



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 29 OCTOBER 2019
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON

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 C Hoy
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
Ms A MacDonald, Director of Health and Social Care
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
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities and Partnerships
Ms L Brown, Chief Operating Officer – Education
Mr S Cooper, Team Manager – Communications
Ms R Crichton, Committees Officer
Mr K Dingwall, Service Manager – Planning
Ms S Fortune, Chief Operating Officer – Finance
Mr C Grilli, Service Manager – Legal and Procurement
Mr P Ritchie, HR Business Partner
Mr D Stainbank, Service Manager – Internal Audit
Ms J Tait, Chief Social Work Officer and Chief Operating Officer – Children's Services
Mr P Vestri, Service Manager – Corporate Policy and Improvement

Visitors Present:

Ms G Woolman, Audit Scotland

Clerk:

Mrs L Gillingwater

Apologies:

Councillor W Innes

Declarations of Interest:

Councillor McLennan, Item 11, in relation to his employment status

Mr A McCrorie, Depute Chief Executive (Resources and People Services), Item 6, on the basis that he was directly affected by one of the report recommendations

Mr J Lamond, Head of Council Resources, Item 6, on the basis that he was directly affected by one of the report recommendations

Prior to the commencement of business, the Provost welcomed Gillian Woolman of Audit Scotland to the meeting. He also made reference to the recent success of Josh Taylor, who had recently won the super-flyweight division of the World Boxing Super Series, and Catriona Matthew, who had captained the successful European Solheim Cup Team. In addition, he paid tribute to volunteers in the East Lothian towns which had been recognised in the Britain in Bloom awards.

1. MINUTES FOR APPROVAL

The minutes of the meeting of East Lothian Council held on 27 August 2019 were approved, subject to the following amendment:

Item 10: Notice of Motion – Climate Emergency

‘... on the matter of the EMA, as raised by Councillor Currie, he [Councillor Hampshire] advised that young people would not lose their allowance, but noted that the Council would be required to work within its legal framework.’

2. 2018/19 ANNUAL AUDIT REPORT

The Provost invited Gillian Woolman of Audit Scotland to present the report.

Mrs Woolman presented the Annual Audit Report to Council, confirming that it had been approved by the Audit & Governance Committee at its meeting of 17 September, and that the Council had been given an unqualified opinion on the accounts. She highlighted the key aspects of the report, drawing particular attention to the financial challenges facing the Council. She also directed Members to the Action Plan, with the actions to be completed by 2020.

Councillor Hampshire thanked Audit Scotland for the report, and paid tribute to Council staff for their work in continuing to deliver quality services. He made reference to the financial challenges ahead and the difficult decisions that the Council would be required to take.

As Convener of the Audit & Governance Committee, Councillor Henderson welcomed the report and the inclusion of a new section on developer contributions.

Councillor Currie shared the concerns of others as regards the difficult decisions facing the Council.

Councillor Akhtar highlighted the importance of external scrutiny of Council services and finances. She noted that progress was being made on the Best Value Assurance Report, and outlined improvements being implemented within Education and Children’s Services. She welcomed Audit Scotland’s opinion that the Council was focused on its priorities, and thanked Councillors Innes and Hampshire for their leadership.

Councillor O'Donnell welcomed Audit Scotland's assessment that the Council's governance arrangements were effective and supported accountability.

The Provost thanked Ms Woolman for her report and presentation.

Decision

The Council agreed to note the 2018/19 Annual Audit Report.

3. EAST Lothian Council's 2019 Performance and 'State of the Council' Report

A report was submitted by the Chief Executive providing the Council with the East Lothian Council's 2019 Annual Performance and 'State of the Council' report.

The Service Manager for Corporate Policy and Improvement, Paolo Vestri, presented the report, advising Members that the report provided narrative on some of the work undertaken by the Council. He drew attention to an error in the report: T.4 (the % of young people receiving After Care (for whom a destination is known) who are in a positive destination) should have been coloured in red. Thus, the Top 10 Council Plan Indicators table would read: 6 green, one amber, 2 red, and one unknown (as data would become available in the following month). He remarked that East Lothian Council was performing relatively well, and noted its commitment to Area Partnerships and effective use of resources, but recognised that there was further room for improvement.

Responding to questions from Members, Mr Vestri advised that the targets for T.5 (% of 65+ with long-term care needs receiving personal care at home) and T.9 (Proportion of non-Direct Debit payments including school payments, undertaken online (at 31 March)) would be determined by the Integration Joint Board, and after the publication of a six-month report (due to being a new indicator), respectively.

Councillor O'Donnell noted that many of the Top 10 Council Plan indicators would be influenced by how the UK would leave the European Union and enquired about the work being done around this. Mr Vestri advised that this would have to be revisited around the economy indicators; this was something that the Council would be working on.

The Provost commented that the report highlighted governance and delivery, and it reminded Councillors that they were accountable for the delivery of the Council Plan.

Decision

The Council agreed to approve the 2019 Annual Performance and 'State of the Council' report.

4. FINANCIAL REVIEW 2019/20 AND FINANCIAL PROSPECTS

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the financial position at the end of August 2019, and providing an update on the financial outlook for the next five-year financial strategy period 2020/21 to 2024/25. The report also set out the proposed budget development framework for the three-year period 2020 to 2023.

The Chief Operating Officer – Finance, Sarah Fortune, presented the report, informing Members of an overspend of over £1.7m at the end of Period 5, and anticipating that the Council would be overspent by c.£5m at the end of the current financial year. She noted that this overspend could be offset by the funds generated by the Loans Fund Review. She reported that the Council Management Team (CMT) was exploring options as regards reducing the Council's spending commitments and generating additional income, and she drew attention to Section 1.11 of Appendix A to the report, which set out proposed enhanced financial controls.

On capital investment, Ms Fortune indicated that there may be some slippage in the 2019/20 programme, with projected expenditure amounting to c.£48m. In addition, the level of investment for the two new community learning facilities at Wallyford and Whitecraig would exceed the approved budget; this would need to be reflected in the 2020 capital investment plan. Ms Fortune further advised that the tenders for the essential works at Musselburgh Grammar School were in excess of the approved budget for that project, and sought approval to award the contract and proceed with those works.

As regards the Housing Revenue Account (HRA), Ms Fortune reported that the HRA revenue account was likely to break even at the end of the financial year, and anticipated that the capital programme would also be delivered broadly within budget. She added that officers were working to maximise the housing grant subsidy where possible.

Referring to Appendix B to the report, which set out the financial prospects for the Council, Ms Fortune advised that it was important for the Council to plan for the longer term, despite a number of external variables and uncertainty. She highlighted the financial modelling work undertaken, and the need for the Council to further reduce its costs or raise additional income. She warned that the Council faced significant financial challenges, and that a refreshed Financial Strategy would be presented to the Council in December. She set out the budget-setting process, with draft Administration proposals being presented to Cabinet in January, prior to being presented to Council for approval in February. She concluded her presentation by indicating that the possibility of a General Election may affect the UK and Scottish Government budget timetables; Members would be advised of any change to the Council's process resulting from this.

In response to questions from Councillor Currie, Ms Fortune advised that, at present, there was only a small amount of uncommitted reserves (c. 2.3% or £5m); however, some of this amount was earmarked for specific purposes. She anticipated that the overspend would be offset to a certain extent by the Loans Fund Review monies, and that Finance officers were working with CMT to identify other ways of balancing the accounts. On the capital programme, she indicated that the entire programme was being reviewed to ensure that projects were affordable and sustainable, and prioritised accordingly. Jim Lamond, Head of Council Resources, added that the review of the capital programme would need to be done in conjunction with the annual budget process, adding that he did not intend to bring a separate report on this to the Council meeting in December.

Councillor Henderson expressed concern that the essential works at Musselburgh Grammar School would cost significantly more than the approved budget for that project. Ms Fortune noted that the cost would be £800,000, which was £250,000 more than the approved budget. She confirmed that this increase could be accommodated, but that the impact would be monitored. She did not anticipate a need for any similar reports coming to Council in December.

Councillor McLennan asked for further information about the Children's Services Project Board. Judith Tait, Chief Operating Officer – Children's Services, advised that the Board had met within the last month and had looked at performance, the use of resources, activity data and benchmarking; an action plan was now being finalised, with a number of activities

already underway. Councillor McLennan suggested that it would be useful to have Elected Members on this Board. Ms Tait confirmed that there was no Member involvement, and that the recommendations would be reported to CMT before being discussed more widely. Councillor Hampshire commented that this was an operational matter and that officers would present options to Members in due course.

Councillor McLennan also requested an update on external placements for children. The Chief Executive advised that an external consultant had been appointed to look at this issue, and that this piece of work had now concluded. She noted that the consultant had not made any specific recommendations, but that officers were carrying out further benchmarking work. Ms Tait offered to provide Members with a briefing on the current situation with Children's Services.

In response to a question from Councillor Findlay on the 1140 Hours Early Learning and Childcare initiative, Ms Fortune advised that delivering this policy within the defined level of funding was proving very challenging. Lesley Brown, Chief Operating Officer – Education, added that 26 trials were underway across East Lothian, through which the effectiveness of the policy was being monitored.

In relation to Health and Social Care, Councillor O'Donnell asked if any changes had been made that would impact on the overspend on the social care budget. Alison MacDonald, Director of Health and Social Care, advised that measures introduced last year as regards reviews and early intervention would continue, and that there were no new measures.

Councillor Akhtar asked if there was any indication that the period of austerity was coming to an end. Ms Fortune reported that there was nothing to suggest this was the case, and that the existing challenges would continue. She anticipated that there would be no increase in the government grant to the Council in 2020.

Councillor Trotter asked Mr Lamond if he would be able to provide a financial update to the Council in December. Mr Lamond agreed that he could provide an update, but it would not cover the full quarterly position.

Opening the debate, Councillor Williamson welcomed the proposed improvements at Musselburgh Grammar School, and the associated consultation process.

Expressing concern at the overspend in the Children's Services budget, Councillor Currie reiterated the call for a further report on the Council's finances to be brought to the Council meeting in December. He remarked that the cost recovery measures implemented by that service did not appear to be working and he did not foresee a change in that position before the end of the financial year, and he commented that Members were entitled to further information on these measures and their impact. He warned of the difficult decisions the Council would have to make and of the impact on service users.

Councillor Hampshire described the situation as a 'perfect storm', with East Lothian being one of the fastest growing communities, with a huge construction programme requiring significant capital investment, and at the same time experiencing a reduction in funding. However, he was reassured by the Audit Scotland report (discussed earlier in the meeting), which had indicated that the Council's finances would be sustainable for the foreseeable future. He had confidence that officers would take the action required to tackle the financial challenges.

Councillor Akhtar commended the work done by Council staff to ensure the safety of children, as reflected in the 'State of the Council' report. She believed that the Council was delivering high quality services and positive results. She also welcomed the work on Musselburgh Grammar School. On the financial situation, she made reference to a 2.4%

reduction in the Council's budget for 2018/19, at a time when East Lothian was undergoing significant expansion.

Councillor Currie raised a Point of Order, on the basis that Councillor Akhtar was misleading the meeting as regards comments made in relation to Council staff, which he perceived to be a personal attack on him. The Provost accepted the Point of Order, and requested that Councillor Akhtar should move to her next point.

Councillor Akhtar continued, asserting her view that the Scottish Government did not value local government, and that the Scottish Government should have redistributed its 2018/19 surplus to councils to be used to deliver services.

Councillor O'Donnell stated that the Administration was taking responsibility for the difficult financial decisions facing the Council. She stressed the need for the Council to provide services to ensure that children had the best start in life and that older people were properly cared for, and that these issues were paramount to the Council. She paid tribute to Council staff working in difficult circumstances to deliver services.

Councillor McGinn highlighted the increases in the number of children living in poverty and in drug-related deaths, as well as the impact of Universal Credit on vulnerable families, remarking that these matters were the result of decisions taken by the UK and Scottish Governments.

Councillor McLennan called for greater cross-party working to tackle the challenges ahead. He also remarked that at the Scottish Parliament, the SNP had proposed that powers in relation to welfare be devolved, but that this had not been supported by some other parties.

Decision

The Council agreed:

- i. that, in accordance with Appendix A to the report,
 - to note the financial performance at the end of Period 5 of 2019/20 relative to approved budgets
 - the works within Musselburgh Grammar School should progress, noting that these are in excess of approved budget levels
 - to approve the enhanced financial controls for managing the 2019/20 financial position set out in Paragraph 1.11 of Appendix A;
- ii. that, in accordance with Appendix B to the report,
 - to note the content of the report, including the updated financial prospects covering the financial period 2019/20 to 2023/24
 - that advance work on budget development for 2020/21 onwards would commence in accordance with the potential scenarios outline within the report
 - to approve the budget development process set out in Paragraph 1.20 of Appendix B; and
- iii. to receive a further financial update at the December 2019 Council meeting.

5. OUTCOME OF MUSSELBURGH RACECOURSE PROCUREMENT

A verbal report on the outcome of the Musselburgh Racecourse procurement was delivered by Carlo Grilli, Service Manager – Legal and Procurement.

Having reminded Members of the background to the decision to transfer the Racecourse to a third-party operator and of the procurement process, Mr Grilli advised that a number of bids had been received, with Chester Racecourse being confirmed as the preferred tenderer. He advised that all other bidders had been informed of the outcome of the process and that there had been no challenges to the result. He explained that discussions with Chester Racecourse were now underway as regards the implementation plan, and that Racecourse staff would be subject to a TUPE transfer arrangement. He added that an application had been made to the British Horseracing Authority to extend the licence to ensure that there was no break in service during the transfer period.

Councillor O'Donnell asked questions in relation to the future governance arrangements and the views of Racecourse staff as regards the outcome of the process. Mr Grilli pointed out that, as part of the procurement process, all bidders had been asked to submit proposals on governance arrangements, and that these proposals would be reviewed/revised before being presented to Council. He advised that the role of the Musselburgh Racing Associated Committee (MRAC) would also be taken into consideration as part of the formulation of new governance arrangements. He stated that the Minute of Agreement between the Council and the Lothian Racing Syndicate would terminate on the date that the new operator assumed responsibility for the running of the Racecourse. He reported that feedback from staff had been very positive, as had feedback from the wider racing industry.

Councillor Bruce asked when the transfer would take place. Mr Grilli indicated that that it may take some time due to the requirement to carry out a consultation on the TUPE transfer process, as well as the migration of IT systems.

As Convener of the MRAC, Councillor O'Donnell thanked Mr Grilli and Mr McCrorie for their work on the procurement process, and the working group for their constructive and positive input. She stressed that staff would be supported through the TUPE transfer process, and welcomed the opportunity to put in place new governance arrangements.

Councillor Currie echoed Councillor O'Donnell's comments. He highlighted the importance of the Racecourse to Musselburgh, East Lothian and the racing industry. He thanked all those involved for their work on the procurement process. His sentiments were supported by Councillor McLeod, who looked forward to working with Chester Racecourse.

Councillor McMillan concluded the debate by praising the positive cross-party approach. He paid tribute to Councillor O'Donnell for leading the MRAC through a difficult period, and he conveyed his best wishes to Chester Racecourse.

Decision

The Council agreed to note the outcome of the Musselburgh Racecourse procurement.

6. RESIGNATION OF CHIEF EXECUTIVE

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the resignation of Angela Leitch from the post of Chief Executive of East Lothian Council to take up a position as Chief Executive of Public Health Scotland, with her last day of employment being 26 November 2019. The report also advised of arrangements for the recruitment campaign to secure a new Chief Executive/Head of Paid Service and asked the Council to appoint the members of the Head Teacher and Chief Officer Appointments Sub-Committee. The report also asked the Council to approve interim arrangements to be put in place following the Chief Executive's departure and prior to the new Chief Executive taking up post, and to agree the interim appointment of a new Returning Officer for East Lothian with immediate effect.

Declaration of Interest: having declared an interest, Alex McCrorie left the meeting.

The Head of Council Resources, Jim Lamond, proposed that, in the absence of the Service Manager – People and Governance, he would present the report, respond to any questions from Members and then leave the Chamber for the remainder of the item. Members indicated that they were comfortable with this approach.

Mr Lamond announced that the Chief Executive's last day of employment with the Council would be 26 November. He advised that the recruitment campaign for a new Chief Executive was now underway, and would be undertaken in accordance with Standing Orders. He drew attention to the recruitment timetable, outlined in Section 3.8 of the report. Given that an appointment would not be made prior to Mrs Leitch's departure, it was proposed that Alex McCrorie, Depute Chief Executive (Resources and People Services) should be appointed as interim Chief Executive from 26 November until the new Chief Executive commences their appointment with the Council. Mr Lamond also reported that Mrs Leitch and Mr McCrorie had intimated that it would not be appropriate for either of them to act as Returning Officer at this time, and that it had been proposed that Mr Lamond should carry out this role on an interim basis.

Declaration of Interest: having declared an interest, Mr Lamond then left the meeting.

Councillor Currie thanked officers for keeping Group Leaders informed of progress. On behalf of the SNP Group, he thanked Mrs Leitch for her service and wished her well in her new role at Public Health Scotland.

Councillor Hampshire, in Councillor Innes' absence, paid tribute to Mrs Leitch for her leadership and support through challenging times. He pointed out that she had been fair to both Administration and Opposition Members, and he hoped that she would continue to work in the interests of local government in her new role.

The Provost invited Mr McCrorie and Mr Lamond back to the meeting. He thanked Mrs Leitch for her contribution to the work of the Council, and for her fairness and constructiveness. He paid tribute to Mr McCrorie, who would be retiring on the appointment of the new Chief Executive, and welcomed him to the role of interim Chief Executive. He also thanked Mr Lamond for taking on the role of interim Returning Officer.

The Chief Executive advised that it had been her privilege and pleasure to work in and represent East Lothian. She praised the Council's workforce and the Council Management Team, and thanked Members for their continued support.

Decision

The Council agreed:

- i. to note the content of the report;
- ii. to approve the appointment of Alex McCrorie as Acting Chief Executive from the date of the current Chief Executive's departure until a new Chief Executive has been appointed and takes up post;
- iii. to appoint the Council Leader, the Provost, Councillor Henderson, Councillor Currie and Councillor Dugdale to act as the Appointments Sub-Committee; and

- iv. to approve the appointment of Jim Lamond, Head of Council Resources, as the interim Returning Officer for East Lothian and to approve the necessary change to the Council's Scheme of Delegation.

7. AMENDMENT TO EAST LoTHIAN COUNCIL'S POLLING PLACE SCHEME

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking Council approval to formally amend East Lothian Council's Polling Place Scheme in respect of ELMN1A and ELMN3E polling districts.

Jim Lamond, Head of Council Resources, presented the report, informing Members of the legal requirement for the Council to maintain an up-to-date Polling Place Scheme. He noted that as Stoneyhill Community Centre was no longer in use, officers had identified Musselburgh Rugby Club as a suitable alternative. He also advised that the current polling place in Whitecraig would be replaced imminently by a new community centre (due to open during November), which would be the new designated polling place.

In light of the likelihood of a general election on 12 December, Councillor Hampshire emphasised the need to ensure the safety of voters. He urged the Returning Officer to encourage as many people as possible to apply for a postal vote.

Decision

The Council agreed to approve the permanent amendment to the Polling Place Scheme for the East Lothian Constituency for Polling Districts ELMN1A and ELMN3E.

8. VE DAY – 75TH ANNIVERSARY

A report was submitted by the Depute Chief Executive (Resources and People Services) informing the Council of the UK Government's decision to change the date of the May bank holiday to mark the 75th anniversary of VE Day, to inform the Council of the options open to it as to how to mark VE Day, and to inform the Council of the implications and steps that require to be taken in respect of each option in order to enable the Council to make a decision.

The Head of Council Resources, Jim Lamond, presented the report, highlighting each of the options for marking the occasion of the 75th anniversary of VE Day. Mr Lamond gave his recommendation for Option B (Move the scheduled school holiday on 4 May to 8 May and, for staff not based in schools, move the fixed public holiday that would normally be granted on Friday 18 September 2020 to 8 May 2020), on the basis of fairness and due to it being a relatively cost-neutral option.

Responding to questions from Members, Mr Lamond was reasonably confident that the costs listed for each option would be correct to within a £5000 tolerance.

Councillor Hampshire spoke of his experiences at a recent ceremony adding names to the Dunbar War Memorial; he felt that East Lothian Council should do what it could to respect and mark the sacrifices of servicepersons, and proposed Option E (Recognise 8 May as an additional one-off leave day).

Councillor Currie also spoke in support of Option E; there would be very few opportunities left to mark the occasion with people who were involved on VE Day. He acknowledged the cost implications, but felt that marking the occasion with an additional one-off leave day was the least that the Council could do.

Councillor Bruce proposed Option B (Move the school holiday from Monday 4 May to Friday 8 May and look sympathetically on requests for leave/flexi for those members of staff that do not work in schools who wish to take the day off to mark occasion); his view was that it was right that a day would be taken in remembrance, but Option B took into account Mr Lamond's comments regarding the financial implications of additional days of leave.

The Provost moved to the vote on Option E:

For: 16
Against: 0
Abstentions: 5

Decision

The Council agreed:

- i. to approve Option E: recognise 8 May 2020 as an additional one-off leave day; and
- ii. that a report would be prepared for the next meeting of the Education Committee to reflect the Council's decision on the arrangements for the May holiday, as schools already have a scheduled holiday on Monday 4 May and the term dates had already been published.

9. EDINBURGH AND SOUTH EAST SCOTLAND CITY REGION DEAL (ESESCRD) – ANNUAL REPORT, ANNUAL CONVERSATION AND REGIONAL GROWTH FRAMEWORK UPDATE

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) summarising the key findings from the City Region Deal Annual Report and the annual conversation between the UK Government, Scottish Government and City Region Deal partners that took place on 12 September 2019. The report also provided a summary of progress to date on the development of a Regional Growth Framework, which was expected to take until June 2020, and which would be reported to each constituent authority for their consideration. The report also asked Council to note the recommendation to approve the recruitment of a Programme Director to oversee the development of the Regional Growth Framework and that the recruitment would be overseen by the Edinburgh and South East Scotland City Region Deal Joint Committee (the costs of which were currently being discussed by the UK and Scottish Governments).

The Head of Development, Douglas Proudfoot, presented the report, informing Members of the City Region Deal Annual Report and Annual Conversation. He advised that 15 business cases had now been approved, with a further two currently in the delivery phase. He reported that significant progress had been made with the Innovation Park at Queen Margaret University and highlighted the opportunities as regards the new settlement and the former Cockenzie Power Station site. He reported that the draft National Planning Framework 4 (NPF4) was due in 2020, and that this would be key for the Cockenzie site and the new settlement. Members were advised that a Programme Director role was required to take the Regional Growth Framework forward, and that discussions about meeting the cost of this post were yet to conclude. He anticipated that the Regional Growth Framework would be developed by June 2020 and reported to Council thereafter.

Mr Proudfoot responded to a number of questions from Members. As regards the infrastructure and planning aspects, he advised that delivering these aspects within the timescales would be challenging, but pointed out the importance of having the spatial

strategy and Regional Growth Framework in place. He informed Members that East Lothian would be focused on the delivery of housing, economic development, spatial planning and environmental considerations. He noted that the City of Edinburgh Council would lead on the appointment of the Programme Director, and was currently working to secure the required resources for this position. On the possible development of a port/cruise terminal at the former Cockenzie Power Station site, Mr Proudfoot noted that work on this was ongoing, with further information expected by the end of 2019. He added that there was a great deal of technical work to be carried out on the Cockenzie site, and that the site would be considered as an area of significance under NPF4. As regards Elected Member involvement, Mr Proudfoot advised that two Members would need to be appointed to the Elected Member Oversight Committee, which may be drawn from the membership of SESplan and SESTRAN. In relation to community benefits, he noted that the Council would work hard to secure the best deals; however, he could not provide further detail during the public session due to the information being restricted. On the name of the Innovation Park, Mr Proudfoot advised that a significant number of representations had been made, and the value of including 'Edinburgh' in the title had been recognised. He added, however, that the name of the settlement was still under consideration.

Councillor Hampshire welcomed the progress made on the City Region Deal. In response to comments made about the name of the Edinburgh Innovation Park, he suggested that this was purely a commercial decision, as having 'Edinburgh' in the title would be more recognisable worldwide. He pointed out the potential of the City Region Deal, which would provide many jobs in East Lothian. However, he did have concerns about how the Regional Growth Framework fitted with the other aspects of the City Region Deal, such as the spatial strategy and SESplan.

Councillor Hoy alluded to the scale of work involved in bringing the City Region Deal together and welcomed the joint working between the UK and Scottish Governments. He remarked that it may be a missed opportunity not to include 'East Lothian' in the title of the Innovation Park, but accepted the benefits that would come with the close proximity to Edinburgh. He urged the Council to continue to promote East Lothian in order to attract other projects.

Councillor Currie welcomed the report, highlighting the importance of sustainable employment coming to East Lothian.

The Provost concluded the debate by emphasising the importance of economic development and building links with other countries in order to promote East Lothian as a leading food and drink, and coastal, destination. He thanked officers for their work and looked forward to the opportunities created through the City Region Deal.

Decision

The Council agreed:

- i. to note the summary findings of the first annual report and annual conversation for the Edinburgh and South East Scotland City Region Deal;
- ii. to note the decision of the Edinburgh and South East Scotland City Regional Deal Joint Committee on 3 September 2019 to approve a project brief for officers to commence the production of a Regional Growth Framework, involving regular consultation with members through briefings, consultations and workshops, overseen by an Elected Member Oversight Committee, and to note that the development of a Regional Growth Framework was expected to take until June 2020 and would be reported to each constituent authority for their consideration; and

- iii. to agree to the recruitment of a Programme Director to oversee the development of the Regional Growth Framework and that the recruitment would be overseen by the Edinburgh and South East Scotland City Region Deal Joint Committee, discussions about which were taking place with the Scottish and UK Governments about meeting the costs of the Programme Director.

10. NAMING OF EAST LoTHIAN'S NEW SETTLEMENT

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) seeking approval of the naming process for East Lothian's new settlement and of the short list of names that would go to public consultation.

The Head of Infrastructure, Douglas Proudfoot, presented the report, advising that the consultation would begin on 30 October and run for four weeks. He undertook to report back to Council in December, when the name of the new settlement would be revealed.

Councillor Akhtar thanked all the schools and pupil councils which had taken part in the process and helped compile the shortlist.

Local Members welcomed the inclusion of Blindwells on the list of possible names.

Decision

The Council agreed:

- i. to approve the naming process and approach as set out within the report; and
- ii. to approve the following names for the new settlement to move forward for public consultation: Blindwells; Charlestoun; Hattonfield; Hopetoun; Muirdale; Nethermuir.

11. EAST LoTHIAN LOCAL DEVELOPMENT PLAN 2018 – REPORT ON SUPPLEMENTARY PLANNING GUIDANCE ON DESIGN STANDARDS IN NEW HOUSING DEVELOPMENTS, AND COUNTRYSIDE AND COAST SUPPLEMENTARY PLANNING GUIDANCE

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) advising of the results of the public consultation on the Draft Supplementary Planning Guidance: Countryside and Coast, and seeking approval of the Draft Supplementary Planning Guidance: Countryside and Coast. It also sought approval of the Design Standards in New Housing Areas Supplementary Planning Guidance for public consultation.

Declaration of Interest: having declared an interest, Councillor McLennan left the meeting for the duration of this item.

The Service Manager – Planning, Keith Dingwall, presented the report, advising that there had been a reasonable response to the consultation on the draft Supplementary Planning Guidance: Countryside and Coast, noting that the responses were available in the Members' Library. He highlighted the importance of the draft Supplementary Planning Guidance: Design Standards in New Housing Areas, noting that this would be subject to a six-week consultation and reported back to Council early in 2020.

Decision

The Council agreed:

- i. to note the results of the public consultation on the draft Supplementary Planning Guidance: Countryside and Coast (available in the Members' Library, Ref: 128/19, October 2019 Bulletin);
- ii. to approve the draft Supplementary Planning Guidance: Countryside and Coast (available in the Members' Library, Ref: 129/19, October 2019 Bulletin); and
- iii. to approve the draft Design Standards in New Housing Areas Supplementary Planning Guidance for public consultation (available in the Members' Library, Ref: 130/19, October 2019 Bulletin);.

Sedurunt: Councillor McLennan returned to the meeting.

12. CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2018/19

A report was submitted by the Chief Social Work Officer providing Council with the Annual Report of the Chief Social Work Officer (CSWO) 2018/19 on the statutory work undertaken on the Council's behalf. The report also provided an overview of regulation and inspection, and significant social policy themes current over the past year.

The Chief Social Work Office and Chief Operating Officer (Children's Services), Judith Tait, presented the report, providing Members with a detailed account of the key themes, achievements and challenges relating to social work services in 2018/19. She highlighted in particular the close working relationships with and dependencies on other Council services, the Health and Social Care Partnership and Third Sector organisations. On the challenges facing social work services, she spoke of levels of poverty and deprivation in certain parts of East Lothian, the high proportion of older and younger people requiring access to services, and the difficulties in supporting people to remain in their own communities. On the key achievements of the service, she informed Members of the positive outcome of the Self-Directed Support inspection, the development of more integrated services, such as the Wellwynd Hub in Tranent, and the positive inspection of Children's Services. She did point out, however, that increases in referrals for Children's Services, the number of adults at risk of harm, and domestic violence had put additional pressures on the service. She stressed the need to recruit and retain skilled staff, and for early intervention. She made reference to service improvements underway, including a focus on staff retention, preparedness for inspections, a transformation programme for adults with complex needs, the integration of social work and mental health services, and managing the transition for young people with complex needs.

Ms Tait responded to a series of questions from Members, advising that she expected that two new mental health officers would be in post by the end of 2019, with another officer about to start training in that area; that there was support available for male victims of domestic violence, and that she could include greater detail on this in future reports; that she could provide Members with further details on dementia services; of improvements in early intervention for children at risk, which would be covered in the refresh of Getting It Right for Every Child (GIRFEC), and through staff training and partnership working; of efforts to bring children who were in external residential care back to East Lothian; and of the difficulties in recruiting and retaining skilled staff, especially within the children and families sector, which was a national problem.

Sederunt: Councillors Currie and Trotter left the meeting.

In response to questions from Councillor O'Donnell in relation to children accused of committing crimes, Ms Tait highlighted the importance of engagement with communities and of early intervention. She noted that agencies had had very limited success in tackling accusations made against children on social media, but the Council worked closely with the Police on such matters. On drug and alcohol misuse, Ms Tait emphasised the need to look at the causes, which were often related to mental health issues and poverty, and of the need to provide structure, meaningful activities, and stable and secure housing within the community for people at risk. She advised that she would be happy to provide more detail on the work of the Midlothian and East Lothian Drugs and Alcohol Partnership (MELDAP).

As regards support for young carers in East Lothian, Ms Tait advised that, through the Carers Act, there would be new pathways for young carers, supported by Third Sector organisations.

Opening the debate, Councillor O'Donnell welcomed the report. She made reference to the success of the Wellwynd Hub, which had recently won a Chartered Institute for Housing Excellence Award, commenting that this initiative was a great example of different areas of the Council working together effectively. Responding to comments made by Councillor Mackie as regards The Hollies Day Centre, she pointed out that although the inspection standards had been met, a decision had been taken to de-register The Hollies with the Care Inspectorate and not to provide dementia services at this time. She added that a review of care needs in Musselburgh was in progress, noting that there was a need to improve the working relationship with primary care services in Musselburgh to ensure that people could access services. She also commented on the positive work being done at the Pennypit Centre in Prestonpans to tackle poverty, inequality and isolation. She concluded her statement by advising that innovative changes to the provision of services would be coming forward. She thanked staff, partners and voluntary groups for their work in providing social care services.

Concerning Children's Services, Councillor Akhtar pointed out that there had been an increase in referrals of 9.4%. She believed that bringing Education and Children's Services together would result in service improvements, and through the Learning Estate Strategy the Council could ensure that the curriculum and learning spaces were fit for purpose. Councillor Akhtar paid tribute to the staff working with vulnerable children and young people, and praised the work of the Champions Board. She also spoke of the need to recruit additional foster carers, and of the need to do more to prevent violence against girls and women.

The Provost welcomed the report, and in particular the extent of multi-agency working.

Decision

The Council agreed to note the Chief Social Work Officer's Annual Report 2018/19.

13. PROPOSED AMENDMENTS TO STANDING ORDERS

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of proposed changes to the Council's Standing Orders.

The Head of Council Resources, Jim Lamond, presented the report, advising that the Council Management Team had been involved in the review, and that other local authorities had been consulted on a number of aspects. He drew attention to the more significant proposed changes to the text of the Standing Orders and Scheme of Administration. He

noted that the Scheme of Delegation would undergo a more in-depth review, and pointed out that two new items would be added to the Standing Orders as Supporting Documents: Councillor Role Descriptions and an Advice Note from the Standards Commission on Councillor’s Strategic Roles and Any Operation Work.

In response to a question from Councillor Bruce, the clerk explained that Points of Order would be confirmed by the clerk or legal adviser, and it would be for the Convener to determine how valid Points of Order were dealt with.

Decision

The Council agreed:

- i. to approve the proposed amendments to Standing Orders, as set out in Appendix 1 to the report;
- ii. to approve the proposed amendments to the Scheme of Administration, as set out in Appendix 2 to the report;
- iii. to note that the Scheme of Delegation would be redesigned and presented to Council for approval in due course;
- iv. to approve the removal of Appendices 3-7 from the Standing Orders and re-designate these documents as Supporting Documents; and
- v. to add to the suite of Supporting Documents the Councillors’ Role Descriptions (attached at Appendix 3 to the report) and the Standards Commission for Scotland Advice note for Councillors on Distinguishing between Their Strategic Role and Any Operational Work (attached at Appendix 4 to the report).

14. SUBMISSIONS TO THE MEMBERS’ LIBRARY, 15 AUGUST – 10 OCTOBER 2019

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 August and 10 October 2019, as listed in Appendix 1 to the report.

Signed

Provost John McMillan
Convener of the Council