



## MINUTES OF THE MEETING OF THE CABINET

TUESDAY 20 DECEMBER 2016  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

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**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 S Brown  
Councillor J Caldwell  
Councillor S Currie  
Councillor A Forrest  
Councillor J Gillies  
Councillor J Goodfellow  
Councillor P MacKenzie  
Councillor P McLennan  
Councillor K McLeod  
Councillor J McNeil  
Councillor J Williamson

**Council Officials Present:**

Mrs A Leitch, Chief Executive  
Ms M Patterson, Depute Chief Executive – Partnerships and Community Services  
Mr A McCrorie, Depute Chief Executive – Resources and People Services  
Mr D Small, Director, Health and Social Care Partnership  
Mr T Shearer, Head of Communities and Partnerships  
Mr R Montgomery, Head of Infrastructure  
Mr J Lamond, Head of Council Resources  
Ms S Fortune, Service Manager – Business Finance  
Mr T Reid, Service Manager – Waste  
Mrs M Ferguson, Service Manager – Legal and Procurement  
Mr G Wilson, Senior Solicitor

**Clerk:**

Ms A Smith

**Apologies:**

None

**Declarations of Interest:**

None

**1. MINUTES FOR APPROVAL – CABINET 8 NOVEMBER 2016**

The minutes of the meeting of the Cabinet of 8 November 2016 were approved.

**2. SUMMARY OF CONTRACTS AWARDED BY EAST LoTHIAN COUNCIL, 1-30 NOVEMBER 2016**

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of all contracts awarded by the Council from 1 to 30 November 2016, with a value of over £150,000.

Councillor Currie, referring to the particular contract awarded, noted that the second placed bid had been from a local company and requested an update on progress to provide assistance to local firms. The Chief Executive, Angela Leitch, stated that the Economic Development Team was working with a number of small businesses; specific details would be provided outwith the meeting. The Head of Council Resources, Jim Lamond, reiterated that efforts were being made to build the capacity of local firms in terms of their ability to bid for work effectively. He gave further details regarding proper application of various stages of the procurement process. Councillor McMillan repeated his offer, made at a previous Cabinet, to meet with any Members for further discussion on this issue.

**Decision**

The Cabinet agreed to note the award of contracts with a value of over £150,000, as listed in Appendix 1 to the report.

**3. FINANCIAL REVIEW, 2016/17 QUARTER 2**

A report was submitted by the Depute Chief Executive (Resources and People Services) recording the financial position at the end of the second quarter of financial year 2016-17.

Mr Lamond presented the report, providing an overview of the Quarter 2 position. He drew attention to General Services Revenue, which showed a 0.7% underspend. There had been significant overspending within the Health and Social Care Directorate with Adult Wellbeing services reporting an overspend of just over £1 million. Two service areas, Adult Wellbeing and Children's Wellbeing, continued to be categorised as High Risk. The Landscape and Countryside Service continued to be categorised as Medium Risk. He also gave details of the position as regards the Housing Revenue Account and General Services Capital budgets. He reported that there had been a mixed financial performance across service areas with a number of favourable variances. The overall position was satisfactory but finely balanced and remained extremely challenging.

Mr Lamond responded to questions from Councillor Currie regarding the Adult Wellbeing figures and pressures in this sector. In relation to planned efficiencies he confirmed the figures already built into budgets. Finance Officers were working closely with the service department; there had been delays in getting these efficiencies in position; the programme of measures however remained in place and it was still hoped that they could be delivered.

The budget planning process was ongoing. In relation to the cost recovery plans applied to the two high risk areas, he referenced the report appendix detailing the kind of control measures that would typically be taken also suggesting this would include strict management of staff vacancies and cost avoidance measures for other, non-staffing areas. David Small, Director of the Health and Social Care Partnership, added that there were three main areas of focus within his service area; vacancy management, income maximisation within existing policies and acceleration of existing efficiency programmes.

Responding to questions from Councillor McLennan, Mr Small advised that no specific efficiency savings were planned to any facilities in the Dunbar area; the key elements generally would be reviewing the high cost of packages of care, transport costs and use of accommodation for people with complex support needs.

Referring to the Living Wage, Councillor Akhtar queried the cost of implementing this for East Lothian. Mr Small advised that it would be approximately £1.8 million and that finance had been made available through amended allocation of the social care fund.

Councillor Currie remarked that concentrating on Adult Social Care was correct however concerns had been repeatedly expressed about this sector; he noted the additional emergency funding, but stated that more would be needed in due course. He raised a number of other areas of concern including coastal car parking income, town centre regeneration, support for businesses and non-delivery of Capital Plan projects.

Councillor Veitch stated that it was important to understand that by the end of September there was a 0.7% underspend across the organisation as a whole, this demonstrated sound financial management. The table on pages 21/22 of the report was very helpful; virtually every category was classified as low financial risk apart from the 3 highlighted by Mr Lamond. This reflected the outstanding performance from staff across the Council, all the more impressive against the backdrop of lowering of budgets by the Scottish Government.

Councillor Ahktar noted that most business groups were on target to achieve their required level of efficiencies, stating this was due to efforts of the senior management team and staff.

Councillor Hampshire endorsed comments made by his Administration colleagues; staff should be praised for their efforts in difficult circumstances. Regarding coastal car parking, income generation had been disappointing but new parking enforcement would increase this income, which would benefit countryside services.

Councillor Grant remarked that it was important to note that this was a mid-year review. There were significant challenges within the Adult Wellbeing service, but the issues for East Lothian were in context with what was happening as regards Adult Social Care throughout Scotland and the UK. This was an issue that would need to be looked at carefully during the next budget process. The Council's financial strategy was working; he welcomed the report.

Councillor McLennan, referring to Adult Social Care, stated that efficiencies would only be found by reducing care packages, clients would suffer unless funding was further increased.

The Convener also paid tribute to all staff across the Council, particularly front line staff. He stated that the results had been endorsed by the external auditors who had repeatedly praised the Council for its financial control measures.

## **Decision**

The Cabinet agreed:

- i. to note the financial performance of services at the end of September 2016;

- ii. that Council officials be asked to continue to maintain tight financial control over their budgets with a view to preserving budget underspends between now and the end of the financial year, and that these would either be used to offset any areas of overspending and/or support future year's budgets; and
- iii. to support a £1m non-recurring budget virement from Corporate Management budgets to support Adult Wellbeing pressures and the delivery of a recurring programme of efficiencies.

#### **4. HOUSEHOLD WASTE CHARTER AND CODE OF PRACTICE**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval for East Lothian Council to become signatories to the Scottish Government's Household Waste Charter.

The Service Manager – Waste, Tom Reid, presented the report, informing Members that the aim of the Charter was to support a circular economy and harmonise and improve recycling collection systems across Scotland. The accompanying Code of Practice supported the Charter and set out the outcomes and criteria. Signing up to the Charter was voluntary at present however all Scottish Government grant aid and support was channelled through Zero Waste Scotland and was requisite on councils first signing up to the Charter. Once signed up, councils would be expected to produce a strategic transition plan that would be audited by a panel before acceptance and grant support was allocated.

Councillor McLeod, noting that signing up was voluntary at present, asked if it was likely to become mandatory in the future. Mr Reid replied that, in his view, he would expect it to remain voluntary until the Scottish Government was able to review the position.

Councillor Hampshire stated that the Council's waste management strategy had been very successful, due to the efforts of staff and engagement by the East Lothian public. This Council was one of the most successful local authorities in Scotland in this regard. He added that if the Council was to reach the future 70% recycling target, maintaining public support was crucial.

The Convener agreed that the Council's Waste Strategy was working well; he asked Mr Reid to relay the Cabinet's thanks to his staff.

#### **Decision**

The Cabinet agreed to East Lothian Council becoming signatories to the Household Waste Charter on the following basis, noting:

- i. the priority given to recycling and the desire to further improve/invest in the services provided;
- ii. that becoming a signatory to the Household Waste Charter would facilitate access to grant funding to enhance current recycling service provision;
- iii. that becoming a signatory would enable technical support to be provided by Zero Waste Scotland to enhance current waste service provision; and
- iv. that at a recent residents' panel held to analyse waste and recycling service provision the unanimous opinion reached was that it would be proactive of East Lothian Council to support the Charter.

DRAFT

Signed .....

Councillor Willie Innes  
Council Leader and Convener of the Cabinet



**REPORT TO:** Cabinet

**MEETING DATE:** 14 February 2017

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

**SUBJECT:** Summary of Contracts Awarded by East Lothian Council,  
1 December 2016 – 31 January 2017

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**1 PURPOSE**

- 1.1 To advise Members of all contracts awarded by the Council from 1 December 2016 to 31 January 2017 with a value of over £150,000.

**2 RECOMMENDATIONS**

- 2.1 To note the award of contracts with a value of over £150,000 from 1 December 2016 to 31 January 2017, as listed in Appendix 1 to this report.

**3 BACKGROUND**

- 3.1 Details of all contracts awarded by the Council are lodged in the Members' Library Service. Appendix 1 to this report contains details of all contracts with a value of £150,000 and above which have been awarded since the last meeting of the Cabinet.
- 3.2 Members are asked to note that reports relating to contracts can be accessed via the following link to the Members' Library Service on the Council's eGov system:

[http://www.eastlothian.gov.uk/site/scripts/meetings\\_committees.php?headerID=102](http://www.eastlothian.gov.uk/site/scripts/meetings_committees.php?headerID=102)

**4 POLICY IMPLICATIONS**

- 4.1 None

**5 INTEGRATED IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

**6 RESOURCE IMPLICATIONS**

6.1 Financial - None.

6.2 Personnel - None

6.3 Other - None

**7 BACKGROUND PAPERS**

7.1 None

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<b>DATE</b>	31 January 2017





**SUMMARY OF CONTRACTS AWARDED WITH A VALUE OF £150,000 AND ABOVE  
FOR THE PERIOD 1 DECEMBER 2016 – 31 JANUARY 2017**

<b>Originator</b>	<b>Report Title/Project Summary</b>	<b>Contract Awarded To</b>	<b>Contract Value</b>	<b>Members' Library Reference</b>
Depute Chief Executive (Partnerships and Community Services)	Proposed New Football Pavilion at Ormiston Football Club, Ormiston	Maxi Construction, Ltd, Livingston	£651,332.00	239/16 (December 2016 Bulletin)

31 January 2017



**REPORT TO:** Cabinet  
**MEETING DATE:** 14 February 2017  
**BY:** Depute Chief Executive (Resources & People Services)  
**SUBJECT:** Financial Review 2016-17 Quarter 3

**3**

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**1 PURPOSE**

- 1.1 To record the financial position at the end of the 3rd quarter (period to 31 December) of the financial year 2016-17.

**2 RECOMMENDATIONS**

Members are recommended to note the financial performance of services at the end of December 2016.

**3 BACKGROUND**

**Budget Summary**

- 3.1 At its meeting of 9 February 2016, the Council approved a budget for 2016-17 and an outline budget for the two subsequent years.
- 3.2 The 2016-17 General Services budget can be summarised as follows;
- Assumed levels of Scottish Government general revenue grant of £169.058 million.
  - Planned general services revenue expenditure of £205.038 million.
  - The utilisation of £3.000 million of General Reserves.
  - The requirement to deliver £5.6 million of recurring efficiencies across Business Groups.

## Budget Adjustments

- 3.3 The Quarter 3 position shows a number of service budget movements relating to ongoing service review activity, as well as the additional budget transfer of £1m from Corporate Balances to support Adult Wellbeing budget approved by Cabinet within the Quarter 2 report.
- 3.4 The report also includes a budget adjustment in relation to anticipated funding included within the Revenue Support Grant relating to support additional languages in schools, which has now been confirmed to be £45k lower than expected.

## General Services Summary for Quarter Three – 2016-17

- 3.5 At the end of December, the Service position across all Council departments reflects an underspend against budget of £2.053 million (1.5%). This includes General Services underspend of £1.2M and HRA underspend of £0.9M. A summary of the financial position across each of the Business Groups at the end of December 2016 is detailed at **Appendix 1**. Within this, we provide an overall financial risk assessment based on a review of current expenditure and known financial pressures. The service risk areas remain similar to those identified in Quarter 2 report, with both Adult Wellbeing and Children's Wellbeing still categorised as High Risk, and therefore highly unlikely that these services will operate within approved budgets. In addition, Landscape and Countryside are still categorised as Medium Risk largely due to non-achievement of the income targets for Coastal Car Parking Income. These High and Medium service risk areas will continue to be closely monitored during the remainder of the financial year.
- 3.6 We continue to provide an assessment of the progress in implementing the efficiency measures/savings/increased income required for the 2016-17 financial year, and based on our assessment most of the service areas will achieve their required levels of efficiencies in year. However, Adult Wellbeing remains categorised as 'Red' indicating that there is a high likelihood that budgeted efficiencies will not be realised during the year, and Landscape & Countryside rated as Amber.
- 3.7 At the end of December there has been an increase in the overall council underspend position (including General Services and HRA), from that previously reported at Q2 of £1.324m, to £1.843 million as at December 2016. However, there has been a shift in opposite directions between General Services (£1.302m as at Q2 to £960k) and HRA (£22k as at Q2 to £883k). A summary of the main movements across each of the main service directorates are set out in more detail within the paragraphs below but in broad terms the most significant cost variances relate to staff savings spread across a range of services amounting to nearly £2.068 million coupled with lower than anticipated loan charges across both General Services and HRA. These favourable variances are partly offset by significant overspending on service non-staffing budgets, most

notably Adult's and Children's Services as well as lower than anticipated income in relation to Council Tax yield and Revenue Support Grant.

3.8 At the end of December 2016, **Resources and People Services** were reporting an overall underspend of £1.294 million (1.8%). The Education Group covering; Pre-school, ASL, Primary, Secondary and School Support budgets is reporting an underspend against budget of £890k with more details set out below:

- The Pre-school Education budget is reporting an increased underspend from Q2 position of £53k to that of £201k at the end of December. Most of the increase relates to a combination of; staff vacancies, higher than anticipated income relating to Tots and Teens, combined with lower than anticipated spend surrounding the provision of wider choice relating to additional nursery hours.
- In relation to Primary schools, pressure remains within the Primary 'client' budget relating to the on-going review of Janitorial Services as well as higher than anticipated non domestic rate charges for Primary schools. Despite this, individual Primary Schools collectively are reporting an underspend of £263k, and whilst some schools are expected to deliver a small overspend in year, it is expected that most of these can be accommodated from within previous year carry forward levels.
- The Secondary schools group are reporting an underspend of £344k at the end of December. Within this, the schools are reporting an underspend of £107k, a position similar to that reported at Q2. Two of the six Secondary schools are continuing to report a deficit position, with a further two currently projecting an overspend position at the end of the year. The PPP budget is reporting an underspend position of £231k, in part caused by vacancies within the team alongside a lower than anticipated insurance premium. Current projections indicate that the PPP underspend will remain at a similar level at the end of the financial year.
- Across Council Resources, all service areas are reporting an underspend position as at December 2016. Most of these relate to positive vacancy management measures as well as increased levels of legal and licensing income. There are some emerging demand pressures upon both the Social Welfare Fund and Discretionary Housing Payments but overall, it is anticipated that Council Resources will operate within budget during the remainder of the 2016-17.

3.9 Within the **Health & Adult Care Partnership** Directorate there are challenges across both Children's and Adult's services and both remain categorised as being at High Risk of overspending. As agreed at Quarter 2, in light of the pressures experienced in Adult Wellbeing service and to

support the delivery of a recurring programme of efficiencies, an additional £1m of non-recurring budget identified from within corporate management budgets has now been reflected in Adult Wellbeing.

- With respect to Children's Services, the service area is reporting an increased overspend from the previously reported Q2 position of £80k to an overspend at end of December 2016 of £378k. The service is continuing to manage multiple pressures and current projections suggest there is growing risk of increased overspending during the year. The main pressure areas continue to relate to; an increased number of children placed in external fostering placements and secure accommodation, and recurring high cost Learning Disability packages of care.
  - With respect to Adult Wellbeing, the service is reporting an overspend at the end of December of £690k. This includes a budgeted overspend in relation to MELDAP of £158k, the cost of which will be met from earmarked reserves. As such the adjusted overspend position is around £532k over budget. By far, the most significant contributory factor to the overall service overspend continues to relate to the non delivery of the planned efficiency programme. In addition, there continues to remain financial pressures on a wide number of areas including: costs associated with placements in Residential Homes, and staffing costs to support ELC care homes. Furthermore, pressures remain on the cost of purchasing care at home packages both in terms of demand and complexity of care packages as a result of people living longer.
  - As previously reported, the Health & Social Care Management Team have been asked to prepare Cost Recovery Plans and further review work will be undertaken to ensure these plans are effectively monitored and delivered.

3.10 The **Partnerships & Services for Communities** services are reporting an underspend against budget of just over £944k, excluding the Housing Revenue Account. More details of service areas are set out below:

- Around £1.2 million of this relates to staffing underspends across most service areas.
- The Community Housing (Non HRA) budget is reporting an underspend of £10k as at December 2016. Despite this, there remains a growing pressure on the costs of supporting Homeless individuals, in part increased by the roll out of Universal Credit, which has seen an increase in costs associated with B&B and private sector leasing requirements, the impact of which is being offset by lower demand in relation to Private Sector Housing Grants.
- The Community and Area Partnership services are currently reporting an underspend of £19k as at December 2016, and we

are working with Area Managers to ensure the deliverability of established plans within each of the four partnership areas.

- Despite an overspend of £52k on Arts service area reported as at December, it is anticipated that the service will deliver within budget by the end of the financial year.
- Planning and Environmental Health service is reporting an underspend of £243k as at December 2016. Around half of this relates to staffing with a further £111k relates to higher than budgeted planning income.
- Asset Capital Planning & Engineering services is reporting an underspend of £16k. There continues to remain savings relating to a combination of staff vacancies, and increased rental income, however this in part has been offset by pressures relating to lower than budgeted building warrant income of £120k.
- Economic Development service is reporting an underspend of £220k as at December 2016. Similar to most service areas within the Partnership & Communities Group, the current underspend reflects an element of staff savings amounting to £87k. The remainder is in part due to increased income generated through a combination of non-recurrent grant funding alongside increased income in relation to Adult Education classes.
- Facilities management includes both the Facilities Trading Account and also the wider Facilities services. The Trading Account remains on track to deliver the budgeted level of surplus in part achieved through higher than anticipated income relating to primary school meals.
- Landscape & Countryside Service area is reporting an overspend position of £232k. Most of this is in relation to lower than budgeted income for Coastal Car Parking which has been adversely affected by the delayed implementation of parking decriminalisation. The service has been highlighted as a 'Medium' risk of overspending in the current year and we will continue to work with the service closely monitoring the income levels generated.
- Property Maintenance as at December is £101k over their budget surplus level. An annual increase in the schedule of rates is still to be applied for 2016-17, and it is anticipated that this will boost income and reduce the level of overspend by the year end.
- The Roads, Transportation and Waste services area is currently reporting an underspend against budget of £464k. Most of this relates to an underspend on Waste services largely due to reduced costs associated with landfill as more waste is now being recycled.

- 3.11 In addition to the service areas highlighted below, as at end of December 2016 the **Corporate Income** budgets are reporting an under-recovery against budget of £210k. As highlighted within the Q2 report, gross Council Tax levied continues to be lower than anticipated, largely due to less than expected property completions. In addition, it is now anticipated that the Revenue Support Grant for 2016-17 will be £216K lower than planned budget, largely due to lower than anticipated grant relating to Teachers Induction scheme funding but offset by an additional funding stream in relation to hold back funding relating to Council Tax Reduction Scheme.
- 3.12 The corporate income budget also reflects the transfer of £1 million of budget to Adult Wellbeing service as approved within the Quarter 2 report. This flexibility has been generated through a combination of; lower than budgeted debt charges arising during the year delivered through a wider review of the management of the Loans and lower than anticipated borrowing rates during the year, as well as lower than anticipated expenditure in relation to Council Tax Reduction Scheme. Both of these elements are reflected within the Asset Management line within corporate management budgets set out in Appendix 1.
- 3.13 With regard to the overall Council position, despite reporting an underspend position as at December 2016, there are significant financial pressures across a number of service areas particularly within the Health & Social Care Directorate. In addition, despite the relatively mild winter to date, any changes in weather could place a significant strain upon both road/flood management measures and related budgets. Overall, we will continue to closely monitor the financial position and work with all managers to ensure that overall the Council can deliver its services within available budgeted resources.

### **Housing Revenue Account Summary for Quarter Three – 2016-17**

#### **Revenue**

- 3.14 As at the end of December 2016, the **Housing Revenue Account** reported a significant increase in underspend relative to the Q2 position (£22k under) to £883k against budget. The main movements include:
- Staff vacancy savings account for an underspend of £116k, with the service still to finalise an ongoing service review.
  - Lower than budgeted operating costs, with further underspend on recharges from other Council service areas and lower than expected payments to individuals for decoration allowances which in turn is largely due to low turnover of Council Houses.
  - Pressure on the revenue budget relating to responsive repairs and maintenance, which as at December 2016 is reporting an improved position from Q2 (£462k over) to £170k over. This in part, is influenced by the timing and phasing of repair work. We



will continue to work closely with Housing Managers to review this position closely focussing on essential and Charter-related repairs to ensure that the budget remains within available operational resources.

- In addition, given the wider review of the Council's loans fund, it is anticipated that the HRA debt charges will be significantly lower than budget during the year, with the Q3 position reflecting a underspend of £382k.

### **Housing Capital**

- 3.15 Details of the Housing Revenue Account capital budgets and expenditure as at end of December 2016 are included at **Appendix 3**. The total capital budget approved for the HRA was £22.509 million with actual spend to the end of December 2016 was £13.78 million (61%) with most HRA capital budgets progressing within budget.
- 3.16 The modernisation programme has expenditure to date of £6.49 million or 63% of the planned programme. Many of the contracts are well under way and it is expected that the Modernisation Programme will deliver within budgeted levels by the end of this financial year.
- 3.17 The Affordable Housing Programme has expenditure to date of £6.96 million (63%). This year's programme continues to focus on a number of key strategic sites including: Hallhill Phase 2 and 3; Pinkie Phase 2 and also Mains Farm North Berwick. Despite the Q2 spend levels, it is currently estimated that the programme will deliver an overspend against planned budget by around £1 million. In part this can be accommodated by additional Housing Grant subsidy secured from Scottish Government of around £1m, as well as a large number of sales relating to the end of Right to Buy applications.
- 3.18 As at end of December, three Mortgage to Rent applications have been received and will be progressed during 2016-17, but it remains unlikely that the full budget allocation will be spent within this financial year.
- 3.19 The Housing Capital Programme will continue to be directed by HRA Programme Board which meets on a regular basis to oversee the operational deliver and strategic direction of the programme.

### **General Services Capital Budgets**

- 3.20 The Gross Capital expenditure to the end of December was £10.955m against the approved annual capital budget of £24.568m (45%) excluding year end fee adjustment.
- 3.21 Our current estimates suggest that by March 2017 there is likely to be an under spend of £7.6M, with the majority of this under spend arising from slippage with costs carried into future years.

3.22 A significant number of projects have been delayed due to additional work being carried out prior to project commencement to ensure that individual projects are aligned with the overall asset / service strategy.

3.23 The table below details the main projects where slippage has been identified.

<b>Project</b>	<b>Underspending/ Slippage £'000</b>	<b>Narrative</b>
Port Seton sports hall	250	Extended consultation over Brief along with a savings exercise on the Cost Plan and some complex design issues around the interface of the new extension and existing building have resulted in delays to the design programme. Planning submission will be submitted before the end of 2016 with construction anticipated to be completed within 2017-18 Financial year.
Whitecraig Community Centre	430	Extended Brief consultation with the Bowling Club has resulted in delays to the design programme. Planning submission has been made with an anticipated tender period in February/March and approval to appoint a contractor in April 2017
Red School Prestonpans	524	Change of Brief from Communities Provision to Early Years resulted in delays to the design programme. Tender period will be over December / January 2017 with an anticipated appointment of contractor in March 2017
Support for Business – Land acquisition	200	No firm proposals developed to date
Town Centre Regeneration	351	Town centre strategy is being developed and budget will be re-profiled accordingly
Dunbar Grammar	832	Main contract works now ongoing.
Law Primary	2045	Main contract works now ongoing

New Ways of Working	210	Costs carried forward to support recently approved Court Accommodation project
Cemeteries	887	No land identified.
East Saltoun School/Community Hall	400	Requirement brief being reviewed in conjunction with overall School estates strategy
Parking Improvements	842	Three major projects in North Berwick were identified. However due to ongoing planning issues these projects have been delayed. Projects now expected to be complete in 2017-18.  Additional project in Tranent at feasibility and pre-planning stages but spend not anticipated until 2017-18.

#### **4 POLICY IMPLICATIONS**

- 4.1 There are no direct policy implications associated with this report although on-going monitoring and reporting of the Council's financial performance is a key part of the approved Financial Strategy.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report has been considered and given there is no change in policy direction, there is no requirement to undertake any further impact assessment.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – as described above  
6.2 Personnel - none  
6.3 Other – none

#### **7 BACKGROUND PAPERS**

- 7.1 Council 9 February 2016 – Item 1 – Council Financial Strategy 2016-19  
7.2 Council 9 February 2016 – Item 5a – Budget Proposals – Administration

- Cabinet 13 September 2016 – Item 3 – Financial Review 2016-17 Quarter 1
- Cabinet 20 December 2016 – Item 3 – Financial Review 2016-17 Quarter 2

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<b>DATE</b>	3 February 2017

## Appendix 1

### REVENUE BUDGET PERFORMANCE at 31 DECEMBER 2016

	<u>Budget for the</u> year	<u>Actual for the period</u>	<u>Budget for the</u> period	<u>(Surplus) / Deficit</u> for period	<u>(Surplus) / Deficit</u>	<u>Financial Risk</u> Assessment	<u>Progress with</u> <u>efficiency</u> <u>savings</u>	
<b>Resources &amp; People Services</b>								
Pre-school Education & Childcare	6,379	5,726	5,927	-201	-3.4%	Low		
Additional Support for Learning	8,016	6,631	6,555	76	1.2%	Low		
Schools - Primary	33,969	24,319	24,567	-248	-1.0%	Low		
Schools - Secondary	37,432	26,494	26,838	-344	-1.3%	Low		
Schools Support Services	2,188	1,518	1,691	-173	-10.2%	Low		
Financial Services	1,555	879	1,105	-226	0.0%	Low		
Revenues & Benefits	1,759	1,125	1,153	-28	-2.4%	Low		
Human Resources & Payroll	1,282	957	1,014	-57	0.0%	Low		
IT Services	1,755	1,343	1,361	-18	0.0%	Low		
Legal & Procurement	566	425	452	-27	0.0%	Low		
Licensing, Admin and Democratic Services	2,685	2,028	2,076	-48	-2.3%	Low		
	<b>97,586</b>	<b>71,445</b>	<b>72,739</b>	<b>-1,294</b>	<b>-1.8%</b>			
<b>Health &amp; Social Care Partnership</b>								
Children's Wellbeing	13,096	10,024	9,646	378	3.9%	High		
Adult Wellbeing	48,743	35,388	34,698	690	2.0%	High		
	<b>61,839</b>	<b>45,412</b>	<b>44,344</b>	<b>1,068</b>	<b>2.4%</b>			
<b>Partnerships &amp; Services for Communities</b>								
Community Housing	1,641	1,357	1,367	-10	-0.7%	Low		
Housing Revenue Account (HRA)	0	-11,097	-10,214	-883	0.0%	Low		
Customer Services	3,094	2,800	2,862	-62	-2.2%	Low		
Community & Area Partnerships	7,215	4,345	4,364	-19	-0.4%	Low		
Arts	671	288	236	52	22.0%	Low		
Corporate Policy & Improvement	1,320	973	1,072	-99	-9.2%	Low		
Planning & Environmental Services	2,549	2,729	3,015	-286	-9.5%	Low		
Asset Planning & Engineering	2,291	3,348	3,364	-16	-0.5%	Low		
Economic Development & Strategic Development	3,206	1,565	1,785	-220	-12.3%	Low		
Facility Trading	-97	-1,655	-1,483	-172	11.6%	Low		
Facility Services	3,518	3,194	3,179	15	0.5%	Low		
Landscape & Countryside Management	4,697	4,184	3,953	231	5.8%	Medium		
Healthy Living	3,849	2,566	2,561	5	0.2%	Low		
Property Maintenance	-663	-103	-204	101	-49.5%	Low		
Roads, Transportation & Waste Services	13,277	7,086	7,550	-464	-6.1%	Low		
	<b>46,568</b>	<b>21,580</b>	<b>23,407</b>	<b>-1,827</b>	<b>-7.8%</b>			
	<b>205,993</b>	<b>138,437</b>	<b>140,490</b>	<b>-2,053</b>	<b>-1.5%</b>			
<b>Corporate Management</b>								
Revenue Support Grant (inc. NNDR)	-169,013	-109,215	-109,531	316	0.3%	Low		
Council Tax	-49,039	-49,353	-49,596	243	-0.5%	Low		
Social Care Fund	-4,370	-3,278	-3,300	22	-0.7%	Low		
Debt Charges/Asset Management / Other	20,255	11,269	11,640	-371	-3.2%	Low		
Joint Board Requisitions	669	502	502	0	0.0%	Low		
HRA Transfer	-1,495	0	0	0	0.0%	Low		
Transfer to Reserves	-3,000	0	0	0	0.0%	Low		
	<b>-205,993</b>	<b>-150,075</b>	<b>-150,285</b>	<b>210</b>	<b>0.1%</b>			
<b>Total All Council</b>	<b>0</b>	<b>-11,638</b>	<b>-9,795</b>	<b>-1,843</b>				



## Appendix 2

Financial Risk	Factors	Implications
<b>High</b>	<ul style="list-style-type: none"> <li>- The Business Group has been assessed as likely to overspend in the financial year</li> <li>- There has been a history of overspending within Units / Groups</li> <li>- There are new or revised funding arrangement and / or legislature changes with financial significance</li> <li>- Trading Accounts are in deficit for the year.</li> <li>-Grant schemes, on which the Council is reliant are either unconfirmed or have not been confirmed</li> <li>-The service is demand led and the Council has restricted control over the level and form of service</li> <li>- New Services are planned</li> </ul>	<ul style="list-style-type: none"> <li>-Cabinet &amp; Members Library reports with financial implications are not passed under delegated powers</li> <li>-Directors / Heads of Service will be asked to prepare a financial recovery plan</li> <li>-The Head of Council Resources may take enforcement action to ensure budgetary control</li> </ul>
<b>Medium</b>	<ul style="list-style-type: none"> <li>- There is significant potential that Business Group could overspend in the financial year</li> <li>- There have been previous incidences of some overspending within Units / Groups</li> <li>- There are new or revised funding arrangement and / or legislature changes with financial significance</li> <li>- Trading Accounts are having difficulty meeting financial targets</li> <li>-Grant schemes, on which the Council is reliant are either unconfirmed or have not been confirmed</li> </ul>	<ul style="list-style-type: none"> <li>-Members library reports are only passed when financial implications are addressed</li> <li>-Directors / Heads of Service will be asked to identify actions necessary to ensure expenditure is within budget by the year-end.</li> </ul>
<b>Low</b>	<ul style="list-style-type: none"> <li>-Finances are generally under control for the current financial year</li> <li>-Stable legislature, trading and funding environment</li> <li>-The service is supply led - i.e. the Council can decide the level and form of service</li> <li>-Finances in previous financial years have been controlled</li> <li>-Grant schemes are stable and not anticipated to change</li> </ul>	<ul style="list-style-type: none"> <li>-Members library reports are approved promptly under delegated powers</li> </ul>





	Budgeted (£000s)	Actual (£000s)	Over/(Under) (£000s)
Mortgage to Rent	695	230	(465)
Modernisation Spend (also see below)	10,933	6,492	(4,441)
Gross Affordable Homes spend	10,881	7,068	(3,813)
<b>Gross Total Housing Capital Spend</b>	<b>22,509</b>	<b>13,790</b>	<b>(8,719)</b>
<b>Modernisation Programme - Detailed</b>			
Disabled Adaptations	600	177	(423)
Central Heating	2,100	1,120	(980)
Electrical Re-wiring	1,180	1,116	(64)
Structural surveys	60	26	(34)
Fencing Programme	100	153	53
Energy Efficiency	350	-51	(401)
Kitchen Replacement Prog.	1,600	1,246	(354)
Project Works	350	307	(43)
Roofing / Roughcasting / external fabric	400	357	(43)
Stair Improvement Programme	50	19	(31)
Sheltered Housing	100	1	(99)
Roads / Walkway pre-adoption works	100	74	(26)
Dispersed Alarms	-	2	2
Local Initiatives:Projects	200	10	(190)
Window & Door Replacement Prog.	100	174	74
Bathroom Replacement	2,020	1,373	(647)
Extensions	250	72	(178)
Lead Water Pipes	-	13	13
Asbestos Works	500	231	(269)
IT Projects	-	-	-
Open Market Acquisition Remedial Works	-	50	50
Service Improvements	200	22	(178)
Internal Fees	673	-	(673) Allocated across the Projects
<b>TOTAL</b>	<b>10,933</b>	<b>6,492</b>	<b>(4,441)</b>



Name of Project	Budget for the	Actual for	Over/(Under)
	year	the period	(£000s)
	£000	£000	£000
Crookston Care Home	80	134	54
Haddington Town House - Steeple Work	13	59	46
Torness Strategic Coordination Centre	15	51	36
Property Renewals	900	486	(414)
Port Seton Sports Hall	300	3	(297)
Whitecraig Community Centre	440	-	(440)
Community Intervention	200	-	(200)
Prestonpans IS	377	-	-
Red School Prestonpans	574	7	(567)
Support for Business - Land Acquisition/Infrastructure/Broadband	200	-	(200)
Support for Business - Mid Road Industrial Estate	22	6	(16)
Town Centre Re-Generation/Growing our Economy	481	-	(481)
Acquisition of St. Josephs	-	-	-
Dunbar - Lochend Campus/Additional Classrooms	570	554	(16)
Dunbar Grammar	1,126	294	(832)
Secondary School Communication Provision	78	-	(78)
Letham Primary (temp prov'n Knox Academy)	131	-	(131)
Letham Primary	100	-	(100)
Pinkie St Peter's PS Extension	214	211	(3)
Law Primary School	3,845	866	(2,979)
Windygoul PS - Permanent Additional Classrooms	352	-	(352)
Wallyford PS - Temp Units	30	-	(30)
Wallyford PS	500	-	(500)
Replacement Vehicles	1,850	1,178	(672)
Synthetic pitches	98	69	(29)
Pavilions	679	(3)	(682)
Sports Centres - refurbishment & equipment	200	143	(57)
IT Program (corporate and schools)	1,375	1,010	(365)
Core Path Plan Implementation	50	191	141
Polson Park restoration	-	-	-
Polson Park restoration	40	-	(40)
Cemeteries - Extensions/Allotments	887	-	(887)
Coastal Car Parks/Toilets	150	-	(150)
PepperCraig Depot Haddington	-	-	-
Coastal Protection/Flood	197	1	(196)
Promenade Improvements - Fisherrow	23	-	(23)
Pencaitland Footpaths	60	-	(60)
Cycling Walking Safer Streets	112	-	(112)
East Linton Rail Stop/Infrastructure	25	-	(25)
Roads	5,400	4,571	(829)
Parking Improvements / North Berwick phase 1	842	-	(842)
Purchase of New Bins/Food Waste Collection	141	105	(36)
Early years provision	339	756	417
Construction Academy	295	242	(53)
New ways of working	414	22	(392)
Prestonpans Shared Facility	93	-	(93)
Carberry Landfill Gas management	250	-	(250)
Town Centre Toilets re-furbishment/New Provision	100	-	(100)
East Saltoun School/Community Hall	400	-	(400)
<b>sub-total before year end allocations</b>	<b>24,568</b>	<b>10,955</b>	<b>(13,236)</b>
<b>Capital Plan Fees/Internal Recharges</b>	<b>1,370</b>	<b>-</b>	<b>(1,370)</b>
<b>TOTAL</b>	<b>25,938</b>	<b>10,955</b>	<b>(14,606)</b>



**REPORT TO:** Cabinet

**MEETING DATE:** 14 February 2017

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

**SUBJECT:** Various Roads – East Lothian, Introduction and Amendments to Traffic Regulation Orders 2017

4

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## **1 PURPOSE**

- 1.1 To seek Cabinet approval to start the statutory procedure necessary to introduce and amend various Traffic Regulation Orders to prohibit waiting, loading and unloading, introduce 20mph, 30mph and 40mph speed limits and to ban and permit various types of vehicular traffic.

## **2 RECOMMENDATIONS**

- 2.1 That Cabinet approve the initiation of the statutory procedure necessary to introduce and amend Traffic Regulation Orders in accordance with 'The Local Authorities' Traffic Orders (Procedures) (Scotland) Regulations 1999 and such introduction and amendments that are in force in respect of locations and proposals listed within the report and the attached appendices

## **3 BACKGROUND**

- 3.1 East Lothian Council, as Local Traffic Authority, is responsible for the making or amending of Traffic Regulation Orders as necessary; to avert danger to road users; to prevent damage to the road; to aid free unrestricted movement on the road; to prevent inappropriate use of the road and/or adjoining property, improve road safety and amenity of the area.
- 3.2 Following the introduction of decriminalised parking enforcement and the consolidation of Traffic Regulation Orders, a review of restrictions has highlighted a number of areas that require amendment. Details are provided in Appendix A.
- 3.3 To facilitate safer access and egress arrangements from proposed housing development sites, it is proposed to extend the existing 30mph speed limits as detailed within Appendix B.

- 3.4 It is proposed to introduce an experimental 20mph speed limit in Dunbar for a period of 18 months and monitor the effectiveness and acceptability of this speed reduction measure by the wider community. This proposal is being promoted following consultation with Dunbar Community Council. Appendix E refers to the extent of the proposed 20mph limit.
- 3.5 To control parking at electric vehicle charging points it is necessary to introduce time restrictions of a 4 hour maximum stay with no return within the next 1 hour. Appendix C refers to 4 additional sites to be introduced within 2016/17.
- 3.6 To provide continuity and consistency of cycling provision, it is proposed to promote shared cycleway/footway Orders on the A198 between Dirleton and Luffness Mill. Appendix C refers to the extent of the additional shared surface provision.
- 3.7 Following the successful introduction of an experimental traffic order to restrict the movement of vehicles in Countess Crescent, Dunbar during school travel times, Cabinet is asked to approve the commencement of the statutory procedures to make this order permanent and to extend the order to include mid morning nursery school provision. Appendix C –refers to the extent of the road which is controlled under the Order.
- 3.8 Following the successful introduction of 20mph speed limits in Lochbridge road, North Berwick, Muirpark area, Tranent and Whin Park, Cockenzie, Cabinet is asked to approve the commencement of the statutory procedures necessary to make these orders permanent. Appendix B –refers to the extent of the road which is controlled under the Order.
- 3.9 In association with the provision of an electric substation, an area of land at the C122/C125 Innerwick junction is to be stopped up and removed from the list of publicly adopted roads. In addition, a request has been made by a member of the public to stop up a section of the public road allowing the land to be used as a private parking area. In both cases, the land is not necessary and does not need to be maintained by the local roads authority at public expense. There are no access or safety implications or concerns noted.
- 3.10 Following the introduction of decriminalised parking enforcement, Police Scotland are no longer obliged to enforce waiting, loading and unloading restrictions although all moving violations remain their responsibility under the Road Traffic Act. Police Scotland will be consulted as well as all other stakeholders prior to the introduction of the proposed amendments. It is noted that Police Scotland may not endorse all the proposals in particular speed limit changes that do not comply with the National guidance or East Lothian Council's speed limit policy.

#### **4 POLICY IMPLICATIONS**

- 4.1 These proposals will contribute towards The East Lothian Plan - Single Outcome Agreement (SOA) 2013 and our 2 of our strategic objectives - to create, support and maintain a Sustainable Environment and Safe and Vibrant Communities.
- 4.2 These proposals are expected to contribute towards East Lothian's SOA Outcome 7 - East Lothian is an even safer place.
- 4.3 The proposed introduction of speed limits conforms to the Speed Limit Review and Proposed Speed Limit policy dated 9<sup>th</sup> November 2010.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial - All costs involved in connection with consultation, advertising, design, and implementation associated with the making of these Orders can be accommodated within the Housing Strategy and Development project budget.
- 6.2 Personnel - None
- 6.3 Other - None

#### **7 BACKGROUND PAPERS**

- 7.1 None

<b>AUTHOR'S NAME</b>	Peter Forsyth
<b>DESIGNATION</b>	Roads Asset and Regulatory Manager
<b>CONTACT INFO</b>	01620-827724
<b>DATE</b>	30-01-17





**Appendix A****The Amendments of the Prohibition and Restriction waiting, loading and unloading at Various Streets, Traffic Regulation Orders**

<b>No.</b>	<b>Location</b>	<b>Description</b>
1	Court Street, Haddington	Remove taxi rank and return space to 90 min parking provision with no return in 3 hours restrictions
2	Newton Port, Haddington – Doctors surgery car park	To Introduce short stay 90 minute waiting and no return in 3 hours restrictions
3	Various Locations, East Lothian	To introduce enforceable disabled parking bays throughout East Lothian
4	Victoria Terrace, Haddington	To extend no waiting, loading and unloading (DYL) restriction on south side of carriageway to Victoria bridge.
5	Hospital Road, Haddington	To remove the existing access protection marking and replace with no waiting, loading or unloading (DYL) restrictions
6	A199 Bypass road, Haddington	To introduce no waiting, loading and unloading restrictions (DYL) to stop indiscriminate parking practices.
7	High Street, East Linton opposite CO-OP (indiscriminate double parking practice)	To introduce no waiting loading or un-loading (DYL) outside properties 52-54 High Street
8	John Muir House, Haddington	To promote an Order to make enforceable no waiting, loading and unloading restrictions (DYL) in and around the John Muir House campus.
9	Belhaven Bay, Belhaven	To introduce limited waiting restrictions into car park area at the north end of Shore road.
10	Quality Street, North Berwick	To remove the existing bus stop and markings and introduce restrictions to control 5 no. 90min

		limited waiting parking spaces.
11	High Street, North Berwick (outside Police station)	To introduce short stay 90 mins restrictions with no return in 3 hours
12	Forth Street, North Berwick (o/s No. 2 )	To extend the no waiting, loading and unloading restrictions to prohibit parking over access.
13	Pointgarry Road, North Berwick	To introduce a bus/coach drop zone designated for buses and coaches only
14	Kirk Port, North Berwick	To introduce limited waiting restrictions 90 mins no return to spaces to rear of footpath north side.
15	B1346 High Street, North Berwick	To amend the existing waiting, loading and unloading restrictions on the south side of the High Street between No. 107 -117 to facilitate the safe passage of public transport vehicles.
16	Gullane	To amend the existing Order to extend limited waiting from 45 mins to 90 mins no return
17	A198 – High Street/ Sea Wynd, Aberlady	To introduce no waiting, loading and unloading restrictions at the junction of the Wynd to permit the safe passage of public transport vehicles
18	Brotherstone Wynd, Tranent	To amend no waiting, loading and unloading restrictions to be representative of school travel time limited waiting restrictions
19	High Street, Musselburgh (Pinkie Pillars to Newbigging)	To introduce no waiting, loading and unloading restrictions and include limited waiting where applicable
20	North High Street, Musselburgh (outside Brunton Hall)	To amend restrictions to be reflective of footpath parking and introduce 90 mins no return limited waiting

**Appendix B****The addition of and Amendments to Speed Limit Restriction on Various Roads, Traffic Regulation Orders**

1	B1407 Tynninghame	To introduce a 30mph limit along Main Street Tynninghame from its junction with A198 for a distance of 300m.
2	Dovecot, A6093 Pencaitland Road, Haddington	To introduce a permanent Order for a 40mph speed limit along the full frontage of the development site
3	Letham Mains, B6471 West Road, Haddington	To extend the existing 30 mph limit from the St. Lawrence House bridge to the existing 40mph limit at Gateside commerce park and introduce a 40mph limit from the commerce park to Oaktree roundabout. The amended Orders are necessary to facilitate safe access and egress along extent of the Letham site frontage.
4	U191 Eweford, Road, Dunbar	To Introduce a 30 mph speed limit on the U191 Eweford Road from the A1 to Eweford cottages and the ECML underbridge at Beveridge Row.
5	Spott Road, Dunbar	To extend the existing 30 mph limit from the entrance to the Spott road industrial site to a point approximately 50 m south of Brodie Road, Dunbar
6	Haddington road, North Berwick	To amend existing 40 mph limit to 30mph as currently displayed
7	Priest Bank, Garvald	To extend the existing 30 mph limit from its junction with Westpoint northwards for a distance of 50 m or thereby
8	B6371 Avenue Road, Cockenzie	To extend the existing 30mph limit south of Winton Park to north of Alder Road, Cockenzie
9	A199 Haldane Avenue, Haddington	To extend the existing 40mph

		limit at Alderston road Haddington, westwards for a distance of 200m in association with the development of the East Lothian Community Hospital (Roodlands)
10	A199 Vert Roundabout (west side)	Extend the existing 30mph limit approximately 50 metres westward
11	A1087 – proposed Bowmant Terrace site, Dunbar	Extend 30mph limit on A1087 from the existing limit at Queens Place to Newtonlees farm road a distance of 620m or thereby.
12	A1087 – proposed Bowmant Terrace site, Dunbar	Introduce a 40mph limit on A1087 from the Newtonlees farm road to Broxburn a distance of 650m or thereby.
13	A198 Dirleton Road, North Berwick	Extend the 30mph limit from Dirleton Avenue Existing westward location to past new site access junction
14	B1361 Drummohr road to Preston Grange road,	Extend the 30mph limit from the existing limit at Royal Musselburgh for a distance of 500m westward
15	A198 Haddington Road, Wallyford	Extend the 30mph limit from Wallyford Toll to Dolphinstone Cottages
16	A6094 Salter's Rd, Wallyford	From the Existing limit at Fa'side Ave South to the A1 Interchange. Proposed extension associated with Goosebay, development.
17	A6094 Whitecraig Rd	To extend the existing 30mph limit from the existing eastern 30mph Limit to Whitecraig Roundabout
18	B6415 – Monktonhall road, Musselburgh	To extend the existing 30mph speed limit at from Monktonhall rail bridge to the A1 mini roundabout at B6415 Oldcraighall road (Proposed extension associated with Old Craighall

		Site, Musselburgh
19	U108 Limeylands Rd, Ormiston	To extend the existing 30mph limit 200m westward from the existing limit along proposed development frontage (Tynemount Rd Site, Ormiston)
20	Lempockwells Rd, Pencaitland	To extend the existing 30mph limit from the existing limit at Lamberton Court south approx 250m
21	C111 – Fentoun Gait Road, Gullane	To extend the existing 30mph limit at Fenton Gait approx 500m South
22	U148 Ware Road, Dirleton (to Yellowcraig)	To extend the 30mph limit from the existing 30mph speed limit north 40 metres beyond development access, 160 metres north of junction with B1345 Dirleton Road.
23	B6363 Coal Road, Longniddry	To extend the existing 30mph speed limit south, to a point 460 metres south of junction with A198. Existing 30 limit starts 130 metres south of junction.
24	Lochbridge, Road, North Berwick Muirpark, Area Tranent Whin Park, Cockenzie	Introduce of a permanent 20mph limit following the successful trial period

**Appendix C****Amendments of restrictions to control the movement of vehicular traffic or promote Special Prohibition and Restriction of Various Streets, Traffic Regulation Orders**

1	Various Streets, Musselburgh	To introduce a residential parking scheme or Controlled Parking zone (CPZ) on various Streets, Musselburgh
2	Countess Crescent, Dunbar	To Introduce a permanent restriction to control the movement of vehicular traffic during school travel times between Countess road and Countess Avenue, Dunbar
3	Forth View, West Barns School Road, East Linton	Promote an experimental traffic regulation Order to evaluate the effectiveness of vehicular traffic movement restrictions during school travel times.
4	A198 Dirleton to Luffness Mill	Introduce a shared cycle and pedestrian use
5	Penston House, Macmerry Randall House, Humbie hub, Humbie John Muir House, Haddington	Introduce electric vehicle charging points

**Appendix D****To Stop up and Remove from the Public road network**

1	Old Spott Road, Dunbar	To remove a section of publically maintained footpath and re-designate as a privately maintained space.
2	C122/C125 land at Innerwick junction, Dunbar	To remove a section of publically maintained verge and re-designate as private.



# Appendix E Proposed 20 mph area in Dunbar North of railway line





**REPORT TO:** Cabinet

**MEETING DATE:** 14 February 2017

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

**SUBJECT:** Policy on Balloon and Chinese/Sky Lantern Releases

**5**

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## **1 PURPOSE**

- 1.1 Releases of balloons or lanterns can make an impressive sight but pose hazards to wildlife, livestock, humans and property. They are on the increase, often for fundraising, commemorative or celebratory events. Evidence is growing of the damage they cause and it is recommended that East Lothian Council join with an increasing number of local authorities in introducing a policy banning all such releases on Council property, Council owned land and at Council licensed, endorsed or supported events, including those not on Council owned land.

## **2 RECOMMENDATIONS**

- 2.1 Cabinet is asked to:
- 2.1.1 Approve the Policy Statement prohibiting balloon and lantern releases on Council owned land and property; and at events licensed, endorsed or supported by the Council, including those on non-Council land.
- 2.1.2 Authorise the Council as Licensing Authority to attach a condition to all Public Entertainment Licences prohibiting the release of balloons or lanterns at any event covered by said licences.

## **3 BACKGROUND**

- 3.1 The release of helium filled balloons and Chinese/sky lanterns have increased in recent years. These balloons and lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to buildings and cause false callouts to the coastguard.

- 3.2 Under section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit, and then leave, litter. Local authorities have a statutory duty to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.
- 3.3 Over fifty local authorities in the UK now have balloon and/or lantern release policies including Angus, Aberdeen City, Aberdeenshire, Highland, Falkirk, Perth & Kinross, Orkney Islands and most recently Fife. Regional authorities in Canada, USA and Australia have banned balloon releases. Lantern releases are banned in Australia, Malta, Vietnam, Spain and most parts of Germany, and it is also illegal to import or sell them in Austria.
- 3.4 Keep Scotland Tidy, the National Farmers Union Scotland, the Royal National Lifeboat Institution, the Royal Society for the Protection of Birds and the Marine Conservation Society all support and call for bans.
- 3.5 A Policy Statement has been prepared (Appendix 1). It details the issues, alternatives, support from other local authorities and organisations, and how East Lothian Council can comply with the Policy.

#### **4 POLICY IMPLICATIONS**

- 4.1 Recommendations will contribute towards the East Lothian Plan (SOA - outcome 8 East Lothian has High Quality Natural Environments).

[http://www.eastlothian.gov.uk/downloads/file/9787/the\\_east\\_lothian\\_plan\\_single\\_outcome\\_agreement\\_2013](http://www.eastlothian.gov.uk/downloads/file/9787/the_east_lothian_plan_single_outcome_agreement_2013)

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The subject of this report has a positive impact in the environment and as such does not affect the wellbeing of the community or have a significant detrimental impact on equality, the environment or economy.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – There are no financial implications arising from this report. Any additional costs arising from policy will be managed from existing resources.
- 6.2 Personnel – There are no staffing implications arising from this report.
- 6.3 Other – None

## 7 BACKGROUND PAPERS

7.1 Policy on Balloon Releases and Chinese / Sky Lantern Releases –

7.2 **Appendix 1**

<b>AUTHOR'S NAME</b>	Derek Oliver
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<b>CONTACT INFO</b>	Ext: 7286 <a href="mailto:doliver@eastlothian.gov.uk">doliver@eastlothian.gov.uk</a>
<b>DATE</b>	1 <sup>st</sup> February 2017



## APPENDIX 1

### POLICY ON BALLOON AND CHINESE/SKY LANTERN RELEASES



#### 1. Introduction

- 1.1 The release of helium filled balloons and Chinese / sky lanterns have increased in recent years. These balloons and lanterns pose hazards to wildlife and livestock causing injury and death. Lanterns can also cause injury to humans, damage to buildings and cause false callouts to the coastguard.
- 1.2 Under Section 87 of the Environmental Protection Act 1990 it is an offence to throw down, drop or otherwise deposit, and then leave, litter. Local authorities have a statutory duty to enforce this Act with fixed penalty notices and have a responsibility to keep public open spaces free from litter.
- 1.3 This Policy Statement sets out the hazards posed by these releases and examples of incidents. Alternatives to balloon and lantern releases, and support for a ban from other local authorities, companies and organisations are also provided.
- 1.4 This Policy Statement covers all balloon and lantern releases on East Lothian Council owned property and land; and at East Lothian Council licensed, endorsed or supported events, including those not on Council owned land.
- 1.5 Within this policy the term “release” refers to the intentional act of releasing a balloon or lantern into the general environment.
- 1.6 Within this policy the term “balloon” refers to any inflatable flexible bag filled with gas, such as helium, hydrogen, nitrous oxide, oxygen or hot air made from materials such as rubber, latex, natural latex, paper, polychloroprene, foil, mylar or a nylon fabric. This includes all biodegradable balloons.

#### 2. Balloons

- 2.1 Once a balloon has been released it can rise to a height of 5 miles where the pressure and the temperature cause the balloon to undergo brittle fracture. The balloon pieces then float back down but 5-10% do not burst, and float back down whole and partially deflated. Latex balloons are often cited to “degrade as fast as an oak leaf”, which is reported as 6 months. However they can cause significant harm in these six months by entanglement and choking, and take considerably longer to degrade in the marine environment (1).
- 2.2 The following species, all of which occur in the waters off the UK, have been reported with latex balloons in their digestive system: Common Dolphin, Risso's Dolphin, Loggerhead Turtle, Leatherback Turtle, Blue

Shark and Northern Fulmar. (1) Common Dolphin and Northern Fulmar are all present off East Lothian coasts.

- 2.3 The Marine Conservation Society co-ordinate regular beach cleans and litter surveys, as part of their Beachwatch campaign, on beaches throughout the UK on the third weekend of September. Reports can be found on their website: <http://www.mcsuk.org/> (4).
- 2.4 East Lothian Council has a regular volunteer beach cleaner who isn't surprised to find 20 balloon remnants on one beach tide line after an easterly storm; along with other litter items.
- 2.4 Balloons can also cause a choking hazard for livestock as the pieces of balloon, ribbon, string and plastic holder cups fall into grazing fields or fields of hay or straw which are subsequently ensiled.

### **3. Lanterns**

- 3.1. "Chinese" or "Sky" lanterns are made of thin paper held by a wire or bamboo frame and lifted by heat from a naked flame. They pose similar choking threats to wildlife and livestock as balloons do and they also cause false callouts to the coastguard.
- 3.2 Lanterns pose a fire hazard to dry standing crops, stacks of hay or straw, forestry and farm buildings, and thatched cottages. Examples are the recycling plant blaze in the Midlands and a caravan park in Worcestershire, both attributed to lanterns (3).
- 3.2. In Scotland, NFUS has called on all Local Authorities to prohibit the release of balloons and sky lanterns given the dangers they pose (4).

### **4. Alternatives**

- 4.1. Many balloon and lantern release events are planned for fundraising and celebrations. East Lothian Council will offer alternatives, as suggested by Marine Conservation Society:

Flags, banners & pop-ups – When budgets are tight many businesses are realising the benefits of using reusable eye-catching signage. Colourful streamers, flags, banners and other signs save money and time over balloons, string, helium and lanterns.

Balloon sculpture - Turn balloons into something stunning with a hired-in balloon artist or try your own.

Virtual balloons & races - The RSPB have launched a new virtual balloon race where you can design and personalise your balloon and then track it on Google maps.

Pop a balloon - Put a raffle ticket in a few balloons before blowing them up...let them go (indoors) and ask people to pop them...the raffle ticket indicates the prize.

How many? - Fill up a car with blown up balloons and then get people to guess how many there are. The closest guess wins a prize.

## **5. Policy Actions**

- 5.1. All balloon and lantern releases on Council owned land and property; and at events licensed, endorsed or supported by the Council, including those on non-Council land, are prohibited.
- 5.2. East Lothian Council will raise awareness of environmental consequences of balloon and Chinese/sky lantern releases and promote alternatives.
- 5.3. It is the responsibility of all Services to comply with and implement this policy as appropriate to their Service.
- 5.4 It is hoped that publicising the policy and promoting alternatives will also lead to a reduction in smaller scale private releases, as the public become more aware of the dangers they pose.

### References:

1. Marine Conservation Society Pollution Policy and Position Statement:  
[http://www.mcsuk.org/downloads/pollution/beachwatch/MCS\\_balloons\\_and\\_chinese\\_lanterns\\_policy.pdf](http://www.mcsuk.org/downloads/pollution/beachwatch/MCS_balloons_and_chinese_lanterns_policy.pdf)
2. Entanglement:  
<http://www.keepsotlandbeautiful.org/media/58556/balloonlanternstatement2013.pdf>
3. Midlands fire: <http://www.bbc.co.uk/news/uk-england-birmingham-23123549>  
Worcestershire fire: <http://www.bbc.co.uk/news/uk-england-hereford-worcester-25100406>
4. NFUS: <https://www.nfus.org.uk/news/2016/december/councils-applauded-banning-sky-lanterns>  
<http://www.nfonline.com/back-british-farming/love-your-countryside/the-dangers-of-sky-lanterns/>





**REPORT TO:** Cabinet

**MEETING DATE:** 14 February 2017

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

**SUBJECT:** Musselburgh Air Quality Action Plan

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**6**

## **1 PURPOSE**

- 1.1 To seek Cabinet approval of the Musselburgh Air Quality Action Plan and agreement for its submission to the Scottish Government, Scottish Environment Protection Agency and Department for Environmental, Food and Rural Affairs.

## **2 RECOMMENDATIONS**

- 2.1 Cabinet is asked to:
- 2.1.1 note the content of this report, particularly in respect of progress with initiatives and actions to reduce emissions from road traffic sources, and the ongoing reduction in general levels of nitrogen dioxide (NO<sub>2</sub>) concentrations in Musselburgh High Street;
- 2.1.2 approve the Musselburgh Air Quality Action Plan to improve air quality in Musselburgh High Street and note the ongoing work that is being undertaken to further develop the Plan in conjunction with road traffic modelling work that is being undertaken in relation to the Local Development Plan (LDP); and
- 2.2 approve submission of the Musselburgh Air Quality Action to the Scottish Government, Scottish Environment Protection Agency (SEPA) and Department for Environment, Food and Rural Affairs (DEFRA), as required under the Environment Act 1995.

## **3 BACKGROUND**

- 3.1 The Environment Act 1995 requires the UK Government and devolved administrations to publish a National Air Quality Strategy.

- 3.2 A set of air quality standards and objectives has been developed for several pollutants of concern for human health. Standards are concentrations of pollutants that are considered safe for humans and the environment. Objectives are derived from the standards and are a compromise between what is desirable purely on health grounds and what is practical in terms of feasibility and costs. Each objective has a date by when it must be achieved.
- 3.3 The objectives adopted in Scotland for the purpose of Local Air Quality Management are set out in the Air Quality (Scotland) Regulations 2000, the Air Quality (Scotland) Amendment Regulations 2002 and the Air Quality (Scotland) Amendment Regulations 2016. Similar targets are set at EU level, where there are called limit or target values. These are set out in the European 2008 Ambient Air Quality Directive (2008/50/EC) and transposed into Scottish legislation by the Air Quality Standards (Scotland) Regulations 2010. It is the responsibility of EU Member States to achieve the limit and target values.
- 3.4 Since December 1997 each local authority in the UK has a statutory duty to review and assess air quality in their area on an annual basis.
- 3.5 Whenever it appears that one or more of the air quality objectives is unlikely to be met, the local authority concerned must declare an Air Quality Management Area (AQMA), covering the area of concern. The authority must then prepare and implement an Action Plan outlining how it intends to tackle the issues identified. The Plan will include timescales to indicate when the measures will be implemented.
- 3.6 On 14<sup>th</sup> June 2016, Cabinet was asked to note the ongoing work that was being undertaken to develop the Action Plan in conjunction with road traffic modelling work being undertaken in relation to the Local Development Plan (LDP).
- 3.7 A Draft Action Plan was published for public consultation on 31<sup>st</sup> October 2016 and closed on 16<sup>th</sup> December 2016. Scottish Government and SEPA were also consulted.

### **Development of the Action Plan**

- 3.8 Studies have concluded that road traffic is the principal source responsible for the local exceedances of NO<sub>2</sub> within the Musselburgh High St AQMA. However, the latest Annual Progress Report (2016) indicates that there were no exceedances of the NO<sub>2</sub> annual mean objective during 2015; with a downward trend in NO<sub>2</sub> concentrations in the past five years. This may be, in part, as a result of the current measures that have been put in place by East Lothian Council including the Split Cycle Offset Optimisation Technique (SCOOT) traffic management system adopted within the AQMA, work with the vehicle emissions partnership and the ECOstars Fleet Recognition scheme, significant work undertaken by Transportation colleagues to reduce

diesel emissions from the Council fleet, and in particular public transport operators and alteration of bus stop locations. Air quality monitoring will need to be continued to confirm the downward trend and it is likely that the additional measures proposed within this Action Plan will help to reduce NO<sub>2</sub> concentrations further. An Annual Progress Report on Air Quality will be presented to Cabinet, envisaged late summer/Autumn, following SEPA and Scottish Government appraisal.

3.9 Council Services considered the wide range of potential measures for improving air quality within the Musselburgh High St AQMA. The measures were assessed against the following criteria:

- Potential air quality impact;
- Potential costs;
- Overall cost-effectiveness;
- Potential co-environmental benefits, risk factors, social impacts and economic impacts;
- Feasibility and Acceptability

3.10 A total of 13 measures were identified and assessed for taking forward within the Action Plan. The assessments were then considered in total and the measures placed in a prioritised order for inclusion in the Action Plan. The measures and their timescales for implementation are summarised as:

Priority	Measure	Timescale
A	Improving links with Local Transport Strategy	Ongoing
B	Improving links with Local Development Plan	Ongoing
C	AQMA Signage	Short Term
D	Enforcement of idling provisions of The Road Traffic (Vehicle Emission) (Fixed Penalty) (Scotland) Regulations 2003	Short Term
E	Eco-Stars	Short-Medium Term
F	East Central Scotland Vehicle Emissions Partnership	Ongoing
G	Provision of information regarding air quality and travel options	Ongoing
H	Promotion of alternative modes (cycling and walking)	Ongoing
I	Green Travel Plans for large institutions and businesses	Short-Medium Term
J	SCOOT- Split Cycle Offset Optimisation Technique	Ongoing
K	Bus stop relocations on High Street	Short-Medium Term

L	Longer Trains and Platforms at Musselburgh Rail Station	Short-Medium Term
M	Electrification of Lothian Buses in Musselburgh	Short-Medium Term

- 3.11 It is important that, notwithstanding the current situation, the Action Plan must consider Local Development Plan (LDP) impact too. In order to effectively capture and assess the consequential impacts of housing and economic allocations on the AQMA, the Council must finalise technical work to assess the cumulative impacts of proposed growth and the impact of interventions designed to address transportation issues within the LDP itself.
- 3.12 Further feasibility studies will be carried out for a number of traffic management schemes in the Musselburgh area. The studies consist of both traffic modelling and air dispersion modelling which will help inform which schemes to adopt. Further consultation will be carried out on any proposed measures emerging from the LDP as it goes through its adoption process and these may determine Action Plan revisions.
- 3.13 The Action Plan is an organic document and dynamic process that will be under constant monitoring and review.

#### **4 POLICY IMPLICATIONS**

- 4.1 There is a direct correlation between the work being undertaken on air quality management and the development of the proposed LDP particularly in regard to traffic modelling and traffic flow interventions in the context of housing and economic land allocations.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 The Action Plan has a positive impact on the wellbeing of the community and on equality, the environment or economy. The acceptance of the contents of this report will assist the Council in meeting its statutory obligations in relation to Local Air Quality Management.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – In formulating this Action Plan it was necessary to consider the financial implications of the options chosen not only in terms of effectiveness in reducing NO<sub>2</sub> levels but also in the implementation of those options. The capacity to successfully implement an Air Quality Action Plan is heavily dependent upon obtaining adequate funding and resources to deliver the proposed measures. Many of the measures included within the plan are already supported through existing

strategies (e.g. local transport strategy) but may require some additional funding to facilitate modification in line with the requirements of this action plan. For other measures, other sources of funding will require to be secured. Other potential sources of funding include:

- Scottish Government Air Quality Funding;
- Transport Scotland;
- Transport Fund;
- Developer contributions

6.2 Scottish Government grant funding has been awarded for financial year 2016/17 to assist the Council with the development and implementation of its Air Quality Action Plan and initiation of the ECO Stars Fleet Recognition Scheme. Further funding may be available for future financial years.

6.3 Personnel – there will be no immediate impacts upon personnel resources as a consequence of this report.

6.4 Other – none

## 7 BACKGROUND PAPERS

7.1 Cabinet Report – Air Quality Management Area: Action Plan Update (14 June 2016)

7.2 Cabinet Report – Local Air Quality Management – Air Quality Management Area in Musselburgh : Update (21 October 2014)

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<b>DATE</b>	1 <sup>st</sup> February 2017



# East Lothian Partnership

## ACTION NOTE OF THE MEETING OF THE SAFE & VIBRANT COMMUNITIES PARTNERSHIP

**Monday 8<sup>th</sup> September 2016, 2-4pm, Saltire Rooms, East Lothian Council, John Muir House, Haddington EH41 3HA**

### Partnership Members Present:

Vice-Chair: Councillor Tim Day, East Lothian Council (TD)	7a
Monica Patterson, Chair, Depute Chief Executive – Partnerships and Community Services, East Lothian Council (MP)	
Councillor Jim Gillies, East Lothian Council (JG)	
Philip Conaglen (PC)	
July Hayward, East Lothian Tenants and Residents Panel (JW)	
Philippa Barbour, Association of East Lothian Community Councils (PB)	
Linda McNeill, Depute Chief Executive, STRiVE (LM)	
Temp Chief Inspector Matt Paden, Police Scotland (MPa)	

### Others Present:

Dean Mack, East and Midlothian Group Manager, Scottish Fire & Rescue Service (DM)
Ian Rogan, Community Justice Officer, East Lothian Council (IR)
Claire Goodwin, Policy Officer, East Lothian Council (CG)
Paolo Vestri, Service Manager Corporate Policy & Improvement, East Lothian Council (PV)
Stuart Baxter, Area Manager, East Lothian Council (SB)
Simon Davie, Area Manager, East Lothian Council (SD)
Liz Hutcheson, Vice Chair, Fa'side Area Partnership (LH)
Janice McLeod, Member (Support from the Start), Musselburgh Area Partnership (JM)
Iain Clark, Chair, Musselburgh Area Partnership (IC)
Stephanie Kerr, Local Community Planning Officer, East Lothian Council (SK)
Alan Stubbs, Service Manager for Roads, East Lothian Council (AS)

### Apologies:

Councillor Peter MacKenzie, East Lothian Council
Fiona Young, Chief Officer, Lothian & Borders Community Justice Authority
Fiona Duncan, Service Manager Criminal Justice, East Lothian Council
Patsy King, Development Officer, East Lothian Tenants and Residents Panel
David Farries, Local Senior Officer, Scottish Fire & Rescue Service
Sharon Saunders, Head of Children and Adult Services, East Lothian Council
Caroline Johnston, Governor Edinburgh Prison, Scottish Prison Service
Chief Superintendent Ivor Marshall, Divisional Commander, Police Scotland

**1. Draft Action Note of the meeting on the 17<sup>th</sup> March:** The Action Note of the S&VCP of 27<sup>th</sup> June 2016 was approved

**2. Matters arising:**

Update on action for FY / IR to feedback on discussions re Scottish Courts Service and Crown Office & Procurator Fiscal Service attendance at future Reducing Reoffending Board meetings – IR will provide as part of wider report (see 3a below)

**3. Draft Performance Report 2015/16: Outcomes 7, 8, 9 & 10**

Claire Goodwin spoke to the report.

**Notes /Actions**

- CG noted that most of the data needed in relation to the indicators in the Draft Performance Report has been provided. Information is still needed for the narrative for the report – CG will contact Accountable Officers / Delivery Leads in relation to this – **Action CG**

**4. Outcome 7: East Lothian is an even safer place**

**4a. Reducing Reoffending Board Update**

Ian Rogan spoke to the report.

**Decisions**

The S&VCP members agreed to the following recommendation:

1. Note the Progress Report - **Agreed**

**Notes / Actions**

- Organise additional / separate Reducing Reoffending Board meeting – **Action IR**
- IR noted that the Scottish Courts Service and Crown Office & Procurator Fiscal Service will be working on a regional basis, attending more local Board meetings when necessary – Community Justice Scotland will ensure that Courts Service Procurator Fiscal Service involvement takes place
- IR suggested that an additional Reducing Reoffending Board meeting be held between S&VCP meetings, probably at some point in October
- IR noted that the National Strategy for Community Justice will be launched on the 24 November 2016
- IR noted that guidance for partnerships is now available on the Knowledge Hub – some of the guidance is statutory
- Outcomes will include a combination of structural and person centred outcomes and a self evaluation framework will be introduced



- A new funding formula for section 27 funding will be introduced – it is not expected that East Lothian will face immediate cuts and there will be a 5 year transition period
- Funding for training and development, MAPPA and programmes such as Caledonia will be held nationally
- Work will be progressing on the development of a local offending profile – this will include trying to identify those who are ‘not in the system’ – i.e. those who have been involved in and at risk of reoffending but haven’t gone through official Procurator Fiscal / Court channels – no involvement with Criminal Justice (although other agencies may be involved)
- Currently there is an issue with Partnership Analyst not being able to access the Police system, but this should be resolved in January
- IR identified that some discussion had been taking place with the homelessness service and MELDAP re developing an ‘Oxford House’ approach to accommodation, funding could, however, be an issue
- IR suggested ‘reintegration model’ would be key – teaching skills to help offenders reintegrate into society
- IR made reference to the Project Plan / Risk Log and noted that there are no risks identified as ‘red’ (high risk) and that work is developing in a positive direction
- IR then delivered a presentation on the Level of Service / Case Management Inventory (LS / CMI) Profile – this will be useful for building a profile of ‘known offenders’ – i.e. Criminal Justice clients, but doesn’t cover those who have committed offences but haven’t been formally processed through the criminal justice system
- IR agreed to find out why mental health doesn’t feature highly in the LS / CMI
- SB asked about measures of poverty – IR said he would be looking at poverty stats
- PC suggested that it would be necessary to look at the LS / CMI stats against whole population / other demographic group comparators - age profile of offenders also needs to be considered
- PV asked whether postcodes were available for the CJ clients in the LS / CMI profile so that they could be matched to SIMD – IR suggested Criminal Justice Social Work may have this
- DM asked about membership of the Reducing Reoffending Group – IR identified that there are 16 members at present, but that this doesn’t currently include a Fire & Rescue Service rep. DM suggested that the Fire & Rescue Service would be keen to get involved given their role in running courses for young people at risk of getting involved in offending behaviour – IR has sent meeting dates to David Farries – DM to identify most appropriate member of staff to get involved – **Action DM**
- TD suggested it might be useful to get someone from Enjoy Leisure involved – IR to give this consideration – **Action IR**
- PV suggested Council Sports Development staff might usefully be involved, but also pointed out that it may not always be necessary to actually involve staff in the Reducing Reoffending Group

- IR identified that he had been speaking to Community Learning & Development about the possibility of CLD officers going into custody suites to potentially signpost individuals to services / agencies
- SB asked about community representation – IR suggested that this would be looked at – **Action IR**
- IR noted that a Community Engagement Strategy had been agreed in relation to the reducing reoffending agenda

#### **4b. Minutes of the Police, Fire & Community Safety Committee held on 8 June 2016**

The minutes were noted and Matt Paden provided a further update

##### **Notes / Actions**

- MPa noted that a joint working group had been set up re disorder incidents after a small increase – he will provide an update on this at the next S&VCP – **Action MPa**
- JG asked Police activity in relation to the 20 mph pilot in Fa'side – AS suggested ELC Roads staff would carry out surveys which will be fed back to the Police and that the Road Safety Working Group and CAPPs also flag up any issues to the Police – MPa identified that Police will respond to any hotspots flagged up
- LM asked about the introduction of a Police Youth Volunteering Programme in East Lothian – MPa noted that 2 Youth Community Officers are now in post and publicity for the Programme will begin in November – MPa will keep LM informed – **Action MPa**
- SB noted he has spoken to Tony Collins about integrating the Fire & Rescue Service Local Plan with the Musselburgh Area Plan
- DM noted that the Station Commander / LALO have been working with groups re providing dementia friendly services – have met with dementia friendly groups and day centres

#### **4c. Draft Road Safety Action Plan**

##### **Notes / Actions**

- The S&VCP approved the draft Road Safety Action Plan
- Agreed that Road Safety Action Plan intended audience is partner organisations rather than the general public – it will guide the work of the Road Safety Working Group – therefore, broader consultation / engagement not needed
- PV identified a number of small changes that need made – **Action AS**
- Road Safety Working Group will report back to S&VCP on progress in relation to implementing the Action Plan

#### **5. Outcome 8 – East Lothian has high quality natural environments**

No reports

**6. Outcome 9: Everyone in East Lothian has access to quality sustainable housing**

No reports

**7. Outcome 10 – We have stronger, more resilient, supportive, influential and inclusive communities**

**7a. Area Partnerships – Update on Progress Developing the Area Partnerships**

Stephanie Kerr, Stuart Baxter and Simon Davie spoke to the report

**Decisions**

The S&VCP members agreed to the following recommendations:

- That members note the range of work underway in these Area Partnerships and where the devolved budgets are being used - **Agreed**
- That members consider and approve both the Musselburgh and Fa'side Area Plans – **Agreed**
- Members receive a verbal report focussing on the work underway in Musselburgh and Fa'side Area Partnerships – **Agreed**

**Notes / Actions**

- Iain Clark, Janice McLeod and Liz Hutcheson introduced themselves and explained their roles in relation to Musselburgh & Fa'side Area Partnerships. They then described some of the key activities of the Partnerships over the previous year (and detailed in the report)
- LM suggested that Area Partnerships might want to nominate members for the STRiVE annual volunteer awards

**7b. Verbal update on STRiVE review and Volunteer Action Plan**

**Notes / Actions**

- LM identified that Hannah Axon is back in post and will be moving forward with the Volunteer Action Plan – partner organisations will be approached re getting involved
- Volunteer Action Plan will be promoted with Area Partnerships, the Community Learning and Development Forum and with Secondary Schools
- LM identified a small drop in the number of people saying they regularly volunteered – she suggested this might partly be due to more people being in employment and those not in employment having more complex needs, so requiring support to volunteer – LM noted these factors are covered in the Action Plan
- LM noted that work is still underway to review how the third sector in East Lothian should be represented on community planning structures – a report will be presented at

the STRiVE annual conference and will then be presented to the East Lothian Partnership

- LM also noted that a national review is underway looking at the third sector

**NEXT MEETING: Monday 12<sup>th</sup> December 2016, 2-4pm, Saltire Rooms 1 & 2, John Muir House, Haddington**

# East Lothian Partnership

## ACTION NOTE OF THE MEETING OF THE SUSTAINABLE ECONOMY PARTNERSHIP

**Wednesday 21 September 2016, 14.00-16.00, Saltire Rooms 1 and 2, John Muir House, Haddington**

**7b**

### Partnership Members Present:

Nigel Paul, Chair (NP)  
 George Archibald, Mid and East Lothian Chamber of Commerce (GA)  
 Manuela Calchini, Visit Scotland (MC)  
 Robert Carr, co-opted member (RC) (part)  
 Phil Ford, Skills Development Scotland (PF)  
 Angela Leitch, East Lothian Council (AL)  
 Councillor John McMillan, East Lothian Council (JMCM)  
 Andrew White, Federation of Small Businesses (Vice Chair) (AW)  
 Jonathan Wilson, Scottish Enterprise (JW)

### Others Present:

Douglas Proudfoot, East Lothian Council, ELC (DP) (part)  
 Esther Wilson, East Lothian Council, ELC (EW)

### Partnership Members Apologies:

Margot Crosbie, Skills Development Scotland  
 Councillor Stuart Currie, East Lothian Council  
 Niall Corbett, Scottish Natural Heritage  
 Councillor Norman Hampshire, East Lothian Council  
 Gordon Henderson, Federation of Small Businesses  
 David Milne, Scottish Government

### 1. WELCOME/APOLOGIES

NP welcomed Partnership members to the meeting and apologies were noted. NP suggested that as DP had to leave at 2.45pm, the agenda item on Edinburgh and South East Scotland City Region Deal (ESESCR Deal) be moved up the agenda and taken after Matters Arising.

### 2. MINUTES OF THE PREVIOUS MEETING

The minutes of the SEP of 15 June 2016 were agreed as an accurate record.

### 3. MATTERS ARISING – Action Log

Long term action around development of performance framework (carried forward)	Carried forward – likely to be picked up through review process for East Lothian Plan
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	within context of creating new Local Outcome Improvement Plan (LOIP)
ELC to consider how they can remove insurance/PVG/Disclosure barriers to private sector participating in providing work placements	ELC currently commission Gateway Work Experience Services to secure and negotiate work experience placements. Employers have to meet a range of requirements in relation to Employers and Public Liability Insurances. A letter of understanding underpins between the council's and employers sets this out. This refers to an agreement between all insurance companies who are parties to the Association of British Insurers that they will provide automatic indemnity to providers of work experience placements. Work continues with other authorities to identify best practice in this area. There are no requirements on employers as regards PVG unless this is required to undertake the job.
ELC to report on transport and access to college	EW outlined issue in relation to public transport and college access. Opening of Construction and Technology Centre is partly a response to this. Statistics show EL participation levels in FE slightly lower than Midlothian and Edinburgh but comparable. AL reported that new bus services operated by East Coast buses had provided an opportunity to change services and this helped. Part of ESESCR Deal skills workstream is looking at how to expand discount travel to Young People and those accessing entry level jobs. The East Lothian Poverty Commission is due to report shortly and any recommendation in relation to transport and access will be closely reviewed.
EL Visitors Survey to be circulated	Complete. MC highlighted tourism opportunity through growing number of overseas tourists visiting EL, particularly through promotion of the John Muir Way.
AL to facilitate discussion between consultant leading on business engagement as part of Edinburgh and South East Scotland City Region Deal and business focused SEP members	AL asked if any Partnership member had received an invitation to an event in Edinburgh on 27 <sup>th</sup> Sept – 'City Vision 2050'. General consensus was no. Pick up under ESESCR Deal.
AL to contact BT to set up a meeting between BT and SEP delegation	AL has spoken with Brendan Dick and will organise a date to be circulated to SEP members to see who can attend.
MC to bring forward update report from DELYW for September meeting	On agenda
Any partner interested in oversight role in relation to Economic Development Strategy Review to advise EW.	NP and JW expressed interested. GH had offered his input at previous meeting.

**THE EAST LOTHIAN PLAN (SOA 2013) – THIS PARTNERSHIP’S OUTCOMES**

**4. Update on Priority Action Areas Outcome 1: East Lothian has a growing and sustainable economy**

**a. Priority Areas 1 (Employability) and 2 (Company Growth)  
Edinburgh and South East Scotland City Region Deal Update**

DP provided an update. Key reference document is report which was presented to Council on 28<sup>th</sup> June.

The basis of negotiation is currently centred on the proposition of 4 interconnected investment programmes – HE/FE sector led Innovation Hubs, Infrastructure, Regional Housing Programme and Culture and Tourism Programme. There are a number of cross-cutting programmes underpinning the investment programmes – skills, digital, low carbon. An approach to leadership and governance is also set out.

Negotiation workshops have been held with UK and Scottish Government’s over the summer to take forward a negotiated position.

It was clear that BREXIT had caused a significant additional uncertainty but reassurance has been provided that a Deal can be negotiated.

PF reported that through collaborative engagement on skills, SDS have appointed consultants to engage with employers around future skills requirements.

GA reported that 5 Chambers were collaborating to provide private sector feedback and input.

MC reflected on her attendance at the Culture and Tourism Workshop.

AL reflected that she was satisfied that within the Deal proposition as it stands, there are significant positive interventions for the county.

AW reflected that businesses would prefer to be engaged earlier rather than later.

Within the bounds of confidentiality, it is important that we are not locked into a position which can’t be shifted if more extensive feedback indicates a change in investment priorities is required.

<p><b>Decision on the Recommendation/Action</b></p> <p><b>Action</b></p> <p>- EW to circulate link to Council Report</p>
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## 5. BREXIT

All round the table were asked to reflect on current thoughts regarding BREXIT.

MC - immediate concerns were around how people will access/enter the UK in the future and how easy or difficult this may be and potential impact on tourism. Currency fluctuations have been advantageous as there has been an increase in international visitors. The 'staycation' is increasing again and EL should benefit from this. Key area of promotion is John Muir Way to US visitors.

GA – v. little positive/negative feedback as nothing much has practically changed. Perception that immigration will be a problem in terms of access to workforce. Currency fluctuations have affected a number of businesses but this will always be the case and at any point there are positive and negative impacts.

JW- at macro level, currency fluctuations are an issue and things are likely to get expensive to purchase. Potential impacts on inward investment – Edinburgh is second only to London in terms of attractiveness. Need to create business conditions to compete with Europe. UK's exit may lead to a different EU. Consequences are likely to take a decade.

AL – in some ways another additional to a significantly changing environment. Lack of clarity challenging. Potential opportunity for devolution of powers to local level, increased move to regionalisation? While it may provide an ability to take a fresh look at some areas such as procurement, nothing will change immediately and likely that status quo will remain to facilitate trade agreements. EU funding a significant area – Tyne and Esk LEADER, Business Gateway Plus, ESF, Fisheries. Not clear of commitment to future funding nor how will be distributed. Concern regarding movement of labour and local sectors reliance on migrant workers.

Horizon 2020 Funding – collaboration between UK and EU HE to access this has broken down, hopefully only in the short term. This is significant as 25% of direct funding for HE comes through this route.

JMcM reflected on a meeting with the Secretary of State for Scotland which he attended in August. Key issue is how can we influence and put forward views through negotiation process. Immediate concerns around EU funding streams. Particular communities feel particularly uncertain regarding their future in the UK. Twinning remains important. Should we revisit joining China/Britain Business Bureau?

PF – engagement through industry leadership groups as part of refresh of Skills Investment Plans. Labour in particular an issue for tourism and financial service sectors. In life sciences there is a concern RE EU Grants/R+D.

AW - local feedback reflected what we've heard RE currency fluctuations and also that there had been an influx of tourists to the Edinburgh area.

RC – scenario planning is important. Potential early UK General election in 2017? What risks are there to City Region Deal – important that business community supports. Important for all partners to speak with one voice RE risks around BREXIT, identifying particular areas of concern and not underestimating the impact on social cohesion.



Scottish specific solutions may be required and important that we influence where we can.

NP summed up key messages as follows:

- Entry into UK – impact on tourism and labour
- How we influence to ensure that as things change we are identifying issues and articulating these
- Important to reinforce business confidence

A partnership BREXIT event was discussed to inform key messages, perhaps focused around questions to businesses:

‘What questions do you want us to ask?’

‘What help do you think you will need?’

**Decision on the Recommendation/Action**

**Action**

- AL/RC to formulate and take forward BREXIT event

**6. Working Draft SOA Performance Framework – Outcomes 1-3**

EW spoke to the report circulated, providing explanation for the areas of poorer performance and changes in national indicators around unemployed people accessing council funded/operated programmes and those entering employment thereafter. JW requested that these indicators be expressed as % of unemployed people to get a sense of how many people were accessing services.

Areas of future focus were touched on. There was a sense that more could be done to develop more businesses, particularly around enabling development of employment land and this is a priority area for the Partnership for this year. There was also reflection on refresh of the East Lothian Economic Development Strategy and how this links to other areas delivering wellbeing. Harry Burns has just been appointed as independent Chair of national review into targets and indicators for health and social care.

Again, it was reflected that many of these measures are proxies and there are drawbacks to the extent we have information to draw on. Connections to other areas were also reflected on.

AL reflected on a meeting she'd had this morning with the UK Director of the DWP, regarding EL pilot for the introduction of Universal Credit. There is some evidence that the process of transferring from JSA to UC is generating greater poverty.

**Decision on the Recommendation/Action**

**Action**

- All to provide feedback to EW on draft Performance Report by close of play on Friday 30 of September.

- EW to circulate links to draft performance reports of other Partnerships.

**7. Update on Priority Action Areas Outcome 1: East Lothian has a growing and sustainable economy**

**a. Priority Areas 1 (Employability) and 2 (Company Growth)**

**Major Projects Update**

Cockenzie – masterplanner appointed (Peter Brett Associates), inception meeting held and work commenced.

QMU Innovation Park – plans progressing.

**SEP Company Visits**

Remainder to be concluded and report brought back.

**b. Priority Area 1 – Employability**

Developing East Lothian’s Young Workforce

PF provided an update, highlighting the following areas:

- Lack of Common Timetabling across secondary schools in East Lothian remains a barrier to developments
- Construction and Technology Centre opened in Musselburgh, with formal launch in October.
- Edinburgh College contracted to deliver Foundation Apprenticeship programmes in Financial Services, Civil Engineering, Software Development and Business Skills to pupils in East Lothian, Midlothian and Edinburgh. Due to lack of update, only FA in Financial Services was viable.
- Developing the Young Workforce Regional Group in place. Successful Jobs Fair organised in Spring with successful outcomes for young people – next event planned for February 2017. An online digital platform has been created in partnership with SDS. This pilot will enable better communication and collaboration between educators and employers. There are currently 30+ opportunities advertised across the 3 authorities.

**c. Priority Area 2 – Company Growth**

Employment Land

EW updated that East Lothian Proposed Local Development Plan approved at Council earlier this month which approved the employment land allocations discussed at an earlier meeting. There was points raised at Council around the amount of employment land allocated in North Berwick.

**8. SEP Forward Plan**

- **Agenda Items for Future Meetings**
- ***Employability and Company Growth***
- Edinburgh and South East Scotland City Region Deal
- Major Projects
- Regional Skills Assessment
- Connection between quality of public service provision, the economy and productivity.
- Connection between early years development/support and skills development
- Tourism and Food and Drink
- Scottish Rural Parliament Action Plan and Scottish Government Response
- QMU to be invited to do presentation on Innovation Park proposals
  
- ***Employability***
- Report from Developing East Lothian's Young Workforce Group
  
- ***Company Growth***
- SE Activity Report
- Food and Drink Business Improvement District
- Tourism: Digital Marketing Strategy
- Report for East Lothian Investments and East Lothian Land.

## **9. A.O.C.B**

JMM updated in relation to Rural Broadband Project. £1.25m was committed by Broadband Scotland to deliver to 1800 premises then an additional £1.75m to 4000 premises. ELC were at an advanced stage of working with CBS and FarrPoint. The new R4100 project announced by the Scottish Government recently which committed to connecting 100% of rural areas and the ELC project is now on hold as a result. ELC have been told that they will be advised of the Scottish Government's plans by the beginning of October. ELC have written to Fergus Ewing and asked that the matter be considered as a matter of priority and ELC case in particular.

PF advised that refreshed Regional Skills Assessment data would be released in early October.

## **10. Items for Information**

These were noted.

**NEXT MEETING: 7 DECEMBER 2016, 14.00-16.00**