



MINUTES OF THE MEETING OF THE CABINET

**TUESDAY 12 NOVEMBER 2019
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor S Akhtar
Councillor J Goodfellow
Councillor N Hampshire (Convener)
Councillor J McMillan
Councillor F O'Donnell

Other Councillors Present:

Councillor F Dugdale
Councillor J Findlay
Councillor A Forrest
Councillor J Henderson
Councillor C McGinn

Council Officials Present:

Mr A McCrorie, Depute Chief Executive – Resources and People Services
Ms A MacDonald, Director, Health and Social Care Partnership
Ms M Patterson, Depute Chief Executive – Partnerships and Community Services
Mr J Lamond, Head of Council Resources
Mr T Reid, Head of Infrastructure
Ms F Robertson, Head of Education and Children's Services
Ms S Saunders, Head of Communities and Partnerships
Mr J Coutts, Service Manager – Community Housing and Homelessness
Mr P Forsyth, Team Manager – Roads Asset and Regulatory
Ms S Fortune, Chief Operating Officer – Finance
Mr P Grant, Service Manager – Property Maintenance
Mr C Grilli, Service Manager – Legal and Procurement
Ms S Irvine, Service Development and Support Team Manager (Housing)
Ms J Mackay, Senior Communications Adviser
Mr P Ritchie, HR Business Partner
Mr A Stubbs, Service Manager – Roads
Mr P Vestri, Service Manager – Corporate Policy and Improvement

Clerk:

Mrs L Gillingwater

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 10 SEPTEMBER 2019

The minutes of the meeting of the Cabinet of 10 September 2019 were approved.

2. VOIDS MANAGEMENT POLICY

A report was submitted by the Depute Chief Executive (Partnerships and Community Services), seeking approval of the new Voids Management Policy prior to implementation, and to present Cabinet with further supporting information in respect of the policy review process and key elements of the new policy.

The Service Manager for Community Housing and Homelessness, James Coutts, presented the report, advising Members that the current policy had been in existence since 2006, and that following an audit of the voids process in 2016/17, it was agreed that a detailed review of the Voids Management Policy was required. He informed Members of recent operational improvements (set out at Section 3.4 of the report). On the revisions to the policy, he noted that there would be a greater focus on carrying out non-urgent repairs once tenants had moved in, and that decoration packs would be introduced, replacing cash payments. He proposed that the new policy should take effect in full from 1 April 2020.

Mr Coutts responded to a number of questions from Members. On the matter of retaining floor coverings when a property was being vacated, he advised that floor coverings in good condition could be retained by agreement with the outgoing tenant, and the Voids Team would be subsequently notified to retain. On the time taken to bring a property back into use, Mr Coutts explained that officers were working on streamlining the process and shortening the timescales; this could be communicated to tenants through the Homefront publication. He indicated that there may be security issues should notices on timescales be displayed on empty properties, but undertook that this suggestion from Councillor O'Donnell would be considered by the working group. As regards adaptations, he advised that every incoming tenant with a disability was assessed, as were any adaptations already in the property, with new adaptations being installed as required.

Councillor Goodfellow welcomed the report and the approach collaborative approach taken to reviewing the Policy. He thanked officers for their work to improve performance and hoped that further improvements would be achieved.

Councillor O'Donnell, who had been involved in the review, also commended the approach taken, and the improved turnaround times as regards making properties available for rent.

Councillor Akhtar also commended Community Housing and Property Maintenance staff for their efforts and noted the improvement work being undertaken.

Councillor Hampshire observed that it was often difficult to balance the reallocation of houses quickly with making sure that all health and safety measures had been implemented. However, he had confidence that the revised Policy would be more effective in this regard.

Decision

The Cabinet agreed:

- i. to approve the new Voids Management Policy prior to implementation;
- ii. to approve an implementation date of 1 April 2020; and

- iii. to note that the consultation process approach meets the Council's legal requirements under the Housing (Scotland) Act 2001 and 2014, and also reflects good practice.

3. ROAD SAFETY INSPECTION MANUAL – POLICY FOR ROAD INSPECTIONS

A report was submitted by the Depute Chief Executive (Partnerships and Community Services), informing Members of the updated Policy for Road Inspections in accordance with Well-Managed Highway Infrastructure: Code of Practice, published in October 2016.

The Service Manager – Roads, Alan Stubbs, presented the report, pointing out an amendment to the report, under Section 6.1 (Financial Implications). He noted that additional revenue funding of £40,000 would be sought in the future during the budget process to meet increased demand resulting from the growth of East Lothian. Mr Stubbs drew Members' attention to the key changes to the Inspection Manual, as set out in Section 3.1 of the report. He highlighted, in particular, the new risk-based approach, which would allow councils to target resources to programmed work. He noted that at least 16 Scottish councils had already adopted the new Policy, and he anticipated that the majority of the 32 councils would adopt it in due course.

In response to questions from Members, Mr Stubbs explained that the same methodology would be applied to both roads and footways. He also advised of reporting arrangements for issues with roads that were not the responsibility of the Council, and of communication between the Council and community councils as regards reporting road and footway defects. Members were informed that the Road Safety Inspection Manual – Policy for Road Inspections could be implemented at no cost. However, to maximise the benefit and fully manage the growth agenda as it develops, consideration would be given to seeking an increase in revenue funding through the normal budget process. Mr Stubbs anticipated that the new policy would result in a reduction in claims against the Council. He also made reference to the reporting system available through the Council's website, which would allow people to report road defects and would also provide information on progress made. On work carried out by utility services, Mr Stubbs advised that such statutory undertakers did not need permission to work on their assets on the public road; however, there was a requirement for them to coordinate their activities, and East Lothian Council has a responsibility to ensure that the statutory undertakers reinstate any excavations in accordance with the legal standard on completion of the works.

Councillor Hampshire welcomed the report and highlighted the importance of keeping the Council's road and footpath network in good condition. He indicated that the Council should consider expanding the cycle network in future to link all towns and villages, and suggested that transportation officers should start planning for this.

Decision

The Cabinet agreed to approve the Road Safety Inspection Manual, with variations, for implementation from 1 April 2020.

4. EAST LOTHIAN COUNCIL GAELIC LANGUAGE PLAN 2019-24

A report was submitted by the Depute Chief Executive (Partnerships and Community Services), presenting the East Lothian Council Gaelic Language Plan 2019-24 for approval.

The Service Manager – Corporate Policy and Improvement, Paolo Vestri, presented the report, outlining the requirement for Scottish local authorities to publish Gaelic Language Plans. He set out the key components of the Plan, noting that it had been subject to consultation, to which there had only been two responses.

Councillor Akhtar asked if there would be any financial implications for the Council in adopting the Plan. Mr Vestri advised that the Council had received funding of £8000 to develop the Plan, and that it could seek additional funding from the Bòrd na Gàidhlig for specific projects. He suggested that the Council may wish to consider introducing bilingual road signs in future, and noted that any publication available on the Council website would be translatable into Gaelic at no additional cost to the Council. He added that any initiatives undertaken within schools would be met from the existing Education budget.

Councillor O'Donnell asked if school children were encouraged to participate in the Mod, and if there had been any proposals to hold the Mod in East Lothian. Ann Robertson, Development Officer (Education), advised that the Mod was promoted within schools, but there had been no participation to date.

The Gaelic Language Plan 2019-24 was welcomed by a number of Members, and it was hoped that people in East Lothian would get involved with the Mod. However, it was noted that any new initiatives would need to be sufficiently funded.

Decision

The Cabinet agreed to approve the East Lothian Council Gaelic Language Plan 2019-24 for approval.

5. RESERVE FORCES TRAINING AND MOBILISATION POLICY

A report was submitted by the Depute Chief Executive (Resources and People Services), seeking Cabinet approval for the newly developed Reserve Forces Training and Mobilisation Policy, following consultation with the Joint Trades Unions and employees.

The Head of Council Resources, Jim Lamond, presented the report, noting that the proposed policy was more comprehensive and explicit, and would supersede the arrangements for reservists currently included in the Time Off Work Policy. He advised that the proposed policy was based on that of the Ministry of Defence and that staff and the Trades Unions had been consulted on it. He added that implementing the policy would support the planned future application to achieve the Gold Award for the Defence Employer Recognition Scheme. It was proposed that, if approved, the new policy would take effect from 2 December 2019.

In response to a question from Councillor McMillan as regards encouraging staff to join the Reserve Forces, Sharon Saunders (Head of Communities and Partnerships) advised that the Armed Forces Covenant Oversight Group has an action plan which includes a communications plan as part of the Council's commitment to the Armed Forces Covenant. An event for staff currently serving as reservists would be taking place shortly, at which their contribution would be recognised. She noted that there were currently four employees serving with the Reserve Forces, and the Council would be working to encourage more employees to identify themselves as being members of the Armed Forces community in order that the commitments made within the Armed Forces Covenant and this revised policy could be properly communicated to them.

As Armed Forces Champion for the Council, Councillor Goodfellow welcomed the report and the new policy. He made reference to the efforts made by the Council to achieve the Silver

Award for the Defence Employer Recognition Scheme and hoped that the introduction of this Policy would help the Council secure the Gold Award.

Councillor McMillan thanked Councillor Goodfellow for his role as Armed Services Champion. He spoke in support of the new policy and the move to encourage staff to join the Reserve Forces and expand their skills.

Decision

The Cabinet agreed to approve the new Reserve Forces Training and Mobilisation Policy, attached to the report, which would be introduced from 2 December 2019, allowing time for communication of the revised policy to be issued to managers and employees.

6. ANNUAL PENSION REPORT

A report was submitted by the Depute Chief Executive (Resources and People Services), summarising the early retirement activity within the financial year 2018/19, in accordance with External Audit requirements and Council policy.

The Head of Council Resources, Jim Lamond, presented the report, setting out the types of pensionable retirements available to Council employees and the retirement activity during 2018/19. He drew attention to the Council's liabilities and the cost to the Council of ex gratia payments, and noted that further detail was available within the Council's accounts.

In response to questions from Members, Paul Ritchie, HR Business Partner, advised that flexible retirement arrangements for teachers were different from those for non-teaching staff. As regards representation on the Lothian Pension Fund Board, he noted that he himself had been a member of the Board until 2018, and there was currently no East Lothian representation on the Board.

On the liabilities to the Council, Councillor Henderson asked if increased contributions by the Council would be required in the future. Mr Lamond advised that the stability mechanism had been put in place to limit increases in the employer contribution rate to 0.5%, and that it had worked well over the past five years. He noted that a number of factors, such as market conditions, had to be taken into account, but hoped that the stability mechanism would protect the Council going forward.

Councillor Goodfellow highlighted the importance of having arrangements in place to allow people to retire early at a time when the retirement age was increasing. He also stressed the importance of employees enrolling in the pension scheme and urged all employees who were not currently members of the scheme to enrol.

Decision

The Cabinet agreed to note the content of the report with regard to the pension activity in the financial year 2018/19.

Signed

Councillor Norman Hampshire
Depute Council Leader and Depute Convener of the Cabinet