



MINUTES OF THE MEETING OF THE CABINET

**TUESDAY 10 NOVEMBER 2020
VIA A DIGITAL MEETING FACILITY**

Committee Members Present:

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

Other Councillors Present:

Councillor L Bruce
Councillor F Dugdale
Councillor J Findlay
Councillor A Forrest
Councillor C McGinn
Councillor P McLennan

Council Officials Present:

Mrs M Patterson, Chief Executive
Mr A McCrorie, Depute Chief Executive – Resources and People Services
Mr J Lamond, Head of Council Resources
Mr T Reid, Head of Infrastructure
Mr D Proudfoot, Head of Development
Ms L Brown, Head of Education
Ms S Saunders, Head of Communities and Partnerships
Mr J Coutts, Service Manager – Community Housing and Homelessness
Mr C Grilli, Service Manager – Legal
Mr P Forsyth, Road Services Asset and Regulatory Manager
Ms A Eperjesy, Commercial Programme Manager
Mr S Cooper, Team Manager – Communications
Ms L Gillingwater, Team Manager – Democratic Services
Ms J Lothian, Sustainable Energy and Climate Change Officer
Mr M Vallejo, Senior Procurement Manager

Clerk:

Ms A Smith

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – CABINET 8 SEPTEMBER 2020

The minutes of the meeting of the Cabinet of 8 September 2020 were approved.

2. SETTING OF FEE FOR ANIMAL DEALING LICENCE

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the proposed fee for a new category of licence in respect of Animal Dealing activities.

Carlo Grilli, Service Manager – Legal, presented the report. He outlined the background, informing Members that the Regulations required a licence for carrying on the business of acquiring and keeping with a view to sale, and selling, a young cat or dog (defined as less than 84 days old). The Regulations made it an offence to carry on such an activity unless a licence was held. Applicants would therefore be required to apply for, pay for and obtain the licence prior to undertaking any of the activities falling under the definition of animal dealing. The fee proposed for this licence was in line with other licences for similar related activities.

Responding to a question from Councillor O'Donnell regarding whether this new licence took account of animal welfare, Mr Grilli clarified that it was solely for trading; welfare was a separate issue and dealt with by the Environmental Health Team.

Mr Grilli further clarified, in relation to a query from Councillor Findlay that the licence did not apply to dog walkers who kept clients' dogs in their homes/gardens; other legislation related to the boarding of dogs and welfare.

Councillor Akhtar asked about the impact of this new licence. Mr Grilli indicated this should be minimal in East Lothian; there had only been one enquiry to date. He added that this licence should actually have been introduced in 2009, this had been an oversight.

In response to Councillor Forrest's query, Mr Grilli confirmed that this licence would provide the people of East Lothian with a safeguard, as regular checks would be required and people would also have to verify their ability to look after an animal.

Councillor McMillan welcomed the introduction of this licence. He hoped that officers in Environmental Health would, when working with various businesses, alert people to this new category of licence that would now apply within East Lothian.

The Convener stated it was good to know if people were trading in young cats or dogs that a licence would now be needed. The Council would work with the Police as required.

Decision

The Cabinet agreed, unanimously by roll call vote, to approve the fees proposed in paragraph 3.6 of the report.

3. ESTABLISHING A MULTI-MODAL TRANSPORT INTERCHANGE (MULTI-HUB) NETWORK IN EAST LOTHIAN

A report was submitted by the Head of Infrastructure informing Cabinet of the proposal to establish a network of multi-modal transport interchanges (multi-hubs) across East Lothian and, to enable an informed approach to be taken, seeking approval for a pilot project in Musselburgh to be used to develop the most efficient way to operate multi-hubs and the subsequent network.

Peter Forsyth, Road Services Asset and Regulatory Manager, presented the report, informing Members that multi-hubs were designed to encourage the use of active and sustainable transport as an alternative to the private car. He outlined the concept of multi-hubs, stating these had the potential to change how people travelled. The key aim was to connect communities and strengthen place making. External funding discussions had taken place to establish a pilot multi-hub at the Brunton Hall in Musselburgh. The principles of the trial had been agreed with local stakeholders; further consultation/public engagement would be carried out. The trial would include an assessment of financial viability; other potential income streams were also being explored. There would be ongoing monitoring and evaluation, utilising focus groups and surveys. Work to expand the idea to other communities would follow with appropriate consultation.

Councillor O'Donnell asked if this had the potential to benefit people outwith Musselburgh. Mr Forsyth stated the aim was to try to link all different modes of transport together across East Lothian to provide better connectivity. Councillor O'Donnell queried if there would be engagement with dementia friendly and autism friendly groups. Mr Forsyth confirmed this would be taking place; he added that areas of deprivation would also be looked at.

Councillor Bruce queried how the trial in Musselburgh would be monitored and evaluated. Mr Forsyth outlined the process that would be followed, stating there were many different indicators to be evaluated to establish the success of the trial. He added that further reports would come forward in due course.

Councillor Akhtar asked for an update on measures taken to address air pollution in Musselburgh High Street. She also asked for further details about consultation and engagement with local communities. In relation to the first point Mr Forsyth said that a sustainable approach had been adopted; bus operators were now using different engine styles. Work was also being undertaken nationally and the Council was engaged in this forum. He also made reference to another potential opportunity, the Bus Investment Fund. As regards consultation, he confirmed that this would be widely carried out, citing the various ways this would be done.

Councillor McMillan welcomed the paper, which contained some excellent ideas. Multi-hubs would help to make access easier. Mr Forsyth had highlighted the need to bring people into town centres, to support local businesses and local communities; to provide a sense of place. He hoped that communities would engage fully with the consultation.

Councillor Akhtar referred to the very clear message coming forward from young people that measures had to be taken to address climate change. It was important that this proposal was taken forward in partnership with local communities. People had to think differently about how they travelled. It would be interesting to see the results of the trial in Musselburgh.

The Convener stated that introducing multi-hubs was the first step in the right direction. Multi-hubs were not new, many Scandinavian countries already had these and in these countries the car was secondary to other more sustainable forms of transport. People would only change the way they travelled if the journey was a quality experience so everything possible had to be done to ensure this was the case. This proposal tied in to the Council's duty to seriously tackle climate change. This was just the start of process; consultation with communities would follow. He stressed the importance of working cross party on this.

Decision

The Cabinet agreed, unanimously by roll call vote:

- i to approve the trial of a multi-hub at the Brunton, Musselburgh as the first in a potential network of interlinked transport interchanges located across East Lothian,

designed to improve transport connectivity, reliability and the promotion of sustainable transport; and

- ii to note that East Lothian had an opportunity to lead the way in establishing a network of multi-hubs in Scotland and these would promote a green transport recovery from the impact of Covid-19.

4. SUSTAINABLE PROCUREMENT POLICY

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the proposed Sustainable Procurement Policy.

Agnes Eperjesy, Commercial Programme Manager, presented the report. The Policy had been developed by key officers with input/feedback from Zero Waste Scotland and supported the Council's climate change priorities. It was an aspirational Policy. She drew attention to some of the main areas of focus. In order to identify and address how the Council could optimise economic, social and environmental outcomes a set of tools would be utilised to assist the sustainable procurement process; she detailed some of these. She outlined engagement priorities, projections and impact. Regular assessments would take place. If the Policy was approved further reports would be brought forward in due course.

Councillor McMillan, referring to promoting equality, asked how the Council ensured that people it engaged shared this ethos. Ms Eperjesy said this was done partly through the tender process, the Council would request an assurance from companies that they would take this ethos on board. In relation to Councillor McMillan's further query about the sustainability test, she referred to the lifecycle impact of a service/product and the tests taken during delivery to implement an improvement road map.

Councillor Akhtar queried assistance for smaller businesses or third sector organisations that may struggle to access contracts. Ms Eperjesy replied that many good practices were ongoing, such as local supplier events; there was a wide range of engagement. She added that national opportunities were also flagged up to local suppliers. The Policy before Cabinet was all encompassing. Councillor Akhtar also asked about monitoring and evaluation. Ms Eperjesy stated that the Policy would translate into the procurement process and series of tools. There would also be regular reviews of lifecycles and a process had been drafted to report on local suppliers and how community benefits could be delivered.

Ms Eperjesy responded to a number of queries from Councillor O'Donnell. On payment of invoices, which Councillor O'Donnell said could cause difficulties for the voluntary sector if not paid on time, she reported that 90-93% were settled within 30 days of receipt. In relation to the third sector/social enterprise and whether volunteers were valued within the procurement process she confirmed that this aspect was explored and valued; this question was often asked, if appropriate, for a particular tender and if community benefits would apply. In response to whether offering an apprenticeship or training by an employer was weighted, Ms Eperjesy indicated this was often weighted and sometimes not weighted but taken into account, she added that for medium to large companies it was expected.

Councillor Goodfellow welcomed this paper and the way it would integrate into the Council's policy on climate change. He highlighted the need to move to a more local workforce, referring particularly to the construction industry, as reducing the number of vehicles travelling into East Lothian would also help to minimise the effects of climate change.

Councillor McMillan also welcomed this paper. The spirit of the Policy showed through the work done with small businesses; this crisis had brought everyone together and highlighted the successful use of networks. Ms Eperjesy's point about lifecycles was important, sustainability had to be uppermost and no longer should the lowest price be the sole point of

choice. He agreed with Councillor Goodfellow's points about the construction industry. He highlighted a number of areas within the Sustainable Procurement Charter. He also welcomed all the work done by the Head of Development and the Economic Development team in driving more employment in the county. This was more than just a Policy, it would help people and make East Lothian a better place.

Councillor O'Donnell stated this was an ambitious and aspiring Policy. She stressed that East Lothian Council always played a vital part in the local economy. This could be a driver for economic development. She welcomed that the foundations of the Policy were routed in the Council's core values.

Councillor Akhtar echoed her colleagues' comments. This paper was positive in a manner that tackled climate change. It would benefit young people in these difficult times. It linked into the East Lothian Plan and to work carried out by Area Partnerships. Good practice had been demonstrated by the Procurement Team. This Policy would be significant.

Decision

The Cabinet agreed, unanimously by roll call vote:

- i to approve the proposed Sustainable Procurement Policy (set out in Appendix 2), to agree the key areas identified in the Policy, and to support the work towards meeting the key priority area under the Council's Climate Change Strategy 2020-2025 Outcome 1, which was 'Sustainable Procurement' with the specific action to "Produce and implement a revised and updated Sustainable Procurement Policy, to ensure that goods and services were procured ethically and responsibly, from ethical and sustainable sources, including through the supply chain and sub-contractors"; and
- ii to note that this proposed Sustainable Procurement Policy had been developed with input and feedback from Zero Waste Scotland through their capacity building mentoring programme undertaken by ProCirc, which supports public bodies to embed circular procurement and deliver circular economy and sustainable outcomes, with an emphasis on proactively supporting green recovery and delivering local benefits.

5. TENANT PARTICIPATION STRATEGY 2020-23

A report was submitted by the Head of Development seeking approval of the Council's Tenant Participation Strategy as the basis for effective tenant participation between now and 2023.

James Coutts, Service Manager – Community Housing and Homelessness, presented the report. He informed Members that this was the fifth Strategy since the legal requirement of the Housing (Scotland) Act 2001 but added that the Council had policies in place long before it was a requirement. The Council had gone further than required by law as regards collaboration through a co-production approach with the East Lothian Tenants and Residents Panel. The new Strategy reflected some of the changes around participation and involvement brought about by the ongoing Coronavirus pandemic. He drew attention to the Digital Participation Strategy within the overall Tenant Participation Strategy. The launch date of the Tenant Participation Strategy would be confirmed in due course.

Councillor Goodfellow stated that East Lothian Council had a long tradition of tenant participation. The Council was looked on as a model of good tenant participation. The quick and efficient way tenants and residents groups in East Lothian had moved to a digital platform during the current pandemic showed the flexibility and strength in these groups.

Councillor McMillan remarked that he had recently attended an East Lothian Tenants and Residents Panel event and wished to pay tribute to the professionalism of the Housing staff, and that of the tenants and residents; there was great collaboration which showed the true nature of partnership working. He also praised Councillor Goodfellow, stating that the dedication he showed to this part of his brief was beyond doubt.

The Convener echoed these comments.

Decision

The Cabinet agreed, unanimously by roll call vote:

- i to approve the Tenant Participation Strategy publication in line with legal requirements under the Housing (Scotland) Act 2001; and
- ii to recognise that the Strategy was a living document and that as such the action plan in particular would evolve as consultation with tenants and tenant organisations helped inform the Council's future plans in this area.

Signed

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