



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

**TUESDAY 24 APRIL 2018
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Provost J McMillan (Convener)	Councillor J Henderson
Councillor S Akhtar	Councillor G Mackett
Councillor L Bruce	Councillor K Mackie
Councillor S Currie	Councillor C McGinn
Councillor F Dugdale	Councillor P McLennan
Councillor J Findlay	Councillor K McLeod
Councillor A Forrest	Councillor F O'Donnell
Councillor N Gilbert	Councillor B Small
Councillor J Goodfellow	Councillor T Trotter
Councillor N Hampshire	Councillor J Williamson

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
Mr J Lamond, Head of Council Resources
Mr D Proudfoot, Head of Development
Ms F Robertson, Head of Education
Ms S Saunders, Head of Communities and Partnerships
Ms J Tait, Head of Adult & Children's Services
Ms L Brown, Quality Improvement Manager (Education)
Mr S Cooper, Team Manager – Communications
Ms S Fortune, Service Manager – Business Finance
Mr P Forsyth, Team Leader – Assets & Regulatory (Transportation)
Mr C Grilli, Service Manager – Legal and Procurement
Mr E John, Service Manager – Sport, Countryside and Leisure
Mr I McFarlane, Service Manager – Planning
Mr P Iannetta, Service Manager – Engineering Services
Ms E McLean, Service Manager – Strategic Asset and Capital Plan Management
Mr R Montgomery, Project Manager
Ms P Smith, Principal Officer (Information and Research) (Education)
Mr A Stewart, Principal Planner (Policy & Projects)
Mr P Vestri, Service Manager – Corporate Policy and Improvement

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

Councillor W Innes

Councillor S Kempson

Declarations of Interest:

Councillor McLennan declared an interest in respect of Item 3 (Report on Examination of Proposed East Lothian Local Development Plan) due to his employment status, and advised that he would leave the meeting for the duration of this item.

1. MINUTES FOR APPROVAL

The minutes of the Council meeting specified below were approved:

East Lothian Council – 13 February 2018

East Lothian Council – 27 February 2018

Matter arising: Item 4 – Financial Review 2017/18 Quarter 3 – the Head of Council Resources advised of the need to seek the guidance/support of Members in relation to a matter affecting Adult Wellbeing services provided under the direction of the Integration Joint Board (IJB). He informed Members that the IJB had approached the Council seeking assurances that any 2017/18 overspending on IJB–Council-related activity would not be carried forward and held against the IJB as a negative reserve. He reminded Members of a similar situation last year, where the Council had agreed a level of protection by supporting a supplementary estimate of £1m budgetary provision during the 2016/17 financial year. Mr Lamond pointed out that the Council and NHS Lothian had previously supported this action on the basis that it may be counter-productive to impose a financial burden which may impact negatively on service delivery going forwards. However, he argued that the process of integration had, through greater delegation, been established to provide greater service effectiveness and efficiency, which should also include overall accountability and financial responsibility.

Mr Lamond reported that the year-end financial position had been closely monitored and ways of minimising the projected overspend were being examined, including negotiating with NHS Lothian with a view to securing a funding contribution that would better reflect the progress made in shifting the balance of care. It was anticipated that the negotiations would be concluded by the end of the w/b 23 April. He indicated that discussions between the senior managers of the Council, the IJB and NHS Lothian on resource allocation associated with shifting the balance of care would continue during the new financial year.

In response to a series of questions from Councillor O'Donnell, Mr Lamond noted that he was unable to confirm the details of the arrangement agreed between the City of Edinburgh Council and NHS Lothian. On the reduction in delayed discharges in East Lothian and shifting the balance of care, Mr Lamond made reference to the significant pressures this had placed upon the provision of care in the community, noting that the Council would continue to press NHS Lothian to make proper resource transfer in this area. He advised that he had not made a direct approach to CoSLA, but that this could be considered.

Councillor Small asked for guidance on the Council's negotiating stance with NHS Lothian as regards reaching a settlement. Mr Lamond reported that the negotiations were almost concluded but that he still anticipated a net overspend position.

Councillor Currie asked a number of questions relating to the impact on the Council's approved budget and the ability for the Adult Wellbeing service to deliver planned efficiencies. Mr Lamond explained that he did not have the final year-end figures as yet, but that the unadjusted overspend was likely to be in the region of £1m. He hoped that a settlement would be agreed with NHS Lothian that would significantly reduce this figure, but that he would not have the preliminary figure before mid-May. He indicated that, should the Council be minded to meet the IJB's request, the overspend would effectively have to be absorbed by the Council, but that this should not have any significant impact upon delivery and funding of other services. Members were informed that the Adult Wellbeing 2017/18 efficiency programme would not be fully achieved, but that the Director of Health and Social Care was hopeful that it would be achieved in future years. Mr Lamond noted that, should the Council wish, there was scope for dialogue with CoSLA and that he was prepared to take this matter forward.

Decision

The Council agreed:

- i. to approve, in principle, to support the non-allocation of any Council-related IJB overspending that would effectively allow the IJB to commence the new financial year without any legacy burden associated with this overspending; and
- ii. to support the Head of Council Resources' continued efforts to maximise any amount recoverable from NHS Lothian in order to minimise the final level of overspending.

2. MINUTES FOR NOTING

The minutes of the Local Review Body (Planning) meetings of 16 November 2017 and 15 February 2018 were noted, subject to a change to the sederunt of the meeting of 15 February 2018 to reflect Councillor Bruce's attendance at the meeting.

3. REPORT ON THE EXAMINATION OF THE PROPOSED EAST LOTHIAN LOCAL DEVELOPMENT PLAN

A report was submitted by the Depute Chief Executive (Partnerships and Community Services):

- requesting that the Council notes the findings of the Scottish Ministers' Examination in Public of the proposed East Lothian Local Development Plan (LDP), set out as conclusions within each section of the completed Report of Examination (as previously made available to Elected Members and available to view on the Council's website within the Local Development Plan web pages);
- advising the Council of the Reporter's consequent recommended post-examination modifications to the proposed LDP, also set out within the Report of Examination and in the Table of Reporter's Recommendations by Issue (attached as Appendix 1 to the report);
- advising the Council that the Reporter's recommended post-examination modifications were largely binding on the Council as they finalise the content of the LDP for adoption, as set out in Section 19 (10-11) of the Town and Country Planning (Scotland) Act 1997 and Regulation 2 of the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009;

- advising the Council that, in the context of the paragraph above, before the LDP could be adopted by the Council, all the Reporter's recommended post-examination modifications should be fully incorporated within the LDP, unless any one of them falls within a category that means the Council should decline to follow it, as defined within Regulation 2 of the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009;
- advising the Council that it should make any requisite minor consequential modifications to the proposed LDP arising as a consequence of the Reporter's modifications themselves (e.g. minor mapping changes or changes to policy, proposal or paragraph references, etc.) and that, other than this and in the circumstances described in the paragraph above, no further modifications to the proposed LDP could be made by the Council before it adopts the LDP; and
- advising Council of the requirement within the Town and Country Planning (Scotland) Act 1997 (as amended) for a decision of the Council on whether it intends to adopt the LDP (as modified following Examination in Public) within three months of received the Report of Examination. A decision to this effect would be sought at a separate and later Council meeting.

Declaration of Interest: Having declared an interest due to his employment status, Councillor McLennan left the Chamber for the duration of this item.

The Service Manager – Planning, Iain McFarlane, presented the report. He reminded Members of the scope and purpose of the Examination, and drew attention to the findings and the recommended modifications, as set out in Sections 3.20-3.21 of the report. He noted that further technical work was required in response to the recommended modifications and that this would be reported back to Council. Mr McFarlane pointed out that the Reporter had endorsed the Council's spatial strategy and the sites, with the exception of three sites recommended for removal from the Plan. He was of the view that the Examination Report was positive.

Councillor Small asked if the removal of the three sites would affect the Council's housing land supply. Mr McFarlane indicated that he had expected the Howe Mire site to be removed. As regards the Humble North and East Saltoun sites, he noted that the Reporter had determined that there was not a required need for additional housing in those areas. However, the Reporter had also made it clear that there was no requirement for the Council to provide additional sites, as the Council's housing land supply was adequate.

In response to questions from Members as regards the former Cockenzie Power Station site, Mr McFarlane advised that the Reporter had taken a view on National Planning Framework 3 (NPF3), and that separate discussions would need to take place with the Scottish Government as regards the implications of NPF4. On the Scottish Government's decision to call in the RedRock Ltd planning application for onshore transmission works associated with the Inch Cape offshore windfarm, he believed this was not linked to the Reporter's recommendations. He added that a submission, with the input of Members, would be made to Ministers on the Council's position on the RedRock application. As regards the timing, he indicated that the LDP may be adopted prior to the determination of the RedRock application.

Councillor Akhtar asked about the implications should the Council not agree to note the Reporter's findings. Mr McFarlane pointed out that this could delay the LDP process, and that without an adopted LDP, the Council would be at risk of developers applying to develop sites not included in the Plan.

Councillor Bruce asked about the technical work to be carried out at Blindwells and about the process for reviewing the LDP. Mr McFarlane explained that a retail study was required, and that, as the Reporter had approved the safeguarding of land at Blindwells, work on the future expansion of the site would also be undertaken, with a view to allocating sites as part of the next LDP. The timescales were dependent on the progress of the Strategic Development Plan (SDP), and Mr McFarlane anticipated that it would be approved within the next year, with the Council required to bring forward the next LDP within two years of that approval.

Councillor Hampshire paid tribute to officers, particularly Mr McFarlane and Andrew Stewart, for their work on the LDP. He summarised the journey of the LDP to date, highlighting the extensive public engagement work. He voiced his disappointment that a number of sites had been removed by the Reporter, noting that he would be writing to the relevant Minister expressing his concerns, whilst stressing the need to have the LDP approved and adopted.

Councillor Small echoed Councillor Hampshire's comments about the removal of sites from the Plan, especially in the context of protecting small rural schools. He highlighted the importance of effective communication with communities when taking the LDP forward.

Councillor Currie thanked officers for their work on this complex process, which would affect many aspects of people's lives in East Lothian. He questioned the inclusion of thermal generation on the site of the former Cockenzie Power Station, and looked forward to making representation to the Scottish Government on this matter. He highlighted the importance of the Council taking ownership of the Plan once it is adopted.

Councillor O'Donnell praised the public engagement process, and hoped this would continue going forward. She also welcomed the potential economic benefits associated with the Cockenzie site. Her comments were supported by Councillor Akhtar.

Decision

The Council agreed to note the findings of the Scottish Minister's Report of Examination in respect of the proposed East Lothian Local Development Plan, in particular its conclusions and recommended post-examination modifications to the proposed LDP.

Sederunt: Councillor McLennan returned to the Chamber.

4. OUTCOME OF THE STATUTORY SCHOOL CONSULTATION ON THE PROPOSED CLOSURE OF HADDINGTON INFANT SCHOOL AND KING'S MEADOW PRIMARY SCHOOL AND THE ESTABLISHMENT OF A NEW PRIMARY SCHOOL AND ITS ASSOCIATED CATCHMENT AREA FOR HADDINGTON

A report was submitted by the Depute Chief Executive (Resources and People Services) advising of the outcome of the proposal to close Haddington Infant School and King's Meadow Primary School and establish a new primary school for Haddington. The report also sought approval for the recommendation set out within the Consultation Report to close Haddington Infant School and King's Meadow Primary School and establish a new primary school for Haddington covering Nursery to P7 and its associated catchment area.

The Head of Education, Fiona Robertson, presented the report, advising of the proposal to establish a new primary school for Haddington, which, if approved, would be implemented by August 2018, or as soon as possible thereafter. She highlighted the key aspects of the report, including the rationale for change, the consultation process and outcome, the views

of Education Scotland on the proposal, and the options available to the Council, as set out in Section 3.29. She noted that, if approved, the proposal would be subject to an eight-week call-in period by the Scottish Government. She also indicated that head teacher recruitment would take place as a priority, and that all staff from the existing schools would be eligible to be matched into posts in the new school.

In response to a question from Councillor Small on the recruitment of the new head teacher, Ms Robertson advised that the school community would be involved in the recruitment and that social media and video would be used to attract candidates. She was confident that the post would attract suitable candidates.

Councillor Akhtar asked questions about the impact on the Empowering Schools strategy of keeping the status quo, about the practicalities of the change and about the consultation process. Ms Robertson anticipated that the outcome of the Empowering Schools consultation would be available in June, after which head teachers could potentially be able to develop their own curriculum. She highlighted the benefits of having one head teacher in terms of continuity of learning. She advised that once the head teacher had been recruited, a Transition Action Group, led by the head teacher and involving parents and pupils, would take forward the transition process. On the consultation exercise, she noted that additional meetings of the PCC had been held to discuss the proposals, as well as drop-in sessions for school staff.

Councillor Trotter asked about the level of responses from each school. Pauline Smith, Principal Officer (Information and Research) reported that c. 80 parents who had responded had children at Haddington Infant School and c. 60 had children at King's Meadow Primary School.

Responding to a question from Councillor McMillan as regards the timing of the proposed changes, Ms Robertson advised that any closure was subject to Scottish Government call in. However, she confirmed that the proposal was in line with the Empowering Schools strategy and the Scottish Government's proposed model for school leadership and management.

Councillor Small spoke in support of the proposal, which he believed would benefit pupils.

Councillor Trotter expressed his disappointment in the low level of response to the consultation. He was of the view that having one head teacher would improve the transition process for pupils and that it would be a positive step for the children's education. His comments were supported by Councillor McMillan.

Councillor Akhtar concluded the debate by thanking staff in Education for their work on this proposal. She highlighted the concerns that had been raised during the consultation process, and welcomed the engagement with staff, parents and pupils, adding that concerns raised would be taken forward by the Transition Action Group. She believed that the proposals would contribute to reducing inequality and raising attainment.

Decision

The Council agreed to approve, on the basis of the outcome of the school consultation, and taking account of the education and social benefits of the proposal that:

- i. subject to the conclusion of the Scottish Ministers' eight-week call-in period or the notification of the outcome of a call in, as appropriate, Haddington Infant School and King's Meadow Primary School would be closed and a new primary school covering Nursery to PA and its associated catchment area would be established for Haddington; and

- ii. the closure of Haddington Infant School and King's Meadow Primary School and the establishment of a the new primary school and its associated catchment area would take effect from August 2018, or as soon as possible thereafter.

5. OUTCOME OF THE STATUTORY SCHOOL CONSULTATION ON THE PROPOSED CLOSURE AND RE-DESIGNATION OF NORTH BERWICK NURSERY SCHOOL TO LAW PRIMARY SCHOOL NURSERY CLASS

A report was submitted by the Depute Chief Executive (Resources and People Services) advising of the outcome of the proposal to close North Berwick Nursery School as a standalone nursery school and re-designate to a nursery stage within Law Primary School, and seeking approval for the recommendation to close North Berwick Nursery School as a standalone nursery school and re-designate to a nursery stage within Law Primary School.

The Head of Education, Fiona Robertson, presented the report, advising of the proposal to formalise the current shared headship arrangement across North Berwick Nursery School and Law Primary School and the re-designation of North Berwick Nursery School to Law Primary School Nursery Class. She referred to the consultation process undertaken in this regard, and drew attention to the consultation responses and the views submitted by Education Scotland. She noted that the Council had three options to consider, as set out in Section 3.25 of the report.

Councillor Findlay asked if the proposed changes would have an impact on the expansion of early learning and childcare to 1140 hours, and requested that the concerns highlighted during the consultation be reviewed after a period of twelve months in order to ensure that they were being addressed. Ms Robertson confirmed that the changes would have no impact on the expansion of nursery hours and that the Quality Improvement Manager would ensure that any concerns were addressed.

Councillor Akhtar spoke in support of the proposal, believing that it would allow for a smoother transition for pupils. Her views were shared by Councillor Goodfellow, who commented that the shared headship arrangement that had been in place since 2013 had worked well.

Decision

The Council agreed to approve, on the basis of the outcome of the school consultation and taking account of the educational and social benefits of the proposal, that:

- i. subject to the conclusion of the Scottish Ministers' eight-week call-in period or the notification of the outcome of a call in, as appropriate, North Berwick Nursery Class would be closed and re-designated to Law Primary School Nursery Class; and
- ii. the Care Inspectorate would be notified of the change in registration details; and
- iii. the re-designation of North Berwick Nursery School to Law Primary School Nursery Class would take effect from August 2018, or as soon as possible thereafter.

6. OUTCOME OF THE STATUTORY SCHOOL CONSULTATION ON THE PROPOSED ALTERATION OF THE SCHOOL CATCHMENT AREAS OF DIRLETON PRIMARY SCHOOL AND LAW PRIMARY SCHOOL

A report was submitted by the Depute Chief Executive (Resources and People Services) advising of the outcome of the proposal to extend Law Primary School catchment area to

include the whole of the new residential development at Ferrygate Meadow and the houses in the area of Westerdunes Park and remove the area of land affected from the Dirleton Primary School catchment area, and seeking approval of recommendation set out within the Consultation Report to extend Law Primary School catchment area to include the whole of the new residential development at Ferrygate Meadow and the houses in the area of Westerdunes Park and remove the area of land affected from the Dirleton Primary School catchment area.

The Head of Education, Fiona Robertson, presented the report, advising of the proposal to adjust the Law Primary School catchment boundary to include all properties within the Ferrygate Meadow development and Westerdunes area of North Berwick. She referred to the consultation process undertaken in this regard, and drew attention to the consultation responses and the views submitted by Education Scotland. She noted that the Council had three options to consider, as set out in Section 3.23 of the report.

In response to questions from Members, it was noted that there had been no objections to the proposals by residents in the Westerdunes area and that there was capacity at Law Primary School to accommodate additional children.

Local Members indicated that they were supportive of the proposal.

Decision

The Council agreed to approve the following, on the basis of the outcome of the school consultation and taking account of the education and social benefits of the proposal:

- i. to extend Law Primary School catchment area to include the whole of the new residential development at Ferrygate Meadow and the houses in the area of Westerdunes Park and remove the area of land affected from the Dirleton Primary School catchment area; and
- ii. that the new catchment and admission arrangements for Dirleton Primary School and Law Primary School would become operational with immediate effect.

7. MEMBERSHIP OF THE JOINT CONSULTATIVE COMMITTEE

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the appointment of Councillor Neil Gilbert to the Joint Consultative Committee.

Decision

The Council agreed to approve the appointment of Councillor Neil Gilbert to the Joint Consultative Committee.

8. MUSSELBURGH RACECOURSE – GOVERNANCE REVIEW

A report was submitted by the Depute Chief Executive (Resources and People Services) providing an update in connection with the implementation of the Governance Review, and seeking approval of the next steps.

The Service Manager – Legal and Procurement, Carlo Grilli, presented the report. He informed Members that, since the last Council meeting, the British Horseracing Authority (BHA) had determined not to extend the licence for Musselburgh Racecourse beyond 8

April, and that, should the BHA not grant a licence by 25 April, the fixtures scheduled for 3 and 4 May would not go ahead. He advised that a number of meetings had taken place in recent weeks involving Council officers and the Lothian Racing Syndicate (LRS), and that a joint statement had been issued to the BHA on 17 April. It was hoped that, at their next meeting, the BHA would now take a favourable view on issuing a new licence. Mr Grilli drew attention to a revised Minute of Agreement, which had been drawn up by the LRS and Council officers – the LRS had until close of business on 24 April to sign this revised Minute of Agreement. He highlighted the importance of Council approval of this document in order to demonstrate to the BHA that the Council was complying with their conditions.

Mr Grilli advised that the LRS had nominated Mr Ray Anderson Green and Mr Robert Miller-Bakewell as their representatives on the Musselburgh Racing Associated Committee. He further advised that a working group would be established to take forward plans for the long-term future of the Racecourse, and proposed the appointment of Councillors Currie, O'Donnell and Small as the Council's representatives on this group; there would also be involvement of the LRS and Racecourse staff. He concluded his presentation by noting that there would be costs associated with the procurement of external legal advice, the majority of which would be met by the Racecourse.

Councillor McLeod voiced his concern that one of the LRS members, Robert Miller-Bakewell, was also a director at Kelso Racecourse, and asked if his appointment to the MRAC would conflict with his other appointment. Mr Grilli confirmed that the LRS had nominated Mr Miller-Bakewell, noting that he had already been a member of the MJRC. He added that Mr Miller-Bakewell would be expected to declare any interests, and that he was comfortable with the appointment.

Councillor McLeod also questioned the inclusion of car parking charges within the revised Minute of Agreement. Mr Grilli advised that there were currently no parking charges at the Racecourse, but there may a requirement to introduce them at a later date, hence their inclusion.

Councillor O'Donnell questioned the process for changing the name from Musselburgh Joint Racing Committee to Musselburgh Racing Associated Committee. Mr Grilli explained that the transfer of licences, contracts, etc. was currently being explored, and that there should not be any impact on the day-to-day business of the Racecourse.

In response to a question from Councillor Akhtar as regards the application of a code of conduct to MRAC members, Mr Grilli advised that all councillor members of the MRAC would be required to abide by the Councillors' Code of Conduct.

Councillor Currie asked about the indemnification of councillors. Mr Grilli noted that councillors would be indemnified, and that previous MJRC members had been indemnified by the Council.

On the proposed delegation to the Chief Executive to implement recommendations from the Working Group, the Chief Executive stressed that this delegation was proposed in order to quickly implement recommendations reached by consensus, without reference to Council. However, she undertook to report back to Members on any actions taken.

Councillor O'Donnell thanked all those involved for their efforts in reaching an agreement on the way forward. She looked forward to working with the Working Group to determine the long-term future of the Racecourse.

Councillor Currie spoke of the importance of finding a positive solution for the future of the Racecourse, and hoped that the BHA would view the Council's efforts positively. His views were echoed by Councillor Mackie, who commended officers for their work.

Mr Grilli pointed out an error in the terms of reference, namely that the clause ‘the Chairman of the MRAC could call meetings of the MRAC as and when appropriate’ should be deleted. The Provost also advised that, as report recommendations 2.1 and 2.2 sought to rescind decisions made by the Council in February in relation to the Minute of Agreement and the Scheme of Administration, the support of two-thirds of Members present was required to approve these recommendations. The Council agreed unanimously to rescind the decisions made by Council on 27 February in relation to the Minute of Agreement and a number of aspects of the Scheme of Administration.

Decision

The Council agreed:

- i. to approve the replacement of the Minute of Agreement (as amended) and authorise the Service Manager – Legal and Procurement to enter into the Minute of Agreement in the terms set out in Appendix A of the report;
- ii. to note that the replacement Minute of Agreement makes changes to the Scheme of Administration for Musselburgh Racing Associated Committee, particularly in relation to the Remit and Powers, and Quorum, and to delegate to the Chief Executive to make all necessary changes to the Scheme of Administration required as a consequence of approving the changes to the Minute of Agreement;
- iii. to approve the appointment of Robert Miller-Bakewell and Ray Anderson Green, as the Lothians Racing Syndicate Limited representations to become the non-Council members of the MRAC, and to note that the Councillor representation, as approved by Council on 27 February 2018, would be Councillors O’Donnell (Convener), Forrest, Mackie and Currie; and
- iv. to note that a working group would be created, and to approve the appointment Councillors O’Donnell, Small and Currie to this working group, as detailed in Section 3.7 of the report;
- v. to delegate to the Chief Executive to implement the recommendations from the working group and to report back to the Council meeting on 26 June 2018; and
- vi. to approve the Council incurring legal costs to assist in addressing the governance issues, including supporting the working group to deliver the optimum long-term operating model, and to note that some of these costs would be charged to the Racecourse.

9. NOTICE OF MOTION – BURIAL CHARGES FOR CHILDREN

A motion was submitted to the Council by Councillors Currie and Gilbert:

The Council is asked to agree that at time of unimaginable loss, that we should do all we can to assist families who have sadly lost a child under the age of 18. The current burial charges are £100 for a child under 5 years old and £200 for a child aged 5-17 years old.

Council is therefore asked to agree to remove charges for the burial of children under the age of 18 with immediate effect.

Council is also asked to agree to make representations, both directly and through CoSLA, to the Scottish Government for child burial charges to be met from central resources when the devolution of funeral payment benefit to Holyrood from Westminster takes place in 2019.

Councillor Currie presented the Motion, expressing his disappointment at the recent decision taken by officers under delegated powers to increase the charges for child burials. He noted that approximately ten Scottish local authorities still charged for child burials, with varying fee levels, and he felt that such charges were not appropriate. He also noted that he had made contact with the charity SIMBA, who had felt that any charges imposed should be no more than a nominal sum; Councillor Currie argued that the level of increase in the charges went beyond the level of a nominal sum. He proposed that the charges should be removed with immediate effect, and called on the Council to make representation to have the costs of child burials met centrally.

Councillor Gilbert seconded the Motion, speaking in support of Councillor Currie's statement, and urging Members to support the removal of child burial charges.

The Provost referred to an amendment to the Motion that had been submitted by the Administration. The amendment, which was concerned with revising the final paragraph of the Motion, stated:

Council is also asked to agree to make representation both directly and through CoSLA, to the Scottish Government to follow the lead taken by the Westminster and Welsh Governments and meet all Scottish child burial charges from Scottish Government resources immediately.

Councillor Hampshire presented the amendment. He indicated that he was supportive of the Motion; however, he asked that the Council should call on the Scottish Government immediately to fund the costs of child burials, which was in line with other areas of the UK.

The amendment was seconded by Councillor O'Donnell, who commented that the Council should do what it could to help families dealing with the death of a child. She supported the suggestion that the Scottish Government should meet the costs of child burials across Scotland.

Councillor Bruce spoke in support of the proposed amendment of centralised funding for child burials, which would see Scotland aligned with England and Wales on this issue. He paid tribute to the work done by SIMBA, and suggested that the Council should explore establishing links with this charity in order to provide people with the best possible services.

Summing up, Councillor Currie thanked all Members for their support. He stated that he would be happy to write to Scottish Ministers to make the case for centralised funding, and also welcomed Councillor Bruce's suggestion as regards Council links with SIMBA. He declared that he would support the amendment to his Motion.

The Provost then moved to the vote on the amendment, which was approved unanimously.

Decision

The Council agreed to approve the motion, as amended:

The Council is asked to agree that at time of unimaginable loss, that we should do all we can to assist families who have sadly lost a child under the age of 18. The current burial charges are £100 for a child under 5 years old and £200 for a child aged 5-17 years old.

Council is therefore asked to agree to remove charges for the burial of children under the age of 18 with immediate effect.

Council is also asked to agree to make representation both directly and through CoSLA, to the Scottish Government to follow the lead taken by the Westminster and Welsh Governments and meet all Scottish child burial charges from Scottish Government resources immediately.

10. SUBMISSIONS TO THE MEMBERS' LIBRARY, 15 FEBRUARY – 11 APRIL 2018

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

Decision

The Council agreed to note the reports submitted to the Members' Library Services between 15 February and 11 April 2018, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Council unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraphs 6 and 9 (information concerning the financial or business affairs of any particular person other than the Authority; terms proposed or to be proposed in the course of negotiations for a contract for the acquisition or disposal of property) of Schedule 7A to the Local Government (Scotland) Act 1973.

Former Cockenzie Power Station Site

A private report advising of the acquisition of the former Cockenzie Power Station site, and the current situation with the site, was approved by the Council.

Referral to Council by Musselburgh Common Good Committee

A private report referred to Council from Musselburgh Common Good Committee in respect of an application for funding was approved by the Council. The Council agreed to award funding of up to a maximum of £170,000 to fund repairs at Fisherrow Harbour.