



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

**TUESDAY 27 OCTOBER 2015
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

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

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
Mr D Small, Director of East Lothian Health & Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Head of Development
Mr T Shearer, Head of Communities and Partnerships
Ms P Bristow, Communications Officer
Ms M Ferguson, Service Manager – Legal and Procurement
Ms S Fortune, Service Manager – Business Finance
Mr I Patterson, Homelessness Manager
Ms L Penman, Communications Officer
Mr P Vestri, Service Manager – Corporate Policy & Improvement

Visitors Present:

Mr A Shaw, KPMG, LLP (for Items 1-5)

Clerk:

Mrs L Gillingwater

Apologies:

None

1. MINUTES FOR APPROVAL

The minutes of the Council meetings specified below were submitted and approved.

East Lothian Council – 25 August 2015

Matters arising:

Item 10 – Councillor Berry noted that Councillor Caldwell would be the Independent Member on the Police, Fire and Community Safety Scrutiny Committee.

Item 4 – Councillor Akhtar asked for an update on the Local Government Boundary Review. The Head of Council Resources, Jim Lamond, reported that a response from the Council on the proposed methodology and ward redesign had now been submitted, and that a letter had been sent to the Boundary Commission on 22 October in relation to a procedural regularity, specifically that they had failed to consult the Council on a proposal that had been presented for public consultation. He reiterated that the Council was opposed to the proposed changes and that the cross-party and officer working group had made a request within the letter for a local inquiry into the proposals. He further noted that CoSLA was opposed to the methodology used by the Boundary Commission.

2. MINUTES FOR NOTING

The minutes of the meetings specified below were noted:

East Lothian Partnership – 13 May 2015

Local Review Body (Planning) – 27 August 2015

Local Review Body (Planning) – 17 September 2015

3. ANNUAL AUDIT REPORT TO MEMBERS AND CONTROLLER OF AUDIT

The Provost welcomed Mr Andy Shaw of KPMG to the meeting.

Mr Shaw presented the Audit Report to Members, advising that the Council's financial statements had been signed on 28 September and that the Council had been given an unqualified opinion on the 2014/15 annual accounts. He highlighted a number of key aspects of the report, including the use of reserves, borrowing and capital expenditure. He set out the risks and challenges facing the Council, noting that he was satisfied with the actions taken and judgements made by the Council's Management Team. On the integration of health and social care, he reported that the East Lothian Integration Joint Board was progressing in line with those of other authorities. He thanked Council officers for their support and cooperation during the audit process.

In response to a question from Councillor Berry and comments from Councillor Currie in relation to how the Council's borrowing was reported, Mr Shaw explained that previous reports had included an Audit Scotland comparison of councils, but this report had set the information out in a different way. He confirmed that East Lothian still had the highest level of net debt, but that the ratios were improving. He added that the auditors took a long-term view of the Council's financial strategy, including the servicing of debt.

Councillor Forrest asked how this report compared with previous audit reports. Mr Shaw stated that as regards the preparation of statements and responses from management, this report was more positive. He noted that there had been improvements year on year, and that the working relationship between management and the auditors had been strengthened. He also pointed out that from a financial position, the report was more positive than in previous years.

Councillor Akhtar asked for information on future scrutiny plans. Mr Shaw advised that the Local Area Network was in the process of developing its scrutiny activities for next year.

On the matter of the Council being under-spent, Mr Shaw outlined the aspects of Council business that were considered during the audit process, including the management of risk, efficiencies and savings, and he commented that where there were key areas of under-spending the auditors would seek further information from management.

The Provost thanked Mr Shaw for his attendance and presentation.

Councillor Veitch opened the debate by welcoming the report, which he believed confirmed that the financial strategy being pursued by the Council was the correct one. He drew attention to the importance of building a strong base of reserves in order to meet future challenges.

Councillor Currie expressed concern at the current level of surpluses. He called on the Council to increase investment in capital projects and Council housing, remarking that delivery of affordable housing was at its lowest level in years, at a time when borrowing rates were favourable.

Councillor Akhtar thanked officers for their efforts to continue delivering services in spite of the financial challenges. She noted that customer satisfaction remained high and highlighted investment in schools and the new communication facility in Haddington. She commended the report to the Council.

Councillor Berry echoed Councillor Currie's comments as regards affordable housing and criticised the Administration's decision to transfer £1m from the Housing Revenue Account to support general services. Councillor Hampshire responded, remarking that the previous Administration had also used HRA funds in this way and that the current Administration had made plans to end this annual transfer. On housing, he advised that the Administration was committed to delivering houses and was working with private sector developers to achieve this. He also praised the commitment of Council staff.

Councillor Innes stated that in order to protect services and jobs for the future, the Council had to ensure it was in a strong financial position. He welcomed the report, which endorsed the Council's financial strategy, but warned that there were further financial challenges ahead.

Decision

The Council agreed to note the report.

4. EAST LOTHIAN COUNCIL ANNUAL PUBLIC PERFORMANCE REPORT 2014/15

A report was submitted by the Depute Chief Executive (Partnership and Community Services) providing Members with the Council's Annual Performance Report 2014/15.

The Service Manager – Corporate Policy and Improvement, Paolo Vestri, presented the report, highlighting the progress being made in achieving the Council Plan across all four key objectives. He advised that indicators would be updated on receipt of benchmarking data later in the year.

On housing and homelessness, Councillor Berry asked about the Council's performance in achieving the Scottish Housing Quality Standard (SHQS), given that the standard of East

Lothian's council housing was of a high quality. The Head of Communities and Partnerships, Tom Shearer, advised that the Council had to comply with a range of indicators in order for the SHQS to be achieved, and that he would discuss this further with Councillor Berry out-with the meeting.

Councillor Currie asked about recycling rates and the air quality in Musselburgh. The Head of Development, Douglas Proudfoot, undertook to circulate a briefing note on air quality to all Members. Members were also advised that the new waste collection arrangements had been well received and had resulted in a substantial increase in recycling rates. A report on recycling would be presented to PPRC in due course.

In response to a question from Councillor Akhtar regarding feedback on Council services from customers, Mr Vestri reported that in the most recent Scottish Household Survey, the Council had performed well and was in the top quartile for all eight indicators. He added that the latest report from the Citizens Panel was currently being produced, and that also indicated a high level of satisfaction across the various services.

Councillor MacKenzie welcomed the report, but commented that there was still work to do to close the attainment gap between those children who were most advantaged and those who were most deprived.

Councillor Berry also welcomed the report, drawing attention to a number of areas where the Council was performing well, including the proportion of 18-24 year-olds claiming Job Seekers' Allowance and the cost of the democratic core per 1000 population. However, he noted the fall in the average tariff score of pupils from the most deprived 30 per cent of East Lothian, and called on the Council to pay close attention to this indicator.

Councillor Currie expressed concern about delayed discharge figures and the challenges facing the Integration Joint Board (IJB) in ensuring that finance and capacity issues were addressed. On Council housing, he believed that new sites were not being brought forward quickly enough to address the affordable housing crisis within the county, suggesting that at least 100 new houses a year for the next decade were required.

On delayed discharge, Councillor Grant pointed out that the formula used to allocate funding had disadvantaged East Lothian, and that the IJB would be looking into this as a priority.

Councillor Akhtar highlighted a number of areas where progress had been made, including the number of looked after children being based in a community setting, school exam results and the number of 18-24 year-olds claiming Job Seekers' Allowance. She also referred to a number of initiatives underway in schools to improve numeracy and literacy levels. She paid tribute to the Head of Education, Darrin Nightingale, who would shortly be leaving the Council.

Councillor Hampshire concluded the debate by mentioning that the Council was working with partners in the private sector and housing associations to deliver affordable housing, and suggested that the Scottish Government should be providing funding to alleviate the housing problems.

Decision

The Council agreed to note the progress being made to achieve the Council Plan and approve the Annual Performance Report 2014/15.

5. COUNCIL PLAN UPDATE

A report was submitted by the Chief Executive presenting the Council with an update on the progress being made in achieving the Council Plan 2012-17 and the priorities for the remaining two years of the Plan.

The Service Manager – Corporate Policy and Improvement, Paolo Vestri, presented the report, summarising the achievements since October 2014 and the key areas of activity. He drew attention to the appendix to the report, which set out the priorities for 2015-17.

In response to a question from Councillor Berry regarding investment in nursery provision, the Chief Executive advised that there had not been a reduction in early years' education investment. She further noted that user satisfaction of public service nursery provision was high and that the Council was piloting a number of approaches to meet the requirements of working parents. Councillor Berry was also advised that factors other than examination results were used in measuring attainment.

As regards the provision of affordable housing, the Chief Executive explained that the Council was looking at land and property that it owned with a view to meeting the housing demand, and that further reports on this would be presented to Members in due course.

Councillor Currie claimed that a number of commitments set out in the manifestos of the Administration had not been delivered and called on the Administration to provide an explanation for this.

Councillor Veitch welcomed the report, commenting that it demonstrated that the Administration was delivering on its commitments in the Council Plan. He highlighted a number of key areas, particularly the need for improved rail and road infrastructure to meet the demands placed on the Council to deliver an additional 10,000 homes, noting that Scottish Government investment and support was required to deliver this. Councillor Veitch also highlighted the priorities as regards transportation.

Councillor Berry shared concerns raised by Councillor Veitch in relation to infrastructure challenges. He called on the Council to lobby the Scottish Government. He did, however, criticise the Local Transport Strategy, arguing that it was out of date. He spoke of the importance of the City Deal initiative and the future of the former Cockenzie Power Station site. He also suggested that the Council's priorities should be ranked in order of priority.

Councillor Akhtar drew attention to a number of achievements in the Council Plan, including an increase in positive destinations for school leavers, the development of Area Partnerships and the new construction academy in Musselburgh.

Councillor Innes concluded the debate by commenting that the report demonstrated the progress that had been made, both by the Council itself and working in partnership with other agencies.

Decision

The Council agreed to note the update on the progress being made in achieving the Council Plan 2012-17 and approve the recommendations for priorities for the remaining two years of the Plan.

6. SYRIAN REFUGEES

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) advising the Council of the progress made since it passed a resolution on 8 September 2015 to support and assist both the UK and Scottish Government in resettling Syrian refugees.

Ian Patterson, the Homelessness Manager, presented the report, advising that the Council was working with CoSLA and other local authorities to assist in the resettlement of Syrian Refugees. He estimated that the Council was looking at housing c.30 people per year, and that officers were considering the most appropriate locations to house incoming refugees.

A number of Members referred to a recent public meeting on the refugee crisis, which had been well attended and supported by Councillors and the local MP and MSP.

Responding to questions from Councillor Currie as regards the timescales for the arrival of families and the resettlement of single men, Mr Patterson advised that an indicative timescale of 8-10 weeks had been put forward by the Council, but there was scope to accelerate this. As regards single men, he pointed out that the UK Government's Syrian Programme was aimed at families and that the Council's housing supply also pre-determined families.

Councillor Veitch welcomed the cross-party and community support for resettling refugees, and called for the Council to create a 'hub' where families could meet and receive support.

Councillor Berry called on the Council to lobby the Government for powers to resettle more people.

Councillor Innes noted that, in accordance with UK Government policy, refugees would be coming from camps in the Middle East rather than from Europe. He highlighted the importance of Council and community support for the refugees, and also advised that he would be writing to the Prime Minister requesting that a more flexible approach be adopted in resettling families. He added that the Council's policy would also need to be flexible.

Decision

The Council agreed to note the contents of the report and approve the continuation of the action taken by officers to establish an agreement with the Government to resettle up to seven families per year for the next five years, estimated to be 30 refugees per year.

Sederunt: Councillor Trotter left the meeting.

7. FORMER COCKENZIE POWER STATION SITE – UPDATE REPORT

A report was submitted by the Depute Chief Executive (Partnership and Community Services) providing the Council with an updated position with regard to site ownership, community engagement and master-planning arrangements for the former Cockenzie Power Station site.

The Head of Development, Douglas Proudfoot, presented the report, informing Members that engagement with the current owner of the site and with community representatives was ongoing. He advised of the process involved in developing the masterplan for the site.

Councillor Berry called for the Council to take a more proactive approach to the development of this site and asked why the report did not contain details as to what was permissible. He also voiced concern that the site could be allocated for housing. Mr Proudfoot advised that the masterplanning specification document was designed to be shared with community groups as a discussion document, and that there should be no constraints at this point. He spoke of the importance of the site having a positive economic impact for the Council and the community. He also reminded Members of the commercially sensitive nature of the discussions with the site owner.

Councillor Libberton welcomed the report and the appointment of external agencies to work with the community, and advised that she shared Councillor Berry's views as regards housing.

Councillor Brown commented that securing ownership of the site was crucial to its future development, and commended the involvement of the community. He remarked that this site provided a once-in-a-lifetime opportunity to provide high-quality jobs in the area. Councillor Innes reassured him that the Administration was seeking to achieve ownership of the site.

Councillor McMillan spoke of the importance of the various stakeholders having a shared vision for the site. He praised the partnership-working approach being taken.

Decision

The Council agreed:

- i. to note the ongoing discussions with Scottish Power with regard to site ownership;
- ii. to note the continuing positive engagement with stakeholders through meetings of the Cockenzie Community Forum; and
- iii. to note the collaborative approach being taken to specifying the master-planning work to be commissioned and the approved route proposed to initiate this work.

8. FINANCIAL ASSURANCE – HEALTH AND SOCIAL CARE INTEGRATION

A report was submitted by the Depute Chief Executive (Resources and People Services) advising of the commencement of the process for the undertaking of due diligence and financial assurance of the financial resources that would be delegated to the Integration Joint Board (IJB) from 2016/17. The report also reviewed the 2014/15 performance of the East Lothian Health and Social Care Partnership, including Adult Wellbeing, East Lothian CHP and wider NHS Lothian, and it took into consideration the 2015/16 performance to date and identified future financial implications that could impact on the budget going forward.

The Head of Council Resources, Jim Lamond, presented the report, stating that the Scottish Government required the Council, the NHS and the IJB to undertake financial assurance work. He drew attention to the financial health of Adult Wellbeing services and of NHS Lothian, noting that both were experiencing a period of significant financial challenge. He advised that the financial position of both the Council and NHS would be continually monitored.

Responding to questions from Councillor Berry, Mr Lamond provided an explanation of the information contained in Tables 1 and 2 of the report. He also warned of the challenges and financial pressures facing both organisations as regards planning for the future, and the potential risks and impacts of these challenges. He noted that a risk-sharing protocol was

still to be developed. David Small, the Director of Health and Social Care further advised that where financial risks emerged, the parent bodies would deal with them in accordance with the risk-sharing protocol. He accepted that the more significant financial risks currently lay with the NHS.

Councillor McMillan asked if further information would be presented to Members on risk, savings and resource management. Mr Lamond informed him that another report would come to Council which would cover the financial settlement and forward planning.

Councillor McAllister expressed concern at the future funding and viability of day centres. Mr Lamond explained that the shift of resources away from acute care was a critical aspect of integration. Mr Small assured Councillor McAllister that the future of day centres would feature in the IJB's Strategic Plan. He added that one of the tasks for the IJB was to look at redirecting money into preventative services and early intervention.

Councillor Currie commented that there was a need to address the issue of hospital readmissions, as this incurred a significant cost. He highlighted the need to redirect funds from the acute sector into community and prevention work.

Councillor Grant informed Members that a preferred candidate for the IJB Chief Finance Officer post had been identified, and hoped that this would be confirmed at the IJB meeting on 29 October. He also advised that the IJB would be establishing an audit committee, and that it was anticipated that the Strategic Plan would be in place by 1 April 2016.

Councillor McKenzie paid tribute to the staff and volunteers within East Lothian's day centres, and emphasised the value that these services provided to the community.

Decision

The Council agreed:

- i. to approve the proposed process for undertaking the due diligence and financial assurance review;
- ii. to note the initial due diligence work undertaken to date; and
- iii. that further financial updates on the due diligence work would be presented to Council prior to formal consideration of the IJB's Strategic Plan.

Sederunt: Councillor McLeod left the meeting.

9. AMENDMENTS TO STANDING ORDERS: SCHEME OF ADMINISTRATION AND SCHEME OF DELEGATION

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of proposed changes to the Schemes of Administration for the Education Committee and Joint Consultative Committee, and to the Scheme of Delegation.

The Service Manager – Legal and Procurement, Morag Ferguson, presented the report, advising of the proposals to change the quorum for Education Committee and the membership of the JCC. She also advised of the need to change the Council's Scheme of Delegation to reflect joint appointments following the integration of health and social care.

Councillor Berry questioned the proposed increase in Trades Union membership of the JCC when membership of Trades Unions was low.

Decision

The Council agreed:

- i. to approve the proposed change to the Scheme of Administration for the Education Committee in relation to the quorum, as outlined in Section 3.1 of the report;
- ii. to approve the proposed change to the Scheme of Administration for the Joint Consultative Committee in relation to an increase in Trades Union representation, as outlined in Section 3.2 of the report;
- iii. to approve the proposed changes to the Scheme of Delegation, as set out in Appendix 1 to the report; and
- iv. to note that the approved Scheme of Administration and Scheme of Delegation would be updated and published on the Council's website as soon as practicable.

10. REPLACEMENT MINUTE OF AGREEMENT IN RESPECT OF MUSSELBURGH JOINT RACING COMMITTEE

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval for a new Minute of Agreement regulation the constitution and operation of the Musselburgh Joint Racing Committee (MJRC).

Declarations of Interest: Councillors Caldwell, Forrest, Libberton and McNeil declared an interest as members of the Musselburgh Joint Racing Committee and left the Chamber for the duration of this item.

The Service Manager – Legal and Procurement, Morag Ferguson, presented the report, drawing attention to the proposed substantive changes to the Minute of Agreement, particularly the circumstances in which the Agreement can now be terminated, and advising of the proposal to appoint an independent valuer to undertake an interim review of the rental of the Racecourse.

Councillor Currie expressed concern that the proposed changes to the Minute of Agreement would not be approved by the Lothian Racing Syndicate (LRS) unless the rent review was approved. Mrs Ferguson confirmed that the rent review had been requested by the LRS, and that the MRJC had agreed to this request. She also confirmed that in the event the Racecourse was sold, the LRS would be given first refusal to buy the business.

Responding to questions from Councillor Williamson about the rent level, Mrs Ferguson advised that it was currently £150,000 per annum, and that this rate had been set by the District Valuer. She further advised that the Council was being asked to approve a departure from the terms of the existing contract, but that this would not set a precedent because every such request would be considered on its own merit.

Councillor Berry asked a number of questions as regards investment in the Racecourse and as to how the governance arrangements for the Racecourse differed to those of EnjoyLeisure. Mrs Ferguson pointed out that the District Valuer had been given all relevant information as regards investment and accounts during the rent valuation process. She noted that the MJRC was not considered as an arms-length external organisation as it did not provide Council services; rather, the MJRC was an associated committee of the Council,

it was included in the Council's group accounts, and financial aspects of the business were reported to the Audit & Governance Committee. She added that when the MJRC was established, it was awarded an element of commercial freedom to run the Racecourse, and that through the MJRC, the Council was protecting its financial interest in the property through the rental and reports to the Audit & Governance Committee; however, the Council did not require reports on operational activities from the MJRC as to how it was being run. She further noted that the MJRC appointed its own auditors.

Mrs Ferguson provided Members with an explanation as to the restrictions on the disposal of Common Good land.

Councillor Currie reiterated his concerns outlined earlier in the debate and advised that the SNP Group would not be supporting the recommendations.

Councillor McMillan welcomed the report and the opportunity to revise the Minute of Agreement. He spoke of the unique and positive partnership between the Council and the Racecourse and of the economic development and tourism benefits that the Racecourse brought to Musselburgh and East Lothian. He pointed out that the four Councillor members of the MJRC were supportive of the rent review.

Councillor Berry disputed Councillor McMillan's comments. He argued that the assets, including the Racecourse, the Musselburgh Old Course and the lagoons could be utilised much more effectively, especially out-with race days, and remarked that the MJRC had ignored suggestions to use the Racecourse facilities for other purposes. He proposed an amendment, that Recommendation 2.2 'Council is asked to agree to an interim review of the rental for the Racecourse, as set out in Paragraph 3.4' should be deleted. Councillor Currie seconded this amendment.

The Provost then moved to the vote on the amendment, as proposed by Councillor Berry and seconded by Councillor Currie:

For: 7
Against: 9
Abstentions: 1

The amendment therefore fell, and the Provost moved to the vote on the Recommendations set out in the report:

For: 9
Against: 7
Abstentions: 1

Decision

The Council agreed:

- i. to approve the terms of the Minute of Agreement, attached at Appendix 1 to the report; and
- ii. to an interim review of the rental for the Racecourse to be carried out, as set out in Section 3.4 of the report.

Sederunt: Councillors Caldwell, Forrest, Libberton and McNeil rejoined the meeting.

11. MEMBERSHIP OF COMMITTEES AND APPOINTMENTS TO OUTSIDE BODIES

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of proposed changes to the membership of committees and representation on outside bodies.

The Clerk advised of the proposed changes to committee membership, as proposed by the Leader of the Opposition. She also confirmed that Councillor Caldwell would be the Independent Member on the Police, Fire and Community Safety Scrutiny Committee, and that Councillor Gillies had been nominated by the Administration to replace Councillor Hampshire on the Edinburgh and Lothians Greenspace Trust.

Decision

The Council agreed:

- i. to approve the following changes to committee membership, as proposed by the Opposition:
 - o Joint Consultative Committee – Councillor Fraser McAllister to replace Councillor Steven Brown
 - o Licensing Sub-Committee – Councillor Stuart Currie to replace Councillor Fraser McAllister
- ii. to note that Councillor John Caldwell would be the Independent Member on the Police, Fire and Community Safety Scrutiny Committee; and
- iii. to approve the nomination of Councillor Jim Gillies to represent the Council on the Edinburgh and Lothians Greenspace Trust, replacing Councillor Norman Hampshire.

12. NOTICE OF MOTION – COUNCIL TAX OVERFUNDING

A Notice of Motion was submitted to the Council by Councillors McLennan and McAllister:

‘Council notes the recent briefing from the Scottish Parliament Financial Scrutiny Unit which confirms that the Council Tax Freeze has been overfunded by Scottish Government to the tune of £164.9m, which equates roughly [to] £3.3m for East Lothian based on population share.

Council wishes to comment Scottish Government on this overfunding and to work with Scottish Government in the years ahead.’

Councillor McLennan introduced the motion, stating that the Administration had, on a number of occasions, claimed that the Council Tax freeze had been underfunded by the Scottish Government. He drew attention to the briefing from the Scottish Parliament Financial Scrutiny Unit (referred to as the SPICe Report) that had confirmed that Local Government had in fact been overfunded. He drew attention to a number of aspects of the report that supported his motion, and claimed that the Council Tax freeze had saved Band D households approximately £140 per month over the period of the freeze.

Councillor McAllister seconded the motion, observing that the Council Tax freeze had also been included in the Labour Party manifesto. He called for an overhaul of the Council Tax system, which he believed no longer reflected property values, and hoped that local authorities would be given greater devolved tax powers.

Councillor Goodfellow claimed that the SPICe report was based on assumptions, and argued that those assumptions did not tally with the settlement for local government spending, nor was there any mention of Council Tax reimbursement in the Council's financial settlement. He argued that since the beginning of the Council Tax freeze, the Council had been underfunded by £10m.

Councillor Currie referred Councillor Goodfellow to the Scottish Government finance circular for details of the Council Tax reimbursement. He added that had the Council raised Council Tax in line with the Retail Price Index, the Council would have received less money over the period of the Council Tax freeze.

A lengthy debate followed, with a variety of different views on the SPICe report and the financial settlements being presented by Members. Concerns were also expressed as to budget reductions and measures being taken by other Scottish councils, including reductions in services and staff redundancies.

Summing up, Councillor McLennan argued that the Council Tax freeze had saved Scottish residents £140m, whilst in the same period in Wales, Council Tax had increased by 150%. He remarked that the Labour Party had no policy on Council Tax reform.

The Provost then moved to the vote on the motion, as proposed by Councillor McLennan and seconded by Councillor McAllister:

For: 7
Against: 13
Abstentions: 1

The motion therefore fell.

Sederunt: Councillor Hampshire left the meeting.

13. SUBMISSIONS TO THE MEMBERS' LIBRARY, 13 AUGUST – 14 OCTOBER 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 Berry asked why Item 142/15 had not been reported to Council. The Chief Executive advised that this consultation was not related to the closure of the Sheriff Court, but was about community justice authorities being disbanded and the responsibility for this function being devolved to local authorities.

Decision

The Council agreed to note the reports submitted to the Members' Library Services between 13 August and 14 October 2015, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

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

Application to Musselburgh Common Good Committee

A private report seeking approval of an application for funding from Musselburgh Common Good Fund was approved by the Council.