



## MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 26 APRIL 2016  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

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### 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 S Currie	Councillor P McLennan
Councillor T Day	Councillor K McLeod
Councillor A Forrest	Councillor J McMillan
Councillor J Gillies	Councillor J McNeil
Councillor J Goodfellow	Councillor T Trotter
Councillor D Grant	Councillor M Veitch
Councillor N Hampshire	Councillor J Williamson

### Council Officials Present:

Mrs A Leitch, Chief Executive  
Mr A McCrorie, Depute Chief Executive (Resources and People Services)  
Ms M Patterson, Depute Chief Executive (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  
Ms F Robertson, Head of Education  
Mr T Shearer, Head of Communities and Partnerships  
Mr B Davies, Service Manager – Resources (Health & Social Care Partnership)  
Ms M Ferguson, Service Manager – Legal and Procurement  
Ms S Fortune, Service Manager – Business Finance  
Mr E John, Service Manager – Sport, Countryside and Leisure  
Ms J Mackay, Media Manager  
Mr I McFarlane, Service Manager, Planning  
Ms E McLean, Service Manager – Strategic Asset and Capital Plan Management  
Mr D Oliver, Service Manager – Environmental Health  
Mr R Parker, Service Manager – Education (Strat and Ops)  
Ms L Shaw, Corporate Finance Manager  
Mr P Vestri, Service Manager – Corporate Policy & Improvement

### Visitors Present:

Mr A Clark, Audit Scotland

### Clerk:

Mrs L Gillingwater

**Apologies:**

Councillor J Caldwell

**Order of Business**

The Provost announced that Items 5 and 7 on the agenda would be taken at the beginning of the meeting. The Council agreed to this change.

**1. MINUTES FOR APPROVAL**

The minutes of the Council meeting specified below were approved:

**East Lothian Council – 9 February 2016**

*Matter arising, Item 1* – Referring to comments he had made in respect of how councils would need to change to meet future financial challenges, Councillor Berry asked if this had been progressed through CoSLA. The Chief Executive advised that the Scottish Parliament had been dissolved shortly after the Council meeting had taken place, but that she was aware that discussions had taken place involving civil servants and that she would be happy to raise this with CoSLA following the Scottish Parliament election on 5 May.

**East Lothian Council – 23 February 2016**

**5. FINANCIAL ASSURANCE UPDATE – HEALTH AND SOCIAL CARE INTEGRATION**

A report was submitted by the Depute Chief Executive (Resources and People Services) providing an update to Council on the work undertaken in relation to financial assurance in respect of the delegation of resources to the East Lothian Integration Joint Board (IJB) from 1 April 2016.

The Service Manager – Business Finance, Sarah Fortune, presented the report. She drew particular attention to the situation as regards the resources delegated from the Council to the IJB, and advised that the NHS budget had not yet been set, and as such a formal offer of the final budget to be delegated to the IJB would not be made until late May/early June 2016. She noted that the due diligence process could not be closed off until the NHS delegated budget had been confirmed. She also made reference to the IJB Directions and the financial risks, confirming that each partner would manage its own risks for 2016/17. She concluded her presentation by setting out the next steps as regards further financial assurance work and monitoring/reporting of financial performance.

In response to a question from Councillor Berry, Ms Fortune reiterated that the due diligence process would not be completed prior to the NHS delegated budget being finalised.

Councillor Hampshire asked how budgets would be managed in 2016/17 for areas where there was cross-over between the two partner organisations. Ms Fortune advised that appropriate procedures would be put in place to ensure that performance and the management of risk to both parties was properly monitored. David Small, Director of the Health and Social Care Partnership, added that the Scheme of Integration set out resolution procedures to be followed, where required.

Councillor Grant pointed out that the report was an important step in the integration process. He advised that the NHS boards would not present their financial plans until after the Scottish Parliament election in May 2016, and that while this was not a desirable position, he was happy with the progress made in relation to integration.

Councillor Currie accepted that there were risks associated with the integration process, but also recognised that there were opportunities. He warned of the financial challenges facing health and social care services, and highlighted the need to align the budgets of both partners. He also highlighted the importance of the IJB Directions.

Councillor Berry voiced his concerns as regards the increasing pressures on adult social care services, and hoped that working in partnership with the NHS would result in efficiency savings in this area.

Councillor McMillan mentioned the importance of trust between the two partners, as well as the regular monitoring of performance and quality of services.

## **Decision**

The Council agreed:

- i. to note the update on the ongoing financial assurance process in relation to the delegation of financial resources to East Lothian Integration Joint Board from 1 April 2016; and
- ii. to note the next steps, set out within Sections 3.22 to 3.24 of the report.

## **7. DEVELOPING SPECIALIST SUPPORT AND CARE AT HOME SERVICES**

A report was submitted by the Director of the Health and Social Care Partnership informing Members of the Integration Joint Board's (IJB) plans to develop specialist support and care at home services over the coming 12 months. The report also advised of the tendering requirements that would result from these development plans.

The Service Manager (Resources), Bryan Davies, presented the report in detail, setting out the current provisions and details of the contracts in relation to the Specialist Provider Framework and the Help to Live at Home Framework. He also highlighted capacity issues and other challenges within these frameworks. He advised that it was hoped the proposed arrangements would address self-directed support (SDS) and focus on individual outcomes. As regards the Specialist Framework, he made reference to the development of a range of community models as regards providing opportunities, noting that stakeholders would be involved in this process. The Help to Live at Home Framework would be developed on a similar basis, with the framework being opened up to all client groups. Mr Davies set out the policy and resource implications associated with the proposals.

In response to questions from Councillor Currie, Mr Davies confirmed that the contracts would be awarded by the Council, and that he would take advice on how this should be reported to Members. He emphasised the focus on individual choice, carried out through the SDS process, noting that there would not be a 'one size fits all' approach. He anticipated that the new approach would contribute to efficiency-saving measures, albeit this was not the driver for the redesign of the services. On the issue of ensuring providers were not penalised for paying the living wage, Mr Davies expected that CoSLA would issue guidelines on this.

Councillor Berry asked a question in relation to the financial implications. Mr Davies advised that there were no details to report at this stage, as full assessments had not yet been carried out. He pointed out that each service user would be assessed in terms of their outcomes and accommodation, which would determine the budget required, and once established this would also provide information on efficiency savings. He added that the

service worked with all providers to determine the types of support and resources required. On providing support to people living at home, Mr Small advised that the capacity issues were related to staff recruitment and retention rather than budgets.

Councillor Akhtar asked how the work with stakeholders would be undertaken. She was informed that a number of meetings and events would take place with user groups over the next 3-6 months, and that they would be invited to contribute to the process.

Councillor Grant welcomed the alignments of both contracts from 2017, and also the tailoring of services towards individual needs and outcomes. He indicated that this integrated approach would provide opportunities to deliver services in different ways.

Councillor Currie also welcomed the report, particularly as regards SDS, which he believed would be successful, with the appropriate support. He also spoke in support of the increased use of technology, but stressed the importance of getting it right. He suggested that any efficiency savings should be reinvested in preventative measures.

Councillor Berry commented on the need to quantify efficiency savings, and had hoped that information could be provided at this stage. On the capacity issue, he claimed that there was a lack of affordable housing for people employed in the care sector which may be contributing to recruitment and retention problems.

## **Decision**

The Council agreed:

- i. to ratify the plans and timescales which the IJB has put in place to support the development of specialist support and care at home services; and
- ii. to approve the process for procuring services, as required by the IJB.

**Sederunt:** Councillor Grant left the meeting.

## **2. LOCAL SCRUTINY PLAN**

A report was submitted by the Chief Executive informing the Council of Audit Scotland's East Lothian Council Local Scrutiny Plan 2016/17.

The Chief Executive introduced the report, advising Members of the role of the Local Area Network (LAN) in relation to identifying target, risk-based scrutiny. She explained that the Local Scrutiny Plan outlined progress made as regards risks identified in the previous year's Plan and highlighted the areas for inspection in the coming year. She also noted that the Accounts Commission had agreed on a 5-year programme of Best Value Audits, although it was not known at this time when the Council would be subject to this. The Chief Executive welcomed Antony Clark of Audit Scotland to the meeting to present the Local Scrutiny Plan.

Mr Clark stated that the Local Scrutiny Plan for 2016/17 was broadly positive and that it was recognised that the Council was doing well in relation to managing its financial strategy. He also noted that he was satisfied with the progress being made as regards the integration of health and social care services and the associated governance procedures, adding that this would continue to be monitored. On Education services, Mr Clark reported that improvements had been made in this area and that although there were no plans for further scrutiny at this time, Education Scotland would continue to engage with the Head of Education. On Housing, he noted that the Scottish Housing Regulator had questioned the

Council's approach to repairs and maintenance, and would work with the Council as regards the performance of that service to identify areas for improvement.

Responding the questions from Councillor Berry on the two areas highlighted above, Mr Clark confirmed that the Council was making progress towards meeting the Scottish Housing Quality Standard (SHQS), adding that many councils had not met the requirements of every aspect of the Standard. Concerning school attainment, he advised that a range of statistics, including leadership, governance, attainment and outcomes, had been used by Education Scotland to reach an aggregate overview of performance. He pointed out that there was still scope for improvement and that the Council should not be complacent.

Councillor MacKenzie asked how the Council's internal scrutiny function could better scrutinise performance. Mr Clark advised that one aspect of the Best Value Audit would be to look at the Council's scrutiny and governance functions and that following that work, targeted advice would be provided to the Council.

Councillor Currie expressed concern at the rent arrears situation. He was advised that the Scottish Housing Regulator was due to visit the Council to discuss this issue. Councillor Currie also asked for more information on how school attainment would be monitored. Mr Clark advised that inspectors from Education Scotland would engage with the Head of Education as regards attainment measures and how performance was being scrutinised. He reiterated that there would be no specific inspection of Education services for the coming year, but that there may be targeted inspection work in future years.

Mr Clark advised that the LAN looked to improve the capacity of the Council from all perspectives. He noted that there were regular meetings with the Council Management Team, and that he was satisfied that the processes in place were robust, adding that community engagement would have a higher profile in future audit work.

Councillor Veitch welcomed the report, which he believed underlined the success of the Council. He drew particular attention to the progress made in relation to the improvement in the Council's financial sustainability.

Councillor MacKenzie voiced his concern as regards the Council's scrutiny of the Education Service, especially as regards reviewing performance and driving forward improvements.

As Convener of the Policy & Performance Review Committee, Councillor Berry expressed his disappointment that he had not been involved in the Local Scrutiny Plan process. He also suggested that more detailed guidance should be included in the report to assist Members and officers.

Councillor Akhtar recognised the challenges facing the Education Service, noting that the appointment of Fiona Robertson to the Head of Education post would make a significant difference. She pointed out that the issue of attainment was being tackled, and that there was a focus on literacy, numeracy and equality. Responding to comments made by Councillor MacKenzie, she remarked that any Member could raise questions with senior officers.

On housing, Councillor Hampshire welcomed the feedback from the Housing Regulator as regards property conditions and progress being made to meet the SHQS. He accepted that there were concerns as regards rent arrears but that the Council was seeking to address this issue. He commented on the importance of houses being of a high standard for new tenants moving in, noting that the Council had previously been criticised for taking too long preparing houses for new tenants.

Councillor Currie raised a number of concerns, including the length of time between meetings of the Education Committee and the need for greater scrutiny in that area, and the level of rent arrears, which would have an impact on the Council's ability to deliver the modernisation programme.

Councillor McMillan made reference to the improvement in the Council's processes and that there was no specific scrutiny required at this time. His comments were echoed by Councillor Innes, who noted that the report was an endorsement of the Council's approach. He highlighted progress in a number of areas, including in education and the integration of health and social care. He did warn against becoming complacent, stating that the Administration would continue to drive forward improvements. He thanked Council staff for their hard work.

### **Decision**

The Council agreed to approve the Local Scrutiny Plan 2016/17.

### **3. PARTNERSHIP WORKING UPDATE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing Council with an update in relation to the following areas of partnership working across East Lothian and Midlothian Councils: Trading Standards and Contingency Planning.

The Head of Development, Douglas Proudfoot, presented the report, updating Members on the partnership working arrangement in respect of Trading Standards and the proposals as regards Contingency Planning. He advised that the new arrangements would increase resilience, capacity and service improvement in these services.

Councillor Williamson asked for information on savings made through these partnership arrangements. Mr Proudfoot noted that, for Trading Standards, savings had been identified during the budget process, for example, by not replacing the manager post at East Lothian Council. Tom Shearer, Head of Communities and Partnerships, added that the changes to the Contingency Planning Service were focused on increasing resilience and capacity, but noted that Midlothian Council would also contribute up to one-third of the Emergency Planning Officer post salary.

Councillor Berry commented that savings should be set out in the report. Mr Proudfoot indicated that savings of c. £60,000 had been made in respect of the partnership working in Trading Standards. Councillor Berry remarked that the Council was not doing enough as regards partnership working.

Councillor Currie welcomed the sharing of services, but warned that greater partnership working would be required in order for the Council to meet future financial challenges and provide better services. Referring to the Scrutiny Plan report discussed earlier in the meeting, Councillor McMillan commented that it was better to approach partnership working by taking 'small steps'.

Councillor Innes advised that it was the view of the Administration that partnership working should be explored where it made sense and where it could benefit both partners. He spoke of the importance of bringing services closer to communities, making reference to Area Partnership funding and initiatives.

### **Decision**

The Council agreed:

- i. to note and approve the proposal for a co-located Trading Standards partnership service for East Lothian and Midlothian Council; and
- ii. to note and approve the initial sharing proposals in relation to Contingency Planning and note that an update report would be presented to the Joint Liaison Group after 6 months.

#### **4. AREA PARTNERSHIPS – UPDATE AND DEVOLVED BUDGET**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing Council with an update on progress made by the six Area Partnerships, illustrating the progress made in developing Area Plans and the decisions made in relation to devolved budgets in 2015/16, and presenting Council with the proposal for further devolution of funding to Area Partnerships in 2016/17.

The Head of Communities and Partnerships, Tom Shearer, presented the report, highlighting the progress made by the Area Partnerships in developing their Area Plans. He drew attention to Appendix 1 to the report, which outlined projects that were funded and supported by the Area Partnerships in 2015/16. Referring to the funding for Area Partnerships, set out in Section 3.8 of the report, he reminded Members that £600,000 of new money had been approved for the 2016/17 financial year to support education initiatives, with each Area Partnership receiving £100,000.

In response to questions from Councillor Berry as regards the funding of initiatives, Mr Shearer confirmed that this was annual funding, that the £600,000 allocated for education initiatives would be shared equally between the six Area Partnerships, and that the £350,000 for non-recurring general services priorities would be allocated at £100,000 for the Musselburgh Area Partnership and £50,000 for each of the other Partnerships. He added that almost all of the funding allocated for the 2015/16 financial year had now been committed.

Councillors from all wards welcomed the report and paid tribute to the work of the Area Partnership members and the Area Managers. A number of successful initiatives were highlighted, and it was acknowledged that the Area Partnerships provided an effective vehicle for delivering local priorities.

Councillor McNeil suggested that the Chief Executive, Leader and Provost should write to the Area Partnerships congratulating them on their achievements. The Provost noted this suggestion.

Councillor Currie commented on the importance of attracting new volunteers to participate in the Area Partnerships in order to build future capacity.

#### **Decision**

The Council agreed:

- i. to note the good progress in developing the six Area Partnerships;
- ii. to note the range of projects that devolved funding has been used to deliver; and
- iii. to approve the proposal for devolving £100,000 to each of the six Area Partnerships to support educational initiatives that contribute to improving educational attainment

and achievement and reduce the attainment gap (as outlined in Sections 3.9–3.12 of the report).

## **6. ADDITIONAL SECONDARY EDUCATION PROVISION, MUSSELBURGH AREA**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval to consult on the proposal to establish a new, second, secondary school and the creation of its catchment area.

The Head of Education, Fiona Robertson, presented the report, advising Members of the requirement for additional secondary education provision in the Musselburgh area in accordance with the emerging Local Development Plan (LDP) compact growth strategy. She summarised the qualitative assessment of potential sites and the range of options considered as regards the provision of secondary education in this area, and advised that following appraisal of each of these options, and taking account of the advantages, disadvantages and costs, the best value option for the Council would be a new, second, secondary school in Wallyford.

Councillor Williamson asked why the consultation would be based on only one option, rather than all three. He also questioned the value of the pre-consultation exercise, claiming that it was flawed. Ms Robertson advised that the purpose of the pre-consultation process was to explore options and get an indicative view on those options. She pointed out that the consultation exercise would include information on the options that had been considered, as well as the rationale behind the decision to move forward with the proposal for the new secondary school.

Responding to a question from Councillor Currie on the location of the proposed school, Douglas Proudfoot, Head of Development, reminded Members of the decision taken by the Council on 17 November 2015 to remove the site identified in the draft LDP for a proposed new secondary school. Following that decision, he advised that further work had been undertaken to refine the options for remaining two potential sites.

Ms Robertson stated that the Council was obliged to take forward a proposal for a school option on the preferred site. She pointed out various aspects that had to be considered, such as the impact on the community, transportation, pupil movement and access to after-school activities. She stressed that the views of the community would be taken into account during the consultation and would be reported back to Council for consideration.

Councillor Currie questioned the wording of Recommendation 2.1(i) and highlighted potential community concerns as regards the catchment area for the new school. He also commented on the lack of investment at Musselburgh Grammar School. Morag Ferguson, Service Manager – Legal and Procurement, clarified that the Council was being asked to approve a proposal for consultation, the outcome of which would be reported back to Council for a final decision. Ms Robertson confirmed that the consultation documentation would include information on the proposed catchment area for the school. She also noted that, in relation to Musselburgh Grammar School, there had been recent improvements in attainment, and that the establishment of a new school may open up opportunities for pupils of Musselburgh Grammar School which would alleviate the accommodation problems mentioned by Councillor Currie.

Councillor McNeil asked about the implications for pupils at Sanderson's Wynd Primary School and Ross High School. Ms Robertson indicated that there would only be an impact on a small cluster of dwellings close to the proposed new housing development in Wallyford, in that they would be within the catchment area for Wallyford Primary School and the new secondary school. The head teachers of the schools in question had been informed of this.



Ms Robertson explained that the consultation would run for a minimum of six weeks, in accordance with Education Scotland guidelines, with documentation being distributed to schools, community centres and libraries, as well as being advertised in the media. There would be public meetings, and also meetings with the PCC, parents and pupils, with feedback being accepted in writing or by email.

Councillor MacKenzie commented on a number of matters that needed to be taken into consideration, including the quality of the education and buildings, the impact on the environment, safety, and the cohesion and wellbeing of the community.

Councillor Williamson remarked that the pre-consultation exercise had not included proposals as regards the location of the new school, and that it had not delivered clear conclusions. He maintained his view that all three options should be subject to the consultation in order that the Council would be better informed when making the final decision. He also felt that the community would feel more involved if consulted on all the options. His views were shared by Councillor McAllister, who suggested that a fourth option – to develop the existing Musselburgh Grammar School – should be considered.

Councillor McNeil stressed the importance of consulting with all primary schools as well as parents of pupils currently in S1 and S2 at Musselburgh Grammar School. He also noted that there would be no construction traffic going through Wallyford during the construction period.

Councillor Currie reiterated his concern as regards the wording of Recommendation 2.1(i) and his view that all three options should be consulted on, remarking that it was wrong that the public would be consulted on a solution that had already been approved. He also mentioned that parents of children at Pinkie St Peter's Primary School were concerned about the catchment boundaries for the new secondary school. He declared that he would not support the report recommendations.

Mrs Ferguson pointed out that, in accordance with the legislation, the Council was obliged to consult on a formulated proposal, and that there was therefore a need to have a proposal at the start of the process.

Councillor Currie argued that the Council had not consulted on the geographic options to date. He proposed that Recommendation 2.1(i) should be deleted. The Provost explained that deleting that recommendation would not be competent, as the Council was obliged to consult on a proposal. Mrs Ferguson confirmed that it would not be possible to vote against Recommendation 2.1(i) but vote in favour of (ii) and (iii) on the grounds that the Council could not carry out a consultation without having a proposal to consult on. She advised that the options available were either to put forward an alternative proposal or to vote against the recommendations in their entirety.

Councillor Hampshire referred to the Local Development Plan process and the decision taken to adopt a compact growth strategy. He stressed that without a secondary education solution in the Musselburgh area, the LDP would not be competent and this would present risks for the Council. He explained that the outcome of the consultation would be reported to Council for consideration and determination, and urged SNP Councillors to support the recommendations in order to progress the consultation process.

Councillor Innes voiced his disappointment at the stance taken by the SNP Group. He emphasised that information on all the options considered would be included in the consultation documentation, which would allow the community to form their own views. He proposed an amendment to the wording of Recommendation 2.1(i) from 'approve the

solution to provide additional secondary education capacity ...’ to ‘approve the proposal, for consultation, to provide additional secondary education capacity ...’.

There followed a short adjournment to allow Members to consider the proposed amendment to the wording of Recommendation 2.1(i).

Following the adjournment, Councillor Currie indicated that the SNP Group would support the recommendations, with the proposed amendment.

Councillor Libberton seconded the amendment to Recommendation 2.1(i), as proposed by Councillor Innes.

Councillor Akhtar spoke in support of the consultation process, reiterating that the views of the community would be taken into consideration.

The Provost moved to the vote on the amendment to Recommendation 2.1(i), as proposed by Councillor Innes and seconded by Councillor Libberton.

For:	20
Against:	0
Abstention:	1

### **Decision**

The Council agreed:

- i. to approve the proposal, for consultation, to provide additional secondary education capacity required for the Musselburgh cluster area being a new, second, secondary school in Wallyford;
- ii. to note that a formal consultation in line with the Schools (Consultation) (Scotland) Act 2010 would be undertaken in relation the establishment of a new school, proposed variation in catchment areas and in arrangements for the transfer of pupils from a primary school to a secondary school. The proposal would include the revision of the catchment boundaries of Pinkie St Peter’s Primary School, Wallyford Primary School, Musselburgh Grammar School, Sanderson’s Wynd Primary School, and Ross High School; and
- iii. to note that the consultation period would be undertaken prior to the summer recess.

**Sederunt:** Councillor Akhtar left the meeting.

## **8. NEW CHARGES – ENVIRONMENTAL HEALTH SERVICE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing Council with a schedule of new charges for services delivered/proposed to be delivered by the Environmental Health Service.

The Service Manager – Environmental Health, Derek Oliver, presented the report, advising of current activities carried out by the Environmental Health Service in dealing with pest control. He drew attention to pest control services provided by neighbouring local authorities and the income associated with these services. He highlighted the proposed charges and concessionary rates to be introduced by the Council.

Mr Oliver answered a number of questions from Members in relation to the judgement used in carrying out pest control, guidance provided to residents, and the control methods used to deal with pigeon and gull problems, as well as bed bugs and fleas.

In response to a question from Councillor Goodfellow in dealing with pests in communal areas, Mr Oliver made reference to the Council's statutory obligations, and advised that the Council had the power to serve notices on residents, where required.

Councillor Currie expressed concern that the proposed concessionary rates were set at too high a level for some people and that this may lead to pest problems not being reported. He moved that the proposed concessionary rates should be reconsidered and brought back to Cabinet for consideration. Councillor Innes seconded this motion. The Council agreed unanimously with this proposal.

### **Decision**

The Council agreed:

- i. to approve the schedule of new charges for services delivered/proposed to be delivered by the Environmental Health Service, with the exception of the proposed concessionary rates, which would be considered further and reported back to Cabinet;
- ii. to approve, in principle, subject to the conclusion of the service review, the establishment of a pest control treatment service.

## **9. SCHEDULE OF MEETINGS 2016/17**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the Schedule of Meetings of the Council, Committees and other forums for 2016/17.

The Clerk presented the report, highlighting in particular the inclusion of an additional meeting of the Planning Committee on 9 August 2016; the election recess, which would run from 31 March to 22 May 2017; and that the date of the budget-setting meeting would be announced at a later date. She added that any other changes to the schedule would be communicated to Members as appropriate.

As regards the 2015/16 Schedule of Meetings, Councillor Hampshire proposed that an additional meeting of the Planning Committee should take place in June 2016 to deal with a number of planning applications requiring determination. The Clerk advised that she would take this forward.

A number of comments were made by Members in relation to the possibility of re-introducing evening meetings, the need for additional meetings of the Education Committee and alerting officers as to when to arrive at meetings to present their reports. The Committees Team were thanked for their efforts in servicing meetings.

### **Decision**

The Council agreed:

- i. to approve the proposed Schedule of Meetings for 2016/17;
- ii. to note the date of the budget-setting meeting would be set at a later date;

- iii. to note that the schedule is subject to change, and that any changes will be communicated to Members and officers as soon as practicable; and
- iv. that an additional meeting of the Planning Committee should be arranged in June 2016.

#### **10. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the nomination of Councillor McMillan to represent the Council on the John Muir Birthplace Trust, replacing Councillor Veitch.

The Clerk presented the report, advising that Councillor Veitch had recently indicated that he wished to relinquish his role as a Council-appointed representative on the John Muir Birthplace Trust. She reported that the Administration had nominated Councillor McMillan to replace Councillor Veitch on this body.

##### **Decision**

The Council agreed to approve the appointment of Councillor John McMillan to represent the Council on the John Muir Birthplace Trust, replacing Councillor Michael Veitch.

#### **11. SUBMISSIONS TO THE MEMBERS' LIBRARY, 11 FEBRUARY – 7 APRIL 2016**

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.

##### **Decision**

The Council agreed to note the reports submitted to the Members' Library Services between 11 February and 7 April 2016, 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) and Paragraph 9 (terms proposed or to be proposed in the course of negotiations for a contract for the acquisition of or disposal of property) of Schedule 7A to the Local Government (Scotland) Act 1973.

#### **Referral to Council by Musselburgh Common Good Committee – Repairs at Fisherrow Harbour**

A private report submitted by the Depute Chief Executive (Resources and People Services) seeking determination of a funding request to make repairs at Fisherrow Harbour, referred to the Council by Musselburgh Common Good Committee, was approved.

#### **Proposed Property/Site Acquisition**

A private report submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval for the acquisition of the former Cockenzie Power Station site was approved.