for Tusker would necessitate a full tendering exercise to use their services.
- 3.7 The NHS Fleet Solutions framework would allow the Council to access the NHS Fleet Solutions contract without any further procurement exercise being undertaken. As such, a relatively short lead in time could be secured.
- 3.8 The NHS Fleet Solutions contract offers the option of either a salary sacrifice lease vehicle or a Net lease vehicle. A net lease vehicle arrangement lets the employee access a vehicle in a similar way as salary sacrifice but is more expensive for the employee as they don't benefit from the Tax, NI and pension savings. With the current interest rates employees could arguably source a cheaper lease arrangement privately; however this would normally mean a financial check and a deposit, neither of which would be required if taken through the net lease scheme.
- 3.9 In terms of satisfying the Council's aims, the scheme would deliver on being a no cost to the Council benefit to our employees, as it would allow them to access a brand new vehicle, taxed, insured etc. Through the net lease scheme, it would also establish a limited scheme for teachers who cannot, because of their pension regulations, access a salary sacrifice arrangement for cars.
- 3.10 The scheme would also contribute to carbon reduction, as the Council in introducing the scheme would set a cap on the vehicles which can be accessed by among other things the CO2 emissions. The scheme partially meets the aim of growing our economy in the Council Plan as notwithstanding that the vehicles will be purchased on a national contract

and sourced nationally, the servicing work could be undertaken at local dealers, generating local business.

- 3.11 Although the scheme is designed to be no cost to the Council, there will be administrative implications and a degree of financial risk associated with the scheme. There are risks related to situations where an Employee's pay does not cover the leasing costs i.e. during periods of long term sick leave, maternity leave, redundancy and in such situations the Council would effectively have to underwrite the leasing costs and subsequently recover any payments from the relevant employee. In some cases this may be difficult i.e. where the employee is dismissed on the grounds of capability or ill health retirement and is therefore no longer on the payroll. The Council can mitigate against this through the implementation of effective debt control and recovery arrangements and possibly through relevant insurance protection.
- 3.12 The scheme providers suggest that the administrative implications on the Council of delivering such a service are minimal. However, it is clear that there will be implications, at least for Payroll although this could readily be alleviated by providing some additional staffing cover that would be funded from the potential income generated and due to the Council through the scheme.
- 3.13 For employees, it will be critical that they are properly informed about the impact on the terms of their contractual, pension and financial commitments. The provider will deliver a presentation for employees to launch the scheme and will work jointly with the Council to work on producing a set of frequently asked questions as well as a scheme brochure to ensure employees are as fully informed as possible.
- 3.14 Subject to Cabinet approval, it is intended that the detailed East Lothian scheme be developed over the summer with formal implementation at the beginning of September.

4 POLICY IMPLICATIONS

- 4.1 The implementation of the scheme may assist the council in reaching its carbon emissions reduction targets. In addition it may partially meet the aim of growing our economy in the Council Plan as servicing of the vehicle may be undertaken at local dealers, generating local business

5 EQUALITY IMPACT ASSESSMENT

- 5.1 A Combined Impact Assessment has been completed and no negative impacts have been found.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – There should be no net costs arising from the implementation of the scheme. Each vehicle taken up through the scheme would generate a potential gross return to the Council of £1,800 over a 3 year period. The introduction of the scheme will create an additional administrative burden for the Payroll Service who are already working at full capacity and an additional staffing resource will be required to support the introduction and ongoing maintenance of the Scheme. The precise level of the additional requirement is obviously dependent upon scheme uptake and is therefore uncertain but has been provisionally assessed at an additional 1 FTE Payroll Assistant at an approximate cost of £18,300 per annum. It would be intended to recruit to the post initially on a temporary basis for a maximum of 12 months to assess the ongoing requirement.
- 6.2 The table below demonstrates the potential full year effect of income to the Council based on 50 employees per annum taking a vehicle through the leasing scheme. Based on these figures at the end of a 3 year lease period with 150 cars through the scheme the Council could generate £180,000 over the period. However, the non-financial gain is in terms of staff engagement in what may be seen as an excellent employee benefit at no cost to the Council.

	Year 1	Year 2	Year 3
Cars	50	100	150
Annual income (£)	£30,000	£60,000	£90,000

- 6.3 Personnel – there will be an uncertain level of staffing implication associated with the additional administrative burden and in the first instance, an additional payroll assistant will be recruited on a temporary basis. This requirement will be reassessed in light of actual scheme uptake. The Scheme would be publicised in conjunction with the provider.
- 6.4 Other – none.

7 BACKGROUND PAPERS

- 7.1 Summary of questions and response from NHS Solutions (available on request from the report author).

AUTHOR'S NAME	Paul Ritchie
DESIGNATION	HR Business Partner
CONTACT INFO	pritchie@eastlothian.gov.uk Tel: 01620 827767
DATE	21 May 2015

REPORT TO: Cabinet

MEETING DATE: 9 June 2015

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Proposed Housing Capital Investment Modernisation Plan - 2015/16

3

1 PURPOSE

- 1.1 The purpose of this report is to provide an update on the proposed expenditure plan for the modernisation element of the Housing Capital Investment Plan for 2015/16 .

2. RECOMMENDATIONS

- 2.1 Cabinet is asked to approve the Housing Capital Investment Plan for housing stock modernisation for 2015/2016 and to note that Cabinet will be kept apprised of plan progress as covered in the Head of Council Resources Quarterly Financial report.

3. BACKGROUND

- 3.1 The budget provision for 2015/2016 was approved by Council on 10th February 2015 at £25.450 million and is set under the following headings.

Housing Capital Investment	2015/16
	£ (million)
Modernisation [Existing Stock]	10.150
New Housing	13.661
Mortgage to Rent	0.678
Internal Fees & Charges	0.961
Total	25.450

- 3.2 The recommended Plan amounts to £25.450 million which matches the £25.450 million budget total. The financial progress of the various planned projects will be closely monitored on a regular basis with any identified slippage used to bring forward projects or accelerate existing programmes of work to balance overall expenditure to the available budget.
- 3.3. The Scottish Government had previously set the Scottish Housing Quality Standard (SHQS) as a consistent minimum standard for all social landlords (local authorities and housing associations). By March 2015 East Lothian Council had achieved 93% compliance and work is underway to ensure outstanding work is addressed during 2015/16.
- 3.4 A new standard has been introduced, the Energy Efficiency Standard for Social Housing (EESH). This new standard aims to ensure improved energy efficiency in social housing to help tackle fuel poverty, through reduced heating costs, with associated health and well being benefits for our tenants.
- 3.5 In the past year, a new Housing Asset Management team has been established within the Community Housing Service to manage the HRA capital programme. At its last inspection, the Scottish Housing Regulator identified the lack of a robust asset management system as a risk for East Lothian Council. To address this, a new stock condition management IT system, Keystone, has been acquired. This will improve the management of the stock condition information we hold regarding our properties. Keystone, and the information it holds, will also assist with HRA Business Planning together with the formulation of an Asset Management Strategy which will inform our future housing investment programmes.
- 3.6 During the recent 2015/16 rent increase consultation exercise, tenants were asked to confirm their priorities for additional capital investment which were confirmed as:
- Bathroom upgrades
 - Energy efficiency improvements
 - Kitchen upgrades
- 3.7 This feedback has informed the development of this year's planned programme with the number of bathroom upgrades being increased from 262 in 2014/15 to circa 500 during 2015/16. Energy efficiency measures and kitchen upgrades will also be prioritised during 2015/16.
- 3.8 The aforementioned rent increase consultation exercise also highlighted increased amounts of New Build Housing as a priority for tenants. An HRA Capital Programme Board has been established to oversee the implementation of the Affordable Housing Programme and a separate report will be presented providing an update on the Programme in due course.

3.9 THE PROGRAMME FOR MODERNISATION

3.9.1 The modernisation plan is split into budget headings and allows for the continuation of previously committed projects. The main items to note in the plan are:

- The continued and enhanced bathroom improvement programme.
- Continuation of the kitchen replacement and rewiring programmes.
- Continued high level of investment in replacement central heating systems and insulation works to raise energy efficiency levels to meet EESSH.
- Enhanced roofing and roughcasting programme.
- The continuation of the Local Initiatives programme to promote locally identified minor works projects, as approved by Local Housing Partnerships.
- The continuation of a programme to provide disabled adaptations.
- The inclusion of a programme of works to refurbish properties acquired via the Open Market.
- Additional planned capital projects including structural work and asbestos removal.
- Continued programme of extensions to Council houses in overcrowding cases.
- Investment to upgrade footpaths and roads on housing estates to an adoptable standard.
- Upgrading of lift at Brunton Court sheltered housing complex and other associated refurbishment works.

3.10 The proposed Plan for year 2015/2016 is set out on the attached spreadsheet as **Appendix A**. A brief commentary on the project headings is provided below.

MODERNISING EXISTING HOUSING STOCK

3.11 ***Disabled Adaptations***

£0.600 million. This programme will continue to provide disabled adaptations in council houses to improve the quality of life and support independent living for tenants with mobility issues.

Modernisation Projects

3.12 ***Central Heating***

This budget is set at £0.900 million and will provide for replacement gas heating systems for up to 300 houses.

This budget head also includes solid fuel and electric heating systems and will also provide for replacement or upgrade of solid fuel or electric systems.

The change of heating system combined with increased insulation measures will enable these properties to achieve the improved energy efficiency ratings.

3.13 **Electrical Rewiring**

This budget is set at £1.680 million and will provide for the rewiring of circa 600 houses. Properties being rewired are also fitted with new kitchens [from a separate budget heading] and, where applicable, extractor fans to eliminate condensation issues.

3.14 **Structural Surveys**

£0.060 million to allow for specialist survey and other investigative works to be carried out prior to major repairs or similar projects.

3.15 **Projects/Works**

£0.600 million for major structural works or stock beyond day to day repair. This budget will also include works required in sheltered housing complexes and associated lift replacements.

3.16 **Fencing**

£0.200 million for the continuation of this Programme.

3.17 **Energy efficiency works**

£0.300 million for energy efficiency enhancing measures including cavity or external wall insulation and top up loft insulation.

3.18 **Kitchen Replacement Programme**

This budget is set at £1.790 million and will fund the continuing annual kitchen replacement programme (circa 600 properties) in association with the electrical rewiring programme [from a separate budget heading].

Note: A full or partial rewire is carried out with the kitchen installation, as required, to meet the required electrical standards.

3.19 **Re-roofing and Roughcasting**

£0.600 million. The re-roofing and roughcasting projects are identified from both stock condition surveys and reports of disrepair.

3.20 **Stair Improvement Programme**

£0.030 million for the continuation of this programme.

3.21 **Groundcare Projects**

Continued provision of £0.100 million

3.22 **Roads and footpaths**

£0.100 million investment in upgrading of roads and footpaths in estates to an adoptable standard.

- 3.23 ***Dispersed Alarm System***
£0.110 million for upgrading of existing alarm systems within amenity and sheltered housing.
- 3.24 ***Local Initiatives***
£0.200 million. This fund enables the four local housing teams to arrange small scale environmental improvements in housing estates. Proposals for Local Initiatives are discussed and approved by the Local Housing Partnerships which include Council staff, elected members and tenant representatives.
- 3.25 ***Window and Door Replacement***
£0.120 million to provide for properties that require window replacement due to age and condition.
- 3.26 ***Bathroom Replacement Programme***
This budget has been increased to £1.800 million which will fund circa 500 bathroom replacements.
- 3.27 ***Extensions***
£0.200 million. This programme will continue to provide extensions and conversions, where possible, to improve the quality of life within Council houses where there are overcrowding issues.
- 3.28 ***Lead Water Service Pipes***
£0.300 million. To provide for water service pipe renewal. This programme is undertaken and co-ordinated with the kitchen replacement programme at which time the materials in use for the incoming main, internal pipework and storage tanks will be checked both for lead content and condition and replaced as required.
- 3.29 ***Asbestos Surveys & Removal Works***
£0.200 million. To provide for survey works to identify and remove asbestos containing material preceding planned heating, electrical rewiring, kitchen or bathroom replacement programmes.
- 3.30 ***IT systems***
£0.010 million. Upgrades associated with Keystone asset management system, including purchase of mobile working tablets for stock condition surveys.
- 3.31 ***Open Market Acquisition Remedial Works***
£0.250 million. This programme has been included to bring properties, recently purchased from the Open Market, up to the required safety and other standards prior to allocation to tenants.

INTERNAL FEES AND OTHER CHARGES

3.32 Fees and Other Charges

Within the overall Housing Capital Investment Plan internal fees and charges amount to a total of £0.961 million. Within this overall amount Modernisation programme internal fees and charges are set at £0.528 million. New Build Affordable Housing internal fees amount to £0.433 million.

4 POLICY IMPLICATIONS

- 4.1 Approval of this Report will allow the implementation of the Housing Capital Investment Plan for 2015/2016.

5 EQUALITIES IMPACT ASSESSMENT

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

6 RESOURCE IMPLICATIONS

- 6.1 Financial – Funding provision for the 2015/2016 Housing Capital Investment Plan as approved in the 2015/16 budget.
- 6.2 Personnel – None.
- 6.3 Other – None.

7 BACKGROUND PAPERS

- 7.1 Council 10 February 2015 – Administration Rent Proposals 2015/2016

AUTHOR'S NAME	Caitlin McCorry
DESIGNATION	Service Manager - Community Housing
CONTACT INFO	James Bee, Team manager – Housing Assets Ext 7287

APPENDIX

A

MODERNISATION [EXISTING HOUSING STOCK]

2015/2016

Modernising Existing Housing Stock

	£
1. Disabled Adaptations	600,000
2. Central Heating	900,000
3. Electrical Rewiring	1,680,000
4. Structural surveys	60,000
5. Projects/works	600,000
8. Fencing Programme	200,000
9. Energy Efficiency	300,000
10. Kitchen replacement programme	1,790,000
11. Roofing/roughcasting/external fabric	600,000
12. Stair Improvement Programme	30,000
13. Groundcare Projects	100,000
14. Roads/walkway pre-adoption works	100,000
15. Dispersed Alarm System	110,000
16. Local Initiatives	200,000
17. Window and Door replacement	120,000
18. Bathroom replacement programme	1,800,000
19. Extensions	200,000
20. Lead Water Pipes	300,000
21. Asbestos Works	200,000
22. IT System	10,000
23. Open Market Acquisition remedial works	250,000

MODERNISATION TOTAL

£10,150,000

REPORT TO: Cabinet

MEETING DATE: 9 June 2015

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2015

4

1 PURPOSE

- 1.1 For Cabinet to approve the making of an Order under Section 11 of the Land Reform (Scotland) Act 2003 to facilitate the holding of the Aberdeen Asset Management 2015 Scottish Open Golf Championship at Gullane Golf Course, Gullane Links, East Lothian.

2 RECOMMENDATIONS

- 2.1 That Cabinet approves the making of The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2015.

3 BACKGROUND

- 3.1 The Aberdeen Asset Management 2015 Scottish Open Golf Championship is being held at Gullane Golf Course, Gullane Links, East Lothian in July 2015.
- 3.2 The Championship organiser European Tour has applied to East Lothian Council for an Order under Section 11 of the Land Reform (Scotland) Act 2003 to exempt areas of Gullane Golf Course from the access rights which would otherwise be exercisable there.
- 3.3 The purpose of the Order is to enable the 2015 Scottish Open Golf Championship to be held, with the land being exempted temporarily from access rights (1) in the interests of the safety and security of players and the safety of the public during the Championship; and (2) to permit an entrance fee to be levied on spectators during the Championship.

- 3.4 It is proposed that the Order will take effect at 05.00 hours on Wednesday 8th July 2015 and will expire at 18.00 hours on Monday 13th July 2015.
- 3.5 Consultation on the proposed Order has taken place with East Lothian Local Access Forum, Gullane Area Community Council, Scottish Natural Heritage, Hill Road Landowners (Gullane) and Aberlady Local Nature Reserve Advisory Group. No concerns have been raised by these organisations.

4 POLICY IMPLICATIONS

- 4.1 This Order is consistent with the provisions of the Land Reform (Scotland) Act 2003, and with policy and good practice set out in the Scottish Government Guidance for Local Authorities and National Park Authorities on Part 1 Land Reform (Scotland) Act 2003.

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 Appendix 1: Proposed Order to exempt land from access rights for the 2015 Scottish Open: “The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2015”.

AUTHOR'S NAME	Jennifer Lothian
DESIGNATION	Outdoor Access Officer
CONTACT INFO	jlothian@eastlothian.gov.uk ; 01620 827419
DATE	25/05/2015

Appendix 1: Proposed Order to exempt land from access rights for the 2015 Scottish Open

EAST LoTHIAN COUNCIL

LAND REFORM (SCOTLAND) ACT 2003

**THE EAST LoTHIAN COUNCIL (SCOTTISH OPEN, GULLANE GOLF COURSE)
(EXEMPTION) ORDER 2015**

EAST LoTHIAN COUNCIL, in exercise of the powers conferred on them by Section 11(1) of the Land Reform (Scotland) Act 2003 ("the Act") and all other powers enabling them in that behalf, HEREBY MAKE the following Order:-

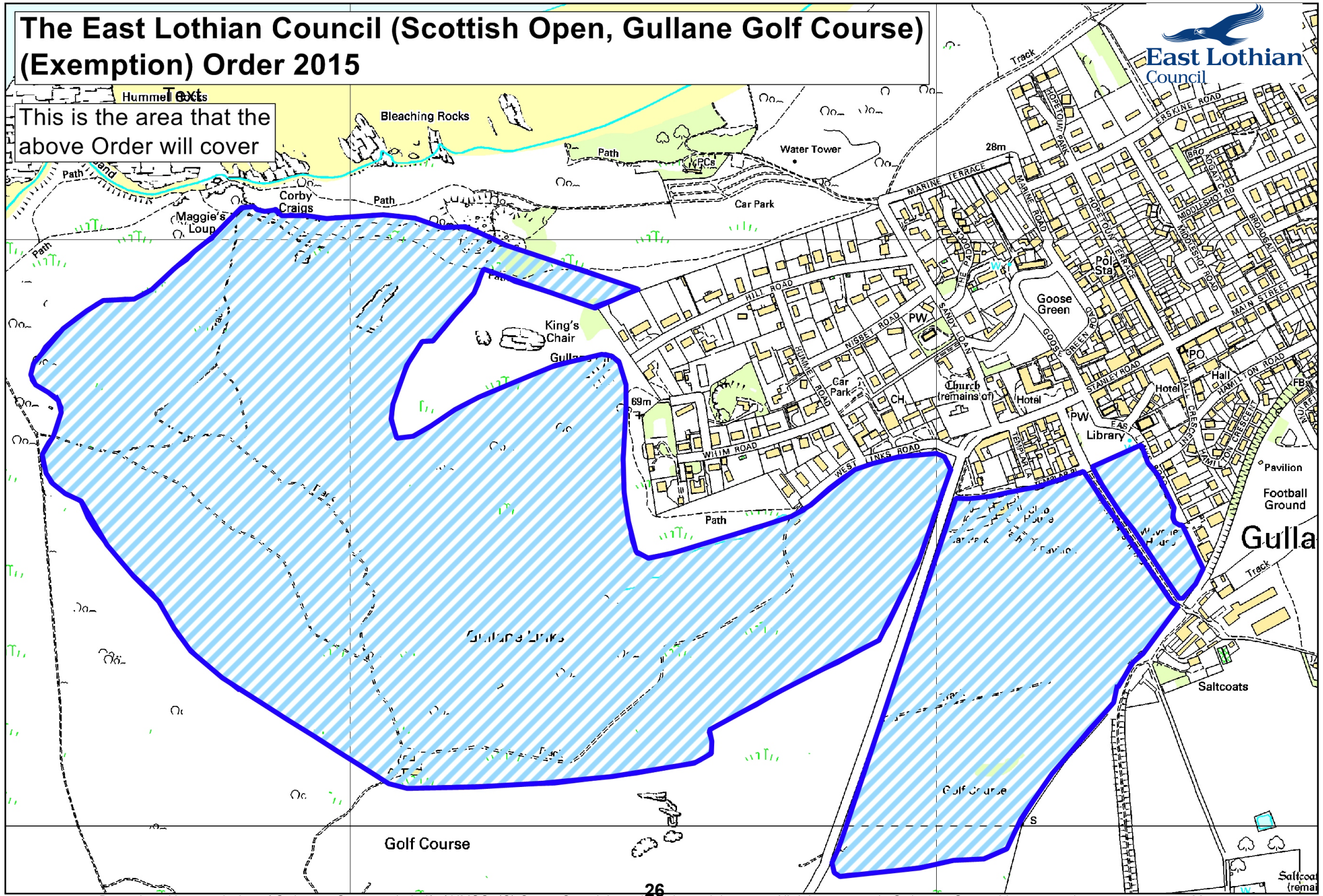
1. The Order may be cited as "The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2015" and shall come into effect at 05.00 hours on 8 July 2015 and will expire at 18.00 hours on 13 July 2015, unless revoked earlier.
2. The effect of the Order is to exempt the areas of land at Gullane Golf Course, Gullane Links, which areas are shown hatched blue on the plan thereof annexed and executed as relative hereto, from the access rights which would otherwise be exercisable in respect of that land by virtue of Part 1 of the Act.
3. The purposes for which the Order are made are:
 - (a) to permit an entrance fee to be levied on spectators for admission to the Scottish Open Golf Championship; and
 - (b) to secure the safety and security of players and the safety of the public during the Championship.

The foregoing Order typewritten on this page is, together with the plan annexed hereto, sealed with the Common Seal of East Lothian Council and subscribed for and on their behalf by Morag Ferguson, an authorised signatory and as such a "Proper Officer" for the purposes of Section 194 of the Local Government (Scotland) Act 1973 as amended, at HADDINGTON on the day of TWO THOUSAND and FIFTEEN.

The East Lothian Council (Scottish Open, Gullane Golf Course) (Exemption) Order 2015



This is the area that the above Order will cover



REPORT TO: Cabinet

MEETING DATE: 9 June 2015

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Proposed Traffic Regulation Order – Prohibition of Vehicular Traffic (During School Travel Times): Neilson Park Road and Victoria Road, Haddington

5

1 PURPOSE

- 1.1 To advise Cabinet of the performance of the Experimental Traffic Regulation Order (TRO) to prohibit vehicular traffic in Neilson Park Road and Victoria Road in Haddington, during specified school traffic time periods.
- 1.2 To seek Cabinet approval to commence the statutory procedures necessary to make the TRO permanent.
- 1.3 To advise Cabinet of other suitable streets around schools in East Lothian that will be considered for similar treatment in the future. This will follow the development of an appropriate assessment policy.

2 RECOMMENDATIONS

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

3 BACKGROUND

- 3.1 A report was submitted to Cabinet on 13th November 2012 by the Depute Chief Executive (Partnership and Services for Communities) advising of the proposal to introduce an Experimental TRO at two locations near schools in Haddington. The purpose of the Order was to prohibit "moving" vehicular traffic near to the school gates, during the peak school travel times.

- 3.2 The aim of this experimental TRO was to:
- Improve Road Safety by reducing traffic speed, congestion and pollution around the school gates
 - Encourage more pupils and parents/carers to walk or cycle to school
 - Improve the health and well being of pupils and parents/carers
 - Create, support and maintain a sustainable Environment and Safer and Vibrant Communities
 - Respond to desire from School, parents and local residents
- 3.3 The 18month Experimental TRO to prohibit vehicular traffic in Neilson Park Road and Victoria Road commenced on 27th January 2014. The experimental TRO is due to expire at the end of June 2015.
- 3.4 This report presents an assessment of the performance and effects of the experimental TRO.

3.5 Detailed Traffic Survey Results

- 3.5.1 Detailed traffic surveys were undertaken on Neilson Park Road and Victoria Road over a 7 day period in June 2014.
- 3.5.2 The results in Appendix A show the average number of “moving” vehicles (both directions) recorded over 15 minute periods during the four full school days (Mon – Thurs). The important points to note are:-
- During the morning restricted period (08.30 – 09.30hrs) there were on average 10 vehicle movements recorded
 - During the afternoon restricted period (15.00 – 16.00hrs) there were on average 15 vehicle movements recorded
 - When morning nursery classes end (80 pupils 11.45 – 12.00hrs) and afternoon nursery classes begin (80 pupils 12.45 – 13.00hrs) when there are no TRO movement restrictions operating, 42 – 44 vehicle movements per hour were recorded. This gives an indication of the traffic that could be experienced on Victoria Road during the key morning and afternoon school travel periods. When combined the travelling school population (Kings Meadow, Haddington Infants and St. Mary’s) (nursery and primary) in this area is over 800 pupils.
 - There was no TRO enforcement carried out during the survey period
- 3.6 The outcomes were considered by assessing feedback from the Head teachers, pupils, parent councils and Police Scotland. A simple questionnaire was used in this process and feedback received is shown in section 3.6 and Appendix B, C, D of this report.

It should be noted Police Scotland and others will be consulted further as part of the statutory procedure necessary to make the TRO permanent.

3.7 **Police Scotland Community Beat Officer (Haddington) feedback**

Q1 Have conditions for pedestrians/cyclists significantly improved following the introduction of the TRO?

A1 *The introduction of the TRO has greatly helped both pedestrian and cyclists in both areas most drivers are adhering making the streets quieter allowing pedestrians and cyclists to travel in a safer environment there are a few remaining drivers that ignore the TRO*

Q2 How many drivers are offending and are these numbers growing?

A2 *3 tickets issued in August 2014 on Neilson Park Road to drivers who said they were not aware of the TRO, being new to the school, and that they did not see the signs on the roadwhen officers are not present some drivers ignore the TRO.*

Q3 Is this experimental TRO worth making permanent?

A3 *100% support of making the TRO permanent*

Q4 Are there any further measures that could be introduced?

A4 *Education to new parents to the schools local taxi firms who pick up / drop off to be given residents vehicle permits School Travel Co-ordinator could organise days of action with the school JRSOs and police to remind parents of the TRO*

3.8 **Head Teacher and Parent Council feedback**

3.8.1 Haddington Infant School – See Appendix B

3.8.2 St Mary's Primary School - See Appendix C

3.8.3 Kings Meadow Primary School - See Appendix D

4 **POLICY IMPLICATIONS**

4.1 Reduction in numbers and severity of road casualties on relevant streets which contributes towards the national casualty reduction targets in Scotland's Road Safety Framework and towards East Lothian's SOA Outcome 7 - East Lothian is an even safer place.

4.2 These proposals will contribute towards The East Lothian Plan - Single Outcome Agreement (SOA) 2013 and our 3 strategic objectives - to create, support and maintain a Sustainable Economy, Resilient People and Safe and Vibrant Communities. This will be achieved in part by having an environment that will encourage active travel and support walking and cycling.

- 4.3 The impacts of this report in relation to the elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered. The proposals in the report will have positive impact on reducing carbon emissions, increasing the Council resilience to climate change and help to achieve a sustainable East Lothian.

5 EQUALITIES IMPACT ASSESSMENT

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

6 RESOURCE IMPLICATIONS

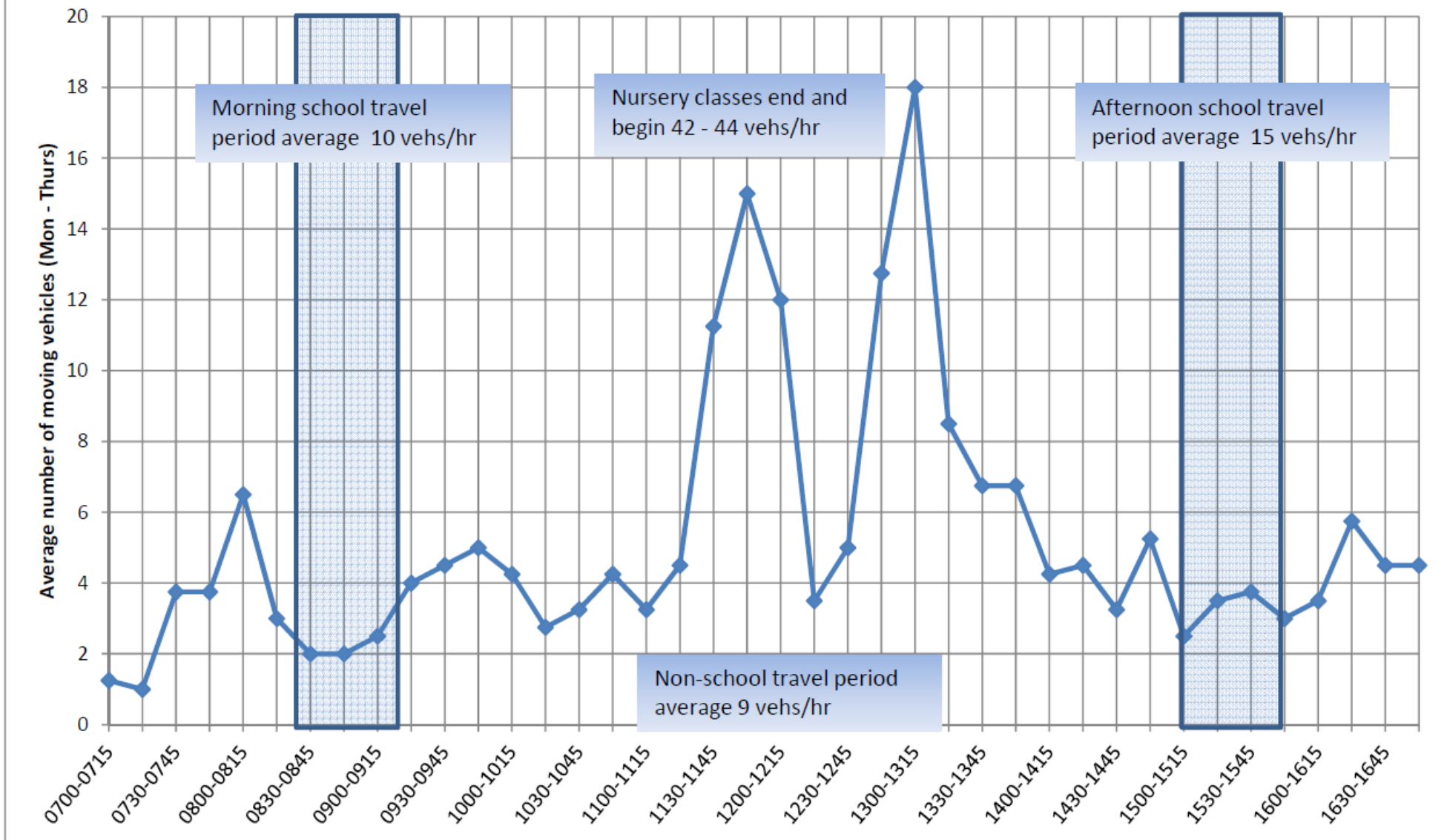
- 6.1 Financial - costs associated with the statutory procedures necessary to make the TRO permanent can be accommodated within the current Road Services revenue budget.
- 6.2 Personnel - none
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Neilson Park Road and Victoria Road, Haddington – Proposed Experimental Traffic Regulation Order – Prohibition of Vehicular Traffic (During School Travel Periods) Cabinet Report 13 November 2012

AUTHOR'S NAME	Alan Stubbs
DESIGNATION	Service Manager, Roads
CONTACT INFO	Colin Baird Ext 7739
DATE	25/05/15

Recorded Moving Vehicles, Victoria Road, Haddington June 2014



**Haddington Infant School - Collated Responses for Temporary Restriction Order
Victoria Road/ Meadowpark, Haddington**

NOVEMBER 2014

• Whether you consider that conditions for pedestrians / cyclists have significantly improved following the introduction of the TRO

From time to time I monitor Victoria Road and Neilson Park Road. I think there has been a considerable reduction in the traffic at key times therefore I would say there is a significant improvement. I have more knowledge of the congestion and dangerous manoeuvres that have been carried out in Victoria Road due to the location of our old school. It is great to see children walking and cycling in this road coming to our new school.

• Whether you consider that the offending vehicle numbers are growing again

A minority of parents/carers and grandparents are still ignoring the restrictions. I have seen this more in Neilson Park Road with parents from our school driving right up to the very end of the road. Parents have reported to me that this has also happened in Victoria Road.

• Whether you think that this initiative is worth making permanent or not

I strongly believe there is a value in making these restrictions permanent. Even with people ignoring the restrictions there is a significant difference in these particular roads. I feel it would be a backward step to remove the restrictions and unfortunately I think more people would start driving there again.

• Whether you think that there are any further improvements we can make

Wider restrictions - I think the restrictions could be widened to include Meadowpark and Tynebank Road. Although the initiative has been successful in reducing the traffic in Victoria Road and Neilson Park Road it has led to the less responsible members of our community driving in Meadowpark and stopping their vehicles on the corner at the playing fields. They are parking on the double yellow lines to drop off children and parking on the grass there. Parents have told me that some drivers are using the Peartree nursery car park as a drop off point too. Meadowpark is a difficult road to negotiate as residents park on the west side of the road reducing the traffic to a single lane – this leads to the congestion. Parents have reported to me that drivers are carrying out dangerous turns in this road. If the restrictions cannot be extended then road markings, either double yellow lines or zig zags in the area of the corner could be extended or residents only car parking allowed outside the houses.

Wider pavements in Victoria Road, Meadowpark and Neilson Park Road - When discussion about the traffic problems was on-going wider pavements in Victoria Road were discussed and planned however work has not been carried out.

High Visibility in the Community - Signage within the community directing traffic to safe areas to park and stride e.g. signs in Tesco long stay or Aubigny Centre car park saying 'this is a park and stride car park'.

I know the police are stretched and they cannot be present to enforce the regulations all the time however some publicising of enforcement – warnings, fines etc. would perhaps deter others. A more regular visible presence of community wardens or police would be helpful in acting as a deterrent.

Community education through the press – highlighting the benefits of walking to school, asking for support in getting our children walking.

• **What are your Parent Council's views on the above questions**

I would like to say that it has really helped our walk to school. I am definitely in favour of keeping the TRO. I have witnessed a few cars using both roads in order to drop off children and so if the TRO is to become permanent, then consideration will need to be given to ensuring that the Community Warden or the police are able to make sporadic visits.

Meadowpark and Tynebank Road - There were works done, a while ago raising the road level at the above corner. It has somehow led to parents driving onto the grass of the playing fields, doing outrageous 3 point turns while children are crossing the road and parking/dropping kids off in very dangerous parts of the road at the entrance to the back of the Knox Academy. We have witnessed several near misses of smaller children that have been standing waiting to cross the road and they have not been seen due to where cars have been parked. Even the bushes that run up the sides of the playing fields make it very difficult to see traffic coming down Tynebank Road towards Meadowpark. Can something please be done to make this area safer? It is a very busy bit of road and a large number of children cross here. Any assistance here would be much appreciated by a large number of concerned parents.

My second point I need to bring to your attention is about the number of parents using Neilson Park Road again to drop off children. This morning I saw 5 cars using the road to drop off kids and some even in King's Meadow schools car park. The parents that are doing this are the ones running late and driving way too fast.

Meadowpark - There has been a huge knock on effect to the traffic in Meadowpark since the traffic restrictions went into operation. Both my kids walk to and from school and have to cross Meadow Park and although I am not there many of my friends have been talking about this. Although there is now no traffic on the 'key streets' there is without doubt increased and, at times, dangerous traffic now on others. The problem has shifted a street along!

Generally the parent council members are in favour of the restrictions and are concerned about people ignoring them and driving inconsiderately in Meadowpark.

• **What are your pupils views on the above questions**

I spoke to the Primary 3 children about their walk to school; there are 94 of them. They spoke really knowledgeably about the problems and solutions; it's clearly something they talk about at home.

The children think both Victoria Road and Neilson Park Road are very busy with people, this is good however some of them reported seeing cars driving there and no child thought this was safe.

The children thought the pavements in Neilson Park Road and Victoria Road were very narrow – this came from them, they did not have to be asked.

It is the children's perception that cars have stopped driving in these roads and some were very aware of the restrictions and that only people who live in the streets, fire and ambulance could drive there at certain times.

The children think the restrictions are a good idea and feel safer walking there.

The children were very keen to talk about Meadowpark Road – a lot of them said they don't like the bushes there because they can't see what's coming and some of them thought that the road was very narrow and people did silly things in cars. They thought that Meadowpark wasn't a good place to cross as cars drive too fast and mums and dads have to listen for traffic as they can't see it round the corner. They said that cars drive on the pavement and park on the grass.

The children came up with ideas to make the roads safer.

Wider pavements; Traffic wardens; Post a letter to everyone's house; Traffic lights in Meadowpark

One way system in Meadowpark

Experimental TRO on Victoria Road and Neilson Park Road – St Mary’s Primary feedback

Parent Council

- Huge improvements on Victoria Road – restrictions are allowing children to access the school without risk
 - Fully supportive of order being made permanent
- Not working so effectively on Neilson Park Road
 - Risk is reduced but not eliminated
 - Parents still driving down to Kings Meadow car park, dropping off then driving through KM car park and back up the road
 - Not being effectively monitored or policed
 - The longer the order is in place without policing/checking the more people will ignore the restrictions
- What are the implications for drivers if order not adhered to?
- Maybe a barrier at KM car park would help as this would prevent access for turning
- We think we need more safe ‘Park and Stride’/drop off points in Haddington

Pupil Views

- We feel much safer on Victoria Road, it’s much less busy and there’s no risk of being knocked down
 - We would like the TRO to be made permanent
- We still see some people driving down Neilson Park Road and dropping off in the Kings Meadow car park
 - Neilson Park Road does not feel as safe as Victoria Road
 - Sometimes we see a police officer/warden checking the road
- One child from a very large family commented that the pavements are very narrow and sometimes some of them end up walking on the road

Although there is presently no TRO in place for Meadowpark the children were very keen to share their concerns about using this road to walk to and from school (hope that is ok)

- Drivers drop off and pick up all the time, sometimes right on the bend of the road – it is very unsafe and we often have to wait ages to cross
- Drivers dropping off or picking up (particularly of very young children) leave their car doors open on both the pavement side and the road side
 - If the doors are open on the pavement side we have to walk on to the road to get round the car
 - If the doors are left open on the road side we can’t see traffic coming when we need to cross
- It’s very difficult for two way traffic coming up and down Meadowpark due to the road being narrow and all the parked cars
 - This causes huge congestion and is very dangerous; we’ve seen cars reversing back round the bend to let oncoming traffic pass

Experimental TRO on Victoria Road and Neilson Park Road – Kings Meadow Primary. Head Teacher's feedback

- Not many parent responses – question over the number of fines that have been given out. Parents spoken to, feel this would be a good deterrent, a number of parents have also stated that the TTRO has moved the problem to other areas. Generally, the Parent Council is pleased with the quieter streets but we really do need to deal with those who continue to flout the order.
- Concerns raised re. parking on Mill Wynd (Aubigny Sports Centre). The pedestrian crossing is very helpful, however, each day at drop off and pick up, parents are parking on the zig-zags. Many with no concern for pedestrians. Crossing the entrance to the Aubigny is also hazardous as it is incredibly busy with cars coming from all directions. Some parents are parking on the corner and reversing back in towards the Aubigny as a way of changing direction on Mill Wynd. The restrictions put in place on the other streets appear to be working and that is great but I must stress the need for some attention to be given to Mill Wynd i.e no parking on zig zags enforced & priority to pedestrians crossing the Aubigny entrance

REPORT TO: Cabinet

MEETING DATE: 9 June 2015

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Proposed Alterations Forming Secondary CP at Former Haddington Infant's School

6

1 PURPOSE

- 1.1 Noting that estimated project costs are now in excess of the original approved budget, to award the contract for the Proposed Alterations Forming Secondary Communication Provision at Former Haddington Infant's School to Messrs Clark Contracts Ltd.

2 RECOMMENDATIONS

- 2.1 Cabinet is asked to approve acceptance of Messrs Clark Contracts Ltd's tender amounting to £1,161,677.42 after checking, correction and updating and noting that it is open for consideration until 11th June 2015 for the Proposed Alterations Forming Secondary CP at Former Haddington Infant's School.

3 BACKGROUND

- 3.1 Following the initial decision taken by the Council at its meeting on 22 April 2014, the Council proposes to locate a Communication Provision in the disused Haddington Infant School building. The Provision will form part of the Knox Academy School 'campus' with a range of opportunities for social and educational integration for pupils and staff. Existing Knox Academy pupils will also benefit from the facilities and opportunities available in the CP.
- 3.2 The key deliverables and objectives of the project are:
- The planning, design and construction of the CP to provide a non-denominational CP for secondary (pupils S1-S6). It is proposed that this facility will intake from all mainstream schools and specialist provisions in East Lothian.

- The creation of a school environment that is accessible, fit for purpose for teaching and learning and provides a safe and welcoming environment for young people with communication difficulties and autism.
 - The initial delivery of 3 classrooms is required in 2015
- 3.3 Provision has been made within the existing Capital Plan in accordance with original project estimates although a number of significant factors have now contributed to an increased project cost amounting to £1.454M including:
- 3.3.1 Discovery and removal of asbestos – as a result of routine pre-tender surveys, asbestos was discovered and works undertaken to safely remove in advance of the main tendering work. The cost of the work undertaken was nearly £180K.
- 3.3.2 Impact of market changes reflecting relatively higher building works indexation (BCIS) and therefore higher tender prices – between original project estimates and tender submission this increased by more than 5% and had the effect of increasing project costs by nearly £50K.
- 3.3.3 Modifications to the client specification of required works.
- 3.4 Tender Documents were issued to the five undernoted Lot 4 Framework Contractors. McLaughlin & Harvey and T & A Kernoghan withdrew from tendering during the tender period. The following offers were duly received with all three subjected to detailed checks and correction resulting in the Tender Amounts indicated below:

Ref	Contractor	Tender Amount Before Checking	Tender Amount After Checking	Lowest Checked Tender Amount
1	Clark Contracts, Paisley	£1,133,466.91	£1,155,876.59	<u>£1,155,876.59</u>
2	Hadden Construction, Aberuthven	£1,228,653.01	£1,241,918.30	
3	Hart Builders, Macmerry	£1,345,311.20	£1,359,367.66	
4	McLaughlin & Harvey, Newtonabbey	Withdrew from Tender Process		
5	T&A Kernoghan, Newtonabbey	Withdrew from Tender Process		

- 3.5 Tenders were valid for a period of 90 days from date of lodgement and expired on 7 May 2015 before an appointment could be made by the Council. Clark Contracts were approached and asked to hold their tender price for a further period but were unable to do so citing loss of some subcontractors in the period since tenders were submitted. As a result, Clark Contracts have increased their tender by £5,800.83 . Their revised updated tender figure is £1,161,677.42
- 3.6 Messrs Clark Contracts Ltd's revised tender amounting to £1,161,677.42 after detailed checking, correction and updating remains the lowest of the offers submitted and has been competitively priced throughout.
- 3.7 Messrs Clark Contracts Ltd have indicated that they propose to use the following Sub-Contractors:
- | | | |
|-----------------|---|-------------------------------------|
| Builder Work | - | TRJ Contracts, Airdrie |
| Woodwork | - | Hainey & Stronach, Perth |
| Plumber Work | - | Lothian Heating, Midlothian |
| Electrical Work | - | Dalziel Services, Glasgow |
| Finishes | - | Floor Safe Solutions, Lochgelly |
| Decoration | - | Presidential Decorating, Livingston |
- 3.8 The Contract is prepared on a firm price basis in terms of the Standard Building Contract With Quantities, Contractor's Design Portion for Use in Scotland 2011 Edition issued by the Scottish Building Contract Committee and the Contractor has undertaken to complete the works within 32 weeks from date of possession.

4 COMMUNITY BENEFITS IN PROCUREMENT (CBIP)

- 4.1 Messrs Clark Contracts Ltd have submitted with their Tender the following Community Benefits proposal which satisfies the Council's requirements for a project of this nature, value and duration:

To provide an extended work placement of 2 weeks for a school pupil from an East Lothian School.

5 EQUALITIES IMPACT ASSESSMENT

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

6 POLICY IMPLICATIONS

- 6.1 None.

7 RESOURCE IMPLICATIONS

7.1 Financial – The total project expenditure as set out below will not exceed £1,454,108.43.

Tender Sum	1,161,677.42
External Structural Engineer Fee	15,000.00
External CDMC Fee	1,500.00
Building Warrant	4,392.00
IT White boards etc	23,920.00
IT Infrastructure	14,070.00
Loose Furniture	51,295.00
Asbestos Survey & Works	179,254.01
Removal charges	3,000.00
Soft Play Equipment	incl main contract
Sensory Equipment	incl main contract
De-escalation Equipment	incl main contract
Total Anticipated Expenditure	1,454,108.43

Although exceeding original budget estimates, this expenditure will be contained within a combination of the existing allocation within the Capital and Revenue Budgets as set out below.

Current Budgetary Provision	£
Capital Budget Secondary Comm's Provision	900,000.00
Capital Budget Dunbar Primary – Ph2 Comm's Unit	150,000.00
Property Renewals Budgets 2014/15 and 2015/16	314,823.43
Education Revenue Budgets 2014/15 and 2015/16	89,285.00
Total Budget available	1,454,108.43

An element of this expenditure was made in the financial year 2014/2015 with the major element of this expenditure being incurred in the financial year 2015/2016 and with the remaining retention monies allocated in the 2016/2017 financial year.

<u>2014/2015</u>	<u>2015/2016</u>	<u>2016/2017</u>
£249,670.90	£1,186,937.53	£17,500.00

2014/2015 Spend to Date:

Asbestos Removal	178,224.86
Furniture	61,984.92
Structural Fee	5,000.00
Warrant Fee	4,392.00
Misc Works	69.12
Total 2014/15	249,670.90

7.2 Personnel – None.

7.3 Other – None.

8 BACKGROUND PAPERS

8.1 Report to East Lothian Council 22 April 2014 – Revisions to the Capital Plan 2014-2017.

8.2 East Lothian Council 10 February 2015 - Administration Budget Proposals

AUTHOR'S NAME	Monica Patterson
DESIGNATION	Depute Chief Exec – Partnerships and Community Services
CONTACT INFO	Gary Miller – Ext 7269 GM/CC – 29 May 2015

