



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

**TUESDAY 22 AUGUST 2017  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Provost J McMillan (Convener)  
Councillor S Akhtar  
Councillor L Bruce  
Councillor S Currie  
Councillor F Dugdale  
Councillor J Findlay  
Councillor A Forrest  
Councillor N Gilbert  
Councillor J Goodfellow  
Councillor N Hampshire  
Councillor J Henderson

Councillor W Innes  
Councillor S Kempson  
Councillor G Mackett  
Councillor K Mackie  
Councillor C McGinn  
Councillor P McLennan  
Councillor K McLeod  
Councillor F O'Donnell  
Councillor T Trotter  
Councillor J Williamson

**Council Officials Present:**

Mrs A Leitch, Chief Executive  
Mr A McCrorie, Depute Chief Executive (Resources and People Services)  
Mr D Small, Director of East Lothian Health & Social Care Partnership  
Mr J Lamond, Head of Council Resources  
Mr D Proudfoot, Head of Development  
Ms F Robertson, Head of Education  
Mr T Shearer, Head of Communities and Partnerships  
Mr S Cooper, Team Manager – Communications  
Ms C Dora, Policy Officer – Community Planning  
Ms F Duncan, Chief Social Work Officer  
Mr C Grilli, Service Manager – Legal and Procurement  
Ms K MacNeill, Service Manager – Licensing, Admin & Democratic Services  
Ms E Shaw, Service Manager – Corporate Finance  
Ms P Smith, Principal Officer (Information and Research) (Education)  
Mr P Vestri, Service Manager – Corporate Policy and Improvement

**Visitors Present:**

Chief Inspector M Paden, Police Scotland  
Ms E Scoburgh, Audit Scotland

**Clerk:**

Mrs L Gillingwater

**Apologies:**

Councillor B Small

Prior to the commencement of business, the Provost announced that Lin Shiells, Senior Printer at the Print Unit had died the previous weekend following a short illness. He also paid tribute to Jan Antoniak, formerly of the Planning Service, and Sheila Sinclair of North Berwick Community Council, who had also died recently.

## **1. MINUTES FOR APPROVAL**

The minutes of the Council meeting specified below were approved:

### **East Lothian Council – 27 June 2017**

#### *Matters arising*

*Item 3* – With reference to the review of coastal car parking charges, Councillor McLennan asked if a timescale for the review had been agreed. Jim Lamond, Head of Council Resources, confirmed that the review would be carried out at the end of a full year of operation.

*Item 1* – Councillor Currie noted that despite confirmation that Councillor Forrest would not be join the Cabinet, the Council's 'Know Your Councillor' leaflet had indicated that he was a Cabinet member. The Chief Executive advised that the information in the leaflet was incorrect.

## **2. MINUTES FOR NOTING**

The minutes of the Local Review Body meeting of 15 June 2017 were noted.

## **3. SUMMARY OF REPORTS APPROVED IN ACCORDANCE WITH SUMMER RECESS PROCEDURES**

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the urgent business undertaken over the summer recess period in terms of the procedures set out in Standing Order 15.5 and in line with the decision taken at the Council meeting of 27 June 2017.

### **Decision**

The Council agreed to note the business undertaken over the summer recess period.

## **4. EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION (EESCR) DEAL**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) providing an update on the focus, scope and scale of the City Region Deal following approval of the Deal Heads of Terms with both UK and Scottish Governments; identifying the level of further work required to formalise the Deal agreement and confirm funding arrangements; bringing into the public domain the summary detail of the Deal arrangements including how they relate to East Lothian; and setting out the next steps to further develop the governance arrangements that would be required to deliver the Deal and, in so doing, provide necessary comfort to both UK and Scottish Government that partner authorities were taking the necessary decisions that would drive economic growth and reduce inequalities across the City Region.

The Head of Development, Douglas Proudfoot, presented the report, announcing that the Heads of Terms for the Edinburgh and South East Scotland City Region Deal had now been agreed and signed by the partners and the UK and Scottish Governments on 20 July. He advised that this agreement confirmed the commitment to achieve full implementation of the City Deal, which would be form a wide-ranging programme of innovation, infrastructure, housing and skills. He indicated that the specific focus for East Lothian would be on financial investment, job creation and the delivery of affordable housing. He drew attention to the joint food and drink project with Queen Margaret University, as well as proposals to improve the road and rail infrastructure and to deliver additional housing, a new primary school, jobs and leisure facilities. He highlighted the importance of delivery key sites, including Blindwells, which was one of seven key sites across the region. Mr Proudfoot set out the next steps in the City Deal process, advising that detailed proposals were now being developed, and would be presented to Council for approval in due course.

Jim Lamond, Head of Council Resources, reported that until agreement on the Heads of Terms had been reached it had not been possible to provide specific details on how the City Deal would impact the Council's finances. He reminded Members that the Council had approved the Capital Plan in February, which had included provision for accelerated growth with the City Deal in mind. Within the Capital Plan, he noted that £10m had been identified for this purpose; however, it was now anticipated that the required investment at Queen Margaret University alone would see the Council committing to expenditure of £10m, and that the Council would therefore be required to make further refinements to the Capital Plan. The situation would be monitored through the quarterly financial reports, and would be brought back to Council as part of the budget-setting process. Mr Lamond also pointed out that there would be a requirement to provide resources to support the delivery of the City Deal programme, and proposed that £0.5m be set aside for this purpose – this could be achieved by reclassifying the amount identified in a report to the Council in June to be added to the Capital Fund. He noted that the decision made by the Council at that meeting would need to be rescinded (requiring the approval of two-thirds of Members) in order for the £0.5m to be used to support the City Deal. He asked the Council to support the reclassification of these resources. There was no opposition to this request.

Referring to the confidentiality agreement that had been in place during the past few months, Councillor McLennan asked if all Councillors would be kept fully informed of City Deal developments going forward, and if there would be further reports to Council. Mr Proudfoot reminded Members that both the UK and Scottish Governments had imposed the confidentiality agreement on all City Deal partners. However, there would be a further report to Council in October in relation to the governance proposals, which should provide reassurance to Members in this regard.

On the establishment of a new regional housing company, Councillor Currie expressed disappointment that more funding had not been directed to this project and asked how this would impact on East Lothian, particularly the proposed development at Blindwells. He also questioned whether the proposed infrastructure improvements at Sheriffhall would meet the demands of the anticipated additional traffic generated by the Shawfair development. He looked forward to seeing further details and spoke of the need to reconsider capital investment planning to meet the requirements of the City Deal. Mr Lamond clarified that the £0.5 million to be set aside to cover revenue expenses associated with staffing and consultancy costs was separate to the funding of projects, and that the funding of capital projects would need to be considered alongside other factors, such as the delivery of the Local Development Plan. He believed that the Council was in a strong position and that further detail would be provided in the quarterly financial reports to Cabinet. Mr Proudfoot added that the delivery of housing was a major challenge across the wider region, and that it would be more effective to tackle this issue collectively. He also advised that engagement with the Scottish Government was positive as regards housing, and that a number of delivery models would be explored. On transportation, he advised that Sheriffhall was a

Transport Scotland asset, and that the proposed Transport Appraisal Working Group would be looking at transport investment priorities.

In response to a question from Councillor Akhtar as regards developing the young workforce, the Chief Executive explained that there would be a workstream dealing with skills and innovation, building on a detailed plan that had been developed over the past three years. She added that there would be a focus on aligning a number of plans to ensure that people across the region would benefit from the City Deal monies.

Councillor O'Donnell welcomed the establishment of an innovation park at Queen Margaret University, and asked about how this would be structured. Mr Proudfoot advised that the business case for the innovation park was fairly well advanced, and that there would be a focus on collaborative working, as well as providing a commercial and retail zone. He noted that the Council would play a significant role as regards manufacturing space, working in collaboration with Scottish Enterprise and Scotland Food and Drink, and putting East Lothian at the forefront of Scotland's food and drink sector. He added that it would be organised in conjunction with the UK Government's post-Brexit industrial strategy.

Councillor Findlay thanked Council staff for their involvement in the City Deal process, and welcomed the investment at Queen Margaret University and in the new Regional Housing Company. He advised that the Conservative Group would provide support to ensure that East Lothian's communities benefit from the City Deal.

Councillor Currie also welcomed the investment, but highlighted the importance of delivering outcomes, particularly as regards economic development and employment. He looked forward to seeing further detail on the investment at Sheriffhall and in housing.

Councillor Hampshire paid tribute to the officers involved in the City Deal and welcomed the investment in the region. He spoke of the importance of ensuring that the transport infrastructure could support the proposed developments, as well as the need to commence the development of Blindwells in order to relieve the pressure on existing communities.

Councillor Innes was encouraged by the cross-party support for the City Deal. He commented that a significant contribution from the Council would be required to deliver outcomes that would benefit East Lothian, but was confident that the Council was in a strong position to achieve this. His comments were supported by the Provost, who welcomed the potential opportunity for East Lothian to be Scotland's leading destination for food and drink.

## **Decision**

The Council agreed:

- i. to note the acceptance of the offer made by UK and Scottish Government to the Edinburgh and South East Scotland City Region partners;
- ii. to note the intended benefits that the portfolio of projects would bring to East Lothian and the wider South East Scotland region;
- iii. to acknowledge that funding would only be released subject to Treasury Green Book accredited outline business case approval;
- iv. to note the requirement for local authority funding contributions, and to approve East Lothian Council's contribution in respect of both the Innovation Park at QMU, the Integrated Regional Skills Programme and the future Housing Programme; and

- v. to note the ongoing development of governance arrangements that would be required to deliver the Deal and to approve specifically the proposed establishment of a Regional Business Council.

## **5. 2017/18 COUNCIL IMPROVEMENT PLAN**

A report was submitted by the Chief Executive presenting the 2017/18 Council Improvement Plan to the Council for approval.

The Service Manager – Corporate Policy and Improvement, Paolo Vestri, presented the report, advising that the Improvement Plan was based on evidence from a range of self-evaluation activities. He noted that there were no actions arising from Audit Scotland's scrutiny work or the Local Scrutiny Plan, and that there were no major concerns about the Council's governance or performance management arrangements. Members were informed that there would be a Best Value Assessment Report in 2018/19, and that the Council had recently successfully undertaken an assessment for the Quality Scotland Committed to Excellence award, which would be followed up with an application for the Quality Scotland Recognised for Excellence award. He drew attention to the action points set out in the Improvement Plan 2017/18.

### **Decision**

The Council agreed:

- i. to note the update report on the 2016/17 Council Improvement Plan (attached as Appendix 1 to the report)
- ii. to approve the 2017/18 Council Improvement Plan (attached as Appendix 2 to the report).

## **6. EAST Lothian PARTNERSHIP: LOCAL OUTCOMES IMPROVEMENT PLAN – DRAFT FOR AGREEMENT**

A report was submitted by the Depute Chief Executive seeking Council approval of the terms of the East Lothian Partnership's draft Local Outcomes Improvement Plan: the 'East Lothian Plan'.

Christine Dora, Policy Officer – Community Planning, presented the report, drawing attention to the three themes of the draft East Lothian Plan, and noting the focus on partnership, reducing inequality and early intervention. She advised that there would now be a consultation with community groups and the Third Sector prior to the Plan being finalised in September.

The draft East Lothian Plan was commended by a number of Members, who welcomed a number of aspects, such as improving mental health, better transport connections and alleviating poverty. The importance of delivering the Plan and measuring the outcomes was also highlighted. The Provost noted that there would be opportunities to scrutinise the delivery of the Plan.

### **Decision**

The Council agreed:

- i. to approve the outcomes and actions contained in the current draft East Lothian Plan; and
- ii. to delegate to the Chief Executive the consideration of and agreement to any further changes to the draft so that the Plan could be finalised in late September 2017.

## **7. EAST LOTHIAN LOCAL POLICING PLAN 2017-20**

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval of the East Lothian Local Policing Plan 2017-20.

Chief Inspector Matt Paden of Police Scotland presented the report, advising that Police Scotland was focused on improving outcomes for communities. He highlighted the key features of the Policing Plan, noting that, in line with Police Scotland's collaborative approach, an extensive consultation on the Plan had been undertaken, which had been favourably received.

In response to questions from Members, Chief Inspector Paden advised that the reporting of hate crime was improving, which was positive as this type of crime was generally under-reported, and that every instance of hate crime was investigated; the detection rate for hate crime was very high compared to other local authority areas. On police officer numbers, Chief Inspector Paden confirmed there was a minimum resource requirement in East Lothian, which was reviewed on a daily and weekly basis. As regards substance abuse, he noted the ongoing monitoring and partnership working with MELDAP. He also spoke of the effectiveness of partnership working with other agencies to tackle issues such as anti-social behaviour, and of the value and importance of the community police partnerships (CAPPS). As regards the information on outcomes, Chief Inspector Paden advised that detailed information on these would be provided at the Police, Fire and Community Safety Scrutiny Committee.

Councillor Mackett welcomed the report, c that the positive work done by the police within the community should be commended.

Councillor Currie questioned the effectiveness of the community police partnerships and their engagement with the public. He praised the police for their work within East Lothian, and remarked that East Lothian remained a safe place to live, due to the efforts of the police and their partners in the community.

Councillor O'Donnell indicated that she would like to see hate crime included as a key performance indicator, due to the impact this type of crime can have on individuals. She also highlighted the issue of 'fear of crime' and the need to educate young people in this regard.

Councillor Innes thanked Chief Inspector Paden for his report and conveyed the Council's gratitude to officers serving East Lothian. He agreed with other Members that East Lothian was a safe place to live, but noted that perception of crime was an issue. His views were shared by Councillor Goodfellow, who added that he would like more about partnership working included in the Policing Plan, and noting that the CAPPS in his own ward had been very successful, with many issues having been resolved.

### **Decision**

The Council agreed to approve the East Lothian Local Policing Plan 2017-20, as set out in the Appendix to the report.

## **8. EDUCATION GOVERNANCE: NEXT STEPS**

A report was submitted by the Depute Chief Executive (Resources and People Services) updating the Council on the outcome of the Scottish Government's consultation on Empowering teachers, parents and communities to achieve excellence and equity in education: a Governance Review; informing the Council of the Scottish Government's Education Governance consultation: Fair Funding to Achieve Excellence and Equity; informing the Council of the Scottish Government's publication of Education Governance: Next Steps and the service of reforms which would have wide-ranging implications for the local authority in terms of local democratic accountability, policy, delivery and finance; and seeking approval to provide an East Lothian Council response to the Scottish Government's consultation on Education Governance: Next Steps and Education Governance Fair Funding to Achieve Excellence and Equity in Education, to shape and influence the emerging Scottish Government policy in relation to Education Governance and its future approach to school funding.

The Head of Education, Fiona Robertson, presented the report in detail, drawing attention to its key aspects, including the responses to the Scottish Government's 2016 consultation on the Governance Review (set out in detail in Section 3.5 of the report), the impact of the proposed changes on local authorities (set out in Sections 3.8-3.12 of the report), and the consultation on the Next Steps (outlined in Sections 3.6-3.7 of the report). She also highlighted the report on the initial findings of the International Council of Education Advisers (outlined in Section 3.14 of the report).

Councillor O'Donnell asked about the position as regards protecting small rural schools. Ms Robertson advised that the Schools (Consultation) (Scotland) Act 2010 protected small rural schools, and that any proposed closure would have to be considered by ministers.

Councillor Akhtar asked a number of questions in relation to the report. In response, Ms Robertson advised that she had recently held discussions with head teachers in England and Wales as regards funding mechanisms, and that it had become clear that those head teachers were now spending more of their time procuring services for their schools, and that they were having to fund additional support for learning (ASL). On ASL, early learning and childcare responsibilities remaining with the local authorities in Scotland, she explained that this was due to complex legal issues. She noted that in order to meet the diverse needs of children with additional support needs, the Council had to work in partnership with other agencies. Head teachers would therefore be required to work under two different systems with the Council as well as the Regional Collaborative. She also highlighted the Council's role in delivering the '1140 hours' early learning provision by 2021. Members were advised that the Council would retain responsibility for appointing head teachers, but that head teachers would have the autonomy for delivering their own curriculum and appointing teaching staff.

Councillor McLennan urged caution with comparing the Scottish and English systems. Ms Robertson remarked that it was important to look at system changes across the UK in order to learn from them.

Councillor Currie asked about the benefits of the proposed changes, and also sought confirmation that there were no proposals to close rural schools or make cuts to ASL funding. Ms Robertson confirmed that there were no proposals to close rural schools or reduce ASL funding. She also advised that she would not argue with the themes included in the Next Steps paper, i.e. that it was child centred, would give head teachers greater autonomy, empower parents and pupils, and be more collaborative.

Councillor McLennan asked about the views of head teachers. Ms Robertson reported that head teachers had expressed concern about workload, accountability, how their views would be heard by the Regional Collaborative, and if the Regional Collaborative would understand the local context within which they were working. They were also worried that they may receive less support if staff resources were targeted to priority areas across the wider region. On attainment, she advised of the support provided to head teachers by the Council to close the attainment gap, noting that it was not clear if the Council would be in a position to continue providing such support.

Referring to a recent decision by Glasgow City Council to oppose the proposed changes, Councillor O'Donnell asked for the view of Lothian authorities. Ms Robertson reported that the Tayside authorities were also working well together as a regional alliance, and that she had been in contact with other Heads of Education in the Lothians to discuss how the matter would be reported to their councils.

Councillor Mackie proposed an amendment to the report recommendations, by way of an additional recommendation:

“East Lothian Council agrees to include the following wording in its response to the Education Governance: Next Steps and the Fair Funding to Achieve Excellence and Equity – a Consultation: ‘East Lothian Council welcomes any measures which support giving more power to Head Teachers but opposes the centralisation of Education Services to a regional body’.”

She stated that the Conservative Group was supportive of head teachers being given additional powers, and welcomed this aspect of the proposals. However, she was concerned about the lack of detail in respect of the numbers and sizes of the Regional Collaboratives, as well as the creation of additional bureaucracy. She believed that current collaborative working arrangements were being overlooked, and that the loss of accountability for local authorities would weaken democratic representation. She added that the establishment of Regional Collaboratives were an attempt to remove power from local government whilst doing little to raise standards in education.

The proposed amendment was seconded by Councillor Bruce.

Councillor Akhtar, seconded by Councillor O'Donnell, then proposed an amendment to the amendment:

“East Lothian Council welcomes any measures which support giving more power to Head Teachers ‘*to narrow the attainment gap*’ but opposes the centralisation of Education Services to a regional body.”

Councillor Mackie and Bruce confirmed that they were willing to accept the proposed amendment to their amendment.

Councillor Currie highlighted Section 3.13 of the report, claiming that the Conservative Group appeared to be supporting the empowerment of head teachers, which would result in higher levels of funding to head teachers. He also commented that the Scottish Parliament had approved the proposals to create Regional Collaboratives. He didn't believe, however, that there would be a regional education service with a regional education committee; rather, he was of the view that the proposals would result in best practice being shared across a wider area. He advised that the SNP Group would support the amendment because he did not believe that education services were being centralised.

The Provost moved to the vote on the amendment, as revised. There was unanimous support for the amendment, as revised.



Councillor Akhtar disputed Councillor Currie's assertion that the proposals would not lead to a centralised education service. She expressed concerns that the Council's view that current structures worked well had been ignored, and believed that there had been too much change already in education and that a period of consolidation was now required. She highlighted the strong working relationship between the Council and head teachers, and argued that the changes were not in the best interests of young people, head teachers or teachers. She also had concerns about accountability and performance management, given that ASL and early years' provision would continue to be the responsibility of the Council. She suggested that the Council should follow Glasgow's lead in creating a structure with clear lines of accountability, and that the response to the consultation should reflect the valuable link between local authorities and schools.

Councillor Currie spoke in favour of head teachers having greater autonomy, and of the proposals which he believed would improve outcomes for young people. He commented that the proposals provided an opportunity for changes that could be positive.

Councillor O'Donnell spoke of the importance of scrutiny, and argued that the proposals would not be scrutinised in the Scottish Parliament. She noted that people in the East Lothian community, as well as teachers and teaching unions, were concerned about the proposed changes, and that Glasgow City Council had declared that the proposals were not fit for purpose.

With reference to the previous regional councils, Councillor Goodfellow warned of the dangers of education services being centralised and the impact this might have on East Lothian. He was also concerned at the loss of accountability and democratic powers as regards education.

Councillor Innes concluded the debate by voicing his concern that Scottish ministers had not taken account of the concerns expressed during the consultation. He spoke in favour of the position taken by Glasgow City Council as regards collaborative working arrangements, which would allow for the authority to retain democratic control of schools.

## **Decision**

The Council agreed:

- i. to note the contents of the report;
- ii. to note the contents of the Empowering Teachers, Parents and Communities to Achieve Excellence and Equity in Education: an analysis of consultation responses;
- iii. to note that a range of consultation activities would be undertaken to gather the views of stakeholders in relation to the Scottish Government's Education Governance: Fair Funding to Achieve Excellence and Equity – a Consultation; and
- iv. to delegate to the Chief Executive, Leader of the Council and Education Convener, the provision of a response to the Education Governance: Next Steps and the Fair Funding to Achieve Excellence and Equity – a Consultation.
- v. to include the following wording in its response to the Education Governance: Next Steps and the Fair Funding to Achieve Excellence and Equity – a Consultation: "East Lothian Council welcomes any measures which support giving more power to Head Teachers to narrow the attainment gap, but opposes the centralisation of Education Services to a regional body".

## **9. ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER**

A report was submitted by the Chief Social Work Officer providing the Council with her Annual Report on the statutory work undertaken on the Council's behalf. The report also provided the Council with an overview of regulation and inspection, and significant social policy themes current over the past year.

The Chief Social Work Officer, Fiona Duncan, presented the report in detail, drawing attention to the key sections of the report, including the summary of the service's performance, partnership working arrangements, and the structure and governance of the service. She highlighted the main challenges ahead, in terms of the financial climate, growing population and increasing demands on the service.

Referring to care facilities for older people, Councillor Currie asked if consideration had been given to seeking developer contributions towards such facilities. Ms Duncan noted that all options should be open to consideration, and that her service worked closely with the Housing service. David Small, Director of Health and Social Care, indicated that there was a move away from institutional care and that he would discourage proposals to increase the number of care beds in East Lothian. He reported, therefore, that he would not be seeking developer contributions for the construction of care facilities; however, there would be proposals coming forward as regards the provision of housing for people with care needs.

Councillor Hampshire asked a question in relation to demand for care services, given the growing population of East Lothian. Ms Duncan advised that the care needs across the county varied, and that benchmarking with other local authorities was being undertaken. She noted that the Council could make a case to the Scottish Government given the demands on the service.

Councillor O'Donnell highlighted the need for the communities to play a role in providing care and support services, and asked if this was being explored. Ms Duncan advised that the Carers' Strategy was devised in conjunction with carers in the community, but noted that further work was required on what could realistically be delivered.

In response to a question from Councillor Dugdale as regards the support of children affected by their parents' alcohol and drug problems, Ms Duncan indicated that the future funding situation for MELDAP was not clear at this stage, but noted the importance of this issue. Mr Small pointed out that reserves had been used to manage the transition of this service, and that the service should be in a more robust financial position next year.

Councillor McGinn asked for an update on the historical abuse inquiry. Ms Duncan reported that the records for East Lothian were complete, and that there had been no requests for information from the inquiry to date. She indicated that there were no timescales for the completion of the inquiry.

Councillor O'Donnell welcomed the report. She warned about the financial pressures facing social work services at a time of increasing demand. She also spoke of the progress made as regards delayed discharge, noting that East Lothian was the best performing authority in the Lothians, and of the success of the hospital-at-home service. Councillor O'Donnell also advised that she had recently visited a number of day centres and had received very positive feedback; she paid tribute to the managers and volunteers of the day centres.

Councillor Currie remarked that the Scottish Government had provided additional funding for health and social care services and that it was for the Administration to choose how that funding should be used. He observed that the Council was performing well despite the

challenges facing the service, and this was partly due to the efforts of communities and volunteers.

### **Decision**

The Council agreed to note the 2016/17 Annual Report of the Chief Social Work Officer.

## **10. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES – FOLLOW-UP REPORT**

A report was submitted by the Depute Chief Executive (Resources and People Services) requesting the Council to approve a change to the appointment of representatives to the Brunton Theatre Trust, and seeking approval of the appointment of an Elected Member to represent the Council on the East Lothian Golf Tourism Alliance.

The clerk advised of the need to appoint two representatives to the Brunton Theatre Trust, to replace Councillors McMillan and Goodfellow, who due to their membership of the Licensing Board, had had to step down from the Brunton Theatre Trust. The clerk also advised that a request had come in from the East Lothian Golf Tourism Alliance seeking Elected Member representation on that body.

Councillor Innes proposed Councillors Forrest and Mackie as representatives on the Brunton Theatre Trust, and Councillor McMillan as representative on the East Lothian Golf Tourism Alliance. Councillor Currie proposed Councillor Williamson as a representative on the Brunton Theatre Trust.

The Provost moved to the vote on the nominations for the Brunton Theatre Trust:

Councillor Forrest	21
Councillor Mackie	15
Councillor Williamson	6

Councillors Forrest and Mackie were thereby appointed as the Council's representatives on the Brunton Theatre Trust.

Councillor Currie queried whether representatives on the Brunton Theatre Trust had to hold certain positions within the Council. The Service Manager – LADS, Kirstie MacNeill, undertook to look into this.

Councillor Innes suggested that, in order to ensure the smooth running of business, in future where urgent appointments were required to be made, authority could be delegated to the Chief Executive, in conjunction with the Provost, Depute Provost, Leader and Leader of the Opposition.

Councillors Currie and McLennan expressed concern about this suggestion; Councillor Innes reassured them that such delegation would only be used where making the appointment was necessary and it did not meet the timescales for a Council meeting.

The Council's Service Manager – Legal and Procurement, Carlo Grilli, made reference to Standing Order 15.2, which made provision for business to be delegated to specific chief officers in consultation with senior Elected Members.

The Chief Executive suggested that she could consider any such requests for making appointments in conjunction with the Provost, Depute Provost, Leader and the Leader of the

Opposition, and report the appointment through the Members' Library. Members would then be able to debate the decision at the following Council meeting.

### **Decision**

The Council agreed:

- i. to approve the nomination of Councillors Forrest and Mackie to represent the Council on the Brunton Theatre Trust (replacing Councillors McMillan and Goodfellow); and
- ii. to approve the nomination of Councillor McMillan to represent the Council on the East Lothian Golf Tourism Alliance; and
- iii. to delegate authority to the Chief Executive, in conjunction with the Provost, Depute Provost, Leader and the Leader of the Opposition, to deal with urgent appointments, and to report any such appointments to Members through the Members' Library.

## **11. SUBMISSIONS TO THE MEMBERS' LIBRARY, 15 JUNE – 14 AUGUST 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 relation to Ref: 102/17 – Financial Review 2017/18 Q1, Councillor Currie expressed concern about the pressure on the Landscape and Countryside Service budget, particularly as regards income generated through coastal car parking charges. Jim Lamond, Head of Council Resources, reminded Members that the charging system had not yet had a full year of operation. He noted that there was a medium risk of the Landscape and Countryside budget being overspent, and that he would provide an updated position on this at Quarter 2.

### **Decision**

The Council agreed to note the reports submitted to the Members' Library Services between 15 June and 14 August 2017, as listed in Appendix 1 to the report.

## **12. OUTCOME OF THE SCHOOL CONSULTATION ON THE PROPOSED ESTABLISHMENT OF A SHARED HEADSHIP ACROSS INNERWICK PRIMARY SCHOOL AND STENTON PRIMARY SCHOOL**

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the recommendation set out within the non-statutory Consultation Report (attached as Appendix 1 to the report) to establish a shared Head Teacher arrangement across Innerwick Primary School and Stenton Primary School.

The Head of Education, Fiona Robertson, presented the report, advising of the consultation process and responses received, which had overall been positive. Ms Robertson advised that she was confident that any concerns raised during the consultation could be addressed.

With reference to a previous Council decision, Councillor Currie asked if all future proposals for shared headships would be brought to Council for approval. Jim Lamond, Head of Council Resources, confirmed that there had been a commitment in 2010 to report such proposals to Council (which had been incorporated into Standing Orders); however, the

requirement to report to Council had since been removed from Standing Orders. The Provost advised that Standing Orders were currently being reviewed and that re-introducing the requirement to report proposals on shared headships could be considered as part of that review.

Councillor Akhtar asked if having a shared headship would impact on attainment. Ms Robertson believed that working with a larger peer group would have a positive impact on the attainment and achievement of children within those schools.

Councillor Findlay asked if there were any plans to have more headships and also shared teachers across East Lothian. Ms Robertson reported that having teachers working across two schools could have benefits as regards consistency of experience, and that this would be looked at in more detail. She added that creating shared headships fitted with the Council's vision of having non-class committed head teachers.

Councillor Kempson spoke against the proposal, claiming that shared headships were not good for staff morale and retention. She was also supportive of head teachers being involved in teaching in order to show leadership and maintaining contact with pupils. She declared that she would be voting against the proposals.

A number of Members welcomed the consultation and the proposal, citing the example of the successful shared headship at Humbie and Saltoun Primary Schools, as well as the two-campus headship at Dunbar Primary School.

The Provost moved to the vote on the proposal to establish a shared headship arrangement across Innerwick and Stenton Primary Schools:

For: 20  
Against: 1

**Decision**

The Council agreed to approve, on the basis of the outcome of the non-statutory school consultation and taking account of the education and social benefits of the proposal, that a shared Head Teacher arrangement across Innerwick and Stenton Primary Schools was the preferable option to ensure high quality leadership and provide the Head Teacher with the ability to effectively manage duties associated with recent and planned changes within education at a national level by releasing the Head Teacher from any class teaching commitment.

Signed .....

Provost John McMillan  
Convener of the Council