



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

**TUESDAY 28 FEBRUARY 2017  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

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

**Council Officials Present:**

Mrs A Leitch, Chief Executive  
Mr A McCrorie, Depute Chief Executive (Resources and People Services)  
Mrs M Paterson, Depute Chief Executive (Partnerships and Community Services)  
Mr D Small, Director of East Lothian Health & Social Care Partnership  
Mr J Lamond, Head of Council Resources  
Mr R Montgomery, Head of Infrastructure  
Mr D Proudfoot, Head of Development  
Mr J Cunningham, Service Manager – Benefits  
Mrs K MacNeill, Service Manager – Licensing, Admin & Democratic Services  
Mr P Zochowski, Principal Planner (Policy & Projects)

**Visitors Present:**

Mr Ian Thomson, Historic Environment Scotland (for Item 7)

**Clerk:**

Mrs L Gillingwater

**Apologies:**

Councillor D Berry  
Councillor T Trotter

**Declarations of Interest:**

None

## **Order of business**

Prior to the commencement of business, the Provost announced that the Chief Executive would provide a verbal update to Members on a private item of business, as a matter arising from the Council meeting of 20 December 2016. This item would be considered as the final item of private business.

### **1. MINUTES FOR APPROVAL**

The minutes of the Council meeting specified below were approved:

#### **East Lothian Council – 20 December 2016**

*Matter arising: Item 7 (Update on Welfare Reform and Universal Credit)* – Councillor Innes reported that, following the meeting, he had written to Damian Green (UK Government Work and Pensions Secretary) and Angela Constance (Scottish Government Cabinet Secretary for Communities, Social Security and Equalities), raising concerns about the implementation of Universal Credit. He advised Members that both governments were keen to engage with the Council as regards the rollout of Universal Credit. He further noted that he would be meeting with Jeanne Freeman (Scottish Government Minister for Social Security) to discuss this issue, and that a meeting had been arranged by CoSLA with the Department for Work and Pensions, at which the Council would be represented.

John Cunningham, Service Manager – Benefits, provided a detailed update on developments since the Council meeting in December, advising that:

- additional provision had been made in the 2017/18 budget to alleviate the DWP subsidy losses and enhance the Council's rent collection capability
- the Welfare Rights Team had been transferred to the Revenues Service to better align services
- the Council Leader's request to suspend the housing costs element of Universal Credit had been refused, as was a request to reconsider this proposal for 18–21 year olds
- as regards a request for financial recompense from the UK Government for lost of Council Tax and rental income, the UK Government would be prepared to consider evidence from the Council relating to these costs
- a request had been made for the Scottish Government to use its recently devolved powers to: have the housing cost element of Universal Credit paid direct to landlords; take immediate steps to redesign the Council Tax Reduction Scheme to better align with Universal Credit; and consider the implications of Universal Credit on the funding of the Scottish Welfare Fund, Discretionary Housing Payments and Social Care budgets (these issues would be discussed with the Scottish Government Minister for Social Security).

Councillor Currie asked if Members could have access to the correspondence concerning this matter; the Chief Executive agreed to this. She also undertook to provide Members with regular progress reports on this matter by way of Member briefings.

Councillor Akhtar highlighted the urgency of resolving the issues experienced in East Lothian in relation to the introduction of Universal Credit.

### **2. MINUTES FOR NOTING**

The minutes of the meetings specified below were noted:

#### **Local Review Body (Planning), 17 November 2016**

## **Local Review Body (Planning), 19 January 2017**

### **3. DRAFT EAST LOTHIAN COUNCIL PLAN 2017–2022**

A report was submitted by the Chief Executive presenting the Draft Council Plan 2017–2022 for approval.

The Chief Executive presented the report, reminding Members that a similar report had been brought to Council prior to the 2012 local government election, and that the purpose of the report was to enable an effective transition from one Council term to another. She advised that service planning activity would be taking place between March and May, and that having an agreed direction would enable Heads of Service and their teams to set out their service plans, as well as assisting with the PRD process. She explained that the draft Council Plan was based on a strategic analysis and data from a number of sources, adding that chief officers would work with the incoming Administration with a view to presenting a finalised five-year Council Plan to the Council for approval in the autumn.

Paolo Vestri, Service Manager – Corporate Policy and Improvement, went on to summarise the objectives, strategic goals and challenges, as set out in the draft Council Plan.

Councillor Akhtar requested an update on progress made as regards the current Council Plan. Mr Vestri reported that the majority of commitments had been achieved or were at an advanced stage, and that there would be a detailed report on this presented to Cabinet in March.

Councillor Currie commented on the importance of the Council Plan taking account of the incoming Administration's manifesto(s), and asked how officers would ensure that this was achieved. The Chief Executive anticipated that officers would work with the incoming Administration during the summer period, and would merge the manifesto commitments with the broad principles of the Council Plan. She reassured him that officers had been successful in combining the Administration manifestos with the Council Plan in 2012, and that they would work to ensure that this is achieved again this year.

On care for older people, Councillor MacKenzie commented that the Council Plan should highlight the importance of ensuring older people being cared for at home were involved in community activities in order to address issues of isolation and loneliness, as well as the important role played by day centres.

Councillor Veitch welcomed the draft Council Plan, but emphasised the importance of it being focused on the Administration's manifesto(s). He also welcomed the inclusion of the development of a railway station at East Linton, and urged the Council to ensure that this facility is delivered.

Councillor Currie cautioned that a change of Administration may result in the draft Council Plan being subject to significant amendment, as he believed that the manifesto(s) should take priority and that they should not be bound by the draft Council Plan.

Councillor Akhtar stressed the importance of reflecting on the Council's achievements over the past five years and that the new Council Plan should build on those achievements. She suggested that the new Council Plan should reflect the Council's objective of reducing inequalities and should support the retention of education as a local authority responsibility. She reflected on a number of achievements in education and children's services.

Councillor Hampshire thanked staff for delivering the 2012–15 Council Plan, which he believed had been possible due to sound financial management.

There followed a heated exchange, at the conclusion of which Councillor Currie declared that the SNP Group would not now be supporting the draft Council Plan 2017–22, on the basis that he believed the incoming Administration should not be bound by the document.

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

For: 13  
Against: 7  
Abstentions: 1

The recommendations set out in the report were carried.

### **Decision**

The Council agreed:

- i. to approve the Draft Council Plan 2017–2022 (attached as Appendix 1 to the report) as the basis for the development of 2017/18 Service Plans; and
- ii. that the Chief Executive would present a final Council Plan 2017–2022 for approval by the Council following the local government elections in May 2017.

## **4. AMENDMENTS TO STANDING ORDERS – SCHEME OF DELEGATION**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of proposed changes to the Scheme of Delegation.

The Service Manager – Licensing, Admin & Democratic Services, Kirstie MacNeill, presented the report, advising that the proposed changes would provide a wider pool of officers authorised to carry out a number of functions set out in the Scheme of Delegation.

### **Decision**

The Council agreed to approve proposed changes to the Scheme of Administration as follows:

#### *Statutory Appointment of Officers*

Local Government Scotland (1973) Act, Section 33a(3)

Officer the declaration of acceptance of office can be made to: Chief Executive, Service Manager – Licensing, Admin and Democratic Services, and Team Manager – Democratic and Licensing

Local Government Scotland (1973) Act, Section 194

Proper officer for signing deeds and using the Council's seal: Chief Executive, Service Manager – Legal and Procurement, Service Manager – Licensing, Admin and Democratic Services, and Legal Team Leader

*Officer who will carry out duties if the proper officer is not available*

If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer, the Officer who will carry out duties: Service Manager – Legal and

Procurement, Service Manager – Licensing, Admin and Democratic Services, and Team Manager – Democratic and Licensing (in relation to matters concerning the Councillors' Code of Conduct)

If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board, the Officer who will carry out duties: Service Manager – Legal and Procurement; Senior Solicitor; and Solicitor.

## **5. ELECTED MEMBER INDUCTION PROGRAMME 2017**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the Elected Member Induction Programme 2017.

The Service Manager – Licensing, Admin & Democratic Services, Kirstie MacNeill, presented the report, advising Members of the draft Induction Programme, and highlighting sessions that would be compulsory for all Members.

Councillor Currie suggested that a protocol on Members' communication with officers as regards casework should be included. Mrs MacNeill advised that there was such a protocol in place and that she would consider this.

Councillors McAllister and MacKenzie expressed concern at the extent of the Programme. The Chief Executive pointed out that the sessions listed were essential to the work of councillors and that the regular Members' Briefing Programme would continue throughout the year.

The Induction Programme was welcomed by a number of Members, and it was noted that the Programme could be adapted, if required.

### **Decision**

The Council agreed:

- i. to approve the Elected Member Induction Programme, as set out in Appendix 1 to the report (noting that any changes to the dates outlined would be communicated to Members as soon as practicable); and
- ii. that a number of sessions would be compulsory for returning Members, as well as new Members (as outlined in Section 3.2 of the report, and specified in Appendix 1).

## **6. SUBMISSIONS TO THE MEMBERS' LIBRARY, 8 DECEMBER 2016 – 15 FEBRUARY 2017**

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

In respect of Ref: 12/17 – Proposed Demolition of Winterfield Park Pavilion, Dunbar, Councillor Veitch noted that the building was in such poor condition that there was no alternative but to demolish it. He thanked the community council and the Friends of Winterfield group for their support on this matter.

## **Decision**

The Council agreed to note the reports submitted to the Members' Library Services between 8 December 2016 and 15 February 2017, as listed in Appendix 1 to the report.

## **SUMMARY OF PROCEEDINGS**

### **Property/Land Matters**

A report submitted by the Head of Development providing an update on and recommending a way forward as regards the long-term future of Harlaw Hill House, Prestonpans, and its grounds, was approved by the Council.

The Head of Infrastructure provided an update in relation to the proposed purchase of the former Cockenzie Power Station site.