



MINUTES OF THE MEETING OF EAST LOTHIAN COUNCIL

TUESDAY 24 MAY 2022
VIA DIGITAL MEETING FACILITY

1

Council Officials Present:

Ms M Patterson, Chief Executive
Ms L Brown, Executive Director for Education & Children's Services
Ms S Fortune, Executive Director for Council Resources
Ms A MacDonald, Director of Health and Social Care
Mr D Proudfoot, Executive Director for Place
Ms E Dunnet, Head of Finance
Ms M Ferguson, Head of Corporate Support
Mr I Gorman, Head of Operations (Health and Social Care)
Ms N McDowell, Head of Education
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
Ms M Sullivan, Head of Development
Ms J Tait, Head of Children's Services
Mr S Cooper, Team Manager – Communications
Ms R Crichton, Committees Officer
Ms A-M Glancy, Service Manager – Corporate Accounting
Mr C Grilli, Service Manager - Governance
Mr D Henderson, Service Manager – Service Accounting
Ms J Mackay, Senior Communications Adviser
Mr P Vestri, Service Manager – Policy, Improvements and Partnerships

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

None

INTIMATIONS

The Returning Officer took the Chair. She welcomed all new and returning Members to the meeting. She also thanked Members for their attendance and participation in the ongoing induction programme.

A. MEMBERSHIP

The Returning Officer intimated that, following the Local Government Elections on 5 May 2022, in terms of the Local Government etc. (Scotland) Act 1994 and the Representation of the People Act 1993, the membership of East Lothian Council was as follows:

Ward 1 – Musselburgh	Ruaridh Thomas Andrew Bennett Cher Avrille Jean Cassini Andrew Stewart Forrest Shona Catherine McIntosh
Ward 2 – Preston, Seton and Gosford	Lachlan Bruce Neil George Gilbert Brooke Hope Ritchie Colin Edward Yorkston
Ward 3 – Tranent, Wallyford and Macmerry	Fiona Dugdale Colin Peter McGinn Kenneth John Douglas McLeod Lee-Anne Menzies
Ward 4 – North Berwick Coastal	Ruth Elizabeth Allan Jeremy Douglas Findlay Carol McFarlane
Ward 5 – Haddington and Lammermuir	Shamin Akhtar George Gold McGuire John Fleming Allan McMillan Thomas Trotter
Ward 6 – Dunbar and East Linton	Donna Michelle Collins Norman Hampshire Lyn Ann Jardine

SEDERUNT

All the foregoing Members of East Lothian Council were present.

B. DECLARATION OF ACCEPTANCE OF OFFICE OF COUNCILLORS UNDER SECTION 33A OF THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973

The Returning Officer intimated that all members of the Council, in accordance with the provisions of Section 33A of the Local Government (Scotland) Act 1973, had signed a Declaration of Acceptance of Office of Councillor.

BUSINESS

1. ELECTION OF PROVOST (PROVOST TO THE CHAIR)

The Returning Officer called for nominations for the appointment of Provost of the Council. Councillor Hampshire moved that Councillor John McMillan be elected as Provost of East Lothian Council. In making this nomination, Councillor Hampshire stated that Councillor McMillan had been an ambassador to the Council and the people of East Lothian during his five years as Provost, and had represented the Council at local, national and international levels. He believed that it was important to have someone with experience in the role of Provost. This nomination was seconded by Councillor Akhtar.

There were no other nominations and Councillor McMillan was duly elected as Provost of East Lothian Council.

Provost McMillan took the Chair. He commented that it was an honour and privilege to be re-appointed to this position. He welcomed new Members, especially younger Members, to the Council, and made special mention of Councillor McIntosh, the Council's first member of the Green Party. He hoped that all Members would continue to work collaboratively over the next five years. The Provost also thanked the Chief Executive and her officers for their support.

2. ELECTION OF DEPUTE PROVOST

Nominations were invited for the appointment of Depute Provost of the Council. Councillor Hampshire, seconded by Councillor Akhtar, moved that Councillor Andy Forrest be elected as Depute Provost of East Lothian Council. No other nominations were made and Councillor Forrest was duly elected as Depute Provost.

Councillor Forrest thanked the Provost for his support during the last Council term, and looked forward to working with all Members to support the people of East Lothian over the coming five years.

3. ELECTION OF LEADER OF THE COUNCIL

Nominations were invited for the appointment of Leader of the Council. Councillor Akhtar, seconded by Councillor McFarlane, moved that Councillor Norman Hampshire be elected as Leader of East Lothian Council. No other nominations were made and Councillor Hampshire was duly elected as Leader of the Council.

In accepting the position as Leader of the Council, Councillor Hampshire paid tribute to the late Council Leader, Willie Innes, noting that Councillor Innes had always engaged with Members of all political groups in East Lothian, and that he would endeavour to continue with this approach. He accepted that there would be occasions when Members would disagree; however, he hoped that despite political differences, all Members would remain friends. He alluded to the scale of the challenges facing the Council, but noted that there were also significant opportunities.

4. ELECTION OF DEPUTE LEADER OF THE COUNCIL

Nominations were invited for the appointment of Depute Leader of the Council. Councillor Hampshire, seconded by Councillor Ritchie, moved that Councillor Shamin Akhtar be

elected as Depute Leader of East Lothian Council. No other nominations were made and Councillor Akhtar was duly elected as Depute Leader of the Council.

Councillor Akhtar advised that it was a privilege to be re-elected as a councillor for the Haddington and Lammermuir ward, and to be nominated as Depute Leader of the Council. She undertook to work constructively with all Members to get the best outcomes for East Lothian. She commented that Councillor Innes would have been proud to see younger people and more women being elected to the Council.

5. NOTIFICATION OF LEADERS OF THE POLITICAL GROUPS

The Provost invited each political group to notify the Council of their respective leaders. The following notifications were made:

Leader of the Labour Group – Councillor Norman Hampshire
Leader of the SNP Group – Councillor Lyn Jardine
Leader of the Conservative Group – Councillor Lachlan Bruce

The Provost then invited nominations for the appointment of Leader of the Opposition. Councillor Gilbert, seconded by Councillor Menzies, proposed Councillor Lyn Jardine for this position.

There were no other nominations and Councillor Jardine was duly nominated as the Leader of the Opposition.

Councillor Jardine congratulated the Provost, Depute Provost, Leader and Depute Leader on their appointments. She looked forward to working with all Members to meet the needs of the local community. She made reference to challenges facing people, including the continuing impact of COVID-19 and the cost of living crisis, noting that communities would be looking to the Council for support. She also welcomed the broad range of gender, age and background of those elected to Council which would provide better representation to communities. Councillor Jardine paid tribute to all those who had stood for election, congratulating those who had been elected, and expressing her commiserations to those who had not. She also thanked officers for their work during the election process and post-election process.

6. COUNCILLORS' REMUNERATION AND EXPENSES

A report was submitted by the Executive Director for Council Resources advising the Council of the setting of Councillors' remuneration and on expenses allowances.

The Head of Finance, Ellie Dunnet, presented the report, advising that this report set out the proposed salary structure and advice on expenses for Members. She summarised the regulations within which the Council was obliged to work when determining remuneration, and drew attention to Appendix 1, which set out the remuneration levels for specific post holders and senior councillors. She added that Members would be eligible to join the Lothian Pension Scheme, and also made reference to process for claiming expenses relating to Council business.

The Provost moved to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to approve the remuneration structure for Councillors, as proposed with Appendix 1 to the report;
- ii. to note the continued use of a national expenses and allowances process, including the use of a standardised claim form and the payment of remuneration and expenses monthly in arrears; and
- iii. to note that all remuneration and expense information forms part of the public record, which will be subject to annual publication by the Council.

7. APPOINTMENT OF MEMBERS TO COUNCIL COMMITTEES, SUB-COMMITTEES, ASSOCIATED COMMITTEES AND PARTNERSHIPS

A report was submitted by the Executive Director for Council Resources requesting the Council to appoint the membership of the Council's committees, sub-committees, associated committees and partnerships.

The Provost advised that two amendments had been received in respect of this report (issued to all Members in advance of the meeting), and set out the procedure for dealing with these amendments.

The Head of Corporate Support presented the report, making references to vacancies on the Planning and Education Committees, which would be covered in the amendments, and noting that the Conveners of the Audit & Governance and Policy & Performance Review Committees would need to be appointed, adding that these positions have traditionally been held by Opposition Members. She also noted the recommendations for officers to consider a process for the call-in of items from Cabinet, and for consideration to be given to the remit for new forums/sub-committees for budget development and climate change/sustainability.

Councillor Hampshire declared that the Administration was prepared to accept the two amendments. He commented that he had been concerned about the impact of a heavy workload on the smaller political groups, hence the proposal to reduce the numbers on the Planning and Education Committees; however, if Opposition Members were happy to retain 12 Members on each of the Planning and Education Committees, then that would be acceptable to the Administration. Councillor Hampshire was also supportive of the proposal to review Standing Orders, noting that such reviews were carried out on a regular basis.

Mrs Ferguson advised that both amendments would need to be proposed and seconded before being presented to Council for approval.

Councillor Jardine presented her first amendment, which stated the following:

'Delete recommendation 2.5 and approve the SNP nominations previously provided, namely Cllrs Allan, Gilbert, Menzies and Trotter for Education [Committee], and Cllrs Allan, Cassini, Gilbert and McLeod for Planning [Committee], as well as Councillor McIntosh for the Green Party to both Education and Planning Committees.

Education and Planning Committees have worked in their current forms for many years. There is insufficient evidence presented to justify the need to reduce the members of both to 10 as the overall number of Elected Members has not decreased, neither has the number of Labour members of the minority administration.

In addition, reducing the overall number of committee members reduces proportionality. Instead of 5 Labour, 4 SNP, 2 Conservative and 1 Green, the split is 5 Labour, 3 SNP and 2 Conservative. The public of East Lothian elected strong voices to represent their communities and this recommendation is anti-democratic.'

Proposing the amendment, Councillor Jardine thanked Councillor Hampshire for supporting its content. She stressed that there was no justification for reducing the numbers on the Planning and Education Committees, and that any such reduction would reduce the potential for scrutiny by Members who were not part of the Administration, and that it would also reduce the proportionality of representation on both committees; maintaining the current numbers (12 Members on each committee) would more give greater proportional representation. She did not agree with the claim as regards workload, on the grounds that with a reduced number of Members, the workload for those on the committees would be greater. She concluded by indicating that by retaining the numbers of both committees at 12 would ensure proportionality and maintain accountability.

After congratulating Members on their election to the Council, Councillor McIntosh seconded the amendment, stating that the fundamental issue was proportionality. She referenced the four non-elected members of the Education Committee, noting that reducing Councillor numbers would give the non-elected members greater influence. She stressed the need to consider this properly before making changes to the numbers on that committee. She also highlighted the importance of these two committees. On the Planning Committee, she indicated that that how the Council implements its policies could have an impact on carbon emissions, and that it was vital to change the trajectory of carbon emissions. She also alluded to the particular impact of the climate crisis on young people, and that it was therefore important that there was a broad range of voices on both committees.

The Provost then invited Councillor Jardine to present her second amendment, which stated the following:

'Add an additional recommendation as follows:

That officers, in conjunction with cross-party representatives, undertake a review of the Standing Orders and Scheme of Administration to ensure that these documents continue to be fit for purpose, efficient and effective in discharging the Council's democratic responsibilities, bringing back a report on this matter to the Council in Spring 2023.'

Observing that the Standing Orders had been amended on a number of occasions since 2015, Councillor Jardine proposed that a review by the new Council, on a cross-party basis, should be undertaken to ensure that these documents were fit for the future. She pointed out that it was important that decision-making was transparent and that the Council had a collective responsibility to ensure that rigorous mechanisms were in place to safeguard communities and resources. She believed, therefore, that reviews of Standing Orders should take place periodically to ensure that areas of delegated authority could be scrutinised and held accountable. She welcomed the support for the introduction of a Cabinet call-in process and the support of the Administration for a review of Standing Orders. She also welcomed the opportunity to work on this in a collaborative way, with guidance from officers. She indicated that the format of the review could be determined by the cross-party group, and issues such as pandemics or councillors with specific needs, as well as the experiences of other local authorities, should be considered. She was of the view that this was the right time to review Standing Orders to ensure they were fit for the future.

Councillor Bruce seconded the amendment, and also took the opportunity to congratulate those Members who had been appointed to senior roles within the Council.

The Provost thanked those who had proposed and seconded the amendments, indicating that it was important for such issues to be debated at Council. Responding to comments made by Councillor McIntosh, he highlighted the role of external committee members and the importance of working with them. He agreed that transparency was important, and that officers ensured that Standing Orders reflected this.

Mrs Ferguson reiterated the need to appoint Conveners for the Audit & Governance and Policy & Performance Review Committees. She suggested that if Opposition Leaders were not in a position to make nominations at this meeting, delegation could be given to both Opposition Leaders to advise the clerk of their nominations in due course. Councillor Jardine indicated that she was happy with that suggestion.

The Provost then moved to the roll call vote on the report recommendations, as amended to take account of the amendments submitted. This was agreed unanimously.

Decision

The Council agreed:

- i. to establish the committees, sub-committees, associated committees and partnerships, with the conveners and membership as set out below (noting that the Opposition Leaders would notify the clerk of nominations for the conveners of the Audit & Governance and Policy & Performance Review Committees);
- ii. to approve the appointment of the following Depute Cabinet Spokespersons:

Depute Cabinet Spokesperson for Environment, Economic Development and Tourism: Councillor Bennett
Depute Cabinet Spokesperson for Education and Children and Family Services: Councillor Yorkston
Depute Cabinet Spokesperson for Health and Social Care: Councillor McFarlane
Depute Cabinet Spokesperson for Community Wellbeing and Sport, Countryside and Leisure: Councillor Ritchie
- iii. to approve that officers prepare an amendment to the Council's Standing Orders and Scheme of Administration to create a call-in procedure where items on the agenda for Cabinet could, on request of a number of Members, be called in and placed on the agenda for the next meeting of East Lothian Council, bringing back a report on this matter to the Council meeting on 28 June 2022;
- iv. to approve that officers prepare an amendment to the Council's Standing Orders and Scheme of Administration to incorporate the remit for sub-committees/forums as set out at Section 3.6 of the report; and
- v. to approve that officers, in conjunction with cross-party representatives, undertake a review of Standing Orders and the Scheme of Administration to ensure that these documents continue to be fit for purpose, efficient and effective in discharging the Council's democratic responsibilities, bringing back a report on this matter to the Council in spring 2023.

CABINET (6)

Convener
(and Cabinet Spokesperson for Planning)
Depute Convener
(and Cabinet Spokesperson for Health & Social Care)

Councillor Hampshire

Councillor Akhtar

Cabinet Spokesperson for

Education & Children's and Family Services
Housing and Property Maintenance
Community Wellbeing and Sport, Countryside & Leisure
Environment, Economic Development & Tourism

Councillor Dugdale
Councillor Forrest
Councillor McGinn
Councillor McMillan

AUDIT AND GOVERNANCE COMMITTEE (8)

Convener
Depute Convener

tbc (from the 8 members)
tbc (from the 8 members)

Members

Councillor Bruce
Councillor Jardine
Councillor Menzies
Councillor McGuire
Councillor McLeod
Councillor McFarlane
Councillor Ritchie
Councillor Trotter

COMMON GOOD COMMITTEES**Dunbar (3)**

Convener

To be appointed at first meeting

Members

Councillor Collins
Councillor Hampshire
Councillor Jardine

Haddington (4)

Convener

To be appointed at first meeting

Members

Councillor Akhtar
Councillor McMillan
Councillor McGuire
Councillor Trotter

Musselburgh (4)

Convener

To be appointed at first meeting

Members

Councillor Bennett
Councillor Cassini
Councillor Forrest
Councillor McIntosh

North Berwick (3)

Convener

To be appointed at first meeting

Members

Councillor Allan
Councillor Findlay
Councillor McFarlane

EDUCATION COMMITTEE (12 + 4 external)

Convener	Councillor Dugdale
Depute Convener	Councillor Yorkston
Council Members	Councillor Allan Councillor Bruce Councillor Findlay Councillor Gilbert Councillor Hampshire Councillor McFarlane Councillor McIntosh Councillor Menzies Councillor Ritchie Councillor Trotter
External Members (4)	Ms G Gillan (EIS) Mr R Lesso Ms E Malcolm Rev G Sheridan

PETITIONS AND COMMUNITY EMPOWERMENT REVIEW COMMITTEE (4)

Convener	Councillor McMillan
Members	Councillor Bruce Councillor Hampshire Councillor Jardine

PLANNING COMMITTEE (12)

Convener	Councillor Hampshire
Depute Convener	Councillor McMillan
Members	Councillor Allan Councillor Cassini Councillor Collins Councillor Findlay Councillor Forrest Councillor Gilbert Councillor McGinn Councillor McIntosh Councillor McLeod Councillor Yorkston

POLICE, FIRE AND COMMUNITY SAFETY SCRUTINY COMMITTEE (8)

Convener	Councillor Hampshire
Depute Convener	Councillor McMillan
Members	Councillor Akhtar Councillor Allan Councillor McGinn Councillor McGuire Councillor Menzies

Councillor Trotter

POLICY AND PERFORMANCE REVIEW COMMITTEE (8)

Convener	tbc (from the 8 Members)
Depute Convener	tbc (from the 8 Members)
Members	Councillor Bennett Councillor Collins Councillor Findlay Councillor Gilbert Councillor Jardine Councillor McIntosh Councillor Menzies Councillor Yorkston

LICENSING SUB-COMMITTEE (6)

Convener	Councillor McGinn
Depute Convener	Councillor McMillan
Members	Councillor Cassini Councillor Findlay Councillor McFarlane Councillor Trotter

EMPLOYEE APPEALS SUB-COMMITTEE (4 + 1)

Convener (Council Leader)	Councillor Hampshire
Depute Convener (Provost)	Councillor McMillan
Members	Councillor Forrest Councillor Jardine + Relevant Cabinet Member(s)

ASSOCIATED COMMITTEES

JOINT CONSULTATIVE COMMITTEE (8 + 14)

Convener (<i>Council side 2022/23</i>)	Councillor Hampshire
Depute Convener (<i>Trade Union side 2022/23</i>)	Ms Gael Gillan (EIS)
Council Members	Councillor Akhtar Councillor Bruce Councillor Cassini Councillor Dugdale Councillor Menzies Councillor McMillan Councillor Trotter
Trade Union Members (14)	Russell Barnes (Unison) David Bourhill (Unison) Joyce Dunlop (Unison)

Michael Dunlop (Unison)
Lee McPherson (Unison)
Julie Stewart (Unison)
Pete Stewart (Unison)
Unite x 2 (tbc)
Allan Sneddon (GMB)
EIS x 2 (tbc)
NASUWT/SSTA x 1 (tbc)

PARTNERSHIPS

IJB (4 + 4 external)

Convener
(NHS side 2021/23)

Mr P Murray

Depute Convener
(Council side 2021-23)

Councillor Akhtar

Council Members

Councillor Bruce
Councillor Jardine
Councillor McFarlane

NHS Non-Executive Members (Convener + 3)

Ms F Ireland
Mr A Joyce
Professor M Whyte

COMMUNITY JUSTICE PARTNERSHIP

Convener
Council Member

Ms Judith Tait
Councillor McGinn

CHILDREN'S STRATEGIC PARTNERSHIP

Convener
Council Member

Ms Judith Tait
Councillor Dugdale

8. APPOINTMENT OF MEMBERS TO EAST LOTHIAN LICENSING BOARD

A report was submitted by the Executive Director for Council Resources seeking the appointment of Members to serve on East Lothian Licensing Board.

The Head of Corporate Support, Morag Ferguson presented the report, reminding Members that the Licensing Board is a separate apolitical legal entity and therefore does not require to reflect the political balance of the Council. She did note that there was a desire to achieve geographical spread across East Lothian; however, as per the nominations received there would be no representation for the North Berwick Coastal ward or the Dunbar and East Linton ward at this time. She added that Members could be added to the Licensing Board in the future. Members were advised that those on the Board would be required to undertake compulsory training prior to participating in a meeting of the Board.

Councillor Bruce asked if those Members who had previously sat on the Board would be required to re-take the training. Mrs Ferguson confirmed that this was the case.

The Provost moved to the roll call vote on the recommendation, which was approved unanimously.

Decision

The Council agreed to appoint the following Elected Members to serve as members of the East Lothian Licensing Board:

Councillor Bruce
Councillor Cassini
Councillor Dugdale
Councillor Gilbert
Councillor McGuire
Councillor McMillan

9. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

A report was submitted by the Executive Director for Council Resources requesting the Council to make appointments to outside bodies.

The Clerk advised that a revised list of nominations to outside bodies had been issued on 23 May (Appendix 1 to the report), and that since issuing the document, she had received confirmation from Councillor Bruce that he would be accepting a position on the CoSLA Convention. She noted that any proposed changes to representation on outside bodies would be brought before Council, as required.

The Provost moved to the roll call vote on the recommendation, which was approved unanimously.

Decision

The Council agreed to make appointments to the outside bodies listed in Appendix 1 to the report.

10. SUMMARY OF BUSINESS APPROVED IN ACCORDANCE WITH ELECTION RECESS ARRANGEMENTS

A report was submitted by the Executive Director for Council Resources informing Council of the urgent business undertaken over the election recess period in terms of the procedures set out in Standing Order 15.6 and in line with the decision taken by the Council at its meeting of 29 March 2022.

The Clerk advised that one item of business had been undertaken during the election recess, which was a private item in respect of an application for funding submitted by The Hollies Day Centre to the Musselburgh Common Good Committee. She advised that £32,000 of funding had been awarded to The Hollies, and that the report had been approved by the Provost and Depute Leader. The report could be accessed by Members via the Members' Library Service.

Decision

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

10. SUBMISSIONS TO THE MEMBERS' LIBRARY, 15 MARCH – 9 MAY 2022

A report was submitted by the Executive Director for Council Resources 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 March and 9 May 2022, as listed in Appendix 1 to the report.

Signed

Provost John McMillan
Convener of the Council

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Financial Outlook and Budget Development
Framework 2023/24 Onwards

2

1 PURPOSE

- 1.1 To provide an indicative overview of the financial outlook for 2023/24 onwards and seek approval for the proposed cross-party working arrangements to support the development of future budget strategy.

2 RECOMMENDATIONS

- 2.1 To note the emerging findings from the recently published Resource Spending Review and the potential implications;
- 2.2 To agree that the Council Leader writes to the Cabinet Secretary expressing his concern at the independent review of Capital Accounting, particularly given a recent review has only just concluded, and outlining the significance of risks that may arise from this review;
- 2.3 To note the updated scenario planning and the potential scale of funding gap facing the Council by 2027/28 as set out in paragraph 3.16 and **Appendix 1**;
- 2.4 To agree that budget planning will be undertaken on a 5-year basis from 2023/24 onwards;
- 2.5 To agree the draft terms of reference for the cross-party budget working group detailed within **Appendix 2**;
- 2.6 To agree to the proposed principles for the deployment of earmarked reserves to support the delivery of efficiencies and ongoing financial sustainability;
- 2.7 To note the proposed next steps to inform the development of the budget and financial strategy for 2023/24 onwards.

3 BACKGROUND

- 3.1 The Council is operating in an increasingly challenging financial environment. The range of risks detailed within this report and current uncertainty surrounding future funding levels pose a significant threat to the Council's ability to meet its statutory duty to set a balanced budget over the coming years. As the gap between available resources and demand for services continues to widen, the need for the Council to refresh the budget development framework and approach to developing budget proposals remains essential.
- 3.2 On 29 March 2022, Council agreed to the following high-level principles to steer the future budget development process and support the development of a sustainable financial strategy which appropriately reflects the Council's priorities:
1. Establishment of a cross-party budget working group to oversee the development of detailed budget proposals and the different work streams supporting this.
 2. Commitment to developing an approach aligned to the financial strategy which combines a range of options to close the gap between available funding and anticipated expenditure including an enhanced programme of transformation, asset review, income generation, cost reduction and efficiency.
 3. A holistic approach to budget development, which recognises the relationship between capital and revenue planning and the role of investment in cost-reduction strategies.
 4. Commitment to minimising the use of one-off resources to balance the budget and ensuring that use of reserves is limited to investment that will deliver ongoing cost reductions.
 5. Ensuring alignment of financial planning and resources with wider strategic priorities, the Council Plan and consultation results.
 6. Consideration of a 5-year budget plan aligned to the financial and capital strategies.
- 3.3 The primary focus of this report is to progress the establishment of the cross-party working group, to enable members from all political groups to contribute to the development of budget strategy for 2023/24 onwards. In preparation for the commencement of work to develop more detailed budget proposals, Council is also asked to commit to working towards a 5-year budget covering the period 2023/24–2027/28, and to consider a principles-based approach to investing earmarked balances to support the delivery of sustainable budget plans.
- 3.4 This report provides an overview of the key messages arising from Scottish Government's resource spending review announcement on 31 May 2022, and some initial strategic revenue projections based on favourable, neutral and adverse scenarios.

Spending Review Update

- 3.5 On 31 May 2022, Scottish Government published its Resource Spending Review which set out high-level plans for resource spending from the period 2023/24 to 2026/27 across all elements of the public sector. The review indicates an intention to 'flat-line' revenue (resource) funding for local government at current levels between 2023/24 and 2025/26, which includes the baselining of £120 million added during the 2022/23 Budget Bill and commits to an further additional £100 million by 2026/27.
- 3.6 Whilst the exact funding settlement for local government and individual councils will not become clearer until the Scottish budget is announced (expected in December), independent commentators (including SPICE and Fraser of Allander) have indicated that this essentially represents a 7% real terms decrease in funding for local government, by contrast against a 4.7% real terms increase in Scottish Government available resource funding. Whilst the publication of the Resource Spending Review will provide some context to support medium term financial planning, the projected level of funding being made available, will leave local government with some very significant challenges in the years ahead to ensure it can continue to deliver local and national policy priorities and essential local services. The national funding settlement must be set within the context of a growing range of very significant external cost pressures including; inflation, interest rate rises, the cost of living crisis and the ongoing impacts of the COVID-19 pandemic, Russia's invasion of Ukraine and EU Exit.
- 3.7 The announcement reiterated Scottish Government's commitment to reducing child poverty, addressing the climate crisis, building a strong and resilient economy and helping public services recover from the pandemic. The following priorities for local government were also announced:
- The development of a 'new deal' for local government through the development of a Partnership Agreement and Fiscal Framework. This will build on the Review of Local Democracy and develop a deeper dialogue and debate on how Scottish and local government will work together to achieve better outcomes for people and communities.
 - Seeking to balance greater flexibility over financial arrangements for local government with increased accountability for the delivery of national priorities so that both partners can have certainty over inputs and outcomes alongside scope to innovate and improve the delivery of services to local communities.
 - Exploring greater scope for discretionary revenue-raising, such as the Visitor Levy and the newly created Workplace Parking Levy.
 - Exploring further with COSLA, Digital Office and Revenue Scotland how best to transform the digital administration of the Non-Domestic Rates system.
 - Confirming that further flexibilities requested by COSLA will be made available to councils for existing service concession arrangements (PPP/PFI); and

- Ensuring these decisions are supported by a phased approach towards alignment with the CIPFA Code of Practice for Local Authority Accounting through a comprehensive Capital Accounting Review in partnership with COSLA, Audit Scotland and CIPFA.
- 3.8 The Resource Spending Review also highlighted areas in relation to public sector pay, including a commitment to fair work, but to returning the public workforce to pre-pandemic levels, targeting workforce growth in priority areas but holding the overall pay bill (as opposed to pay levels) at 22/23 levels. Whilst local government is responsible for making decisions about pay for its workforce through national negotiations, and is not specifically directed by the public sector pay policy, this does set the tone through national negotiations, and the potential implications of managing future pay settlements, within the context a flat cash settlement, and the scale of wider risks, may be very difficult to manage.
- 3.9 Confirmation that councils will be able to consider the application of service concession as part of ongoing consideration of national fiscal flexibilities is welcomed, but it currently remains unclear whether this flexibility will provide any further benefit to the Council in support future of recovery activity. Officers will consider the potential implications once updated guidance has been provided.
- 3.10 This potential flexibility is set within the context of a very significant and enhanced risk arising from an independent review of Capital Accounting which has been outlined by the Cabinet Secretary as part of the Resource Spending Review. This very technical area of accounting and has already been subject to a very recent and full review nationally lead by Directors of Finance section and approved by COSLA Leaders in March 2022 prior to submission to the Minister. The findings from this review re-iterated: that local authorities already prepare accounts in accordance with International Accounting Standards which are fully aligned to the CIPFA Code of Practice for Local Authority Accounting and subject to external audit review on an annual basis, and the need for statutory mitigation has been in place for a significant number of years and remains appropriate. Despite these findings, the Cabinet Secretary has indicated the recent review does not deliver proposals for greater alignment with accounting standards. The potential implications arising from this further review places a very significant and enhanced financial risk to councils at a time when future financial sustainability remains a critical area of focus, and could have the potential to result in very increases to wider taxpayers (Council Tax and rent payers) and an increasing pressure on the on-going ability to support essential capital infrastructure investment. Given this has only recently been subject of a full review and detailed review, it is recommended that the Council Leader writes to the Cabinet Secretary expressing his concern and significance of risks that this review could bring at a time when financial sustainability of councils remains a key concern.
- 3.11 Whilst it is too early at this stage to precisely determine the impact of the spending review announcement on the Council in monetary terms, it remains clear that the potential impact may be very difficult to manage alongside the increasing range of significant and concurrent risks.

- 3.12 Clarity regarding the Council's allocation of funding through the local government finance settlement is not anticipated until December, with confirmation provided through the final stage of Scottish Government's budget in early 2023. However, given the scale and complexity of the challenge ahead, the details included within the Resource Spending Review will provide a useful platform to inform medium term financial planning, including the opportunity to review and update previous budget assumptions.
- 3.13 Alongside the publication of the Resource Spending Review, a targeted review of the Scottish Government's Capital Spending Review has also been published, setting out revised spending plans for financial years 2023/24 to 2025/26. Previous medium-term capital spending plans were announced in February 2021, with no reported change to previous local government capital funding levels.

Budget Assumptions & Scenario Planning

- 3.14 As a reminder, the approved budget for 2022/23–2024/25 incorporates the need to identify recurring annual savings totalling £15.5m over this three-year period, when added to the recurring requirement to deliver £2m from enhanced staffing management amounts to £17.5m. These approved savings were based on a range of assumptions that were made as part of the budget setting process for 2022/23, including a 5% increase in Council Tax charges during 2023/24 and 2024/25, and a flat-lined national funding.
- 3.15 The existing budget setting approach covers a three-year timeframe. However, in accordance with principle 6 set out at paragraph 3.2 to the report, it is recommended at this stage that Council agrees to extend the timeframe for future budget planning (i.e. for this budget setting cycle, to cover the period 2023/24 to 2027/28). The rationale for this change is as follows:
- The Council currently develops its financial and capital strategies on a 5-year rolling basis. Therefore, extension of the budget to this timeframe will bring consistency to these different aspects of financial planning.
 - It is currently anticipated that local government will receive a multi-year finance settlement for 2023/24 onwards, which will enable planning over a longer time frame to be undertaken with a greater degree of certainty over future funding streams.
 - The widening of the gap between available resources and demand for Council services, and the scale of the challenge in addressing this to deliver a balanced budget will require planning over a longer timeframe to identify areas for investment in transformation initiatives to unlock budget savings in the future.
- 3.16 Officers have revisited and updated some of the key assumptions used in the budget projections, based on conclusions drawn from the resource spending review announcement, and other potential factors which may impact on available resources and demands on expenditure. The current economic outlook means that the Council is continuing to operate in an extremely challenging and uncertain environment. Projections have been developed to incorporate three potential scenarios: the neutral position which will be used for planning purposes, alongside favourable and adverse scenarios. A summary

of these scenarios is set out in the Table below, with further information provided in **Appendix 1** of this report. It should be reminded that these assumptions remain subject to change and will be kept under close review.

Scenario	22/23	23/24	24/25	25/26	26/27	27/28	TOTAL
	£'000	£'000	£'000	£'000	£'000	£'000	
		Year 1	Year 2	Year 3	Year 4	Year 5	
Existing Planned Efficiency Savings	393	8,766	6,412	-	-	-	15,571
Potential Funding Gap (Inclusive of approved savings)							
1	0	8,808	8,631	8,373	6,666	8,579	41,057
2	0	10,553	8,779	10,057	8,406	10,378	48,173
3	0	12,233	11,114	11,720	16,156	12,219	63,442

- 3.17 Whilst these scenarios should not be confused with any funding gap and associated saving plans developed during budget development, they are relevant to support and enhance future spending discussions and medium term financial planning. In reality there are many variables which feed into budget development and financial plans, nevertheless it remains clear there is a very significant financial challenge facing the Council in the years ahead. The scenarios highlighted above do not take account of the totality of risks facing the Council, and the funding gap may increase further. Addressing options to mitigate this funding gap will be a key area of focus as part of the ongoing budget development review.

Cross-Party Working

- 3.18 Preparation of the annual budget and development of robust and sustainable financial plans are central to ensuring that the council is able to deliver its strategic objectives set out within the Council Plan and to meet statutory obligations in relation to setting a competent and balanced budget.
- 3.19 Council has demonstrated a commitment to developing cross party working arrangements for the budget through the creation of a working group and the proposed terms of reference for this group are attached at **Appendix 2** for consideration and approval. If agreed, the establishment of this group as an informal working party can be progressed in order to fulfil the commitment made to commencing the budget development process at an early stage during the year.
- 3.20 It is recognised that a review of the budget development arrangements for submitting budget amendments is also needed. This will be an area for officers to explore with the cross-party working group over the coming months, with a view to bringing a proposed protocol back to Council for consideration and approval.

Earmarked Reserves

- 3.21 The principles agreed by Council on 29 March 2022 incorporate the development of a strategy which combines a range of options to close the gap between available funding and anticipated expenditure including an enhanced programme of transformation, asset review, income generation, cost reduction and efficiency. The principles also recognise the important role that reserves and one off resources have to play in unlocking transformation initiatives.
- 3.22 The Council currently holds earmarked reserves which are designated to supporting specific objectives and priorities. The 2021/22 is the subject of a separate report on the agenda for this meeting, and as part of the year end closedown, officers have undertaken a review of earmarked reserves to ensure that they continue to support the Council's strategic priorities and financial sustainability.
- 3.23 As a result of this review, the following recommendations have arisen:
- That the scope of the COVID Action Fund be expanded to allow this funding to be used to support the broader range of risks which the Council is currently facing, including short term inflationary pressures.
 - That the existing Cost Reduction Fund be repurposed as a Transformation Fund, and further deployed to unlock transformation initiatives (including the asset review) and digitalisation projects that will lead to the delivery of wider efficiencies.
- 3.24 Members are asked to consider the proposed deployment of these reserves as part of this report, in recognition of the fact that investment can have an important role to play in developing robust and sustainable budget proposals to close the budget gap.

Budget Development – Next Steps

- 3.25 In order to inform the process for budget development for 2023/24 onwards, there are a number of critical next steps to take forward. These include:
- Subject to Council approval, the establishment of the Cross-Party Budget working group;
 - Updated and refreshed charging policy;
 - Develop a public budget consultation, with the expectation that this will be developed and taken forward end of summer/early autumn;
 - Development of an updated Capital Investment Strategy;
 - Development of a refreshed Financial Strategy including reserves strategy;
 - Update Treasury Management and Investment Strategy;
 - Update budget development arrangements for submitting formal budget amendments;
 - Development of draft General Services & HRA;

- Approve setting of Council Tax and Rent levels within the context of setting a balanced budget.

3.26 All of these elements will be taken forward within the context of the medium-term financial planning, and will be subject to ongoing approval and review.

4 POLICY IMPLICATIONS

4.1 The Council's budget and financial strategies should be a representation of the Council Plan and strategic priorities in financial terms. The proposals within this report are intended to enhance the Council's budget development framework to ensure that this process supports the effective delivery of policy objectives.

5 INTEGRATED IMPACT ASSESSMENT

5.1 Equalities – impact assessments may be required for budget proposals which involve a significant change to delivery of services by East Lothian Council. Political groups will be provided with all relevant information relating to the potential impact of budget saving proposals as part of the budget development process.

6 RESOURCE IMPLICATIONS

6.1 Financial – the focus of this report is financial planning, and details of potential financial implications are set out at paragraph 3.16.

6.2 Personnel - none at this stage

6.3 Other – none at this stage

7 BACKGROUND PAPERS

7.1 Council 14 December 2021 - Financial Strategy 2022-27

7.2 Council 1 March 2022 - Budget Development including setting of Council Tax and Council Housing Rent for 2022-23 and Budget Proposals

7.3 Council 29 March 2022 – Review of Budget Development Process

7.4 Scottish Government – 31 May 2022 - Investing in Scotland's Future: Resource Spending Review

AUTHOR'S NAME	Ellie Dunnet Sarah Fortune
DESIGNATION	Head of Finance Executive Director for Council Resources
CONTACT INFO	edunnet@eastlothian.gov.uk sfortune@eastlothian.gov.uk
DATE	17 June 2022

Appendix 1

Financial Modelling 2023/24 to 2027/28 and potential savings gap

	<u>Current</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	
	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	<u>TOTAL</u>
Current Planned Efficiencies	393	8,766	6,412	n/a	n/a	n/a	15,571

<u>Scenario 1 *</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	
Pay	0	3,293	3,359	3,426	3,495	3,564	
RSG	0	-2,160	0	0	-1,800	0	
Other (1)	0	11,195	8,897	8,681	8,817	8,977	
Council Tax	0	-2,160	0	0	-1,800	0	
TOTAL	0	8,808	8,631	8,373	6,666	8,579	41,057

<u>Scenario 2 *</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	
Pay	0	5,038	5,189	5,345	5,505	5,671	
RSG	0	-2,160	0	0	-1,800	0	
Other (1)	0	11,195	8,424	9,739	9,929	10,144	
Council Tax	0	-3,520	-4,834	-5,027	-5,228	-5,437	
TOTAL	0	10,553	8,779	10,057	8,406	10,378	48,173

<u>Scenario 3 *</u>	<u>2022/23</u>	<u>2023/24</u>	<u>2024/25</u>	<u>2025/26</u>	<u>2026/27</u>	<u>2027/28</u>	
Pay	0	6,718	6,986	7,266	7,557	7,859	
RSG	0	-2,160	0	0	-1,800	0	
Other (1)	0	11,195	10,170	10,798	11,061	11,355	
Council Tax	0	-3,520	-6,042	-6,344	-662	-6,995	
TOTAL	0	12,233	11,114	11,720	16,156	12,219	63,442

* Inclusive of delivery of existing approved savings

(1) Includes a range of cost pressures including: Inflation & indexation; increased demand; increased revenue consequences of capital

Scenario Assumptions

Variable	Scenario 1
Pay	- 2%
RSG	- Flat cash years 2/3 and 5 - share of £120m year 1 and £100m year 4
Other	- Range of factors including 2% inflationary assumption
Council Tax	- 2%

Variable	Scenario 2
Pay	- 3%
RSG	- Flat cash years 2/3 and 5 - share of £120m year 1 and £100m year 4
Other	- Range of factors including 3% inflationary assumption.
Council Tax	- 3%

Variable	Scenario 3
Pay	- 4%
RSG	- Flat cash years 2/3 and 5 - share of £120m year 1 and £100m year 4
Other	- Range of factors including 4% inflationary assumption
Council Tax	- 5%

Terms of Reference – Cross-Party Budget Working Group

Purpose & Overview

The purpose of the group will be to steer the development of the budget, and oversee the different work streams which contribute to this process. The creation of the group should enhance the budget development process by facilitating opportunities for cross-party working and ensuring that the inputs which contribute throughout this process are politically balanced and represent the wider priorities of East Lothian Council.

The group will be an informal working group and meetings will not be held in public or formally minuted. The group will act as a sounding board and will not hold any decision making powers; however, the content of discussions may be used to steer and inform the recommendations which are put forward through formal governance arrangements.

Remit

It is intended that the role and objectives of the group will be:

- ▶ Supporting the development of a balanced budget through consideration of budget proposals intended to close the gap.
- ▶ Receiving updates on the development of the Council's capital strategy and wider asset review, and considering the overall impact of the proposed programme on revenue budgets.
- ▶ Providing political oversight for transformation work streams.
- ▶ Providing political oversight to steer strategic financial planning to ensure alignment between resource allocation and the priorities identified within the Council Plan.
- ▶ Promoting greater awareness and understanding of the stakeholder engagement plan and using consultation results to inform the development of political priorities.
- ▶ Communicating financial challenges and opportunities to respective political groups and acting as a conduit to represent the priorities of wider political groups in relation to budget planning.
- ▶ Developing effective cross-party working on the development of the annual budget and financial strategies.
- ▶ Providing political oversight on the planned deployment of the council's usable reserves and balances.
- ▶ Offering feedback and learning opportunities for continually improving this process, through debrief following the Council budget meeting.

This will be kept under regular review and modified as appropriate.

The working group will not:

- ▶ Replace formal governance arrangements for setting the budget or agreeing Council Tax and Rent Levels.
- ▶ Act as a barrier to transparency in the development of budget proposals and decision making.
- ▶ Supersede arrangements for delegated decision making on operational matters.
- ▶ Replace current arrangements through which officers work to support political groups on an individual basis.

Membership

Political representation: All political group leaders, Depute Council Leader and Provost. Members are asked to send a substitute representative where they are unable to attend.

Officers: Executive Management Team, Head of Finance. Members of the Corporate Management Team and other officers will attend meetings as required.

Chair / Vice Chair: Council Leader / Depute Council Leader

Transparency and Accountability

To aid transparency, relevant updates on the work of the group will be reported to Cabinet or Council through regular financial update reports.

Frequency of Meetings

The group will meet at regular monthly intervals, as and when appropriate.

At certain times of the year it may be necessary to arrange additional meetings for specific areas of focus relating to the budget.

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Council Resources
SUBJECT: Financial Review 2021/22

3

1 PURPOSE

- 1.1 To provide an update on the **DRAFT** financial position for the Council for the year ending 31 March 2022.

2 RECOMMENDATIONS

2.1 The Council is recommended to:

- Note the update on the draft unaudited accounts as set out in Appendix 1 of the report, including the impact on the Council's reserves position relevant to the approve Reserves Strategy.
- Note the 2021/22 financial performance against approved budgets.
- Note the significance of the COVID-19 costs and the impact of non-recurring funding provided for 2021/22.
- Agree the use of the £245,000 Capital Grants Unapplied reserve to fund Council transformational activities.
- Note the progress in delivering the approved 2021/22 budget reductions.
- Note the additional funding received from the Scottish Government in the 2021/22 financial year.
- Approve the deferral of the Loans Fund repayment holiday in 2021/22, noting the extension of this flexibility through updated Scottish Government guidance to 2022/23.

- Agree to provide a 'letter of guarantee' to support Council relevant group partners, aligned to previous years assurance.
- Note the breach of the Treasury Management approved indicators and the update required to the Treasury Management Strategy.

3 BACKGROUND

- 3.1 At its meeting on 2 March 2021, the Council approved a budget for 2021/22 for the General Services revenue and capital budget. The Council had earlier, at its meeting on 23 February 2021 approved the HRA revenue and capital budgets. Both meetings also approved outline budgets for subsequent years.
- 3.2 The Council received a number of financial management update reports during 2021/22 setting out the financial position against approved budgets with the most recent report setting out the position at Quarter 3 presented on 22 February 2022. That report noted that subject to successful management of identified risks, the Council projected it would deliver expenditure commitments within available resources made available during the year.
- 3.3 The Council has continued to operate within an extremely challenging financial environment and is balancing an increasing and wide range of risks and pressures. These include: the continuing impact of the recovery from COVID-19, an increasing range of external pressures from areas such as rising interest rates, cost of living pressures, humanitarian commitments arising from the conflict in Ukraine, significant and growing inflationary costs and demand pressures, alongside and a very challenging labour and recruitment market. The potential impact and concurrency of these risks are now at an unprecedented scale, all of which must be balanced against very difficult funding constraints. These areas will have a significant impact on the Councils spending plans going forward and will remain key areas of budget monitoring work.
- 3.4 This report sets out the financial results for the 2021/22 financial year across all service areas. These results remain in **DRAFT** pending the finalisation of the 2021/22 audit.

Unaudited Accounts and Reserves Position 2021/22

- 3.5 Given enhanced business continuity arrangements have been in operation across the Finance Service in recent months, the draft accounts covering the financial year 2021/22 are still in the process of being finalised. **Appendix 1** sets out the work undertaken to complete the accounts including relevant governance assurance, alongside the key financial results including impact on usable reserves. The Chief Financial Officer will be responsible to ensure that the accounts are submitted for audit prior to the statutory deadline of 30 June 2022.

General Services Revenue Summary – 31 March 2022

- 3.6 An analysis of the financial position across service groups is set out in **Appendix 2** with further details set out in the paragraphs below.
- 3.7 A number of budgets have changed to reflect necessary accounting adjustments to ensure that the surplus or deficit on service areas reflects only costs that are chargeable direct to the taxpayer. The most significant of these adjustments relates to IAS19 pension requirements.
- 3.8 In summary, there the financial position at the end of 31 March 2022 has delivered a £1.489 million surplus (0.6%). This has largely been delivered through a combination of additional non-recurring national funding much of which was received late in the financial year, and a number of non-recurring financial variances including an underspend on staffing budgets, largely caused by the challenging external recruitment market. These collectively are unlikely to continue into 2022/23. This position includes:
- Additional General Revenue Grant funding of £20.371 million received from the Scottish Government during 2021/22. From this funding: £9.476 million was made available on a one-off/non-recurring basis to support the costs of COVID-19, with the balance of £10.895 million to meet a number of Scottish Government initiatives including Health & Social Care, Teachers Induction and the Scottish Governments 100 day's commitments. £2.513 million of the additional funding is for 2022/23 as directed by the Scottish Government for Business Support, Low Income Household Funding and Employability.
 - Council delegated IJB budgets delivered a surplus of £947,000 and aligned to the approved Scheme of Integration this will increase the IJB reserves in 2021/22.
 - COVID-19 costs to the Council of £14.418 million as set out in **Appendix 3** mostly met by additional resources provided by Scottish Government during 2021/22.
 - £2.066 million of additional COVID-19 costs incurred by the Council on Health & Social Care Services has been met through national funding aligned to Local Mobilisation Plans
 - The Council delivered a surplus of £3.733 million in Early Learning & Childcare revenue specific grant funding in 2021/22. Aligned to national guidance, flexibility has been applied, with £1.983 million diverted to support future capital costs related to the Early Learning and Childcare Programme and £1.750 million carried forward to support the future rollout of the programme in 2022/23. It is anticipated that this will be used to support and mitigate the impact of the £1.2 million reduction in the specific grant funding received from the Scottish Government in 2022/23. There will be close monitoring of the on-going impact of this.

- The charging of applicable fixed costs within the Property Maintenance Trading Account of £2.1 million to the Housing Revenue Account in line with Scottish Government guidance. This reflected the reduced productivity due to service restrictions during the pandemic.
- 3.9 The financial position set out also includes the following application of earmarked reserves, more detail of the wider reserves is set out in Appendix 1 of this report:

Devolved School Management Balance

Primary and Secondary schools have been able to increase their DSM balance by £77,000, with most schools now operating at their maximum carry-forward limit.

Insurance Fund Balance

The Insurance Fund has increased by £378,000 to meet the latest assessment of ongoing obligations. The wider fund valuation review in 2022/23 will determine the future level of balance required.

Second Home Council Tax Reserve

The provision balance increased by £45,000 in 2021/22. In line with previous Council approval, there was an allocation of £1.077 million in 2021/22 to support East Lothian Mid-Market Homes to purchase properties.

COVID Action Fund

The COVID fund balance reduced by £3.421 million and was used to offset COVID costs incurred during 2021/22 as set out in Appendix 4.

Capital Grants Unapplied

The fund balance of £245,000 must be utilised by the end of 2021/22 for the purpose of transformational activity delivering financial benefits to the Council. Appendix 5 sets out details of the proposed activities. In line with national guidance, the application of this fund is subject to Council approval.

Other Ring-Fenced Funds

During 2021/22, the fund has reduced by £423,000 due to expenditure on the Rapid Re-housing programme and Windygoul Education project. A further £1.924 million has been carried forward into 2022/23 to support a range of initiatives including Employability and Scottish Welfare.

Cost Reduction Fund / Transformation Fund

In line with previous years, there was no drawdown from the fund and the balance remains at £3.445 million.

- 3.10 When setting budgets for 2021/22, the Council approved total planned savings of £930,000. **Appendix 6** sets out the progress in achieving the planned savings. Aligned to previous reports, income targets of £10,000 were not achieved. In addition, the Council's budget includes £2 million of Corporate savings, that has been achieved from underspends across staffing budgets. As previously noted, there remains a risk in delivering these savings on a recurring basis. The staffing position across all sectors remains challenging and this will remain under monitoring and review with further updates provided to Members during 2022/23.
- 3.11 The summary below sets out the key pressures across each of the Directorates and the key variables of change from the previously reported position.
- 3.12 The full year underspend in the **Education and Children's Directorate** is £2.507 million (1.8%). As summary of the key variables and risks are set out below

Children's Services, £864,000 over (4.9%)

- The year-end position is slightly improved from the previously forecast deficit of £1 million at Period 9. This is largely due to additional Scottish Government funding that will not be fully utilised until 2022/23.
- The most significant pressures remain in External Residential Care, Secure Placements and External Fostering. Despite this, there remains evidence that targeted interventions are having a positive impact on controlling demand for external placements with more packages of support to keep young people within East Lothian at significantly lower cost. Despite this, there is a risk that demand for services could increase and this will remain an area of close review during 2022/23.
- Management remain focussed on a range of options designed to minimise future spend commitments whilst ensuring that services provided to children are undertaken in a way that best supports and protects them. A holistic review of services provided to children across the Council is underway to consider a whole-council approach to reducing vulnerability including enhanced family support measures.

Education Services, £3.371 million under (2.7%)

- The year-end position reflects the £1.75 million carry forward of Early Learning & Childcare funding and the £996,000 carry forward of Employability funding in line with Scottish Government guidance as noted in section 3.8 above.
- The policy commitment to implement the expansion of Early Learning and Childcare to 1140 hours remains subject to post implementation review. As noted in the Period 9 report and in line with 2020/21, there remain significant pressures on available capital funding to deliver the infrastructure required to support this policy. As such, there has been

a transfer of £1.983 million of funding from revenue to capital in line with national flexibility and guidance.

3.13 The year-end underspend in **Council Resources Directorate** is £1.002 million (7.3%). A summary of the key variables and risks are set out below:

Finance, £833,000 under (14.5%)

- The year-end position reflects the £378,000 transfer to reserves from the Insurance Fund surplus to meet ongoing obligations as noted in section 3.8 above and increased staffing underspends due to delays in recruiting linked to the challenging labour market.

Corporate, £169,000 under (7.3%)

- The year-end position reflections additional Legal and Statutory fee income, increased staffing savings and reduced spend on supplies.

3.14 The year-end overspend in the **Health & Social Care Directorate** is £295,000 (0.5%). Despite significant additional national resources there remains challenges in meeting the level of demand for commissioned services such as care homes and care at home with the overspend largely relating to a deficit in the non-IJB delegated services. As highlighted in the Period 9 report, the service experienced significant additional COVID-19 related costs. This totalled £2.066 million including the sustainability costs, loss of income and additional PPE costs with these costs met through national funding aligned to Local Mobilisation Plans.

3.15 The IJB has delegated authority over the majority of this budget along with a small number of other budgets within Community Housing, the Housing Revenue Account and Housing Capital. The management of these resources remains in line with the scheme of integration and wider overall IJB resources. There are significant underspends in these areas of £947,000 and this transfers to the IJB reserves.

3.16 In 2021/22 the Health & Social Care IJB services received additional funding of £3.277 million, £2.510 million which was recurring, and in line with national guidance this was passed on to the IJB in full.

3.17 The year-end underspend in the **Place Directorate** is £456,000 (0.9%). A summary of the key variable is set out below:

- **Development, £802,000 over (28%)** – As noted in the Period 9 report, the main reason for the overspend is the payment of £1.35 million of grants paid to local businesses through the nationally directed business support schemes, the funding for which was received in 2020/21 and drawn down within the COVID-19 fund. The year-end position also reflects the carry forward of £368,000 from Business Recovery funding to 2022/23, as well as additional planning fee income received in the year.
- **Housing, £401,000 over (13.3%)** – As noted in the Period 9 report the main reason for the overspend is due to the Property Maintenance

Trading Account not achieving the full surplus due to the COVID-19 construction industry restrictions at various points during the financial year. In line with Scottish Government guidance, HRA incurred fixed costs of £2.1 million as noted in section 3.8 above.

- **Infrastructure, £1.055 million under (3.5%)** – The year-end position is slightly improved than the position reported at Period 9 and reflects additional income in coastal car parking and building warrants, higher than anticipated capital work by Roads Trading, and lower than anticipated utility costs for street lighting. There remains significant staffing challenges across a number of Infrastructure Services including Facilities Management. This will remain a close area of review in 2022/23.
- **Communities & Partnerships, £604,000 under (4.7%)** – The year-end position is slightly improved from the position reported at Period 9 reflects increased staff savings, reduced cleaning costs and increased income.

3.18 The Corporate Management budgets include most of the key resource streams and corporate commitments for the Council, the most notable of which include Scottish Government grant funding, debt charges and Council Tax income. The main points to note are:

- Council Tax Budgets delivered a surplus against budget of £354,000.
- Revenue Collection Rates - despite significant challenges arising from COVID, Council staff have worked pragmatically with those in financial difficulty, and have collectively managed to protect revenue income and maintain collection rates at a very high level. This will continue to be an area closely monitored as we move into 2022/23 and beyond.
- As noted in section 3.10, the current budget assumes the recurring delivery of £2 million of corporate efficiencies relating to management of staffing budgets. There remain risks as to the ability to deliver this level of saving on a recurring basis.
- Corporate Management includes £1.517 million of funding for Business Support and Low Income Household funding. There is an equal split of funding between Businesses and Low Income households, with the allocation of the business element already approved by Council on 1 March 2022. The proposed use of the Low Income funding is as follows:
 - £15,000 – Enhanced campaign to support Benefit and Advice take-up,
 - £240,000 – Contingency to Support Fuel Crisis Fund, and
 - £500,000 – Cost of Living Assistance to support those in need wither through an enhanced £100 Scottish Welfare Fund payments or £100 prepaid shopping cards.

- The Council approved budget for 2021/22 included the decision to apply a loans fund repayment holiday in line with permissible fiscal flexibilities and national guidance. Officers have continued to monitor the need to apply this flexibility, ensuring prudence can continue to be demonstrated in any decision. Despite the financial challenges facing the Council, expenditure commitments relating to COVID recovery during 2021/22 can be delivered within available resources. This, alongside very challenging current economic conditions relating to interest rate increases and wider inflationary costs of capital projects, places further risks and challenges on demonstration of prudence and as such, officers are recommending that this decision is not applied during 2021/22.
- There has been a significant increase in the Bad Debt provision in 2021/22. This increase follows a review of outstanding debts relating to Common Housing Repairs and Homelessness previously allocated against HRA.
- Aligned to national guidance, the Scottish Government has extended the period to apply any loans fund repayment holiday for a further year. As such, officers are recommending that this flexibility remain under review during 2022/23, with any final decision taken by Council at the end of this financial year.
- The reported overspend on collective corporate management budgets of £1.149 million largely reflects the proposal to defer the Loans Fund holiday without which there would have been a significant surplus partly due to a proportion of the additional Scottish Government funding being retained within the corporate management.

Scottish Government Funding

- 3.19 The additional funding received from the Scottish Government in 2021/22 is set out in **Appendix 7**. As noted previously, most of this funding has been received on a non-recurring basis, with a large proportion targeted to deliver specific policy interventions.
- 3.20 Alongside this, the Council has applied flexibility in the use of existing funding streams aligned to national flexibility. This includes funding previously made available to support the expansion of Early Learning and Childcare to 1140 hours, as well as the recharge of fixed costs within Property Maintenance as referenced earlier.

Council's Group Components

- 3.21 From the outset of COVID-19, the Council has engaged constructively with its group account partners to consider the financial implications of each of the organisations during this pandemic. In previous years, a 'letter of guarantee' was provided to both Enjoy and Brunton Theatre Trust in closing off their annual accounts. The 'guarantee' whilst not prescriptive in respect of quantum, gave both organisations positive assurance that the Council would work proactively with them to manage cash flow and fulfil

their inescapable obligations should the need arise. It is recommended that a similar 'letter of guarantee' is supported during 2021/22 accounts closedown.

General Services Revenue Conclusion

- 3.22 The Council continues to operate within an extremely challenging and complex financial environment, with an increasing range of demands and pressures. Despite the positive outturn for 2021/22, this has been largely due to significant levels of non-recurring national funding and non-recurring financial variances, which are unlikely to continue into 2022/23.
- 3.23 Going forward, the Council is facing an increasing level of financial risk, the scale of which remains at an unprecedented high level. There remains a growing number of significant concurrent risks, which are likely to place increased demand on council services and collectively will be extremely difficult to manage within available resources.

General Services Capital Summary

- 3.24 General Service's gross capital expenditure at the end of 2021/22 was £65.038 million against an updated budget of £97.735 million (Quarter 3 forecast of £71.121 million). A significant proportion of this underspend has already been re-profiled as part of the work on the 2022/23 capital plan and will be utilised in future years. Where appropriate, this is matched against anticipated income in line with individual project requirements.
- 3.25 Capital Income applied during 2021/22 was £27.720 million with the most significant element being developer contributions totalling £7.462 million. More details setting out the specific project spend relative to approved budgets is set out in **Appendix 8**.
- 3.26 A summary of the key movements and associated risks are shown below:
- Community Projects – delays in the construction start for Gateside West units has resulted in reduced expenditure during 2021/22 with a carry forward now shown in future budgets. Town Centre Regeneration is now in progress with a re-profiled budget.
 - Fleet – significant delays in the receiving procured goods, with any underspend carried forward into future years.
 - Open Space – a cemeteries land purchase could not be progressed during 2021/22 with options currently being explored. Musselburgh Flood Scheme is being progressed, with on-going discussions relating to national funding of wider flood risk management schemes.
 - Roads, Lighting & related assets – Some delays in project expenditure commitments, with a large proportion to be reprofiled into 2022/23.
 - Education – Contracts for Pinkie St Peters Primary, West Barns Primary and St Gabriel's Primary schools are progressing and on-site with expenditure commitments to be carried forward. Planning delays

affected Law Primary school construction start and North Berwick and Ross High schools are both due to be completed during summer 2022.

- Other property assets
 - Work is progressing on Innovation Park with unspent budget in 2021/22 carried forward into future years.
 - A1/QMU junction is now in progress and should be completed this calendar year.
 - Several other projects have already been re-profiled to future years including New Ways of Working and Replacement Children's House.

3.27 The current capital programme remains aligned to City Deal and Local Development Plan requirements and remains ambitious. A number of projects have moved from the design and planning stage to construction over the last 12 months.

3.28 Whilst recognising the ambitious plan, there remains significant external challenges in the supply of both labour and materials in the current market, and wider inflationary pressures are collectively placing significant and increased financial risk to the deliverability and affordability of the current capital plan. The impact of this remains under close review, with further updates provided during this year.

Housing Revenue Account Summary – 31 March 2022

3.29 The Housing Revenue Account delivered a surplus of £4.003 million against a budget of £2.239 million. Income was slightly under budget due to the timing of new build completions. This was offset by lower than budget interest charges and a lower than budgeted provision for Bad Debt following a full review of the provision that was in place. This position takes account of the fixed costs charges from the Property Maintenance Trading Account.

3.30 In line with the financial strategy, the CFCR exceeded the budgeted level by £1.764 million to help minimise the future debt charges. The debt to income ratio for 2021/22 was 32%, within the 40% level set out in the financial strategy.

3.31 In terms of the HRA General Reserve as at 31 March 2021, there was a reduction of £261,000 in the HRA balance and it is now £1.748 million. The Council did however receive a further £106,000 in Housing capital receipts during the year from various land sales and one legacy right to buy, increasing the balance to £733,000.

3.32 Details of the Housing Revenue Account capital budgets and expenditure incurred to date are set out in **Appendix 9** of this report. The total capital budget approved for HRA was £29.676 million. The actual spend to 31 March 2022 was £31.839 million. This overspend reflects accelerated new build council house sites and these costs have been partially offset by

additional grant funding above the budgeted figure. This is partly mitigated by underspends in the Modernisation Programme due to delays in planned work arising from COVID-19. Future year Modernisation plans factor in these delays.

Breach of Treasury Management Strategy

- 3.33 Audit and Governance members recently received a report setting out the 2021/22 Treasury Management activity. The report set out that during March 2022, there was a breach in one of the Council's approved Treasury indicators relating to level of fixed interest rate borrowing, which was set that no more than 75% of total fixed interest borrowing should have a maturity of greater than ten years.
- 3.34 Given wider market challenges, longer term fixed rate borrowing was undertaken during 2021/22 following discussions with Treasury advisers in order to achieve the best interest rates available at a time when rates are volatile and subject to increases at very short notice. In practice, this has resulted in the Council borrowing being above the approved indicator and 75% rate. An update to the Treasury Management Strategy will reflect the current economic climate and potential changes in market conditions. Including an update of the time-periods and limits within this indicator.

Summary

- 3.35 In summary, during 2021/22 the Council has continued to face very significant challenges both in terms of supporting the ongoing COVID-19 crisis response and recovery, alongside the increasing range of concurrent risks and pressures. Management of the Council's finances during the year has continued to be extremely challenging, and whilst significant additional national funding and flexibility has been made available, much of this was not been confirmed until very late in the year and has been ring-fenced to support specific policy response and provided on a non-recurring basis. This created a requirement for a complex and dynamic approach to effectively managing the wider financial position during 2021/22.
- 3.36 Despite better than anticipated in-year results, this has been largely due to significant levels of non-recurring national funding and non-recurring financial variances, which are unlikely to continue into 2022/23. The scale of financial risks and challenges facing the Council going forward is at an unprecedented high level and the management of these risks alongside delivery of service obligations within available resources will be very difficult to manage in the years ahead.
- 3.37 The Council will continue to harness all opportunities arising from the current environment and how it can sustain the delivery of vital services to the community, and more effectively manage wider assets. Nevertheless, the number of concurrent risks, and associated financial impact remains at a significantly heightened scale and will require some difficult decisions in the months and years ahead.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with this report, although, ongoing monitoring and reporting of the Council's financial performance is a key part of the approved Financial Strategy.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been considered and given there is no change in policy direction, there is no requirement to undertake any further impact assessment.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – as described above and in the supporting appendices
- 6.2 Personnel - none
- 6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 Council – 15 December 2020 – Item 4 Financial Update, including Financial and Capital Strategy 2021-26
- 7.2 Council – 23 February 2021 – Item 3 – Budget Development including setting of Rent Levels 2021-26
- 7.3 Council – 2 March 2021 – Item 2a – Budget Proposals on General Service – Amendment Submitted by the Administration
- 7.4 Council – 24 August 2021 – Item 4 – 2021/22 Financial Review Quarter 1
- 7.5 Council – 16 November 2021 – Item 3 – Financial Update Report
- 7.6 Council – 22 February 2022 – Item 4 – 2021/22 Quarter 3 Financial Review

AUTHOR'S NAME	David Henderson Ann-Marie Glancy
DESIGNATION	Interim Head of Finance Service Manager - Corporate Accounting
CONTACT INFO	dhenderson2@eastlothian.gov.uk aglancy@eastlothian.gov.uk
DATE	17 June 2022

Appendix 1 – Draft Unaudited Accounts 2021/22

1 BACKGROUND

- 1.1 The Council must prepare annual accounts in line with the Local Authority (Accounts) Scotland Regulations 2014 and in accordance with proper accounting practice as set out in the CIPFA / LASAAC Code of Practice on Local Authority Accounting. Given enhanced business continuity have and continue to be in place across the Finance service, the draft accounts covering the financial year 2021/22 are still in the process of being finalised. These accounts summarise the financial transactions made during 2021/22, and the Council's overall financial position as at 31 March 2022. They also include the consolidated group accounts for a number of entities where the Council has a controlling interest.
- 1.2 Previous practice has allowed draft accounts to be presented to Council in June prior to submission for audit. Whilst recognising the current drafting remains, the accounts will be available and submitted for audit by the statutory deadline of 30 June 2022. The Finance team have worked extensively and collectively with services to support the timely production of the year-end accounts as set out for consideration. Alongside this, the Finance team have continued to engage constructively with external audit during this period.
- 1.3 To fully satisfy the governance requirements to scrutinise the accounts prior to submission for audit, certain critical components relating to governance and internal control will be considered formally by Audit and Governance on 21 June 2022 and included within the Annual Governance statement.
- 1.4 A number of further steps will be undertaken to support scrutiny and governance requirements of the accounts. These include:
 - New elected members have only recently concluded an extensive member induction programme, which has included a session on Finance, Internal and External Audit. To support effective scrutiny, it is recommended that a briefing session will be scheduled in August which will provide members with information to help support the proper scrutiny and interpretation of year end accounts, including the key results and movements.
 - All elected members will have access to draft accounts through Members Library Service and will have had the opportunity to raise any significant questions or lines of enquiry to provide further clarity and understanding.
 - In line with statutory guidance, the draft accounts must be scrutinised by those charged with governance by 31 August in each year, and as such the draft accounts will be considered by Council in August. This will include any emerging findings from the statutory audit process.
 - The finalisation of the external audit process has now been extended until the end of November. External Audit have adopted a pragmatic and flexible approach, which takes account of local circumstances, and aims to have the

audit finalised and reported by end of October 2022. Should this not prove possible Members will be kept fully informed.

- 1.5 Whilst recognising the accounts document remains in draft pending completion, this report summarises the key financial results for the Council. As a reminder the Council has overall stewardship responsibilities for Common Good Funds, Trust Funds and effective control of other entities. These are included as subsidiaries in the Group Accounts, and more details on results from these entities will be provided at the members briefing.
- 1.6 Alongside this, external audit have responsibility to audit Dr Bruce Accounts which is a charity administered by the Council. The accounts for 2021/22 will be considered by the trustees (Musselburgh Councillors).
- 1.7 The key financial results set out within the accounts are summarised below with further details included within the 2021/22 Financial Review provided in **Appendix 2**.
- The Council's usable reserve has increased by £3.629 million to £38.719 million. This includes:
 - Increase in wider General Fund reserves by £1.489 million to £32.368 million.
 - Decrease in HRA reserves by £0.261 million to £1.748 million which remains consistent with the Council's approved financial strategy.
 - Increase in Capital Receipts Reserve by £2.401 million to £4.602 million (note this includes General Fund £3.868 million and £0.734 million HRA)
 - Relating to General Services, the Council had planned to utilise £0.250 million of reserves to balance expenditure commitments in 2021/22 and this has not been necessary.
 - Relating to HRA, the level of reserves has been maintained at a level consistent with the approved financial strategy and 2022/23 budget, and this has been achieved through flexibility in adjusting the funding contributed to in year capital expenditure to match the available statutory surplus for the year.

General Services Reserves

- 1.8 More detail setting out the draft position as at 31 March 2022 is set out in the table below and supporting narrative. Further details are also provided within the 2021/22 Financial Review in **Appendix 2**.

	<u>2020/21</u>	<u>Movement</u>	<u>2021/22</u> <u>Balance</u>
GENERAL FUND RESERVE			
EARMARKED			
Requirement to support future budgets	3,095	5,612	8,707
Cost Reduction / Transformation	3,445	0	3,445
DSM	1,071	77	1,148
MELDAP	36	0	36
Other	440	0	440
Council Tax 2nd Homes	2,064	-1,032	1,032
Other Ring Fenced funds	932	1,501	2,433
COVID Fund	8,900	-3,421	5,479
Civil Emergency*	2,000	0	2,000
General Services Capital*	2,282	0	2,282
	24,265	2,737	27,002
CONTINGENCY			
Balance – uncommitted*	4,063	-1,381	2,682
	4,063	-1,381	2,682
Total General Fund Reserves	28,328	1,356	29,684
OTHER RESERVES			
Insurance Fund	2,306	378	2,684
Capital Grants Unapplied	245	-245	0
Total	2,551	133	2,684
Total General Fund / Other Reserves	30,879	1,489	32,368
HRA	2,009	-261	1,748
Capital Receipts Reserve (incl. HRA)	2,201	2,401	4,602
Total Other Reserves	4,210	2,140	6,350
TOTAL RESERVES	35,089	3,629	38,718

* As set out within the approved Financial Strategy, the Council is required to hold a minimum level of uncommitted reserves equivalent to 2% of annual running costs. The minimum level is updated annually, and reflected within the revised financial strategy which sets the context for approving budgets. For 2022/23, the approved minimum level of uncommitted reserves was stated to be £5.2 million, but reference highlighted the increased running cost of the Council alongside the significant risks facing the Council, and as such consideration should be given to increase this level of

uncommitted reserves. The minimum level of reserves includes the following balances:

• Civil Emergency	£2.000 million
• General Services Capital	£2.282 million
• Uncommitted Balance* (note below)	£2.682 million
TOTAL	£6.964 million

1.9 More details to support the general services reserves is set out below:

Earmarked Reserves

1. Balance held to support future budget plans, aligned to the approved General Service budget for 2022-2025. Note this includes updated funding made available in 2021/22 to support Business and Low Income Households (LACER funding) amounting to £1.517 million.
2. The Cost Reduction / Transformational Fund reflects the position as at 31 March 2022. There are a number of approved commitments allocated against this fund for potential draw down in 2022/23 and beyond. Aligned to the Budget Development Framework report, it is recommended that the Cost Reduction Fund is to be renamed the Transformation Fund given it will be used to unlock future transformation initiatives that will lead to the delivery of wider efficiencies.
3. More details setting out the specific movements within both Primary and Secondary DSM balances are provided in the 2021/22 Financial Review with most schools now sitting at their maximum carry forward in line with current DSM guidance.
4. The Council continues to hold a MELDAP reserve that will be used to support targeted interventions, relating to Drug and Alcohol Services.
5. The 'Other' earmarked reserve relates to a previous Council commitment to retain balances to support the wider Accelerating Growth Plans.
6. Council Tax 2nd Homes is earmarked to support the development of affordable housing. This is supplemented each year with Council Tax received from 2nd Homes and offset by any commitments drawn down during the year. The draw down during the year supports commitments previously approved by Council to support East Lothian Mid Market Homes.
7. The Other ring-fenced fund was established during 2020/21 and used to carry forward funding to support the delivery of a number of wider policies. During 2021/22 the fund has reduced by £423,000 due to expenditure on the Rapid Re-housing programme and Windygoul Education project. A further £1.924 million has been carried forward into 2022/23 to support a range of initiatives including; Employability and Scottish Welfare.

8. The COVID fund balance was established during 2020/21, and has been used to support on-going interventions to support both intervention and recovery. During the year, £3.421 million was used to offset COVID costs incurred during 2021/22, as set out in more detail in the 2021/22 financial review. The fund balance remains at £5.479 million. Aligned to the Budget Development Framework Review, it is recommended that the COVID Fund requirement is expanded to support the broad range of financial risks which the Council is experiencing. This will be subject to on-going review with more detail considered at a future meeting.

Other Committed Reserves

9. The Council's insurance fund has increased in line with the latest assessment of on-going obligations. The future obligations for the Council will be further reviewed during 2022/23 in line with the next valuation.
10. This fund must be utilised by 2021/22 for the purpose of transformational activity delivering financial benefits to the Council. Details of the proposed activities are set out in more detail in 2021/22 financial review. In line with national guidance the application of this fund is subject to Council approval.
11. The balances held include capital receipts received in year, as well as earmarked balances retained specifically against the HRA and will be used to defray future debt charges.
12. HRA reserves has decreased in 2021/22 by £0.261 million to £1.748 million. The application of HRA reserves remains consistent with the Council's approved financial strategy.

Uncommitted Balance

13. The Council has an uncommitted balance of £2.682 million. Per narrative above, this must be considered aligned to the Council's minimum level of reserves.

Reserves Summary

- 1.10 In respect of the Council's General Services reserves, despite an overall increase of £1.489 million, a large proportion of this is already earmarked to deliver specific commitments. The 2021/22 financial review alongside the Budget Development Framework review collectively sets out the growing range of financial risks facing the authority, the scale of which sits at an unprecedented high level. Should all of these risks materialise, the level of uncommitted reserves remains very low and only marginally above the minimum level specified in the Council's approved Financial Strategy.
- 1.11 The scale of these challenges must be set within the context of a very difficult external operating environment, with inflationary pressures now reaching record levels, all of which must be met within what appears to be a further challenging Local Government funding settlement. The Council will continue to do all that it can to minimise and mitigate the on-going financial impacts but there remains a very real possibility that the Council may not be able to operate within approved budget levels without implementing further efficiency

measures. Effective management and application of our reserves continues to be a critically important factor in the financial strategy and future sustainability of the Council and care must always be taken to balance short terms flexibility against recurring pressures and commitments.

- 1.12 Noting that these reserve levels are still in draft pending the finalisation of the annual audit, and taking into account increasing range of financial risks currently facing the Council, it is recommended that the current 'uncommitted' balance be retained to bolster the minimum level of reserves held by the Council. This will provide the Council with some limited but much needed capacity to manage future uncertainties.
- 1.13 The Council's wider HRA reserves will continue to support the wider requirements set out within the financial strategy, in particular using flexibility in HRA revenue balances to minimise the impact of future debt charges.

Next Steps

- 1.14 The draft accounts will be formally submitted to Audit Scotland before 30 June, with the current working assumption that the audit will be completed by the end of October 2022. During this period, the accounts and under-pinning financial results remain draft until the audit has concluded. Upon completion of the audit, the final audited accounts will be reported to Audit & Governance Committee, setting out any key changes arising during the course of the audit, alongside the draft External Audit report.
- 1.15 In accordance with statutory requirements, the draft accounts will be made available for public inspection between 1 July 2022 and 21 July 2022.

Appendix 2
 East Lothian Council
 End of Year Financial Review Budget Monitoring 2021/22 General Fund - 31 March 2022

Service	Head of Service	Business Unit	2021/22 Budget	2021/22 Actual	2021/22 (Surplus) / Deficit	2021/22 Budget Variance to Date %
			£'000	£'000	£'000	
Education & Children's	Children's	Performance & Service Delivery	1,106	1,035	-71	-6.4%
Education & Children's	Children's	Management	4,724	5,838	1,114	23.6%
Education & Children's	Children's	Assessment HUB and Early Interventions	2,006	1,968	-38	-1.9%
Education & Children's	Children's	Long Term Social Work Supervisory Groups	3,326	3,197	-129	-3.9%
Education & Children's	Children's	TAC, Disability & Resources	5,702	5,705	3	0.1%
Education & Children's	Children's	Disability Short Breaks	707	692	-15	-2.1%
EDUCATION & CHILDREN'S	CHILDREN'S TOTAL		17,571	18,435	864	4.9%
Education & Children's	Education	Inclusion & Wellbeing	10,644	10,395	-249	-2.3%
Education & Children's	Education	Pre-school Education & Childcare	15,850	15,349	-501	-3.2%
Education & Children's	Education	Schools - Primary	46,344	45,256	-1,088	-2.3%
Education & Children's	Education	Schools - Secondary	42,628	42,722	94	0.2%
Education & Children's	Education	Schools - Support Services	6,775	6,289	-486	-7.2%
Education & Children's	Education	East Lothian Works	2,379	1,238	-1,141	-48.0%
EDUCATION & CHILDREN'S	EDUCATION TOTAL		124,620	121,249	-3,371	-2.7%
EDUCATION & CHILDREN'S TOTAL			142,191	139,684	-2,507	-1.8%
Council Resources	Finance	Financial Services	1,791	1,075	-716	-40.0%
Council Resources	Finance	Revenues & Benefits	3,710	3,490	-220	-5.9%
Council Resources	Finance	Procurement	256	359	103	40.2%
COUNCIL RESOURCES	FINANCE TOTAL		5,757	4,924	-833	-14.5%
Council Resources	Corporate	IT Services	2,512	2,635	123	4.9%
Council Resources	Corporate	Legal	334	284	-50	-15.0%
Council Resources	Corporate	People & Governance	4,706	4,493	-213	-4.5%
Council Resources	Corporate	Communications	436	407	-29	-6.7%
COUNCIL RESOURCES	CORPORATE TOTAL		7,988	7,819	-169	-2.1%
COUNCIL RESOURCES TOTAL			13,745	12,743	-1,002	-7.3%
Health & Social Care Partnership	Head of Operations	Adult SW	36,056	38,426	2,370	6.6%
Health & Social Care Partnership	Head of Operations	Acute & Ongoing Care	8,268	8,155	-113	-1.4%
Health & Social Care Partnership	Head of Operations	Rehabilitation	1,718	1,874	156	9.1%
Health & Social Care Partnership	Head of Operations	Adult Statutory Services	3,004	2,862	-142	-4.7%
Health & Social Care Partnership	Head of Operations	Statutory Services	1,530	1,465	-65	-4.2%
Health & Social Care Partnership	Head of Operations	Head of Operations	4,884	2,863	-2,021	-41.4%
Health & Social Care Partnership	Head of Operations	Business & Performance IJB	3,032	2,877	-155	-5.1%
HEALTH & SOCIAL CARE PARTNERSHIP	IJB TOTAL		58,492	58,522	30	0.1%
Health & Social Care Partnership	Head of Operations	Business & Performance Non-IJB	540	805	265	49.1%
HEALTH & SOCIAL CARE PARTNERSHIP	Non-IJB TOTAL		540	805	265	49.1%
HEALTH & SOCIAL CARE PARTNERSHIP TOTAL			59,032	59,327	295	0.5%
Place	Development	Planning	1,374	1,284	-90	-6.6%
Place	Development	Economic Development	1,486	2,378	892	60.0%
PLACE	DEVELOPMENT TOTAL		2,860	3,662	802	28.0%
Place	Housing	Housing Strategy & Development	1,324	1,046	-278	-21.0%
Place	Housing	Property Maintenance Trading Account	-863	-426	437	50.6%
Place	Housing	Community Housing	2,543	2,785	242	9.5%
PLACE	HOUSING TOTAL		3,004	3,405	401	13.3%
Place	Infrastructure	Facility Support Services	3,759	3,422	-337	-9.0%
Place	Infrastructure	Facility Trading Activity	-276	-437	-161	-58.3%
Place	Infrastructure	Asset Maintenance & Engineering	3,369	3,215	-154	-4.6%
Place	Infrastructure	Asset Management & Capital Planning	-515	-634	-119	23.1%
Place	Infrastructure	Landscape & Countryside Management	5,458	5,529	71	1.3%
Place	Infrastructure	Roads Network	5,079	4,709	-370	-7.3%
Place	Infrastructure	Roads Trading Activity	-562	-469	93	16.5%
Place	Infrastructure	Transportation	1,227	1,317	90	7.3%
Place	Infrastructure	Waste Services	9,356	9,381	25	0.3%
Place	Infrastructure	Active Business Unit	3,634	3,441	-193	-5.3%
PLACE	INFRASTRUCTURE TOTAL		30,529	29,474	-1,055	-3.5%
Place	Communities & Partnerships	Corporate Policy & Improvement	822	765	-57	-6.9%
Place	Communities & Partnerships	Connected Communities	6,357	6,269	-88	-1.4%
Place	Communities & Partnerships	Protective Services	1,876	1,641	-235	-12.5%
Place	Communities & Partnerships	Customer Services Group	3,726	3,502	-224	-6.0%
PLACE	COMMUNITIES & PARTNERSHIPS TOTAL		12,781	12,177	-604	-4.7%
PLACE TOTAL			49,174	48,718	-456	-0.9%
SERVICE TOTAL			264,142	260,472	-3,670	-1.4%
CORPORATE MANAGEMENT TOTAL			-264,142	-262,993	1,149	0.4%
TOTAL			0	-2,521	-2,521	-1.0%
TOTAL HRA			0	2,260	2,260	0.0%
General Services Adjusted to reflect Movements In Reserves included in the Ledger Position						
Transfer from Second Home Council Tax				1,077		
Transfer to Second Home Council Tax				-45		
Total				1,032		
Revised Final Position					-1,489	-0.6%
Increase in Capital Reserves					-2,401	
Total Movement In Reserves					-3,890	
Reduction in HRA Reserves					261	
Total Movement In Reserves					-3,629	
USABLE RESERVES						
Opening Usable Reserves					-35,089	
Movement in Reserves					-3,629	
Closing Usable Reserves					-38,718	

Appendix 3
 East Lothian Council
 End of Year Financial Report - COVID Costs 31 March 2022

Directorate	Head of Service	COVID Costs £'000
EDUCATION & CHILDREN'S	CHILDREN'S TOTAL	796
EDUCATION & CHILDREN'S	EDUCATION TOTAL	4,243
EDUCATION & CHILDREN'S TOTAL		5,039
COUNCIL RESOURCES	FINANCE TOTAL	143
COUNCIL RESOURCES	CORPORATE TOTAL	16
COUNCIL RESOURCES TOTAL		159
HEALTH & SOCIAL CARE PARTNERSHIP	IJB TOTAL	2,066
HEALTH & SOCIAL CARE PARTNERSHIP	Non-IJB TOTAL	0
HEALTH & SOCIAL CARE PARTNERSHIP TOTAL		2,066
PLACE	DEVELOPMENT TOTAL	60
PLACE	HOUSING TOTAL	2,942
PLACE	INFRASTRUCTURE TOTAL	1,986
PLACE	COMMUNITIES & PARTNERSHIPS TOTAL	2,016
PLACE TOTAL		7,004
SERVICE TOTAL		14,268
CORPORATE MANAGEMENT TOTAL		150
TOTAL		14,418

Appendix 4
East Lothian Council
COVID Action Fund Expenditure & Commitments - 31 March 2022

Workstream	2021/22 (£000)
Business Grants	1,335
Education	691
Hardship / Poverty	800
Other	98
ALEO Support	0
Recovery & Renewal Workstream Funding	497
TOTAL	3,421

Funding Available	8,900
Balance	5,479

Appendix 5
East Lothian Council
Capital Grants Unapplied - 31 March 2022

Workstream	Actual 2021/22	Comments
Assets Review	58	Saving will come from the end of the Lease at Randall House
Transport Officer (Education)	39	Saving from rationalising transport provision for home to school and school to school services.
Energy Transformation	14	New technology will help to reduce utility costs.
Roads	90	Financial benefit will come from developing Decriminalised Parking Enforcement.
Procurement	44	Financial benefit from improved Contract prices.
TOTAL	245	

Funding	245
Balance	0

Appendix 6

East Lothian Council

End of Year Financial Report 2020/21 Budget Efficiencies - 31 March 2022

Service	2021/22			
	Achieved	Amber	High	
	£'000	£'000	£'000	
Education	28	0	0	
Finance	28	0	0	
Corporate Services	0	0	10	
H&SCP	0	250	0	
Housing	8	0	0	
Communities	43	0	0	
Infrastructure	419	144	0	
Total	526	394	10	930

Savings Currently High - Red

Service	Proposal	Value	Comments
People & Governance	Uplift on existing income	10	Not achieved at this stage due to COVID 19
Total		10	

Appendix 7

East Lothian Council

End of Year Financial Report - Additional Scottish Government Funding (General Revenue Grant)

	£million
2021/22 GRG (per Finance Circular)	179.979
Additional Funding - GRG	
COVID	
Non Recurring COVID Funding	5.018 Non-Recurring
Recovery of Overpayment of GRG in 2020/21 for FSM Dec/Jan £6.950m recovery	-0.098 Non-Recurring
Education Recovery Funding - £60m Distribution	1.169 Non-Recurring
Low Income Pandemic Payments	1.004 Non-Recurring
Business Support Administration Grant	0.051 Non-Recurring
Extension to Outbound Calling / Local Self isolation Services	0.155 Non-Recurring
Tenant Grant Fund	0.184 Non-Recurring
CO2 Monitors	0.061 Non-Recurring
Financial Insecurity Flexible Funding	0.415 Non-Recurring
Business Support & Low Income Household	1.517 Non-Recurring
TOTAL COVID	9.476
OTHER	
Expansion of Universal Free School Meals and Free School meal Holiday Support - Phase 1	0.294
Free School Meal Holiday Support - £21.75m distribution	
Expansion of Universal Free School Meals and Free School meal Holiday Support - Phase 2 and 3 Primary 4 & 5 - £28m distribution	0.654
Summer of Play: Activities for Children and Young People	0.277 Non-Recurring
Increase in School Clothing Grants (£5.8m)	0.105
Instrumental Music Funding (£6m 21/22, £3m 22/23)	0.071 Non-Recurring
Additional GRG £40m distribution	0.775 Non-Recurring
Real Living Wage Uplift £30.5m distribution	0.582
Removal of core curriculum charges (£7m 21/22, £3m 22/23)	0.085
Additional 1000 Teachers and 500 Pupil Support Workers (100 Day Commitment £50m)	1.042
Scottish Child Payment Bridging Payments	1.128 Non Recurring
Free Child Burials	0.006
Removal of Fees for Instrumental Musical Tuition	0.089 Non-Recurring
National Trauma Training Programme	0.050
Unaccompanied Asylum Seekers	0.011
Scottish Disability Assistance	0.018
Mental Health Recovery & Renewal	0.054
Care at Home Winter Planning	1.188
Interim Care Winter Planning	0.767 Non-Recurring
Funding for Pressures	0.581 Non-Recurring
Social Care Workforce Uplift	0.740
Teacher Induction Scheme	1.137 Non-Recurring
Teacher Induction Scheme Administration Costs	-0.002
Educational Psychology Trainees	0.009
Whole Family Wellbeing	0.049 Non-Recurring
FWES Employability	1.052 Non-Recurring
Telecare Fire Safety	0.019 Non-Recurring
SNCT	0.114
TOTAL OTHER	10.895
Total Additional Funding	20.371
Revised GRG	200.350
Recurring	6.078
Non-Recurring	14.293
Total Additional Funding	20.371

Appendix 8
 East Lothian Council
 General Services Capital Budget Monitoring Summary 2021-22 -- 31 March 2022

Expenditure	RAG	Annual (In-Year)			Previously reported Outturn to Council Q3 (P9)	Reprofiled during 22/23 budget process
		Approved Budget 2021/22	Updated Budget 2021/22	Actual 2021/22		
		£'000	£'000	£'000	£'000	
Community Projects						
Community Intervention	G	500	500	388	379	
Bleachingfield Centre Remodelling Works	G	90	90	-	-	90
Dunbar Conservation Area Regeneration Scheme (CARS)	A	90	90	-	90	
Support for Business	A	1,481	1,508	54	288	
CCTV	A	230	230	2	10	
Town Centre Regeneration	G	1,297	1,458	1,026	1,478	
Total Community Projects		3,687	3,876	1,470	2,244	90
Town Centre Regeneration Grant	A	(1,297)	(1,458)	(1,006)	(1,458)	
Other Funding Sources	G	(90)	(90)	-	-	(90)
Total Income: Community Projects		(1,387)	(1,548)	(1,006)	(1,458)	(90)
ICT						
IT Programme (including Education)	G	2,800	2,800	3,529	3,045	
Replacement - CRM Project (Customer Services)	G	-	47	2	47	
Total ICT		2,800	2,847	3,531	3,092	-
Other Funding Sources	G	-	-	(294)	(245)	
Total Income: ICT		-	-	(294)	(245)	-
Fleet						
Amenties - Machinery & Equipment - replacement	G	213	213	211	211	
Vehicles	A	2,325	3,028	2,570	2,535	
Waste Collection Vehicles	G	3,000	3,000	2,747	2,747	
Total Fleet		5,538	6,241	5,528	5,492	-
Other Funding Sources	A	(3,000)	(3,000)	(2,801)	(2,747)	
Total Income: Fleet		(3,000)	(3,000)	(2,801)	(2,747)	-
Open Space						
Cemeteries (Burial Grounds)	A	912	939	-	500	439
Coastal / Flood Protection schemes - Haddington	A	250	325	-	15	300
Coastal / Flood Protection schemes - Musselburgh	A	844	1,031	762	550	
North Berwick - Coastal Erosion	G	-	-	572	-	
Coastal Car Park Toilets	A	246	394	388	456	
Core Path Plan	A	50	80	71	80	
Mains Farm Town Park & Pavilion	A	100	70	81	107	
Nature Restoration	A	-	-	66	109	
Replacement Play Equipment	G	100	100	108	108	
Ormiston Pump Track	G	-	-	103	90	
Sports and Recreation LDP	A	1,227	1,235	216	172	264
Waste - New Bins	G	250	250	201	205	
Waste - Machinery & Equipment - replacement	G	40	40	91	85	
Total Open Space		4,020	4,464	2,658	2,476	1,003
Developer Contribution	A	(1,277)	(1,254)	(105)	(111)	(264)
Other Funding Sources	A	(148)	(148)	(744)	(389)	
Total Income: Open Space		(1,425)	(1,402)	(849)	(499)	(264)
Roads, Lighting and related assets						
Cycling Walking Safer Streets	A	469	544	586	313	
East Linton Rail Stop / Infrastructure	A	1,520	1,520	2	1,520	
Parking Improvements	A	230	230	64	184	46

East Lothian Council
General Services Capital Budget Monitoring Summary 2021-22 -- 31 March 2022

	RAG	Annual (In-Year)			Previously reported Outturn to Council Q3 (P9)	Reprofiled during 22/23 budget process
		Approved Budget 2021/22	Updated Budget 2021/22	Actual 2021/22		
Expenditure		£'000	£'000	£'000	£'000	
Roads	A	6,854	6,929	6,740	6,851	
Roads - externally funded projects	G	4,077	4,077	511	3,176	
Total Roads, Lighting and related assets		13,150	13,300	7,903	12,044	46
Developer Contribution	G	(377)	(377)	(11)	(400)	
Other Funding Sources	A	(4,169)	(4,244)	(1,044)	(3,090)	
Total Income: Roads, Lighting and related assets		(4,546)	(4,621)	(1,055)	(3,490)	-
Property - Education						
Aberlady Primary - extension	A	932	953	47	100	191
Blindwells Primary - new school	A	-	-	211	200	(200)
Cockenzie Primary - Internal Remodelling	G	31	31	31	31	
Craighall Primary - New School (Phase 1)	A	-	-	206	200	(200)
Dunbar Primary - John Muir Campus - Early Learning and 1140	A	99	101	77	101	
East Linton Primary - extension including Early Learning and 1140	A	200	200	-	-	
Gullane Primary - extension including Early Learning and 1140	A	2,022	2,274	1,646	2,348	
Haddington School (Infants & St. Mary)	A	25	25	(0)	-	
Kingsmeadow Primary	A	25	25	-	-	
Law Primary - extension including Early Learning and 1140	A	3,232	3,202	221	250	2,457
Letham Primary - New School	A	161	374	80	60	
Macmerry Primary - extension	A	-	-	1	-	
Musselburgh Grammar - upgrades	A	888	903	550	678	225
North Berwick High School - Extension	A	5,306	5,788	3,469	3,000	681
Ormiston Primary - extension	A	1,434	1,732	1,120	1,350	26
Pinkie St Peter's Primary - sports hall extension	A	-	-	174	-	807
Pinkie St Peter's Primary - extension including Early Learning and 1140	A	3,312	3,469	425	600	2,419
Ross High School - extension	A	9,139	9,629	8,447	7,500	1,078
School Estate - Curriculum Upgrades	A	330	345	22	22	
School Kitchens - 1140 Upgrades	A	319	317	511	459	
St Gabriel's Primary - extension including Early Learning and 1140	A	940	1,178	691	600	386
Wallyford Primary - New School	A	-	-	6	6	
Wallyford Learning Campus	A	11,310	11,700	16,867	16,500	(6,424)
West Barns Primary - extension including Early Learning and 1140	A	1,997	2,149	746	600	1,199
Whitecraig Primary - new school including Early Learning and 1140	A	297	307	192	315	8
Windygoul Primary - Early learning and 1140 extension	A	900	929	77	24	905
Unallocated 1140 Hours	G	1,000	1,000	-	-	
Total Property - Education		43,899	46,631	35,817	34,943	3,559
Developer Contribution	A	(10,447)	(11,605)	(7,346)	(6,745)	(2,197)
1140 CFCR and Grant Income	A	(8,233)	(8,907)	(3,489)	(2,771)	(5,306)
Other Funding Sources	G			(5)	(5)	
Total Income: Property - Education		(18,680)	(20,513)	(10,840)	(9,521)	(7,503)
Property - Other						
Accelerating Growth		8,275	8,542	1,869	5,200	3,201
- Cockenzie	G	-	-	426	839	
- Blindwells New Town	A	354	364	112	173	
- Innovation Park incl. Innovation Hub	A	921	1,178	31	389	
- A1/QMU Junction	A	7,000	7,000	1,300	3,799	3,201
Brunton Hall - Improved Community Access	G	100	100	-	-	100
Court Accommodation - incl. SPOC	G	1,686	1,776	2	3	1,749
Former Levenhall Nursery	A	-	-	7	5	
Haddington Corn Exchange - upgrades	G	-	-	22	15	
Haddington Town House - Refurbishment and Rewire	A	574	597	83	200	300
Meadowmill - New Depot	A	-	476	382	476	

East Lothian Council
General Services Capital Budget Monitoring Summary 2021-22 -- 31 March 2022

	RAG	Annual (In-Year)			Previously reported Outturn to Council Q3 (P9)	Reprofiled during 22/23 budget process
		Approved Budget 2021/22	Updated Budget 2021/22	Actual 2021/22		
Expenditure		£'000	£'000	£'000	£'000	
New ways of working Programme	G	773	1,523	19	32	1,515
Port Seton - Community Centre Extension	G	-	15	1	15	
Prestonrange Museum	A	934	971	53	257	713
Property Renewals	G	3,000	3,000	3,153	3,135	
Replacement Of Movable Pool Floors To Sports Centres	G	-	36	-	(0)	
Replacement Childrens House	G	1,549	1,549	-	-	1,549
Sports Centres	A	200	360	188	360	
Tynebank Resource Centre	G	-	-	3	-	
Water meter size reduction	G	-	14	-	-	14
Whitecraig Community Centre	A	-	96	1	50	
Total Property - Other		17,090	19,054	5,783	9,748	9,140
Developer Contribution	G	-	-	-	-	-
Other Funding Sources	A	(3,565)	(3,685)	(1,822)	(4,011)	1,183
Total Income: Property - Other		(3,565)	(3,685)	(1,822)	(4,011)	1,183
Total Property Spend - Education and Other		60,989	65,685	41,600	44,691	12,699
Total Income: Property - Education and Other		(22,245)	(24,198)	(12,662)	(13,532)	(6,320)
Capital Plan Fees	G	1,322	1,322	2,009	2,081	
PPP Projects	G	-	-	339	-	
		1,322	1,322	2,348	2,081	-
1140 Grant Income		-	-	(97)	-	
PPP CFCR		-	-	(339)	-	
		-	-	(436)	-	-
Total Gross Expenditure		91,506	97,735	65,038	72,121	13,839
Income						
Developer Contribution		(12,102)	(13,237)	(7,462)	(7,256)	(2,461)
1140 Grant Income		(8,233)	(8,907)	(1,603)	(2,771)	(5,306)
1140 CFCR from Revenue				(1,983)		
PPP CFCR				(339)		
Town Centre Regeneration Grant		(1,297)	(1,458)	(1,006)	(1,458)	
Other Funding Sources		(10,972)	(11,166)	(6,710)	(10,486)	1,093
Scottish Government General Capital Grant		(7,983)	(7,983)	(8,617)	(7,983)	
Total Income		(40,586)	(42,752)	(27,720)	(29,954)	(6,674)
Borrowing Requirement		50,920	54,983	37,318	42,167	7,165

RAG

RED (trouble) - Project is at risk to miss a scheduled completion date, may be over budget or out of scope. Immediate action required

AMBER (danger) - Project may be at risk if issues are not addressed. Attention required

GREEN (all good) - Project is on track to meet scheduled parameters

Appendix 9

East Lothian Council

End of Year Financial Report Budget Monitoring 2021/22 Housing Capital - 31 March 2022

	2021/22 Budget	2021/22 Actual	2021/22 (Surplus) / Deficit
	£'000	£'000	£'000
Modernisation	15,888	11,812	-4,076
New Council Housing	12,031	17,588	5,557
Fees	1,477	1,262	-215
Mortgage to Rent	280	177	-103
TOTAL	29,676	30,839	1,163

Funded By:

	2021/22 Budget	2021/22 Actual	2021/22 (Surplus) / Deficit
	£'000	£'000	£'000
Grants	-4,500	-9,147	-4,647
Grants MTR	-196	-111	85
CFCR	-2,500	-4,264	-1,764
Borrowing	-22,480	-17,317	5,163
TOTAL	-29,676	-30,839	-1,163

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Council Resources
SUBJECT: Common Good Budget 2022/23

4

1 PURPOSE

- 1.1 To provide an update on Common Good Funds, and consider a budget for 2022/23, noting the status of financial implications arising from Common Good review.

2 RECOMMENDATIONS

- 2.1 The Council is recommended to:
- Note financial implications and risks relating to the current economic climate and on-going financial review of Common Good;
 - Approve the 2022/23 grants budget for Dunbar, Haddington, Musselburgh, North Berwick as set out in Appendices 2a-2d, noting the context for future budget development.

3 BACKGROUND

- 3.1 The Council's approved Standing Orders and Scheme of Administration states the following:
- Council will approve an annual budget for each of the Common Good Funds that will include provision for the maintenance of assets and any committed items of expenditure.
 - Each Common Good Committee has authority to:
 - Award a grant of up to £10,000
 - Approve revenue expenditure of up to £10,000 for the maintenance of the assets of the fund, if any individual award can be met within the overall approved budget.

- Each application for a grant will be considered on its own merits. The Committee must consider whether it is a reasonable judgement for them to consider making a disbursement of funds from the Common Good Fund for the benefit of the Community.
 - The Common Good Committees may make recommendations to the Chief Financial Officer in relation to expenditure over £10,000, who will prepare a report for Council referencing any such recommendations received but making their own recommendation, taking into account budgetary considerations. Council will make the decision on any matter involving expenditure of more than £10,000.
- 3.2 Common Good investment income and funds should be used to maintain the Common Good asset base with any surplus funds being used to benefit the inhabitants of the area covered by the funds.

Budget Development

- 3.3 Council approved the budgets for 2021/22 and indicative draft budgets for 2022/23 and 2023/24 in April 2021.
- 3.4 These budgets are updated annually, and take into consideration the following key components:
- a. Previous year review and updated fund balances;
 - b. Roll forward of indicative budgets, taking into consideration any updated assumptions relating to:
 - Projected expenditure commitments in particularly relating to on-going repairs and maintenance of Common Good assets;
 - Projected income to the funds relating to rental income and investment income.
- 3.5 The funds have traditionally forecast to deliver a surplus, with levels of grants available to support the community set at a reasonable level to ensure the fund values could continue to meet current obligations and sustain a value of investment for future benefit.

2021/22 Financial Position

- 3.6 The draft 2021/22 closing usable reserve balances is set out in **Appendix 1** of this report, with overall fund balances increased by £0.753 million to £12.582 million during the year. These figures remain draft and subject to change pending completion of the audited accounts.
- 3.7 Fund balances at 31 March 2022 include accumulated fair value gains on financial instrument investments of £1.291 million. These gains are unrealised and should be regarded as deferred gains i.e. they are profits on paper and will only be available for use if investments are sold. It would not be prudent for these gains to be used until they are realised, therefore the funds available as shown in **Appendix 1** as at March 2022 is £11.291 million, and is set out across each of the Common Good Funds. The impact of unrealised gains, and indeed

potential losses, however remains a considerable budgetary focus to ensure the ongoing liquidity and longevity of the fund.

3.8 The fund balances also reflect the value of Common Good property assets. Some properties are inalienable and therefore their values cannot be realised through sale of assets. In effect, the means by which the value of these assets will be realised by the Common Good is continued use in service rather than any potential sale, disposal or distribution.

3.9 In addition, officers continue to monitor the financial implications arising from the current economic climate including inflation and any impact on wider investment returns, and rental income with more details set out below.

- Investment holdings including liquid assets e.g. sterling deposits have a balance of £3.897 million as at 31 March 2022 (March 2021 £3.679 million). The consolidation of the 2021/22 accounts has resulted in an increase in the overall value of our fund investments of around 6%. The accounts are still being finalised and more details on the outcome of this will be provided to Members in due course.
- The Council's investment advisors have indicated that the global bond and equity markets have sustained capital losses during the first 3 months of 2022, but that the picture is much improved at the end of the quarter compared to how it looked at the beginning of March. Officers continue to engage with Investment Advisers, and consider any necessary action aligned to the Treasury Investment Strategy should there be any significant change to fund projections. The need to ensure the ongoing viability of the funds is essential to ensure the long-term benefits of the Common Good investments.
- Officers continue to monitor the rental income to ensure income is secured.

Financial Implications from Common Good Review

3.10 Alongside this, work continues to progress to review the Common Good funds in line with previous Council decision. To date, this has focused on the implications arising from a legal review of Common Good properties and wider consultation, with an initial outcome reported to MLS in November 2021, and adjustments reflected in 2020/21 accounts to reflect transferred land assets.

3.11 The outcome of this work remains subject to ongoing review, and will take into consideration an enhanced asset management plan which will support future revenue and capital investment requirements to support these wider Common Good assets/properties. These may require significant financial investment, which will need to be considered in setting future budgets, particularly ensuring the ongoing fund values can continue to support the repairs and maintenance of the Common Good asset base. The existing historic cost element of depreciation charges for any building assets, which affects the Common Good usable reserve balances, will also be increased by the addition of any assets that are deemed to be owned by the Common Good as part of the review.

- 3.12 Whilst some progress has been made, the extent to finalising this work has been limited due to on-going prioritisation of business continuity critical areas during 2021/22.

Draft 2022/23 Budgets

- 3.13 Whilst recognising there are a wide range of variables which may impact on future budgets, this must be balanced alongside the requirement for Common Good committees to have certainty in approved budgets to consider any grant applications during 2022/23.

- 3.14 As such, it is recommended Council approves a 2022/23 budget, which has been rolled forward from previous approved indicative budget, and updated with the assumptions set out in the section below. Future years' budgets will be considered at a later date pending finalisation of the wider review, and future Common Good Budget development to be set within the context of medium term financial planning.

- Based on commentary from the appointed investment managers, and current forecast market conditions, no assumption has been made to reflect an investment return during 2022/23. This position will remain under close review during the financial year.
- No assumption has been made relating to the wider financial implications arising from the Common Good review as detailed in paragraphs 3.11 to 3.13 above.
- Grant levels for each of the Common Good funds remains consistent with approved 2021/22 levels.
- The 2021/22 draft accounts are still being finalised, and therefore the fund balances remain in draft pending finalisation of the audited accounts.

- 3.15 Draft budget for 2022-2023 for each of the Common Good Funds are set out in **Appendix 2a-d** of this report for consideration and approval. It should be noted that a further adjustment to these budgets might need to be made subject to approval of application being considered as a separate item on Council agenda.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with this report, although ongoing monitoring and reporting of the Council's financial performance is a key part of the approved Financial Strategy.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been considered and given there is no change in policy direction, there is no requirement to undertake any further impact assessment.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – as described above
- 6.2 Personnel - none
- 6.3 Other – none

7 BACKGROUND PAPERS

- 7.1 7.1 Council 27 April 2021 – Item 4 – Common Good Budget Development (2021-24)

AUTHOR'S NAME	David Henderson / Ann-Marie Glancy
DESIGNATION	Interim Head of Finance / Service Manager Corporate Accounting
CONTACT INFO	dhenderson2@eastlothian.gov.uk aglancy@eastlothian.gov.uk
DATE	14 June 2022

Appendix 1 - Common Good Fund Balances 2021/22

Fund	Fund Balance	Balance Related to Unrealised Fair Value Gains on Investments	Common Good Fund balances (Excluding Investments fair value movements)
<i>Balances at 31/03/2022 (subject to audit)</i>	£'000	£'000	£'000
Dunbar	1,007	11	996
Haddington	797	30	767
Musselburgh	9,091	1,182	7,909
North Berwick	1,687	68	1,619
TOTAL	12,582	1,291	11,291

Appendix 2 - Summary

Consolidated Common Good Income & expenditure Budget

	Approved	Draft budgets
	Budget 2021/22 £000	Indicative Budgets 2022/23 £000
Expenditure		
Premises - Repairs & Maintenance	68	97
Premises - Rates	29	29
Supplies & Services	70	61
Grants	192	199
Depreciation	83	86
Total Expenditure	442	472
Income		
Rents & Other Income	-446	-488
Interest / Investment Income (inc realised gains and losses on sale of investments) *	-2	-2
Dividend income *	-98	-83
Total Income	-546	-573
Cost of Services	-104	-101
Net Surplus for the year	-104	-101
Common Good Balance *	-9,310	-11,291
Accumulated Fund	-9,414	-11,392

* Excluding unrealised gains and losses on the fair value of investments

Appendix 2a

Dunbar Common Good Income & expenditure Budget

	Approved	Draft budgets
	Budget 2021/22 £000	Indicative Budgets 2022/23 £000
Expenditure		
Premises - Repairs & Maintenance	20	20
Premises - Rates	0	0
Supplies & Services	4	4
Grants	4	4
Depreciation	27	30
Total Expenditure	55	58
Income		
Rents & Other Income	-17	-19
Interest / Investment Income (inc realised gains and losses on sale of investments) *	0	0
Dividend income *	-1	-1
Total Income	-18	-20
Cost of Services	37	38
Net Deficit for the year	37	38
Common Good Balance *	-892	-996
Accumulated Fund	-855	-958

* Excluding unrealised gains and losses on the fair value of investments

Appendix 2b

Haddington Common Good Income & expenditure Budget

	Approved	Draft budgets
	Budget	Indicative Budgets
	2021/22	2022/23
	£000	£000
Expenditure		
Premises - Repairs & Maintenance	2	1
Premises - Rates	0	0
Supplies & Services	7	1
Grants	10	10
Depreciation	0	0
Total Expenditure	19	12
Income		
Rents & Other Income	-27	-27
Interest / Investment Income (inc realised gains and losses on sale of investments) *	0	0
Dividend income *	-2	-2
Total Income	-29	-29
Cost of Services	-10	-17
Net Surplus for the year	-10	-17
Common Good Balance *	-504	-767
Accumulated Fund	-514	-784

* Excluding unrealised gains and losses on the fair value of investments

Appendix 2c

Musselburgh Common Good Income & expenditure Budget

	Approved	Draft budgets
	Budget 2021/22 £000	Indicative Budgets 2022/23 £000
Expenditure		
Premises - Repairs & Maintenance	45	45
Premises - Rates	24	24
Supplies & Services	52	52
Grants	150	150
Fireworks Grant	18	25
Depreciation	51	51
Total Expenditure	340	347
Income		
Rents & Other Income	-364	-404
Interest / Investment Income (inc realised gains and losses on sale of investments) *	-2	-2
Dividend income *	-90	-76
Total Income	-456	-482
Cost of Services	-116	-135
Net Surplus for the year	-116	-135
Common Good Balance *	-6,993	-7,909
Accumulated Fund	-7,109	-8,044

* Excluding unrealised gains and losses on the fair value of investments

Appendix 2d

North Berwick Common Good Income & expenditure Budget

	Approved	Draft budgets
	Budget 2021/22 £000	Indicative Budgets 2022/23 £000
Expenditure		
Premises - Repairs & Maintenance *2	1	31
Premises - Rates	5	5
Supplies & Services	7	4
Grants	10	10
Depreciation	5	5
Total Expenditure	28	55
Income		
Rents & Other Income	-38	-38
Interest / Investment Income (inc realised gains and losses on sale of investments) *	0	0
Dividend income *	-5	-4
Total Income	-43	-42
Cost of Services	-15	13
Net Surplus for the year	-15	13
Common Good Balance *	-921	-1,619
Accumulated Fund	-936	-1,606

* Excluding unrealised gains and losses on the fair value of investments

*2 Building repair costs of £30K anticipated in 2022/23

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Place

SUBJECT: Cockenzie Former Power Station Site: Progress Update and Actions

5

1 PURPOSE

- 1.1 The purpose of this report is to provide an update on the future of the large and complex Cockenzie former power station site following the publication of National Planning Framework 4 (NPF), and to seek approval for actions which are related to progressing the preparedness of the site, future planning and subsequent marketing to secure and optimise business development and employment opportunities.

2 RECOMMENDATIONS

- 2.1 That Council agrees to the Chief Executive of the Council writing formally to the Chief Executive of Forth Ports, in order to address the potential use of the site as a cruise liner terminal. The letter will seek confirmation of Forth Ports' position as to whether there is any potential for a partnership or joint venture following previous engagement and following the publication of NPF4. (Further detail on this is set out in paragraph 3.9 – 3.12 below.)
- 2.2 That Council notes the progress being made in relation to the site and the plans to appoint development master-planners, commercial agents and progress discussions with the Scottish Government's enterprise agencies, alongside both UK Government and Scottish Government, regarding the potential use of the site in the future.

3 BACKGROUND

- 3.1 The last updates on the site were provided in 2021. A Members' Library report noted that terms had been agreed for an option with Seagreen Wind

Energy to land offshore power onto the site for onward transmission to the National Grid. Members also awarded funding to the community group promoting the 360 Project to undertake a feasibility study into their proposal to develop a climate change centre.

- 3.2 When the Council acquired the site, the former power station was identified in the third National Planning Framework (NPF) as a National Development site for thermal generation and carbon capture and storage. Work has been undertaken, since the Council's acquisition of the site, with the Chief Planner and wider Scottish Government team to seek to remove this designation and allow the site to be regenerated for much broader employment-generating uses.
- 3.3 The draft NPF4 now recognises the site as a wider opportunity site. It notes that the existing infrastructure can be repurposed to form the basis of new proposals and that there is an opportunity to generate employment and provide essential infrastructure for net zero. It is anticipated that NPF4 will be finalised in autumn/winter 2022. This will enable us to move forward with plans for the site.
- 3.4 Members will recall that the community has already provided valuable input into an initial master-plan of ideas for how the site might be taken forward for the benefit of the people of East Lothian. There is now a need to refine this and set a vision for necessary works to prepare the site, consenting processes and subsequent development of the site. There are many strands to be drawn together and the vision will need to be responsive and sufficiently flexible to accommodate the site's existing constraints and a range of potential developments that may come forward over the next decade.
- 3.5 Members are aware of the existing options with Inchcape and Seagreen 1A which will see power generated offshore connected to the Grid at Cockenzie. Both of these offshore generation projects are the subject of applications to the UK Government as part of the latest bidding round of 'Contracts for Difference' (CFD) (the UK Government mechanism for supporting low-carbon electricity generation). It is anticipated that if these bids are successful, work will begin towards the development of these installations before the end of the 22/23 financial year. A further energy-related proposal for a small part of the site is under discussion and more information will be brought forward later in the Council meeting as a private paper, along with an update on the option contracts granted to Inchcape and Seagreen. All are commercially sensitive and are the subject of non-disclosure agreements at the present time.
- 3.6 To facilitate land transfer to Seagreen 1A for the proposed substation, a planning application has been submitted by the Council to construct a road, primarily along the line of the existing service road within the site. This will have the additional benefit of improving the public road network through the provision of segregated pedestrian and cycle facilities and will alleviate congestion on the local road network. Both Seagreen and Inchcape have Planning Permission in Principle and will also bring forward

Applications for Matters Specified in Conditions to secure the detail of their proposed developments at the appropriate time.

- 3.7 It is the Council's intention, in the broad sense, to facilitate the development of the site for employment generating uses and there are a number of key actions that will be required in order to make progress. Members will note that there are two community-led proposals for the site, both of which have had the benefit of feasibility work funded by the Council. It is important that the outcomes of these two community-led proposals are fully understood as part of taking the site forward.
- 3.8 The two proposals are the 360 project and a proposal for a port to serve the market for cruise vessels. At this point, the 360 project has selected its preferred consultant and its study needs time to take its course, to identify the potential for and viability of, the proposed land use.
- 3.9 In relation to the port, the most recent advice the Council has is set out in a study prepared by AECOM in January 2021. This indicated a capital cost to provide a cruise berth of between £44M and £80M with a payback period of between 16 and 21 years depending on the type of facility and whether it is suitable for transit calls by ships only, or whether it functions as a 'turnaround' facility which would allow cruises to start and end at Cockenzie. The report also notes that for most ports, cruise is a marginal business and that dedicated facilities have only come about where a large cruise operator is willing to make a commitment in terms of utilisation of the facility (the example given was Southampton Cruise Terminal). The researchers contacted cruise operators, who indicated that investing in cruise terminals is not something that they perceive to be worthwhile, as they are primarily concerned with earning profit from their investment in vessels.
- 3.10 The report also notes that the existing facilities in the Forth (Leith, Rosyth, Newhaven and South Queensferry) serve the needs of a large portion of the cruise sector and although a new facility at Cockenzie could improve passenger experience, this is seen by the cruise operators as a marginal benefit. The report concludes that the case for Cockenzie could be greater if one of the existing terminals could no longer be used, or another type of marine traffic was found to utilise a Cockenzie facility in the winter months. Since the publication of that report, Forth Ports have also announced their proposals for a significant investment of c. £40M on an outer berth at the Port of Leith. This enhanced facility is intended to allow the larger cruise liners to berth, including those not able to enter the shipping lock, as per the current arrangement. Leith has the advantage of bringing passengers ashore closer to the tourist attractions of Edinburgh.
- 3.11 The existing facilities are predominantly owned and operated by Forth Ports, so if there is any potential for cruise business to be transferred to Cockenzie and contributions to viability to be made by the use of the facility for other cargoes during the winter months, a partnership or agreement with Forth Ports would be a sensible route forward. It does not appear to be a viable alternative to develop a port to compete directly with Forth

Ports for cruise traffic, nor to seek 'winter only' cargo at a new facility. Forth Ports is the Harbour Master and operates the pilotage service that allows vessels to navigate the waters of the Forth. A port development in competition with Forth Ports would also be unlikely to give an investor the certainty required to justify injection of between £44M and £80M and the division of the available business between the competing alternatives would also extend the payback period significantly.

- 3.12 Following the publication of NPF4 in draft, and in the context of previous officer engagement, Members are asked to agree that the Chief Executive of the Council now writes formally to the Chief Executive of Forth Ports to seek confirmation as to whether Forth Ports would agree to the exploration of a partnership or joint venture at Cockenzie.
- 3.13 Following these actions and outcomes, decisions will be required to determine whether either of these projects, or elements of them, are viable and capable of being taken forward as part of the further master-planning of the site into development parcels.
- 3.14 Another ongoing project for the site is the development of a submission to the UK Government's Levelling Up Fund to bid for support to undertake necessary works to the site, which will enhance and optimise the opportunity for the future development of the site, whatever the eventual land use is. The window to submit this bid closes on 6 July and the detail is the subject of a separate paper before Council for approval at this meeting.
- 3.15 It is intended that the next actions that will be undertaken will include: a) the appointment of a master-planner, to consider the development potential of the site as a whole and identify constraints and necessary core infrastructure to divide the site into development parcels. It is anticipated that the infrastructure and development parcels will be as flexible as possible, at this early stage, before the likely land uses are known and understood; b) the continuation of technical work being undertaken to assess the development potential of the site as part of the wider Blindwells and potential Climate Evolution Zone, including looking at flood risk and mitigation; c) continued liaison with Scottish Enterprise, Scottish Futures Trust and Scottish Development International with regard to the potential marketplace for UK-wide or international investments that could be brought to the site. This will include further assessment of the likelihood of investment in a data centre, in response to the Scottish Futures Trust study which identified Cockenzie as a potential site for this use; and d) appoint a commercial agent to develop a marketing strategy and market the site UK-wide and internationally.
- 3.16 These actions will collectively allow the development of the vision and continue progress towards development. The key actions have been summarised into a high level timeline which is attached at Appendix 1 – this will be refined into a more detailed project plan as we proceed to the next steps. It is anticipated that construction of the road and the onshore substations and associated infrastructure could commence as early as

winter 2022. The subsequent actions to achieve the delivery of employment generating uses of the site are variable and are linked to dependent on ongoing technical work, securing funding, investment in site preparation and servicing works and the level of appetite in the marketplace to bring forward development on the site.

- 3.17 Community engagement will be embedded throughout the process and it is intended that a Communications Strategy, will be considered by the cross party elected member oversight forum at its next meeting. This will reflect the council's recent move out of Business Continuity arrangements and into recovery from COVID-19,
- 3.18 A further update will be brought forward in winter 2022, to update on progress in relation to the matters raised in this report.

4 POLICY IMPLICATIONS

- 4.1 The proposals herein are in line with the wider expectations of the Council for the development of employment opportunities on this site. They also accord with the draft vision for the site established through the draft NPF4, and policy intention as established within the National Strategy for Economic Transformation (NSET), the Regional Prosperity Framework, the Council Plan and the Economic Development Strategy 2012-2022.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report, at this stage, does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – Actions set out within this report are contained within approved Capital and Revenue budgets. The funding implications of updates on energy related proposals that are subject to non-disclosure agreements are included within the private report later in the agenda for this meeting. The financial implications of the Levelling Up bid are detailed within the separate report that follows on the agenda for this meeting.
- 6.2 Personnel – none
- 6.3 Other – none

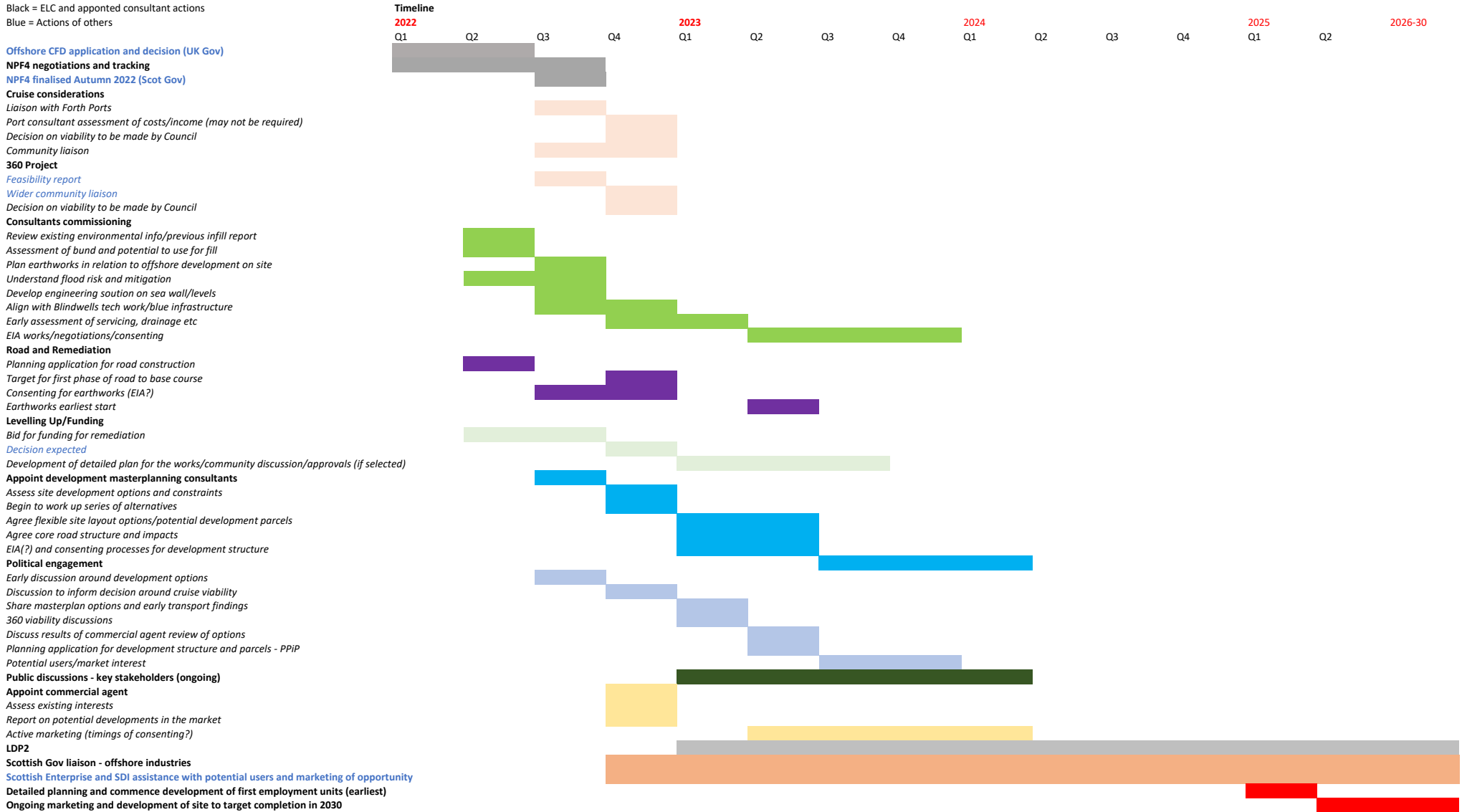
7 BACKGROUND PAPERS

- 7.1 Report to Council 16 November 2021 – Cockenzie Power Station Site 360 Project Feasibility study ([here](#))
- 7.2 Report to Council 16 November 2021 – Regional Prosperity Framework ([here](#))
- 7.3 Members Library Report 55/20, 26/05/20. Cockenzie Power Station Site: High level Optioneering Study into the creation of a Cruise/Port-related Facility ([here](#)).
- 7.4 Council Report 23 February 2021- Cockenzie Former Power Station Site Update / National Planning Framework 4: Position Statement and Associated Response ([here](#))
- 7.5 Report to East Lothian Council by Depute Chief Executive (Partnerships and Community Services) February 2020 - Development Planning: National Planning Framework 4/Regional Spatial Strategies and Local Development Plan ([here](#))
- 7.6 Member's Library Report 50/20 26/05/20. Full Response to National Planning Framework 4 Consultation ([here](#))
- 7.7 Member's Library Report 57/20, 26/05/20. Draft ClimatEvolution Vison & Action Programme for Consultation ([here](#)) – COVID_19 Emergency Recess Report
- 7.8 The original masterplan prepared for the site in liaison with the local community can be found [here](#)
- 7.9 The draft National Planning Framework 4 (NPF) can be found [here](#)
- 7.10 The SFT Data Centre Study can be found [here](#)
- 7.11 Appendix 1 herewith sets out a brief summary timeline to development on site.

AUTHOR'S NAME	Michaela Sullivan
DESIGNATION	Head of Development
CONTACT INFO	msullivan@eastlothian.gov.uk
DATE	16 th June 2022

Cockenzie - Summary of Draft Timeline and Actions to Development

Black = ELC and appointed consultant actions
 Blue = Actions of others



REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Place
SUBJECT: Cockenzie Levelling Up Fund Bid

6

1 PURPOSE

- 1.1 The UK Government launched the second round of the Levelling Up Fund in March 2022. The purpose of the fund is to allow local authorities to bid for capital funding of up to £20m to support regeneration, cultural, heritage, town centre or transportation projects in their area, that can be delivered by 2025/26 and that will have tangible benefits.
- 1.2 Officers have been preparing a c. £10–15m levelling up funding bid for preparation works to the former Cockenzie Power Station site that would allow the site to be developed to its fullest extent in the future and therefore maximise the employment opportunities that the site presents.

2 RECOMMENDATIONS

- 2.1 That Council approves:
- Support for a circa £10–15m bid (final figure to be confirmed) to the UK Government Levelling Up Fund Round 2 for preparation works at the former Cockenzie Power Station site;
 - That these works are to include the infill of the former power station slab, the removal of earthwork bunds surrounding the former coal store, works to the sea wall and coastal flood defence and public realm and surface enhancements of the John Muir Way as it passes through the site, including the removal of the pedestrian bridge and re-routing of the John Muir Way through the site; and
 - Delegation of authority to finalise and submit the bid package to the Head of Development, in consultation with the Council Leader and the Provost.

- 2.2 To note that officers are not seeking approval for the delivery of the detailed package of works but the principle of submitting a funding bid for them. The package of works will require formal regulatory approval processes, including Environmental Impact Assessment and planning permission. Details of the John Muir Way and public realm enhancement will be worked up in consultation with the surrounding communities.

3 BACKGROUND

The Fund

- 3.1 In 2021, the UK Government announced the Levelling Up Fund, which is a £4.8bn capital only fund for UK local authorities to bid for contributions towards regeneration, cultural or transportation projects in their area, with the aim of improving infrastructure. £800m of this fund has been allocated towards authorities in Scotland, Northern Ireland and Wales.
- 3.2 The programme was announced to run for three bidding rounds and this submission will be made to Round 2, which closes on 6 July 2022. Bids must fall within the categories of transport investment, regeneration and town centre investment or cultural investment. We are bidding under the 'regeneration and town centre investment' category.
- 3.3 Councils are only allowed to submit one bid per MP that covers the local authority area, plus an additional solely transportation bid. As East Lothian Council is covered by a single Westminster Constituency, then the Council can submit one bid in any category, with the option of a second transportation-themed bid. The values of projects bidding for funding are capped at £20m, except in exceptional circumstances. In the first bidding round in 2021, a range of project values were supported, from £1m right up to a very small number of combined bids of £40m.
- 3.4 Bids are assessed on a number of factors and must meet UK Treasury Green Book standards for business cases. Factors include:
- Overall priority level of area based on need for economic growth, regeneration and accessibility – East Lothian has been identified as level 2 (1 being most in need and 3 being least);
 - Alignment of bid with local strategies/plans; Scottish Government strategies/plans and UK levelling up missions;
 - Value for money – an economic case should be submitted to explain the benefits of the bid and how it represents value for money;
 - Deliverability – financial and physical delivery, with full expenditure by 2025 (or 2026 as an exception) and some expenditure on capital development within the 2022/23 financial year
 - MP Support – bids are enhanced if the MP supports the bid through the signing of a form to accompany the bid submission documents.

- 3.5 Following the initial review stage, Ministers will also consider the following factors in awarding funding:
- Thematic split of approved projects (e.g. across regeneration and town centre, transport and culture and heritage);
 - Fair spread of approved projects across UK;
 - Fair balance of approved projects across places in need;
 - Prioritisation of either ‘strategic fit’ or ‘deliverability’ or ‘value for money’ over the other criteria; and
 - Taking into account other investment in a local area, including funding from other UK or Scottish Government grants.
- 3.6 As the deadline for submission falls after this Council meeting (6 July), delegated authority is sought to the Head of Development, in consultation with the Council Leader and Provost, allowing the maximum time to continue with the preparation of a robust bid package for submission. This will include advice from external consultants, due to report before the end of June.
- 3.7 Work is also underway within the Sustainability and Growth team, to identify potential transport interventions that could be brought forward for a transport-focused bid into Round 3 of the Levelling Up Fund.

Former Cockenzie Power Station Site

- 3.8 The Council acquired the c. 200-acre Cockenzie site from Scottish Power in 2018 and undertook a community master-planning process, to identify future potential uses for different zones of the wider site. The masterplan was flexible to take account of unknown futures regarding development of offshore energy infrastructure on part of the site and the requirement in National Planning Framework 3 (NPF3) for thermal energy generation and carbon capture and storage on the area of the former coal-fired power station.
- 3.9 Following extensive community and stakeholder engagement the masterplan¹ included the following vision for the former power station site:
- “An ambitious, dynamic and distinctive area at the heart of East Lothian, characterised by a vibrant, growing and flourishing economy which is of strategic significance in the national context, a network of active communities and greenspaces providing an attractive and sustainable place in which to live, work, visit and invest.”*
- 3.10 In order to achieve the vision the masterplan identified the following principles:
- Maximising employment opportunities;

¹ Available as a background paper

- Creating a high quality setting to encourage investment;
 - Working with the grain of the place and employing existing assets;
 - Maintaining and enhancing the character of the district;
 - Introducing new landscape amenity features;
 - Encouraging ambitious design;
 - Improving routes, access and legibility of wayfinding;
 - Efficient development to avoid sprawl and make the most of the opportunities;
 - Creating a new East Lothian destination; and
 - Planning for future flexibility.
- 3.11 From those principles the masterplan identifies up to four development zones within which c. 90,000sqm of employment floorspace and up to 3,500 jobs could be created, as well as new green links and recreational space.
- 3.12 Since the development of the masterplan, planning permission in principle has been granted for two substations and interconnector infrastructure to Redrock and Seagreen required for off-shore windfarms. The draft National Planning Framework 4 (NPF4) removes the restrictions on the site for thermal generation and therefore the Council will be revisiting the masterplanning of the site². However, regardless of what eventual uses are developed on the site, there are remediation measures that are required if we are to maximise the use of the previously developed parts of the site.
- 3.13 To set this in context, the site comprises various elements including the plinth of the former power station, which contains a large void that can be filled to create level ground for development and extensive earth bunds which surrounded the former coal stocks, which can be removed to reveal further ground for a more flexible development pattern on the site. There is also a bridge across the former water inlet which is unsightly and in poor condition, which can be removed and replaced with a footpath on the site.

Proposed Bid Elements

- 3.14 Officers have been working up the bid with the following elements forming a single package of work to allow for the development of the site:
- Removal of the bunds surrounding the former coal store on the South side of Edinburgh Road;

² Subject to separate Council report

- Infilling of the void where the former power station was sited and the possible raising of levels in that part of the site to reduce flood risk, if required by SEPA;
- Works to the sea wall and repairs to the rock armour at the base of the sea wall to improve flood protection; and
- Public realm and surfacing improvement to the John Muir Way (JMW) as it runs along the promenade of the site. It is proposed to remove the current pedestrian bridge over the former cooling water outfall, which is in deteriorating condition and then re-route the path within the site.

3.15 The need for each of the above elements is set out in in turn below:

3.16 Under the Coal Store section of the Cockenzie masterplan, it is proposed that if the existing bunds and disused railway infrastructure could be removed, the area would be more accessible and capable of more flexible use. The developable area of this part of the site would be increased, with points of access capable of being provided from both from the new link road that will traverse the site, as well as from the existing B6371 to the east.

3.17 The site is served via an existing rail connection on the east coast main line and a rail sidings area within the site. Removal of the eastern bund would facilitate regrading of the rail line into the developable area if required in the future.

3.18 The demolition of the main building of the former power station has left a significant level difference over the area to the north of Edinburgh Road. It is considered that infill of the void where the power station stood (requiring 130,000m³ of material) and infilling of culvert structures below ground, will significantly improve the development opportunity offered by this part of the site. Infilling the culverts will also reduce flood risk in the future.

3.19 Initial tests have indicated that three of the four coal store bunds are made up of clay with a capping of shale/granular material, the fourth containing a significant volume of reinforced concrete. Subject to further tests (ongoing), the material in the first three bunds is considered to be suitable for infilling the power station void to create a development platform. The volume of material (c. 400,000m³) would be more than sufficient. The Council has to dispose of the rest, or possibly raise the level of the ground north of Edinburgh Road, if required for flood risk reasons (subject to further engineering reports and engagement with SEPA).

3.20 A survey of the sea wall has been undertaken. Existing rock armour along the base of the sea wall has been reduced over years and requires to be replaced. The concrete skin to the outside face of the wall is in good condition with minor repair work required. The parapet wall on the top of the wall is in poor condition and requires repair with the opportunity taken to heighten the wall to mitigate against future flood risk, which is increasing as a consequence of climate change.

- 3.21 The John Muir Way runs along the coastal perimeter of the site then exits over the area known as the green hills. The surface of the promenade section along the coastal perimeter is in a poor state with a broken surface, making access for users in wheelchairs or with buggies difficult. Along with the sea wall works the Council proposes to re-surface this section and make public realm improvements, including lighting, to improve the attractiveness and increase visitors to this section of the route. The zone 1 Coastal section of the masterplan references public realm improvements would include lighting, the provision of crossings, a zone for safe cycling, and planting as appropriate.
- 3.22 As the John Muir Way exits the site to the east it crosses a metal bridge over the former cooling water outfall, with high sidewalls and no visibility. It is not an asset that adds to the attractiveness of the route. The bridge is in poor condition and has long term maintenance and repair liabilities. It is proposed to remove this short bridge and instead re-route the John Muir Way through the eastern edge of the site. Details of the exact re-routing have to be worked up and this will be done in consultation with communities and user groups.
- 3.23 Together as a package these works have been estimated as costing circa £10–15m with the final costs due to identified in a technical study prior to bid submission in early July.
- 3.24 Whilst the Council will be in receipt of capital income from sales of land to Inchcape and Seagreen, the complexity of remediating and developing a large brownfield site of this nature will mean that these funds are likely to be required to achieve adequate access and servicing. The additional costs involved in the works specified in this bid, which will increase the overall potential of the site, will not be available.
- 3.25 To explain this in more detail, when a commercial operator makes a bid for a land parcel for development, they will pay for the necessary services and access roads within the parcel itself. This means that the provision of the wider access roads, foul and surface water drainage infrastructure and delivery of power to the boundary of each parcel will all have to be financed by another means. The Council has the potential to finance these from the revenues arising from the renewable energy generators Inchcape and Seagreen.
- 3.26 The revenues arising will not, however, cover the additional costs of the remediation works proposed to enhance the overall development potential of the site, such as repairs to the sea wall and earthworks to level the site and remove the bunds. In order therefore, that we are able to use the site to its fullest developable extent and achieve the vision of the masterplan, we are applying for Levelling Up funding to cover the ground remediation and site preparation works identified in this report.

Delivery

- 3.27 As noted previously, this report is only seeking approval to submit a bid for funding of these works. If successful, they will then be subject to

refinement, consultation and formal approval and regulatory process arising under EIA and planning legislation.

- 3.28 A Delivery Plan will support the bid and it indicates that the majority of the works to remove the bund and infill the void will not commence until 2024. Further technical analysis, site investigations and design studies are required as well as allowing for approval processes. This time period will also allow for further consultation on works required to the sea wall, JMW and public realm improvements as well as discussions with SEPA regarding climate change mitigation and the development levels of the site. The Council will also be submitting a focused risk avoidance and mitigation plan as part of its bid submission.
- 3.29 Seagreen and Inchcape are highly likely, assuming that they are awarded Contracts for Difference by the UK Government and subsequent detailed planning permission, to be developing their substations and interconnectors in the 2022 to 2024 period. Thus the delivery plans between the substations and the earthworks proposed in this bid will have to be co-ordinated carefully.
- 3.30 All bid documentation will be made available to the public by the UK Government, following notification as to whether the bid has been successful. Any sensitive information will be redacted.

Consultation

- 3.31 Extensive consultation was undertaken in 2017 for the Cockenzie Masterplan process, with which this bid is aligned. The proposed bid also accords with the ClimatEvolution draft Supplementary Planning Guidance that the Council consulted upon in 2020.
- 3.32 Officers are looking to inform local community councils of the bid. Kenny MacAskill has given his support for the project and as the local MP this is important for the assessment of the bid. Support is also being sought from MSPs Paul McLennan, Craig Hoy and Martin Whitfield.

4 POLICY IMPLICATIONS

- 4.1 The proposal is aligned with the draft National Planning Framework 4 (NPF), the National Strategy for Economic Transformation (NSET), the Regional Prosperity Framework (most notably Big Move 4 – Regeneration of the Forth) and the Council's own Economic Development Strategy 2012-2022.
- 4.2 The proposed bid is in line with approved 2017 masterplan and does not conflict with any element of it. A feasibility study has been undertaken into port development at the site and a feasibility study into the 360 project is underway. Neither of these alternative site uses would be in conflict with the proposals and both would benefit from the measures proposed in the bid.

- 4.3 The proposal is in alignment with Local Development Plan Policy *PROP EGT1 Land at Former Cockenzie Power Station Site*. The proposed package of works will require environmental assessment screening and be subject to planning.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 It is not possible to undertake an integrated impact assessment on the project until the feasibility and technical work have been completed. An assessment will be made available at that stage.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – If a bid is successful, the Council will be awarded 90% of the total cost of the works submitted in the bid and will be expected to fund the remaining 10%. As the total cost of the works is projected in the £10–15m range, the Council will therefore be expected to fund £1–1.5m.

- 6.2 Whilst there is no specific capital budget sum identified currently in the approved March 2022 capital budget, it would not have been appropriate to include it until Government funding support is confirmed. If the Council is successful, the requirements of the project will be worked up as part of budget development for 2023, from autumn 2022 onwards. Detailed arrangements for the energy related developments that were referenced in the previous report and are subject to further update under private business on this meeting’s agenda, provide the potential for the Council’s contribution to be met from capital receipt(s).

- 6.3 The fund rules require that there is some capital expenditure on the project required in the current 22/23 financial year, but that this can include design works and studies. This funding can be identified from the Accelerating Growth line within the approved Capital budget. Any sum required in 2022/23 is likely to be small, comprising 10% of the 22/23 expenditure on the project.

- 6.4 Personnel – Project managers within the Growth & Sustainability Team have been working on bid development and will be taking the project forward if the bid is approved.

- 6.5 Other - None

7 BACKGROUND PAPERS

- 7.1 [Levelling Up White Paper](#)
- 7.2 [Levelling Up Fund Round 2 Prospectus](#)

- 7.3 [Regional Prosperity Framework Report for Approval](#) – Council – 16
November 2021
- 7.4 [Council Response to Draft National Planning Framework 4](#) – Council – 29
March 2022
- 7.5 [Draft Climate Evolution Vision & Action Programme for Consultation](#) -
Member's Library Report 57/20, 26 May 2020 - COVID_19 Emergency
Recess Report
- 7.6 [Former Cockenzie Power Station Site Masterplan](#) – August 2017 -
Prepared with significant community and other stakeholder consultation
and input

AUTHOR'S NAME	Michaela Sullivan
DESIGNATION	Head of Development
CONTACT INFO	gmarsden@eastlothian.gov.uk
DATE	16 June 2022

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Place
SUBJECT: UK Shared Prosperity Fund (UKSPF)

7

1 PURPOSE

- 1.1 To provide an overview of the UK Shared Prosperity Fund (UKSPF) allocation process, outline project proposals particularly for year 1 and secure agreement of proposed regional contribution in years 2 and 3.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- a) Agree the approach that officers intend to take to iteratively develop a detailed Investment Plan to be submitted to UK Government, noting specifically that the initial submission to allow funding approval for year 1 intervention work will be through a submission for 1 August 2022 that will be approved through Summer Recess arrangements;
 - b) Agree provisional sums of £100K from our Year 2 allocation and £1,180K from our Year 3 allocation to pool regionally to progress priority regional activities that can be delivered in the short-term;
 - c) Note the summary of the UKSPF prospectus and the engagement process with the additional assurance provided from UK Government to work with the Council and its partners at local and regional levels in a practical and supportive way to ensure that Investment Plan outcomes are optimised for East Lothian citizens.

3 BACKGROUND

- 3.1 The UKSPF is a central pillar of the UK Government's Levelling Up agenda and a significant component of its support for places across the UK. It provides £2.6 billion of new funding for local investment by March 2025, with all areas of the UK receiving an allocation from the Fund via a funding formula rather than a competition.

- 3.2 UKSPF is the UK Government's domestic replacement for the European Structural and Investment Programme (ESIF) which the UK continues to participate in until 2023. The ESIF programme was essential for local regeneration, employment and skills. East Lothian Council utilised ESF for a Strategic Employability Pipeline Programme and ERDF for additional business support.
- 3.3 The overarching objective of UKSPF is *Building Pride in Place and Increasing Life Chances*. There are three UKSPF investment priorities:
- Communities and Place:
 - Strengthening our social fabric and fostering a sense of local pride and belonging, through investment in activities that enhance physical, cultural and social ties and access to amenities, such as community infrastructure and local green space, and community-led projects.
 - Building resilient, healthy and safe neighbourhoods, through investment in quality places that people want to live, work, play and learn in, through targeted improvements to the built and natural environment and innovative approaches to crime prevention.
 - Supporting Local Business:
 - Creating jobs and boosting community cohesion, through investments that build on existing industries and institutions, and range from support for starting businesses to visible improvements to local retail, hospitality and leisure sector facilities.
 - Promoting networking and collaboration, through interventions that bring together businesses and partners within and across sectors to share knowledge, expertise and resources, and stimulate innovation and growth.
 - Increasing private sector investment in growth-enhancing activities, through targeted support for small and medium-sized businesses to undertake new-to-firm innovation, adopt productivity-enhancing, energy efficient and low carbon technologies and techniques, and start or grow their exports.
 - People and Skills:
 - Boosting core skills and supporting adults to progress in work, by targeting adults with no or low level qualifications and skills in maths, and upskill the working population, yielding personal and societal economic impact, and by encouraging innovative approaches to reduce adult learning barriers.
 - Reducing levels of economic inactivity through investment in bespoke intensive life and employment support tailored to local need. Investment should facilitate the join-up of mainstream provision and local services within an area for participants,

through the use of one-to-one keyworker support, improving employment outcomes for specific cohorts who face labour market barriers.

- Supporting people furthest from the labour market to overcome barriers to work by providing cohesive, locally tailored support including access to basic skills.
- Supporting local areas to fund gaps in local skills provision to support people to progress in work, and supplement local adult skills provision e.g. by providing additional volumes; delivering provision through wider range of routes or enabling more intensive/innovative provision, both qualification based and non-qualification based. This should be supplementary to provision available through national employment and skills programmes.

3.4 Multiply will be delivered as part of the single UKSPF investment plan with ring-fenced funding allocated. Its key objective is to increase the levels of functional numeracy in the adult population through free tutoring, digital training and flexible courses. Provision funded through Multiply should provide additionality and not duplicate or replace existing provision. The list of interventions for Multiply (Appendix 1) are based on the growing evidence of the barriers that prevent people from addressing their numeracy skills and what is successful in tackling low numeracy skills in adults.

3.5 The 3 key measures for Multiply are:

- More adults achieving maths qualifications and participating in numeracy courses (up to SCQF Level 5)
- Improved labour market outcomes
- Increase adult numeracy across the population

3.6 The target audience for Multiply are those adults over 19 who:

- Have not previously attained SCQF Level 5 Maths or Numeracy
- Need specific numeracy skills for their work or progression
- Want to brush up on the skills to help them get on in life and work

3.7 All places across the UK will receive a conditional allocation from the UKSPF. To access the funding allocation, each place will be asked to set out measurable outcomes that reflect local needs and opportunities, which will inform the interventions that will be delivered (see Appendix 1 for full list of interventions).

3.8 These interventions will be set out in an investment plan submitted to the UK Government for approval. Documentation on the investment plan will be available from 30 June 2022 with a submission deadline of 1 August 2022. The Investment Plan will select outputs and outcomes relevant to each UKSPF investment priority. UK Government have given officers assurance that this plan can and indeed should be one that is incrementally developed working with UK Government Officers from the Department of Levelling Up, Housing & Communities (DLUHC). This means in practice, that whilst it remains important for a plan to be

submitted by 1 August (particularly in respect of year 1 interventions being approved and delivered), that Council will have future opportunity to consider and approve the implementation plan.

3.9 UK Government have offered to extend the submission date through August recognising Scottish Local Authority recess arrangements. It is the view of officers, however, that we should not apply for such a delay on the basis that this would in turn delay approval of year 1 funding which must be spent in full within year. This is of course also in recognition of the UK Government commitment that Investment Plans will be flexible and incrementally developed allowing year 2 and year 3 interventions to be considered fully.

3.10 East Lothian's core UKSPF allocation is £3,365,916 with an additional £702,594 for Multiply (22/23 £212,412; 23/24 £245,091; and 24/25 £245,091) giving a total of £4,068,510. Funding will be approved in October 2022 and will be available until the end of March 2025. Whilst UK Government are unable to provide specific assurance that year 3 funding levels will be maintained they have articulated that is the intention around the principle of levelling up across the United Kingdom to 2030. This is an important aspect given that interventions, mainly in year 3, that have taken time to develop will be recurring in the majority of instances and will have taken substantial time, effort and collaborative resource to design and implement.

3.11 UKSPF is a mix of revenue and capital funding which can be used to support a wide range of interventions to build pride in place and improve life chances. Below is a table which sets out the funding split between revenue and capital (excluding Multiply) and the level of available funding per annum. Any underspend has to be de-committed and returned:

	Year 1 2022-23	Year 2 2023-24	Year 3 2024-25	Total
Core Grant allocation	£408,485	£816,970	£2,140,461	£3,365,916
Capital requirement %	£42,482.44 (10.4%)	£102,121.25 (12.5%)	£374,580.68 (17.5%)	£519,184.37
Revenue grant allocation	£366,002.56	£714,848.75	£1,765,880.32	£2,846,731.63

3.12 The profile of core funding being allocated means that the majority of Investment Plan interventions will be designed to be implemented during 2024-25. This will allow officers and partners the time necessary to engage and collaborate to design meaningful interventions that deliver intended outcomes and for Council to approve the Investment Plan as it is incrementally developed.

3.13 East Lothian Council will be the lead accountable body but it will require partnership involvement to ensure local expertise, identify and address need and opportunity. The Council is tasked with working with a diverse

range of local and regional stakeholders, civil society organisations, and employer bodies responsible for identifying local skills plans, and businesses or business representative groups to achieve Fund outcomes in their areas. There is a requirement from UK Government that stakeholder engagement is integrated within the investment plan.

- 3.14 Edinburgh and South East regional partners have collaborated successfully on the Edinburgh and South East Scotland City Region Deal as a mechanism for delivering transformational change and accelerating economic and inclusive growth in the City Region. Regional partners, working with UK and Scottish Governments, have developed a Regional Prosperity Framework which identifies key priorities where investment would make the best contribution to drive the region forward in a sustainable and inclusive manner.
- 3.15 East Lothian Council, in keeping with ESES regional partners, has provisionally identified £100k (Capital) from our Year 2 allocation and £1,180k (£800k Revenue, £380k Capital) from our Year 3 allocation to pool regionally to progress priority regional activities that can be delivered in the short-term. Agreed short-term regional priorities are: Net Zero Green Skills Accelerator; Regional Energy Masterplan; Regional Tourism Development Programme; Regional Innovation Programme; Regional Community Wealth Building project; and Regional Transport Masterplan. Regional partners will work with our DLUHC area lead in developing specific plans for any, or all, of these initiatives which are realistic, deliverable, provide maximum value for money and which would deliver for all stakeholders. Regional partners will also agree with government the governance arrangements for overseeing the regional dimension. Regional partners have written to UK ministers seeking agreement to finalise these plans for regional activity in Years 2 and 3 by November 2022.
- 3.16 For the avoidance of doubt UK Government have been very clear that LEADER Funding is not part of the UK Shared Prosperity Fund.
- 3.17 Officers will develop the initial Investment Plan for approval and submission to UK Government. In the context of the current labour market challenges, deliverability and indeed to augment work that is currently ongoing, year 1 interventions will be focussed People and Skills Investment Priority.
- 3.18 Officers will report back to Council with the outcome of initial submission and further incremental development of the plan in line with UK Government advice received.

4 POLICY IMPLICATIONS

- 4.1 UKSPF will replace European funding that is being phased out in 2023 and has seen tapered reduction in recent years. The Council's relevant policy position has not altered directly as a result of this and it envisaged from the policy work that is ongoing, both locally and regionally, that the Shared Prosperity Fund Prospectus aligns with the work that is ongoing to re-fresh the Council Plan, renew the Economic Development Strategy; and, on a

regional basis, the Regional Prosperity Framework (RPF) Delivery Plan. Development work is currently “live” on all of these aspects.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report, at this stage, does affect the wellbeing of the community and have a significant impact on equality, the environment or economy. An Integrated Impact Assessment (IIA) will be undertaken as a fully developed investment plan is considered.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The financial implications of the Fund from East Lothian Council’s perspective as the grant receiving body are set out within paras 3.10 to 3.12 of the report. Additionally para 3.15 sets out provisionally the component of the Fund that could be delivered regionally on the presumption that interventions can be developed that are realistic, deliverable, provide maximum value for money and which would deliver for all stakeholders.
- 6.2 Personnel – Existing officers will work up Implementation Plan proposals and the Plan itself will include an assessment of personnel resources required to deliver.
- 6.3 Other – Not applicable

7 BACKGROUND PAPERS

- 7.1 UK Government Shared Prosperity Fund Prospectus can be found ([here](#))
- 7.2 Report to Council 16 November 2021 – Regional Prosperity Framework ([here](#))

AUTHOR’S NAME	Douglas Proudfoot,
DESIGNATION	Executive Director for Place
CONTACT INFO	Douglas Proudfoot, Executive Director of Place dproudfoot@eastlothian.gov.uk
DATE	17 th June 2022

Appendix 1 – Intervention List for Scotland - full menu of interventions for each of the priority areas

Communities and Places	
S1	Place based investments for regeneration and town centre improvements, which could include better accessibility for disabled people, including capital spend and running costs.
S2	Support and improvement of community assets and infrastructure projects, including those that increase communities' resilience to natural hazards, and support for decarbonisation of facilities, energy efficiency audits, and installation of energy efficiency and renewable measures in community buildings (including capital spend and running costs).
S3	Improvements to the natural environment and green and open space which could include community gardens, watercourses and embankments, along with incorporating natural features into wider public spaces.
S4	Design and management of the built and landscaped environment.
S5	Support for sport, arts, cultural, heritage and creative activities, projects and facilities and institutions.
S6	Funding for active travel enhancements and other small scale strategic transport projects.
S7	Funding for the development and promotion of wider campaigns which encourage people to visit and explore the local area.
S8	Funding for impactful volunteering and/or social action projects to develop social and human capital in local places.
S9	Investment in capacity building, resilience (including climate change resilience) and infrastructure support for local civil society and community groups.
S10	Community measures to reduce the cost of living, including through measures to improve energy efficiency, and combat fuel poverty and climate change
S11	Funding to support relevant feasibility studies.
S12	Investment and support for digital infrastructure for local community facilities
S13	Support for linking communities together and with employment opportunities with a focus on decarbonisation.
Supporting Local Business	
S14	Funding for the development and promotion (both trade and consumer) of the visitor economy, such as local attractions, trails, tours and tourism products more generally.
S15	SME development grants and support, aligned with local and regional sectoral priorities and growth potential. This could include, providing tailored expert advice, matched grants and leadership training to enable manufacturing SMEs to adopt industrial digital technology solutions including artificial intelligence; robotics and autonomous systems; additive manufacturing; industrial internet of things; virtual reality; data analytics. The support is

	proven to leverage high levels of private investment into technologies that drive growth, productivity, efficiency and resilience in manufacturing.
S16	Research and development grants supporting the development of innovative products and services, with a particular focus on low carbon goods and environmental services, and climate resilience. This could include Investment to support the diffusion of innovation knowledge and activities. Support the commercialisation of ideas, encouraging collaboration and accelerating the path to market so that more ideas translate into industrial and commercial practices.
S17	Funding for the development and support of appropriate innovation infrastructure at the local level.
S18	Investing in enterprise infrastructure and employment/innovation site development projects.
S19	Strengthening local entrepreneurial ecosystems and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks.
S20	Support for expert business advice and support programmes at the local and regional level, including support for decarbonisation, climate adaptation and circular economy advice. This could include funding for new and improvements to existing training hubs, business support offers, 'incubators', 'accelerators' and other forms of developmental environments for local enterprise (including social enterprise) which can support entrepreneurs and start-ups/high growth potential firms through the early stages of development and growth by offering a combination of services including: e.g. account management, advice, resources, training, mentorship, coaching and access to workspace.
S21	Grants to help places bid for and host international business events and conferences that support wider local growth sectors.
S22	Support for growing the local social economy, including community businesses, cooperatives and social enterprises.
S23	Funding to develop angel investor networks nationwide.
S24	Export Grants to support businesses to grow their overseas trading, supporting local employment and investment, having regard to Scotland's export plan ('Scotland: a trading nation').
S25	Developing existing or emerging local strengths in low carbon and climate adaptation technologies.
S26	Business support measures to drive employment growth, particularly in areas of higher unemployment.
S27	Funding to support relevant feasibility studies.
S28	Support for business resilience and Covid-19 recovery.

S29	Support for new and existing businesses and start-ups aligned with local, regional and Scottish policy.
S30	Investment in resilience infrastructure and nature based solutions that protect local businesses and community areas from natural hazards including flooding and coastal erosion.
People and Skills	
S31	Employment support for economically inactive people: Intensive and wrap-around one-to-one support to move people closer towards mainstream provision and employment, supplemented by additional and/or specialist life and basic skills (digital, English, maths* and ESOL) support where there are local provision gaps.
S32	Courses including basic skills (digital, English, maths (via Multiply) and ESOL), and life skills and career skills** provision for people who are not economically inactive and who are unable to access other training or wrap around support detailed above. This could be supplemented by financial support for learners to enrol onto courses and complete qualifications.
S33	Activities such as enrichment and volunteering to improve opportunities and promote wellbeing.
S34	Intervention to increase levels of digital inclusion, with a focus on essential digital skills, communicating the benefits of getting (safely) online, and in-community support to provide users with the confidence and trust to stay online.
S35	Support for employability programmes and advice places should have regards for the No One Left Behind agenda, the Young Person's Guarantee, Fair Start Scotland and Scottish employability pipeline. This could include tailored support to help people in employment, who are not supported by mainstream provision to address barriers to accessing education and training courses. This includes supporting the retention of groups who are likely to leave the labour market early.
S36	Support for local areas to fund local skills needs. This includes technical and vocational qualifications and courses up to level 2 and training for vocational licences relevant to local area needs and high-value qualifications where there is a need for additional skills capacity that is not being met through other provision.
S37	Green skills courses to ensure we have the skilled workforce to support the Just Transition to a net zero economy and climate resilience, with a particular focus on vulnerable or low-income groups who will be disproportionately affected by climate change. Retraining support for those in high carbon sectors, providing career guidance and supporting people to seek employment in other sectors.
S38	Funding to support local digital skills.

S39	Support for education and skills targeting vulnerable young people leaving school, places should have regard for the Young Person's Guarantee, modern apprenticeships and related policy.
S40	Support for community learning and development
S41	Funding to support new partnership and project-based entrepreneurial learning between business and education to develop a culture that celebrates entrepreneurship.
Multiply	
S42	Courses designed to increase confidence with numbers for those needing the first steps towards formal qualifications.
S43	Courses for parents wanting to increase their numeracy skills in order to help their children and help with their own progression.
S44	Courses aimed at prisoners, those recently released from prison or on temporary licence.
S45	Courses aimed at people who can't apply for certain jobs because of lack of numeracy skills and/or to encourage people to upskill in order to access a certain job/career.
S46	Additional relevant maths modules embedded into other vocational courses
S47	Innovative programmes delivered together with employers – including courses designed to cover specific numeracy skills required in the workplace.
S48	New intensive and flexible courses targeted at people without Level 5 maths in Scotland, leading to an equivalent qualification (for more information on equivalent qualifications, please see Qualifications can cross boundaries (sqa.org.uk)).
S49	Courses designed to help people use numeracy to manage their money.
S50	Courses aimed at those 19 or over that are leaving, or have just left, the care system
S51	Activities, courses or provision developed in partnership with community organisations and other partners aimed at engaging the hardest to reach learners – for example, those not in the labour market or other groups identified locally as in need

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Place
SUBJECT: Town Centre Parking Management: Consultation

8

1 PURPOSE

- 1.1 The purpose of the report is to advise Council of the intent to consult on Town Centre Parking Management, the introduction of parking policies as described under the Local Transport Strategy - Parking Management, in particular the introduction of charging for on- and off-street spaces and the expansion and introduction of residential parking zones.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- a) Approves the start of the consultation process in accordance with the Local Authorities' Traffic Order (Procedure) (Scotland) Regulations 1999 as amended to consult with statutory consultees, stakeholders and the public in general for the introduction of town centre parking control measures and associated parking interventions;
 - b) to acknowledge the requirements of Council (30 October 2018) to take forward an assessment of the demand for town centre parking on an individual town case by case basis taking into account local people's views;
 - c) To agree to the creation of a strategic plan that will cover the management, investment and return on town centre parking management.

3 BACKGROUND

- 3.1 On 30 October 2018, East Lothian Council endorsed the Local Transport Strategy and associated plans. The vision was aligned with the Council Plan, to have well-connected communities with increased use of

sustainable transport modes to access services and amenities. Key objectives were to deliver a more attractive and safer environment for pedestrians and cyclists, reduce the overall dependency on the car and reduce the environmental impact of traffic, to promote the availability and use of sustainable means to travel and maximise accessibility for all.

3.2 Primary focus of the Parking Management Strategy, contained within the Local Transport Strategy, was to provide balanced and appropriate parking facilities that support the economic, environmental and accessibility requirements of towns in East Lothian and to maximise the efficient use of parking provision.

3.3 The minute of 30 October records that an amendment was submitted by the Conservative group as below :

The Council will assess the demand on town centre parking supply and appraise on an individual town-by-town basis, taking into account the views of local people and, where appropriate, the Council will introduce charging for off-street car parks and/or on-street parking places. All proposals for the introduction of charging for off-street car parks and/or on-street parking places will be brought to a meeting of East Lothian Council for approval.

The primary view of the Council is not to charge for off-street car parks and/or on-street parking places; however, schemes will be permitted on an individual basis if need and local support for such a proposal can be demonstrated. All parking regimes would require regular monitoring.

3.4 In particular, the Conservative group reflected the Strategy should be more explicit on the introduction of on/off-street parking charges and, that in recognising the differences among the various communities, each proposal for the introduction of such charges should be considered on its own merit.

3.5 Accordingly, this report sets out a synopsis of significant changes to national, regional and local transport, policies and strategies, the material impact of road traffic management on climate, health and wellbeing benefits through improved active travel improvements incentivised through demand management proposals and charging regimes.

Town Centre First Principle and Development Growth

3.6 The 'town centre first' principle requires central government and local authorities to put the health of our town centres at the centre of decision-making. This should include the wellbeing of its people, inclusive economic growth, the transition to net zero and tackling inequality. This principle aligned with further support interventions and funding can contribute to town centre vibrancy, better places and destinations and conceptual 20-minute neighbourhoods, where towns and rural areas are more resilient and sustainable, enabling people to live well locally. Essentially, the vibrancy and vitality of the town centre is provided through improved safety

and accessibility, encouraging active and sustainable travel, with turnover delivered through parking management arrangements instrumental to creating parking space availability. People are able to access potentially more sustainable goods and services locally. Availability of short stay parking is beneficial to business.

- 3.7 East Lothian is growing. The county-wide population is forecast to grow by 23.3% between 2012 and 2037. The number of single-occupancy households is predicted to increase by 70% with inward migration from the City of Edinburgh to East Lothian driving housing demand. In 2011, car ownership per household was 1:1. In 2018, 599 cars were registered per 1000 residents. It is predicted East Lothian's population by 2026 with increase to 113,048, equivalent to 67,715 cars.
- 3.8 Accordingly, to understand public opinion and acceptability of interventions necessary to balance the intricacies and complexity of various components and requirements of town centre parking, it is proposed to run a consultation for 10 weeks, starting in July 2022. This will be augmented by a review and refresh of the local transport strategies, taking proper appreciation and consideration of the needs of climate change, as well as the impact of road users, including public transport operators, disabled motorists, cyclists and pedestrians.
- 3.9 The introduction of on- and off-street parking have the potential to generate significant income. On-street surplus can be used to balance the capital expenditure required on road asset management and enhance the public realm, deliver environmental projects, and improve public transport with off-street surplus contributing to the wider delivery of services in line with the Council Plan. As a semi-urban and semi-rural authority, investment in the Council's transport infrastructure is imperative to sustaining economic growth, the safe passage of people and goods, for all users and modes. This includes the fabric of the existing road network as well as required investment in sustainable and active travel.
- 3.10 As part of possible improved parking management arrangements, new supply will be investigated allowing for, compensatory capacity, sustainability and transport modes where appropriate.
- 3.11 If considered appropriate, any development of charging arrangements will be focussed around town centres and off street provision. This will include the recognition and importance of residential parking.

North Berwick

- 3.12 A detailed traffic and parking survey was carried out during the month of August 2019 with a subsequent sample exercise carried out in 2021, again in August. This data has been used to understand the level of turnover within the on- and off-street parking facilities within the town.
- 3.13 A number of parking management interventions were implemented within the town as part of the spaces for people programme and to aid with increased summer visitors. Certain waiting restrictions were implemented

in off-street facilities close to the town centre which were well received by the community. Residential parking demand continues to be a major source of frustration for the town's residents, particularly in and around the main town centre and beach front areas.

- 3.14 A demand assessment is attached as Appendix A to this report which indicates that the data is consistent with both years which highlight a pre- and during COVID-19 analysis.
- 3.15 The results of the study showed that the parking turnover, occupancy levels and duration of stay were all improved in 2021 when compared with 2019. Improved efficiency and vibrancy of the town is greatly aided through greater parking management and availability.
- 3.16 Wider economic, environmental and integrated impact assessments will be undertaken. The Health Equality Assessment Tool (HEAT) will also be applied to assess any potential parking management designs as appropriate.

All Other Towns

- 3.15 Traffic and parking surveys were carried out in Dunbar in December 2021, Musselburgh in March 2022, and Tranent and Prestonpans in May 2022. A date to survey Haddington is still to be determined as East Lothian Council, a major employer and obvious influence on town parking was until recently operating under emergency contingency arrangements.
- 3.16 The planned consultation will include a problem and opportunity assessment, consultation of possible parking designs by way of mitigation across the 6 main settlements within the county. The consultation will seek to understand the level of service, parking enforcement priorities, time, season and place constraints, parking space balance and use, scope and scale, and reasonable charge.
- 3.17 Officers will report back to Council with the outcome of the consultation and full technical assessment later in year.

4 POLICY IMPLICATIONS

- 4.1 The policy context at a national, regional and local level supports a move to increase existing and to implement new parking demand management processes across the county.
- 4.2 At a national level the development and publication of the National Transport Strategy (NTS), National Planning Framework (NPF4) and the Scottish Transport Projects Review (STPR2) all support moving towards more sustainable town centres. The NTS vision is that 'we will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors'.

- 4.3 The national strategy outlines how the ‘the benefits of place-making and sustainable and active travel infrastructure/modes will also play an important role in helping to re-vitalise town centres’.
- 4.4 At its meeting on 29 March 2022 Council was asked to approve the outline of the 2022–2027 Council Plan. The 2017–2022 Council Plan set out the vision of ‘an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish’.
- 4.5 New and increased management of parking across the county supports the overarching objective of reducing inequalities within and across our communities, and with the development of the four thematic objectives: Growing our Economy, Growing our People, Growing our Communities and Growing our Capacity.
- 4.6 East Lothian’s Climate Change Strategy was adopted in 2020 in response to the climate emergency. The strategy has a significant emphasis on the need to manage journeys made by the private car across the county.
- 4.7 East Lothian Council – Local Transport Strategy (2018–2024). In 2018, East Lothian Council published a Local Transport Strategy sets out the challenges that town centres within East Lothian, particularly in the town of North Berwick, have been facing in the context of the wider transport network. Accessing town centres and the management of parking is a key challenge articulated throughout the strategy document.
- 4.8 East Lothian Council – Local Parking Strategy (2018–2024). There are a number of actions set out within the strategy to achieve many objectives when it comes to managing parking including that East Lothian Council will implement a parking management hierarchy in towns. The parking management hierarchy model states that ‘in general, on-street parking will be for the purposes of short-stay parking, especially in our town centres, as it is essential that people have easy access to shops and services to maintain the economic vitality of our towns. Medium and long-stay parking will be accommodated in off-street car parks but these are more likely to be at the edge of the town centre.’
- 4.9 East Lothian Council – Economic Development Strategy covering a ten-year period from 2012 to 2022, was published by East Lothian Council and was refreshed in 2018. One of the main work-streams identified within the strategy is to energise East Lothian’s town centres and rural economy. A key action to achieve this includes efforts to ‘enhance East Lothian’s town centres, improve the retail and visitor experience, and make improvements to street scenes, parking provision, amenities, etc’. The proposals contribute to this key action by providing greater accessibility to shops for visitors which can increase spend within our town centres as, if parking alongside safe active and sustainable travel is made more accessible, shoppers will be more likely to visit rather than go to another retail destination where access including parking may be more readily available.

- 4.10 Further, the proposals contribute to the Economic Development Strategy by offering ‘the potential for increasing resident spend by improving town centres in East Lothian’. With short-stay parking freeing up spaces close to shops, residents would be able to quickly access shops and services, thereby supporting local and independent shops within North Berwick.
- 4.11 East Lothian Council – Town Centre Strategies (2017–2022). Town Centre Strategies have been prepared for each of the 6 main settlements in East Lothian. The purpose of the town centre strategies is to adopt a strategic approach to guide the improvement of town centres.
- 4.12 The vision for North Berwick town centre as articulated is ‘North Berwick town centre is a vibrant heart of the town with an excellent and well used shopping and café scene. Improvement and enhancement of the town centre seeks to create a greater sense of place for all its users. The town centre is a favourite destination for visitors.’
- 4.13 In 2017 a design charrette was held in North Berwick to examine in detail the issues of the town centre. The results provide an informed public view expressed at a point in time. The charrette covered improving walking with wider footpaths and access at the east end of High Street; improvements to help people get around; street and public realm improvements; traffic and parking; character of the town centre; quality and amenities; sustainable and active travel; safer streets that reduced the feeling of threat from moving vehicles; and making the town centre more orientated towards people. North Berwick High Street is busy with vehicles and there is opportunity to provide a new car park to increase capacity and reduce cars circulating the town centre searching for parking.
- 4.14 The Citizen’s Panel Survey (2018) identified a need for a wider range of shops, more parking and a more attractive town centre environment.
- 4.15 Action 3 from the North Berwick town centre strategy looks to progress the reorganisation of town centre car parking with the introduction of specific waiting times to off street facilities.
- 4.16 East Lothian Council – Active Travel Improvement Plan (2018–2024). The Active Travel Improvement Plan, published by East Lothian Council in 2018, aims to ‘support and enable people to choose active travel as part of their everyday lives’. It highlights how active travel can be encouraged and facilitated across the local authority area and includes a focus on ‘introducing active and sustainable travel options in our town centres to promote economic growth enabling East Lothian and Scotland to flourish, through increasing sustainable economic activity’.

Climate Change and Road Safety Benefits

- 4.17 Nationally vehicular traffic accounted for 35.6% of emissions in 2018. It remains the largest CO₂ producing sector and presents a singular challenge to mitigate the transport sector to meet net zero targets. Transport is a derived demand, driven by the essential need to move people, goods, and services to drive economic growth. National objectives

seeks to promote walking, cycling and public transport over private car use as these present the greatest benefits to communities allowing improved mobility, safety, health and accessibility enhancements to be delivered through place making initiatives. Management of demand for parking provides a push behavioural change approach which can be incentivised with other pull initiatives to enhance the place for all users, over time.

- 4.18 Road collision incidents in East Lothian's towns are generally low with 21 serious injuries being recorded over the last 5 years (2017–2021). However, within the built environment an unacceptable risk remains due to the high demand of parking space and constant search for parking opportunity close to the driver's destination. On-street parking contraventions or restricted parking abuse during busy times can place the public at risk. The use of Traffic regulation orders to prohibit waiting and unloading is well understood but regrettably bad practice remains prevalent. Increasing turnover of designated parking spaces and heightened enforcement will help to change driver behaviour and safety concerns.

Legislation

- 4.20 The Road Traffic regulation Act 1984 – the legislation laid out in the Act provides powers to local authorities to implement parking demand management processes including tariffs for on and off street facilities.
- 4.21 Provision 32 within the Act describes the powers local authorities have where for the purpose of relieving or preventing congestion provision of parking spaces can be provided.
- 4.22 Provision 33 within the Act goes on to detail the additional powers of local authorities in connection with off-street parking places.
- 4.23 Provision 45 within the Act details that a local authority may by order designate parking places on roads in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges for vehicles left in a parking place so designated.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does affect the wellbeing of the community and have a significant impact on equality, the environment or economy. An Integrated Impact Assessment (IIA) will accompany full technical evaluation and public consultation to be finalised later this year.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The financial implications have not been determined at this stage within the report; however, the output from the consultation will have a direct impact on the Council's budget and so must be considered in line

with the Council sustainable financial planning and the delivery of the Council's financial strategies.

6.2 Personnel - Not applicable

6.3 Other – Not applicable

7 BACKGROUND PAPERS

7.1 Report to East Lothian Council on Tuesday 30th October 2018 – East Lothian Council Proposed Local Transport Strategy

7.2 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Parking Strategy, Members' Library Ref: 142/18 (October 2018 Bulletin)

7.3 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Active Travel Improvement Plan, Members' Library Ref: 141/18 (October 2018 Bulletin)

7.4 Policy and Performance Review Committee – 04 Roads Asset Management – Annual Status and Options Report

AUTHOR'S NAME	Douglas Proudfoot,
DESIGNATION	Executive Director for Place
CONTACT INFO	Peter Forsyth – Project Manager – Growth and Sustainability pforsyth@eastlothian.gov.uk
DATE	15 th June 2022



Assessment of Car Parking Performance in North Berwick

Off- and On- Street Parking Analysis Report

East Lothian Council

April 2022

CONTENTS:

1.0	Introduction	1
1.1	Background	1
1.2	Policy Context	1
1.3	Study Area.....	2
1.3.1	Off Street Car Parks	2
1.3.2	On Street Car Parking	3
2.0	Survey Methodology.....	5
2.1	Manual Observation Survey - 2019	5
2.2	Camera Observation Survey - 2019	5
2.3	Automatic Number Plate Recognition (ANPR) Survey - 2021	6
2.4	Data Processing	6
3.0	Car Park Analysis.....	8
3.1	Parking Turnover.....	8
3.2	Vehicle Parking Accumulation - Turnover	9
3.3	Parking Occupancy and Duration of Stay	9
3.4	85 th Percentile of Car Park Operational Occupancy and Turnover.....	10
4.0	Off Street Car Park Analysis	11
4.1	Off Street Car Park Turnover	11
4.2	Off Street Car Park Accumulation - Turnover	12
4.3	Off Street Car Park Occupancy and Duration of Stay	12
4.4	Off Street Car Parks 85 th Percentile Operational Occupancy and Turnover.....	13
5.0	On Street Car Parking Analysis.....	15
5.1	On Street Car Parking Turnover.....	15
5.2	On Street Car Parking Accumulation - Turnover.....	15
5.3	On Street Car Parking Occupancy and Duration of Stay	16
5.4	On Street Car Parking 85 th Percentile Operational Occupancy and Turnover.....	16
6.0	Conclusion.....	18
	Appendix	20

FIGURES:

Figure 1.1: Car Park Locations Map.....3
Figure 1.2: On Street Car Park Locations4
Figure 1.3: The Core On Street Parking Survey Beats Location.....4

TABLES:

Table 4.1: Off Street Parking Turnover Comparison..... 11
Table 4.2: Off Street Parking Vehicle Accumulation - Turnover Comparison 12
Table 4.3: Average Parking Occupancy and Duration of Stay of the Off Street Car Parks in
2019 and 2021 13
Table 4.4: 85th Percentile of Off Street Car Park Operational Hours 14
Table 5.1: On Street Parking Turnover Comparison 15
Table 5.2: On Street Parking Vehicle Accumulation - Turnover Comparison..... 16
Table 5.3: Average On Street Parking Occupancy and Duration of Stay in 2019 and 2021... 16
Table 5.4: 85th Percentile of On Street Car Parking Operational Hours..... 17
Table A.1: Overall Parking Turnover Comparison between 2019 and 2021 for Glebe and Law
Road Car Parks.....20
Table A.2: Overall Parking Turnover Comparison between 2019 and 2021 for Imperial and
Gardeners Garden Car Parks.....21
Table A.3: Parking Occupancy, Parking Load, Average Duration Comparison between 2019
and 202122
Table A.4: Overall On-Street Parking Turnover Comparison between 2019 and 202123
Table A.5: Overall On-Street Parking Turnover Comparison between 2019 and 2021 for High
Street, Quality Street and Westgate24

1.0 Introduction

1.1 Background

Economic growth with an improving tourism attraction in East Lothian has resulted in more car journeys into the area especially to North Berwick which has brought about a higher demand for parking with limited parking availability. North Berwick has a number of public, pseudo-private and privately owned off-street car parks, some controlled with parking time restrictions but in the main operated under unrestricted parking times.

There is substantial anecdotally evidence, through community representation and public opinion there is a shortage of parking, especially during the summer months as competing interests (tourism, business, trade, shoppers, residents), vie for space in the historic borough. With increased tourists visiting North Berwick, it was essential that an in-depth parking study be undertaken in order to obtain current parking related data. A detailed parking beat survey was undertaken in August 2019 and follow up survey to calibrate demand in 2021. The data obtained from the survey can be used to establish the levels of supply and demand necessary to make informed decisions for the efficient management of the car parks as well as the on street capacity and proffer better future parking solutions.

The outcome of this analysis will help inform the option development process, suggest improvements to evaluate and plan interventions to lessen the traffic and parking congestion and strategised for future growth of economic activity in North Berwick and apply lessons learnt across the entire county.

The aim of this study is to provide an initial overview of the performance of parking turnover of four off street and five central on street car parking facilities within North Berwick. The report evaluates and compares the performances of these parking facilities for the period between 2019 and 2021. The report also discusses the methodology used in conducting the car parking surveys.

1.2 Policy Context

The Local Transport Strategy sets out the policy context for delivery of a vision to provide well connected communities that use sustainable transport modes to access services and amenities.

In this regards, 7 objectives are set out within the LTS to achieve the vision, namely,

- To deliver a more attractive and safer environment for pedestrians and cyclists;
- To remove the overall dependence on the car and environmental impact of traffic;
- To promote the availability and use of more sustainable means of travel;
- To locate new development where it reduces the need to travel;
- To maximise accessibility for all and reduce social inclusion;
- To promote integration and interchange between different means of travel
- To maintain the transport network to a sustainable standard to ensure it meets the needs of all users.

The strategy is further supported through 5 core policies; strategic road maintenance planning, a safer East Lothian, Active travel, growth and supporting the economy and encouraging sustainable travel. These are distilled into 4 action plans of which the Parking Management plan seeks to improve economic performance, through improved access and accessibility, encourage sustainable travel by demand management and encourage a higher propensity to walk and cycle within a 20min neighbourhood.

1.3 Study Area

The study area comprises the off street and on street car parks/parking facilities in and around the central business area of North Berwick. The car parks/parking facilities surveys were conducted on Thursday 08 August 2019, Saturday 10 August 2019, Thursday 15 August 2019, Saturday 17 August 2019 and Thursday 26 August 2021 for the off street and on street car parking facilities under consideration. Only the weekday parking surveys were used for the analysis.

1.3.1 Off Street Car Parks

The marked areas in orange blocks shown in Figure 1.1 forms the study area within North Berwick where the core car parks considered for this study were surveyed.

The four off street car parks under consideration are the core public car parks:

- The Glebe Car Park
- The Law Car Park (Kirk Ports)
- The Imperial Car Park (Melbourne Place)
- The Gardeners Garden Car Park (East Road)



Figure 1.1: Car Park Locations Map

1.3.2 On Street Car Parking

The highlighted areas of the map of the town shown in Figure 1.2 forms the study area within North Berwick where the on street parking beat surveys were carried out.

The streets under consideration are the core streets within and around the busy High Street area as shown in Figure 1.3:

- Beach Road
- Forth Street
- Westgate
- High Street
- Quality Street

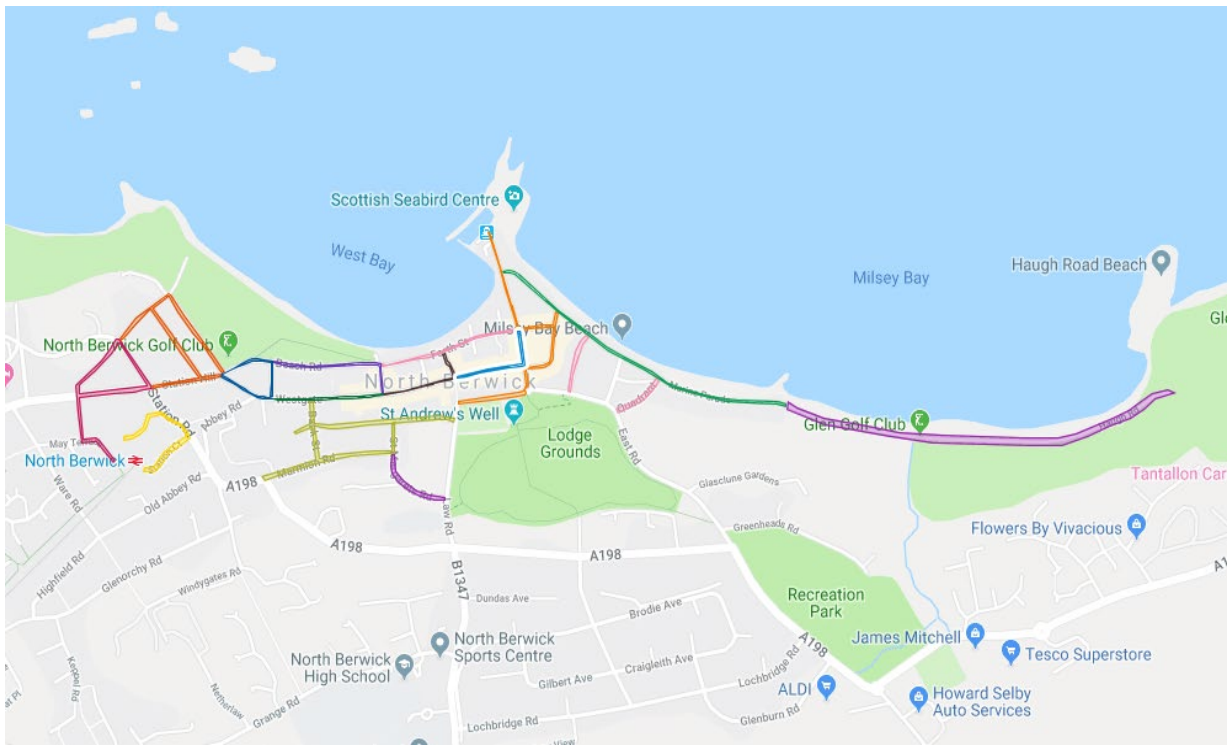


Figure 1.2: On Street Car Park Locations



Figure 1.3: The Core On Street Parking Survey Beats Location

2.0 Survey Methodology

ELC commissioned Tracsis Traffic Data Ltd to undertake two separate manual classified count of parking surveys in 2019 and 2021 for four off street car parks and on street car parking beat counts used for this study. The vehicle occupancy and duration of stay were undertaken by Manual Observation method, Camera Observation method and Automatic Number Plate Recognition (ANPR) method.

The purpose of the surveys were to determine the following operational characteristics of both the off street and on street parking provisions as follows:

- Number of spaces available
- Maximum Capacity (Accumulation)
- Duration of stay
- Parking Turnover
- Illegal and indiscriminate on street parking behaviour

2.1 Manual Observation Survey - 2019

The survey was undertaken on Thursday 15 August 2019 from 07:00 to 19:00 on a partly cloudy day. The survey was undertaken on a manual (beat) observation at 15 minutes and 30 minutes intervals for both on street and off street car parks. The data were processed at 15 minutes and 30 minutes intervals. The 15 minutes interval manual (beat) survey was undertaken for the on street car parking and the 30 minutes interval manual (beat) survey was undertaken at Glebe Car Park only in 2019 for the off street car parks. The raw data were processed and summarised by Tracsis. The final processed data was submitted to ELC for further analysis.

2.2 Camera Observation Survey - 2019

The car park survey was undertaken on Thursday 08 August 2019 from 07:00 – 19:00 on a dry day. The camera was mounted to a pole overlooking the entry and exist points of the car parks to record vehicle movements in the car parks. The data was processed at 15 minutes internals. The survey was undertaken at Imperial (Melbourne Place) Car Park, Gardeners Garden (East Road) Car Park, Law Road (Kirk Ports) Car Park, Community Centre Car Park, Recreation Park Car Park and Brodie Court Car Park in 2019. The raw data were extracted from the camera, processed and summarised by Tracsis. The final processed data was submitted to ELC for further analysis.

2.3 Automatic Number Plate Recognition (ANPR) Survey - 2021

The car parks survey was undertaken on Thursday, 28 August 2021 from 07:00 to 19:00 on a dry and bright day throughout the survey period. The ANPR cameras were mounted at the car parks overlooking the entry and exit points of the car parks surveyed to capture the number plates of the vehicles accessing the car parks and matching them when they leave the car parks. The ANPR data were processed at 15 minutes intervals. The survey was undertaken at Glebe Car Park, Law Road Car Park (Kirk Ports), Imperial Car Park (Melbourne Place) and Gardeners Garden Car Park (East Road). The raw data were extracted from the ANPR cameras, processed and summarised by Tracsis. The final processed data was submitted to ELC for further analysis.

2.4 Data Processing

As some of the data was collected in 2019 and used different methods to the 2021 data collection, the 2019 data was analysed into half hourly average duration to match the 2021 data format for comparative analysis to be undertaken for the same car park with data collected in 2019 and 2021.

The Gardeners Garden car park has two car parks A and B, one unrestricted (A) and the other controlled or restricted (B) (operated by the Sea bird centre) with both having the same entry and exit points. The controlled parking section of the car park has additional entry and exist point. The data for the unrestricted car park was collected independent of the controlled or restricted car park in 2019 as compared to 2021 when both car parks were surveyed as one car park. In order to carry out a proper comparative analysis of the car park between 2019 and 2021, the 2019 car park data had to be synchronised into one car park to match the 2021 data. In harmonising the 2019 Gardeners Garden data, the entry data of car park A (unrestricted) was added to the entry data of car park B (controlled or restricted).

Similarly, the exit data of car park A was added to exit data of car park B to form one entry point and exit point data for the Gardeners Garden car park. Again, the pre-survey occupancy and capacity of car park A and B were combined. The vehicle duration of stay for each of the car parks were also synchronised into one complete data for the 2019 data for the Gardeners Gardens car park. Once the 2019 data has been synchronised into one data source, the data was analysed and compared with the 2021 data of the Gardeners Garden car park.

The Glebe Car Park, The Law Road Car Park and the Imperial Car Park 2019 data were analysed in line with 2021 data for these car parks.

3.0 Car Park Analysis

This study reports on the analysis of the four car parks and five main on street car parking within North Berwick town centre and compare the 2019 data against 2021 data to ascertain the car parks and the street parking performances in terms of parking turnover, vehicle accumulation turnover, duration of stay and the 85th percentile of the parking facilities operating occupancy.

For this report, the car parks and the street parking operational times used for this study is from 8:30am to 5:30pm (i.e. 08:30 – 17:30). This conforms to the TTRO 102/21/KS and TTRO 167a/20/RC issued by ELC for North Berwick Glebe Car Park and High Street respectively, informing the public about the car park restrictions in place at the identified car parks and street parking areas.

As a consequence of the Spaces for People programme introduced in 2020 to protect people through physical distancing in response to covid 19, Glebe Car Park and Law Road Car Park went under different restricted parking regimes with waiting time limits in place to improve turnover and parking availability. These restrictions were still in place at the time of the 2021 parking survey. Records shows that there was no parking waiting time restrictions in place at the time of the 2019 parking surveys.

3.1 Parking Turnover

Parking Turnover which can also be referred to as turnover rates can be defined as the average times of parking or estimated number of vehicles that use each parking space throughout a period of time. Parking turnover is calculated by dividing the cumulative number of parking vehicles by the parking capacity of the facility in any given time. This is expressed as:

$$\mu_i = \frac{A_i}{D_i}$$

where:

μ_i is the parking turnover rates

A_i is the total amount of parking vehicles in the car park

D_i is the total number of parking lots/spaces in the car park

When the parking turnover rate (μ_i) is larger than 1, the demand is greater than supply and when the parking turnover rate is less than 1, the demand is less than supply. When

the parking turnover is large, it means that the car park is better utilised and operates in a more efficient way with more vehicles accessing the parking facility. The patronage of the parking facility among drivers and the usage of the parking facility tells more about the parking turnover rate of the facility. It is an important factor in determining the performance of the parking facility. If the parking facility has a parking charging regime in place, then the increase in the parking turnover value means that the revenue of the facility will increase from the parking spaces as a result of more vehicles accessing the parking spaces.

The time period used for this study for the operation of the car parks was between 08:30 to 17:30 i.e., 8:30am – 5:30pm which is the operational hours of ELC car parks.

3.2 Vehicle Parking Accumulation - Turnover

In any given time period there will be vehicles parked in a car park during its operation. The number of vehicles parked in a car park at any given time in its operation is termed as Parking Accumulation.

There were vehicles pre-occupying the car parks during the survey and these have been factored into the analysis of the total vehicle accumulation of the various car parks studied.

The differences in the car park capacity between 2019 and 2021 is due to the interpretation of the start and end point by the surveyors on site during the data collection. During the 2019 survey, a bay measurement of 4.3m were excluded from the count as anything less than 5m were not considered as a space. However, in 2021, a bay measurement of 4.6m were rounded up giving additional space. The differences are too small to affect the accumulation analysis.

3.3 Parking Occupancy and Duration of Stay

Parking occupancy is used to determine the efficiency of the car parks. It is sometimes referred to as parking index or efficiency. For this report, parking occupancy is defined as the percentage of the number of parking spaces occupied by vehicles within a specified time period during the operation of the car parking facilities in a day. The demand for car park is determined by the average occupancy of the car park.

3.4 85th Percentile of Car Park Operational Occupancy and Turnover

For this study, the 85th percentile occupancy and turnover for each of the car parks from 08:30 to 17:30 (8:30am – 5:30pm) were determined for the 9 hours duration for 2019 and 2021. The 85th percentile occupancy/turnover defines the occupancy/turnover that 85% of all the parking spaces are observed to be utilised during the car parks or street parking entire operational times. This also indicates the occupancy/turnover at which only 15% exceeds the occupancy/turnover of the car parks under consideration.

4.0 Off Street Car Park Analysis

This section reports on the analysis of the four main car parks: Glebe, Law Road, Imperial and Gardeners Garden Car Parks within North Berwick town centre. The analysis compare each of the individual car parks 2019 survey data against the 2021 survey data in order to ascertain the car parks performances in terms of parking turnover, vehicle accumulation turnover, duration of stay and the 85th percentile of the car parks operating occupancy.

4.1 Off Street Car Park Turnover

The summary of the parking turnover comparison for all the car parks between 2019 and 2021 is shown in Table 4.1. Detailed half-hour by half-hour turnover for each car park in 2019 and 2021 is shown in Table A.1 and Table A.2 in the Appendix.

Table 4.1: Off Street Parking Turnover Comparison

Car Park	2019 Turnover		2021 Turnover	
	90mins	9hrs	90mins	9hrs
Glebe	0.38	1.13	2.26	3.46
Law Road (Kirk Port)	1.38	1.90	3.00	3.45
Imperial (Melbourne Place)	1.15	2.03	1.04	1.68
Gardeners Garden (East Road)	0.91	2.48	1.12	2.13

The results show that for 90 minutes duration of stay, the Glebe car park, Law Road car park and Gardeners Garden car park were more utilised in 2021 than in 2019 when there was no waiting time restriction in place. More vehicles were able to have access to a parking space in the 90 minutes limit waiting time period in 2021 than in 2019 for these car parks. For the Imperial car park, it shows that the car park was more utilised in 2019 than in 2021. In 2021, the 90 minutes waiting time showed a 0.11 drop in turnover to the 2019 usage of the Imperial car park.

The results show that for the 9 hours of operation of the car parks from 8:30am to 5:30pm, the Glebe car park and Law Road car park had similar turnover in 2021. The two car parks were more utilised in an efficient manner in 2021 than in 2019. The vehicle turnover rate in 2021 was higher than in 2019. This could be attributed to the introduction of the parking waiting time limit in 2021 at the Glebe car park and Law Road car park having an impact on parking turnover rates.

The Imperial car park and Gardeners Garden car park showed a higher turnover in 2019 compared to 2021 for the entire 9 hours of the car parks operations. The car parks were seen to be more utilised in 2019 than in 2021, even though, there were more demand than the parking bays available at both car parks.

Overall, the Glebe car park and Law Road car park had 1.55 - 2.33 increase turnover in 2021 than in 2019 and Imperial car park and Gardeners Garden car park showed a 0.35 drop in turnover in 2021 compared to 2019.

4.2 Off Street Car Park Accumulation - Turnover

The total vehicle accumulation for each of the car parks in the 90 minutes and 9 hours of stay of the car parks operational times are shown in Table 4.2.

Table 4.2: Off Street Parking Vehicle Accumulation - Turnover Comparison

Car Park	Capacity	2019			2021			
		Pre-Occ*	Total Vehicle Accumulation		Pre-Occ*	Total Vehicle Accumulation		
			90mins	9hrs			90mins	9hrs
Glebe	89	-	33	99	82	4	185	284
Law Road	21	14	29	40	22	4	66	76
Imperial	72	49	83	146	76	65	79	128
Gardeners Garden	86	11	28	54	85	17	95	181

*Pre-Occ:- Pre-Occupancy i.e. vehicles parked before survey started

The results show that there were more vehicle accumulation in 2021 for both 90 minutes limited waiting time and the entire 9 hours of operation of the Glebe car park, Law Road car park and Gardeners Garden car park than in 2019. The Imperial car park showed more vehicle accumulation in 2019 than in 2021 for the 90 minutes duration and 9 hours of operation of the car park. Overall, 2021 has seen an increase in the vehicle turnover at most of the car parks in the centre of North Berwick.

4.3 Off Street Car Park Occupancy and Duration of Stay

The average occupancy, percentage occupancy and average duration of stay of the four selected car parks surveyed are shown in Table 4.3. Further details of the occupancy and duration at the car parks is shown in Table A.3 at the Appendix.

Table 4.3: Average Parking Occupancy and Duration of Stay of the Off Street Car Parks in 2019 and 2021

Car Park	Time	2019		2021		Average Duration
		Average Occupancy	%	Average Occupancy	%	
Glebe	08:30-10:00	75	84.25%	18	22.56%	01:47:58
	08:30-17:30	77	86.70%	52	63.96%	01:34:11
Law Road	08:30-10:00	17	79.37%	10	43.94%	01:52:39
	08:30-17:30	18	85.58%	13	58.46%	00:52:15
Imperial	08:30-10:00	68	94.68%	83	110.31%	04:07:11
	08:30-17:30	82	114.20%	94	124.16%	01:52:19
Gardeners Garden	08:30-10:00	19	21.90%	29	34.12%	04:23:18
	08:30-17:30	66	76.87%	60	70.10%	01:50:39

The results show that there was a considerable reduction in vehicle occupancy, parking index and average duration of stay at the Glebe car park, Law Road car park and Gardeners Garden car park (8:30am - 05:30pm only) in 2021 than in 2019. Short duration of stay were recorded at these car parks in 2021 during the operation of the car parks in a day. The Imperial car park, even though recorded high parking occupancy in 2021, had a shorter average duration of stay than in 2019 for the 9 hours of operation from 8:30am to 5:30pm. It should be noted that the Imperial car park had a high pre-occupancy before the start of the car park's operating time i.e. cars parked overnight or before the day begins.

Overall, 2021 showed a considerable reduction in average occupancy and average duration of stay at the Glebe car park, Law Road car park and Gardeners Garden car park for the 9 hours of operation of the car parks in a day. The Imperial car park showed increased in average occupancy and parking index with reduced average duration of stay in 2021 compared to 2019 records during the 9 hours of operation in a day.

4.4 Off Street Car Parks 85th Percentile Operational Occupancy and Turnover

The 85th percentile occupancy and turnover of each off street car park surveyed is shown in Table 4.4.

Table 4.4: 85th Percentile of Off Street Car Park Operational Hours

Car Park	85 th Percentile (9hrs of Car Park Operation, 08:30 - 17:30)			
	2019		2021	
	Occupancy	Turnover	Occupancy	Turnover
Glebe	80	1.03	73	3.43
Law Road	19	1.76	15	3.38
Imperial	88	1.98	99	1.62
Gardeners Garden	90	2.47	81	2.09

The 85th percentile turnover for all the car parks range from 1.03 – 2.47 and 1.62 – 3.43 for 2019 and 2021 respectively. Similarly, the 85th percentile occupancy for all the car parks range from 19 – 90 and 15 – 99 for 2019 and 2021 respectively. These are the occupancy/turnover that 85% of the car parks spaces are occupied/turnover at or below on a typical weekday during the entire 9 hours of operation.

5.0 On Street Car Parking Analysis

This section reports on the analysis of the five main streets: Beach Road, Forth Street, High Street, Quality Street and Westgate on street car parking within North Berwick town centre. The analysis compare each of the individual on street car parking 2019 survey data against the 2021 survey data in order to ascertain the on street car parking performances in terms of parking turnover, vehicle accumulation turnover, duration of stay and the 85th percentile of the on street car parking operating occupancy.

5.1 On Street Car Parking Turnover

The summary of the parking turnover comparison for all the main streets considered car parking between 2019 and 2021 is shown in Table 5.1. Detailed half-hour by half-hour turnover for each street car parking in 2019 and 2021 is shown in Table A.4 and Table A.5 in the Appendix.

Table 5.1: On Street Parking Turnover Comparison

Street Parking	2019 Turnover		2021 Turnover	
	90mins	9hrs	90mins	9hrs
Beach Road	0.89	2.70	0.84	1.97
Forth Street	3.41	5.15	2.19	3.81
High Street	9.65	10.58	6.63	7.25
Quality Street	6.00	7.43	8.00	9.14
Westgate	7.07	7.91	5.22	6.16

The results showed that with the exception of the Quality Street which recorded high turnover in 2021, all the on street parking considered in this study showed high turnover in 2019 compared with 2021 for both the 90 minutes and 9 hours of duration of stay.

The Beach Road in the 90 minutes duration of stay showed similar turnover in 2019 and 2021. The introduction of the spaces for people measures introduced in 2020 in the town centre streets may have affected the parking turnover of the main streets considered in this study in 2021 resulting in reduced turnover.

5.2 On Street Car Parking Accumulation - Turnover

The total vehicle accumulation for the five considered street parking in the 90 minutes and 9 hours of stay for each of the on-street parking operational times are shown in Table 5.2.

Table 5.2: On Street Parking Vehicle Accumulation - Turnover Comparison

Street Parking	2019			2021		
	Legal Parking Capacity	Total Vehicle Accumulation		Legal Parking Capacity	Total Vehicle Accumulation	
		90mins	9hrs		90mins	9hrs
Beach Road	37	33	100	37	35	77
Forth Street	41	140	211	43	127	212
High Street	48	463	508	48	487	523
Quality Street	7	42	52	7	67	76
Westgate	70	495	554	81	443	520

The results show that there was very little difference in accumulation in the streets between 2019 and 2021. Westgate showed a slight decrease in 2021 compared to 2019, Quality Street showed a slight increase. High street also showed a slight increase with Forth Street and Beach Road being very similar when comparing the two studies.

5.3 On Street Car Parking Occupancy and Duration of Stay

The average occupancy, percentage occupancy and average duration of stay of the streets surveyed are shown in Table 5.3.

Table 5.3: Average On Street Parking Occupancy and Duration of Stay in 2019 and 2021

Street Parking	Time	2019			2021		
		Occupancy		Average Duration	Occupancy		Average Duration
		Average	%		Average	%	
Beach Road	08:30-10:00	28	76.13%	05:45:00	35	93.24%	08:22:30
	08:30-17:30	32	87.54%	03:00:41	34	91.07%	02:08:09
Forth Street	08:30-10:00	31	74.80%	01:11:00	30	68.60%	01:13:20
	08:30-17:30	36	88.89%	01:14:20	31	72.09%	01:24:32
High Street	08:30-10:00	33	68.75%	00:30:26	20	40.97%	00:12:45
	08:30-17:30	37	77.55%	0:28:30	24	49.07%	00:24:51
Quality Street	08:30-10:00	5	64.29%	01:18:45	5	64.29%	00:10:55
	08:30-17:30	5	71.43%	00:54:46	6	80.95%	00:44:43
Westgate	08:30-10:00	25	35.71%	00:32:19	29	35.80%	00:26:10
	08:30-17:30	41	58.85%	00:25:22	43	52.85%	00:39:52

The results show that there was a reduction in duration of stay with Quality Street and the High Street in 2021. The High Streets capacity was reduced with the introduction of the spaces for people measures. Forth Street showed a slight increase in duration of stay in 2021 as did Westgate overall when looking at the whole day. Beach Road saw the largest increase in duration of stay when comparing the two studies.

Overall, 2021 showed a comparable length of stay on the main streets within the town. As stated Beach Road saw the largest difference.

5.4 On Street Car Parking 85th Percentile Operational Occupancy and Turnover

The 85th percentile occupancy and turnover of each street surveyed is shown in Table 5.4.

Table 5.4: 85th Percentile of On Street Car Parking Operational Hours

85th Percentile (9hrs of Car Park Operation, 08:30 - 17:30)				
Street Parking	2019		2021	
	Occupancy	Turnover	Occupancy	Turnover
Beach Road	37	2.81	37	2.00
Forth Street	41	5.17	43	3.84
High Street	48	10.60	48	7.27
Quality Road	7	7.43	7	9.14
Westgate	70	7.91	81	6.16

The 85th percentile turnover for all the on street parking range from 2.81 – 10.60 and 2.00 – 9.14 for 2019 and 2021 respectively. Similarly, the 85th percentile occupancy for all the on street parking considered for this study range from 7 – 70 and 7 – 81 for 2019 and 2021 respectively. These are the occupancy/turnover that 85% of the car parks spaces are occupied/turnover at or below on a typical weekday during the entire 9 hours of operation.

6.0 Conclusion

The report looked at the comparison between 2019 and 2021 parking utilisation of four selected car parks and five selected main streets for on street parking within North Berwick town centre in the wider Local Transport Strategy context but specifically as part of ELC's Parking Strategy (ELPS) objectives:

- Objective 1 - to provide balanced and appropriate parking facilities that support the economic, environmental and accessibility requirements of towns in East Lothian, and;
- Objective 2 - to maximise the efficient use of parking provision developed to augment the Local Transport Strategy (LTS) to increase access to car parks for local economic development.

The report evaluates and compared the performances of the four selected off street parking facilities and five main street selected for on street car parking within North Berwick town centre. It discussed the different methodology used in conducting the 2019 and 2021 car parking surveys for the off and on street car parking facilities considered for this study.

The results of the study showed that the parking turnover, occupancy and parking duration were improved in 2021 when compared with 2019 during the main car parks operation in a typical day, which has improved the efficiency and vibrancy of the town through greater parking availability. In the main, the improved parking performances were due to the introduction of parking waiting time limit that restricted how long a car could stay at the car parks without being penalised.

It is also shown that as a consequence of introducing time period constraints, the performance of Gardeners Garden car park and the Imperial car park has diminished. This is likely to be displaced residents and shop workers who are searching for long stay parking.

The results showed that the on street parking turnover did not improve in 2021 when compared with 2019 with the exception of the Quality Street. There was very little difference in accumulation in the streets between 2019 and 2021. The Quality Street and the High Street showed a slight increase in accumulation in 2021.

The capacity of the High Street had diminished given the introduction of the spaces for people measures. The High Street and Quality Street showed a reduction in the duration of stay in 2021.

Appendix

Table A.1: Overall Parking Turnover Comparison between 2019 and 2021 for Glebe and Law Road Car Parks

Duration		Glebe Car Park Turnover				Law Road Car Park Turnover			
		2019		2021		2019		2021	
Min	Hour	Total Vehicle	Turnover	Total Vehicle	Turnover	Total Vehicle	Turnover	Total Vehicle	Turnover
30	00:30	18	0.20	113	1.38	19	0.90	44	2.00
60	01:00	6	0.27	29	1.73	4	1.10	16	2.73
90	01:30	9	0.38	43	2.26	6	1.38	6	3.00
120	02:00	2	0.40	22	2.52	1	1.43	4	3.18
150	02:30	20	0.63	16	2.72	2	1.52	2	3.27
180	03:00	3	0.66	22	2.99	2	1.62	0	3.27
210	03:30	0	0.66	15	3.17	1	1.67	0	3.27
240	04:00	1	0.67	6	3.24	2	1.76	0	3.27
270	04:30	4	0.72	5	3.30	0	1.76	0	3.27
300	05:00	4	0.76	4	3.35	0	1.76	0	3.27
330	05:30	6	0.83	2	3.38	0	1.76	1	3.32
360	06:00	7	0.91	1	3.39	0	1.76	1	3.36
390	06:30	7	0.99	1	3.40	0	1.76	0	3.36
420	07:00	0	0.99	0	3.40	0	1.76	0	3.36
450	07:30	2	1.01	2	3.43	0	1.76	0	3.36
480	08:00	3	1.05	1	3.44	0	1.76	1	3.41
510	08:30	0	1.05	1	3.45	2	1.86	1	3.45
540	09:00	7	1.13	1	3.46	1	1.90	0	3.45
570	09:30	8	1.22	1	3.48	1	1.95	0	3.45
600	10:00	14	1.38	0	3.48	0	1.95	0	3.45
630	10:30	8	1.47	0	3.48	0	1.95	0	3.45
660	11:00	4	1.51	0	3.48	0	1.95	0	3.45
690	11:30	2	1.53	0	3.48	0	1.95	0	3.45
720	12:00	0	1.53	0	3.48	0	1.95	0	3.45
Total		135		285		41		76	

Table A.2: Overall Parking Turnover Comparison between 2019 and 2021 for Imperial and Gardeners Garden Car Parks

Duration		Imperial Car Park Turnover				Gardeners Garden Car Park Turnover			
		2019		2021		2019		2021	
Min	Hour	Total Vehicle	Turnover	Total Vehicle	Turnover	Total Vehicle	Turnover	Total Vehicle	Turnover
30	00:30	43	0.60	42	0.55	18	0.21	42	0.49
60	01:00	21	0.89	17	0.78	28	0.53	22	0.75
90	01:30	19	1.15	20	1.04	32	0.91	31	1.12
120	02:00	8	1.26	8	1.14	41	1.38	28	1.45
150	02:30	11	1.42	13	1.32	17	1.58	24	1.73
180	03:00	10	1.56	4	1.37	24	1.86	6	1.80
210	03:30	9	1.68	5	1.43	16	2.05	6	1.87
240	04:00	4	1.74	0	1.43	6	2.12	7	1.95
270	04:30	8	1.85	5	1.50	10	2.23	4	2.00
300	05:00	5	1.92	3	1.54	5	2.29	0	2.00
330	05:30	1	1.93	2	1.57	3	2.33	2	2.02
360	06:00	2	1.96	2	1.59	6	2.40	2	2.05
390	06:30	0	1.96	0	1.59	3	2.43	3	2.08
420	07:00	1	1.97	0	1.59	2	2.45	0	2.08
450	07:30	0	1.97	3	1.63	1	2.47	0	2.08
480	08:00	1	1.99	0	1.63	0	2.47	1	2.09
510	08:30	2	2.01	1	1.64	0	2.47	2	2.12
540	09:00	1	2.03	3	1.68	1	2.48	1	2.13
570	09:30	2	2.06	3	1.72	1	2.49	1	2.14
600	10:00	0	2.06	0	1.72	0	2.49	3	2.18
630	10:30	2	2.08	1	1.74	0	2.49	1	2.19
660	11:00	0	2.08	0	1.74	0	2.49	0	2.19
690	11:30	0	2.08	0	1.74	0	2.49	0	2.19
720	12:00	0	2.08	0	1.74	0	2.49	0	2.19
Total		150		132		214		186	

Table A.3: Parking Occupancy, Parking Load, Average Duration Comparison between 2019 and 2021

Car Park	Period	Time	2019		Average Duration	2021		Average Duration
			Average Occupancy	%		Average Occupancy	%	
Glebe	90mins	08:30-10:00	75	84.25%	07:40:35	18	22.56%	01:47:58
	9hours	08:30-17:30	77	86.70%	03:32:21	52	64.00%	01:34:11
	AM	07:00-10:00	57	64.04%	07:45:43	12	14.63%	01:27:57
	IP	10:00-16:00	79	88.48%	02:42:13	63	76.68%	01:40:52
	PM	16:00-19:00	51	57.30%	00:51:00	33	40.14%	00:29:17
Law Road (Kirk Port)	90mins	08:30-10:00	17	79.37%	08:23:37	10	43.94%	01:52:39
	9hours	08:30-17:30	18	85.58%	01:31:07	13	58.46%	00:52:15
	AM	07:00-10:00	16	77.38%	06:03:12	7	31.82%	01:45:26
	IP	10:00-16:00	18	87.90%	01:03:10	13	58.90%	00:39:11
	PM	16:00-19:00	17	79.37%	00:33:54	11	52.07%	00:33:57
Imperial (Melbourne Place)	90mins	08:30-10:00	68	94.68%	02:55:59	83	110.31%	04:07:11
	9hours	08:30-17:30	82	114.20%	01:59:04	94	124.16%	01:52:19
	AM	07:00-10:00	59	82.06%	03:32:09	78	102.85%	04:41:48
	IP	10:00-16:00	85	118.17%	02:02:04	98	128.56%	01:32:44
	PM	16:00-19:00	82	114.24%	00:35:50	83	108.99%	00:42:43
Gardeners Garden (East Road)	90mins	08:30-10:00	19	21.90%	02:25:52	29	34.12%	04:23:18
	9hours	08:30-17:30	66	76.87%	02:21:39	60	70.10%	01:50:39
	AM	07:00-10:00	15	17.44%	02:3:01	25	29.02%	04:42:33
	IP	10:00-16:00	78	90.31%	02:29:37	67	78.53%	01:44:12
	PM	16:00-19:00	60	69.86%	00:55:15	48	56.37%	00:46:07

Table A.4: Overall On-Street Parking Turnover Comparison between 2019 and 2021

Duration		Beach Road				Forth Street			
		2019		2021		2019		2021	
Min	Hour	Total Vehicle	Turn Over	Total Vehicle	Turn Over	Total Vehicle	Turn Over	Total Vehicle	Turn Over
15	00:15	8	0.22	1	0.03	23	0.56	38	0.88
30	00:30	5	0.35	11	0.32	36	1.44	18	1.30
45	00:45	5	0.49	5	0.46	18	1.88	14	1.63
60	01:00	6	0.65	6	0.62	31	2.63	12	1.91
75	01:15	6	0.81	3	0.70	15	3.00	4	2.00
90	01:30	3	0.89	5	0.84	17	3.41	8	2.19
105	01:45	4	1.00	9	1.08	19	3.88	8	2.37
120	02:00	6	1.16	3	1.16	9	4.10	6	2.51
135	02:15	2	1.22	0	1.16	7	4.27	6	2.65
150	02:30	4	1.32	2	1.22	8	4.46	5	2.77
165	02:45	1	1.35	0	1.22	7	4.63	7	2.93
180	03:00	4	1.46	5	1.35	2	4.68	14	3.26
195	03:15	17	1.92	1	1.38	5	4.80	8	3.44
210	03:30	1	1.95	3	1.46	1	4.83	1	3.47
225	03:45	4	2.05	1	1.49	3	4.90	0	3.47
240	04:00	1	2.08	2	1.54	0	4.90	0	3.47
255	04:15	1	2.11	2	1.59	0	4.90	1	3.49
270	04:30	0	2.11	2	1.65	0	4.90	0	3.49
285	04:45	5	2.24	0	1.65	1	4.93	1	3.51
300	05:00	0	2.24	1	1.68	0	4.93	0	3.51
315	05:15	1	2.27	1	1.70	0	4.93	1	3.53
330	05:30	0	2.27	1	1.73	3	5.00	1	3.56
345	05:45	0	2.27	1	1.76	0	5.00	1	3.58
360	06:00	1	2.30	1	1.78	0	5.00	4	3.67
375	06:15	1	2.32	1	1.81	0	5.00	4	3.77
390	06:30	1	2.35	1	1.84	0	5.00	0	3.77
405	06:45	2	2.41	2	1.89	1	5.02	0	3.77
420	07:00	0	2.41	0	1.89	0	5.02	0	3.77
435	07:15	1	2.43	2	1.95	1	5.05	0	3.77
450	07:30	0	2.43	0	1.95	2	5.10	0	3.77
465	07:45	0	2.43	0	1.95	0	5.10	0	3.77
480	08:00	0	2.43	0	1.95	0	5.10	1	3.79
495	08:15	1	2.46	1	1.97	0	5.10	0	3.79
510	08:30	1	2.49	0	1.97	0	5.10	0	3.79
525	08:45	1	2.51	0	1.97	2	5.15	1	3.81
540	09:00	7	2.70	0	1.97	0	5.15	0	3.81
555	09:15	1	2.73	0	1.97	0	5.15	0	3.81
570	09:30	0	2.73	0	1.97	1	5.17	1	3.84
585	09:45	3	2.81	0	1.97	0	5.17	0	3.84
600	10:00	0	2.81	1	2.00	0	5.17	0	3.84
615	10:15	0	2.81	0	2.00	0	5.17	0	3.84
630	10:30	0	2.81	0	2.00	0	5.17	0	3.84
645	10:45	0	2.81	0	2.00	0	5.17	0	3.84
660	11:00	0	2.81	0	2.00	0	5.17	0	3.84
675	11:15	0	2.81	0	2.00	0	5.17	0	3.84
690	11:30	0	2.81	1	2.03	0	5.17	0	3.84
705	11:45	0	2.81	0	2.03	0	5.17	0	3.84
720	12:00	0	2.81	0	2.03	0	5.17	0	3.84
Total		104		75		212.00		165	

Table A.5: Overall On-Street Parking Turnover Comparison between 2019 and 2021 for High Street, Quality Street and Westgate

		High Street				Quality Street				Westgate			
		2019		2021		2019		2021		2019		2021	
Duration	Total	Turn	Total	Turn	Total	Turn	Total	Turn	Total	Turn	Total	Turn	
Min	Hour	Vehicle	Over	Vehicle	Over	Vehicle	Over	Vehicle	Over	Vehicle	Over	Vehicle	Over
15	00:15	208	4.33	158	3.29	11	1.57	13	1.86	240	3.43	182	2.25
30	00:30	104	6.50	66	4.67	12	3.29	15	4.00	101	4.87	75	3.17
45	00:45	59	7.73	43	5.56	5	4.00	7	5.00	55	5.66	63	3.95
60	01:00	46	8.69	22	6.02	4	4.57	8	6.14	36	6.17	46	4.52
75	01:15	29	9.29	19	6.42	4	5.14	8	7.29	43	6.79	42	5.04
90	01:30	17	9.65	10	6.63	6	6.00	5	8.00	20	7.07	15	5.22
105	01:45	11	9.88	6	6.75	5	6.71	1	8.14	17	7.31	21	5.48
120	02:00	6	10.00	3	6.81	2	7.00	3	8.57	4	7.37	11	5.62
135	02:15	8	10.17	5	6.92	0	7.00	1	8.71	6	7.46	5	5.68
150	02:30	4	10.25	0	6.92	0	7.00	0	8.71	7	7.56	3	5.72
165	02:45	3	10.31	2	6.96	1	7.14	0	8.71	5	7.63	1	5.73
180	03:00	2	10.35	3	7.02	0	7.14	2	9.00	0	7.63	9	5.84
195	03:15	0	10.35	3	7.08	0	7.14	0	9.00	4	7.69	9	5.95
210	03:30	3	10.42	1	7.10	0	7.14	0	9.00	2	7.71	4	6.00
225	03:45	0	10.42	2	7.15	0	7.14	0	9.00	1	7.73	3	6.04
240	04:00	0	10.42	0	7.15	0	7.14	0	9.00	1	7.74	0	6.04
255	04:15	0	10.42	1	7.17	0	7.14	0	9.00	3	7.79	3	6.07
270	04:30	1	10.44	0	7.17	0	7.14	0	9.00	0	7.79	0	6.07
285	04:45	0	10.44	1	7.19	0	7.14	0	9.00	1	7.80	0	6.07
300	05:00	0	10.44	1	7.21	0	7.14	0	9.00	1	7.81	1	6.09
315	05:15	1	10.46	1	7.23	0	7.14	0	9.00	0	7.81	0	6.09
330	05:30	0	10.46	1	7.25	2	7.43	0	9.00	1	7.83	0	6.09
345	05:45	2	10.50	0	7.25	0	7.43	0	9.00	0	7.83	1	6.10
360	06:00	0	10.50	0	7.25	0	7.43	1	9.14	0	7.83	2	6.12
375	06:15	0	10.5	0	7.25	0	7.43	0	9.14	0	7.83	0	6.12
390	06:30	0	10.5	0	7.25	0	7.43	0	9.14	0	7.83	0	6.12
405	06:45	0	10.5	0	7.25	0	7.43	0	9.14	0	7.83	0	6.12
420	07:00	0	10.5	0	7.25	0	7.43	0	9.14	1	7.84	1	6.14
435	07:15	1	10.52	0	7.25	0	7.43	0	9.14	0	7.84	1	6.15
450	07:30	1	10.54	0	7.25	0	7.43	0	9.14	1	7.86	0	6.15
465	07:45	0	10.54	0	7.25	0	7.43	0	9.14	2	7.89	1	6.16
480	08:00	0	10.54	0	7.25	0	7.43	0	9.14	0	7.89	0	6.16
495	08:15	1	10.56	0	7.25	0	7.43	0	9.14	0	7.89	0	6.16
510	08:30	0	10.56	0	7.25	0	7.43	0	9.14	0	7.89	0	6.16
525	08:45	0	10.56	0	7.25	0	7.43	0	9.14	1	7.90	0	6.16
540	09:00	1	10.58	0	7.25	0	7.43	0	9.14	1	7.91	0	6.16
555	09:15	1	10.6	0	7.25	0	7.43	0	9.14	0	7.91	0	6.16
570	09:30	0	10.6	1	7.27	0	7.43	0	9.14	0	7.91	0	6.16
585	09:45	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
600	10:00	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
615	10:15	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
630	10:30	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
645	10:45	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
660	11:00	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
675	11:15	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
690	11:30	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
705	11:45	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
720	12:00	0	10.6	0	7.27	0	7.43	0	9.14	0	7.91	0	6.16
Total		509		349		52		64		554		499	

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Amendment to Standing Orders: Introduction of Call-in Process for Cabinet

9

1 PURPOSE

- 1.1 To seek approval for changes to Standing Orders and the Scheme of Administration for Cabinet to allow for the introduction of a call-in process, in accordance with the decision taken by Council at its meeting on 24 May 2022.

2 RECOMMENDATIONS

- 2.1 That Council approves the proposed Cabinet call-in process (as set out in Section 3.2), and the consequent changes to Standing Orders and the Cabinet Scheme of Administration.

3 BACKGROUND

- 3.1 At its meeting on 24 May 2022, the Council agreed to introduce a call-in process whereby items on Cabinet agendas could, at the request of a number of Members, be called in and placed on the agenda for the next meeting of the Council.
- 3.2 The proposed process for calling in items is as follows:
- In order for a call-in request to be valid, it will require the support, in writing, of four Members.
 - The deadline for calling in an item of business will be noon on the day before the Cabinet meeting. Items cannot be called in after this time.
 - Time-critical items of business (i.e. those items which require a decision to be taken before the date of the next ordinary Council

meeting) will be exempt from the call-in process. It will be for the Chief Executive to determine whether a matter is time-critical.

- 3.3 It is proposed that a new Standing Order is established to reflect this process. This proposed wording of this new Standing Order (5.4) is as follows:

Standing Order 5.4: Call In Process

A minimum of four Councillors shall be required to call in items of business from a Cabinet agenda. Written notice of a call-in must be submitted to the clerk to the Cabinet (by electronic mail) by noon on the day before the meeting at which the item(s) are due to be considered; each Councillor requesting the call-in is required to notify the clerk separately. Any items of business called in in accordance with this process will be withdrawn from the Cabinet agenda and referred to the next ordinary Council meeting for consideration. Time-critical items of business (i.e. those items which require a decision to be taken in advance of the next ordinary Council meeting) will be exempt from the call-in process. It shall not be competent for Councillors to use the provisions set out in Standing Order 4.2(ii) (Special Meetings) to request a special meeting of the Council to specifically call in time-critical items of business from a Cabinet agenda.

- 3.4 The existing Standing Order 5.4 will be re-numbered as Standing Order 5.5.
- 3.5 The Scheme of Administration for Cabinet will be updated to reflect the introduction of a call-in process (see Appendix 1). This process will be reviewed in the spring of 2023 as part of the wider review of Standing Orders and the Scheme of Administration.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 East Lothian Council's Standing Orders

7.2 Report to East Lothian Council, 24 May 2022: Appointments to Committees, Sub-Committees, Associated Committees and Partnerships

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager - Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	30 May 2022

CABINET

A Remit and Powers

The following business and functions are delegated by the Council to the Cabinet (without prejudice to the Scheme of Delegation):

1. The development, determination and review of Council policy and strategy
2. Financial reporting
3. Partnership working
4. Initiating, confirming and making of statutory orders
5. Funding to external organisations
6. Introducing new charges for Council services

B Membership and Attendance

1. The membership of the Cabinet shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Cabinet.
2. Councillors who are not members of the Cabinet will have the right to attend meetings of the Committee and to question officers on any matter under consideration.

C Quorum

1. Half the membership + 1

D Substitutes

1. There shall be no substitutes.

E Meetings

1. Meetings shall take place in accordance with Standing Order 4.

F Reporting Arrangements

1. The clerk shall be responsible for taking minutes of the meetings of the Cabinet.
2. Minutes shall be presented to the Cabinet for approval.

G Miscellaneous

1. Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council for decision.

2. [In accordance with Standing Order 5.4, a minimum of four Councillors is required to request in writing that items of business may be called in from Cabinet and referred](#)

to Council for consideration. As set out in that Standing Order, this rule does not apply to items of business which require a decision to be taken before the date of the next ordinary Council meeting.

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Review and Revision of the Integration Scheme for East Lothian Integration Joint Board

10

1 PURPOSE

- 1.1 This report is to seek approval from Council of the revised draft Integration Scheme (“Integration Scheme”) for East Lothian Integration Joint Board (“IJB”) following the required statutory review and consultation.

2 RECOMMENDATIONS

- 2.1 It is requested that Council:
- 2.1.1 Notes the statutory requirement to carry out a review of the integration scheme within five years from when the Scottish Ministers approved the scheme;
- 2.1.2 approves the final draft revised Integration Scheme set out at Appendix 1 of this Report; and
- 2.1.3 agrees to the submission of the revised scheme to Scottish Ministers.

3 BACKGROUND

- 3.1 East Lothian Council is a party to an integration scheme with NHS Lothian. The initial scheme, which was adopted in 2015, led to the establishment of the Integration Joint Boards (“IJBs”) in East Lothian. This scheme was subsequently amended in 2019 to incorporate legislative changes resulting from the Carers (Scotland) Act 2016.
- 3.2 Section 44 of The Public Bodies (Joint Working) Scotland Act 2014, specifies a requirement to review Integration Schemes every five years from the initial formal approval of the schemes granted by Scottish Ministers. The Act places a duty on councils and health boards to do this

(as the parties to the scheme). IJBs do not share that duty. The parties are required to identify whether any changes to the scheme are necessary or desirable, and if so, and with due public consultation, vary the scheme by jointly preparing a revised integration scheme.

- 3.3 The review of the East Lothian Integrated Scheme should have been completed by late May 2020. Plans initially considered in early 2020 to review the Integration Schemes Lothian-wide were halted and made unfeasible at that stage by the coronavirus pandemic. Scottish Government accepted this delay (which had affected many board and council areas); however, in mid-2021 Scottish Government requested that the statutory reviews were taken forward without further delay. NHS Lothian, in coordinating the current joint review of schemes pan-Lothian, has continued to liaise with the Scottish Government policy team to both involve them and to communicate ongoing progress.
- 3.4 Initial consideration of the Integration Scheme with colleagues in the NHS Lothian and the Health & Social Care Partnership, taken forward before the pandemic, did not identify a fundamental problem with the existing integration schemes.
- 3.5 Building on this in 2021 an Oversight Group was convened with participation of nominated senior officers representing all of the parties to the Lothian schemes. This group provided strategic guidance on the scope and focus for the necessary review to be undertaken. The review was duly remitted to essentially 'tidy up' the existing schemes, rather than to consider anything more transformational with regard to delegated functions, scope and the operations of Lothian IJBs. This scope was set in recognition of the emerging national policy landscape in Health and Social Care particularly arising from the Independent Review of Adult Social Care, and the consideration of a new National Care Service. The Oversight Group also recognised that operational management arrangements for hosted services had changed significantly since the initial Integration Schemes had been written, and therefore requested that the operational detail be removed from the revised schemes (as such was out of date and unnecessary).
- 3.6 The main areas reviewed in the 2021/22 review exercise are:
- A refresh of the Aims, Vision, Values, Outcomes of the IJB in line with current strategic plans
 - A general refresh of all out of date text in the scheme - Operational Role of the IJB; Support for Strategic Planning; Professional Technical and Administrative support services; Performance Targets & Improvement Measures, Complaints processes, etc.
 - The core Clinical and Care Governance element of schemes has largely been retained in the revised scheme in the existing form.
 - An extensive update to the finance section of schemes has been

completed updating detail on Financial Governance; Payments to IJB; Financial Reporting; Process for Addressing Variance; Redetermination of Payments; Redetermination of Set-aside Amounts; Use of Capital Assets; Financial Statements; and External Audit etc.

- An extensive update to the Information Governance and Data Sharing section has been completed to better reflect the current protocols and arrangements in place.
- 3.7 The statutory duty to review the Integration Scheme jointly also requires a period of public consultation to determine and inform any changes to the scheme. As the parties agreed that it was necessary or desirable to change the Integration Scheme, Section 46 of the Act was followed to vary the scheme. Section 46 includes a consultation requirement on the proposed changes, and parties to the scheme must take into account consultation views when finalising the scheme. Consultation to support revision of the scheme was therefore carried out jointly in each area and requested both general comments on any aspect of the scheme, and comments on specific proposed changes to the text of the scheme.
- 3.8 A full public consultation exercise was undertaken between 2 May 2022 and 29 May 2022. This consultation was hosted on the Council's consultation hub, with a link also placed on the NHS Lothian Consultation Zone web page. The Council and NHS Lothian Communication Teams and Health and Social Care Partnership managers supported the consultation exercises. Efforts were made to reach all statutory consultees through direct email, staff communications, community councils, public forums and networks, commissioned providers, partner organisations and stakeholder representatives including services users and carers. IJB members were also invited to contribute views. Information about the consultation was published on Health and Social Care Partnership (HSCP) websites and via social media. No representations to the consultation were received.
- 3.9 NHS Lothian are seeking approval to progress with the East Lothian Integration Scheme at their Board on 22 June 2022. Provided the Integration Scheme is approved by both parties then the next step is to jointly submit the revised scheme to the Scottish Ministers for approval under section 7 of the Act. A revised Integration Scheme takes effect upon the date of approval by the Scottish Ministers. East Lothian Council and NHS Lothian must then publish the new scheme.

4 POLICY IMPLICATIONS

- 4.1 The review of the Integration Scheme ensures that all important policies remain up to date and remain fully reflected within the core functions of East Lothian Integration Joint Board.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - There are no financial implications arising from the change to the Integration Scheme.
- 6.2 Personnel – The process of review and revision of the Integration Scheme has been supported by management, legal, and staff time across all of the parties involved. There are no further new or ongoing resource implications following review completion.
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Carlo Grilli
DESIGNATION	Service Manager - Governance
CONTACT INFO	Ext 7770
DATE	13 June 2022

East Lothian Integration Joint Board

**Revised Joint Integration Scheme
(Body Corporate)**

**East Lothian Integration Scheme 2022
(For Approval)**

Contents

		Page
	Preamble	4
	Health and Wellbeing Outcomes, and the Aims, Vision and Values of the Integration Joint Board (IJB)	
	Integration Scheme	7
Section		
1	Definitions and Interpretation	8
2	Model	10
3	Local Governance Arrangements <ul style="list-style-type: none"> • Membership • Chairperson and Vice Chairperson 	10 10 10
4	Delegation of Functions	11
5	Local Operational Delivery Arrangements <ul style="list-style-type: none"> ▪ Directions issued by the IJB via the Chief Officer ▪ Oversight of performance management by the voting members of the IJB ▪ Support for Strategic Planning ▪ Lothian Hospitals Strategic Plan, and Lothian Strategic Development Framework ▪ Professional, technical or administrative support services ▪ Performance targets, improvement measures and reporting arrangements 	11 11 12 14 15 16 16
6	Clinical and Care Governance <ul style="list-style-type: none"> ▪ Introduction ▪ Clinical and Care Governance Risk ▪ Professional advice ▪ Professionals Informing the IJB Strategic Plan ▪ External Scrutiny of Clinical and Care Functions ▪ Service User and Carer Feedback 	18 18 20 20 24 25 25
7	Chief Officer	25
8	Workforce	27
9	Finance <ul style="list-style-type: none"> ▪ Chief Finance Officer ▪ Financial Management of the Board ▪ Principles of Financial Governance ▪ Financial Governance ▪ Resources Delegated to the Board ▪ Annual Budget Payments to the Board ▪ The set-aside of resources for use by the Board under section 1(3) (d) of the 2014 Act ▪ Hosted Services 	27 28 28 28 30 30 31 32

	<ul style="list-style-type: none"> ▪ Due Diligence ▪ Process to agree payments from the Board to the Parties ▪ Financial Reporting to the Board ▪ Process for addressing variance in the spending of the Board ▪ Additional Payments by the Parties to the Board ▪ Underspends ▪ Treatment of variations against the amounts set aside for use by the Board ▪ Redetermination of payments ▪ Redetermination of set aside payments ▪ Use of Capital Assets ▪ Audit and Financial Statements 	<p>32</p> <p>32</p> <p>33</p> <p>34</p> <p>34</p> <p>35</p> <p>35</p> <p>35</p> <p>36</p> <p>36</p> <p>36</p>
10	Participation and Engagement	37
11	Consultation on this Revised Integration Scheme	38
12	Information Sharing and Data Handling	39
13	Complaints	40
14	Claims Handling, Liability and Indemnity	42
15	Risk Management <ul style="list-style-type: none"> ▪ Integration Joint Board ▪ NHS Lothian and the Council 	<p>43</p> <p>43</p> <p>44</p>
16	Dispute resolution mechanism	44

Annex		Page
Annex 1 Part 1:	Functions Delegated by NHS Lothian to the IJB	46
Annex 1 Part 2A and 2B:	Services currently provided by NHS Lothian which are to be delegated	51 & 53
Annex 2 Part 1A	Functions Delegated by the Council to the IJB	54
Annex 2 Part 1B:	Additional Functions delegated by the Council to the IJB	62
Annex 2 Part 2:	Illustrative description of services associated with delegated functions by the Council to the IJB	63
Annex 3	Proposed Management Arrangements for functions delegated to the IJB	64
Annex 4	Initial Integration Scheme Consultation	65

PREAMBLE

Health and Wellbeing Outcomes, and the Aims, Vision and Values of the Integration Joint Board (IJB)

The main purpose of integration is to improve the wellbeing of people who use health and social care services, particularly those whose needs are complex and involve support from health and social care at the same time. This Revised Integration Scheme is intended to achieve the National Health and Wellbeing Outcomes prescribed by the Scottish Ministers in Regulations under section 5(1) of the Act, namely:

1. People are able to look after and improve their own health and wellbeing and live in good health for longer.
2. People, including those with disabilities or long term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community.
3. People who use health and social care services have positive experiences of those services, and have their dignity respected.
4. Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.
5. Health and social care services contribute to reducing health inequalities.
6. People who provide unpaid care are supported to look after their own health and wellbeing, including to reduce any negative impact of their caring role on their own health and wellbeing.
7. People using health and social care services are safe from harm.
8. People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.
9. Resources are used effectively and efficiently in the provision of health and social care services.

(and together the 9 Health and Wellbeing Outcomes, and the Aims, Vision and Values of the IJB specified in the preamble above shall be referred to in this document as 'the Outcomes')

Our vision and aims

The IJB's vision for the integration of health and social care in East Lothian is to support all people in East Lothian to live the lives they want as well as possible, achieving their potential to live independently and exercising choice over the services they use¹.

The IJB's strategic objectives are:

- A. to make health and social care services more sustainable and proportionate to need and to develop our communities
- B. to explore new models of community provision which involve local communities and encourage less reliance on health and social care services
- C. to improve prevention and early intervention
- D. to reduce unscheduled care and delayed discharges
- E. to provide care closer to home
- F. to deliver services within an integrated care model
- G. to enable people to have more choice and control
- H. to reduce health inequalities
- I. to build and support partnership working
- J. to support change and improvement across our services

The **values** that will underpin delivery of the Integration Joint Board's vision and outcomes are:

- to give people control over what happens to them is in itself promoting good health and wellbeing. The IJB will seek to maximise people's control over their lives as an integral part of the services we provide
- it is better to prevent health and social problems than to deal with them once they have occurred. The IJB will focus our attention and resources on prevention and early intervention
- that some people's social and economic circumstances lead to them having poorer health, wellbeing and life chances than others. IJB will work to tackle these inequalities by focusing our efforts on those at greatest risk
- it is right to offer people services as close to home as possible
- in working in partnership

¹ East Lothian IJB Strategic Plan 2019 - 2022, page 12

- in a single health and social care economy for East Lothian. We will invest the resources of the health and social care economy wherever it will have the greatest impact on meeting our shared objectives
- Recognise the interdependencies of services and will take a holistic approach to service provision, considering each individual in the context of their circumstances
- value the views of people who use our services
- value the diversity of East Lothian. We will work closely with our diverse communities to ensure they can contribute to the health and wellbeing of the population

Throughout all its work the Parties expect the IJB to be guided by the following ambitions:

- Provide the highest quality health and care services
- Always respect people's dignity and rights
- Support people to live independently at home
- Promote the principles of independent living and equality
- Do everything we can to reduce health inequalities
- Provide support and services so that people only have to go to hospital if they really have to
- Listen to people who use our services, and the people who care for them, working together to develop the services that are right for them
- Make sure that East Lothian people feel safe at home and in their communities
- Support people to take more responsibility for their own health and wellbeing

The provisions within this preamble are not part of the Revised Integration Scheme and are not intended to create legally binding obligations. They do however, give the context within which the Revised Integration Scheme should be read.

Integration Scheme

The Parties:

East Lothian Council, the local authority for the County of East Lothian constituted by the Local Government etc (Scotland) Act 1994 and having its principal offices at John Muir House, Brewery Park, Haddington, EH41 3HA (“the Council”);

and

Lothian Health Board, established under section 2(1) of the National Health Service (Scotland) Act 1978 (operating as “NHS Lothian”) and having its principal offices at Waverley Gate, 2-4 Waterloo Place, Edinburgh (“NHS Lothian”)

(together referred to as “the Parties”, and each being referred to as a “Party”)

Background

- A. The Parties are required to comply with either subsection (3) or (4) of section 2(2) of the Act (hereinafter defined), and elected to comply with subsection (3) such that the Parties jointly prepared a joint integration scheme (as defined in section 1(3) of the Act) for East Lothian Area.
- B. The Parties entered into the East Lothian Joint Board Joint Integration Scheme in 2015.
- C. In preparing the said East Lothian Joint Board Joint Integration Scheme, the Parties had regard to the integration planning principles set out in section 4(1) of the Act and the national health and wellbeing outcomes prescribed by the Public Bodies (Joint Working)(National Health and Wellbeing Outcomes)(Scotland) Regulations 2014, and have complied with the provisions of section 6(2) of the Act (consultation); and in finalising the said Joint Board Integration Scheme, the Parties took account of any views expressed by virtue of the consultation processes undertaken under section 6(2) of the Act.
- D. Under s.45(3) of the Act, the Parties are obligated upon the instructions of the Scottish Ministers in the exercise of their power conferred by s.1(3)(f) of the Act, to jointly carry out a review of the said Joint Board Integration Scheme for the purpose of identifying and formalising any necessary or desirable changes required by the Scottish Ministers.
- E. The Scottish Ministers instructed the Parties to revise the said Joint Board Integration Scheme to reflect changes necessitated by provisions contained in the Carers (Scotland) Act 2016, in so far as such requires a relevant local authority and health board to delegate some

of their duties in relation to adult carers to the IJB (hereinafter more specifically defined as “IJB”). The Parties therefore determined to delegate certain functions set out in the said Carers (Scotland) Act 2016 to the IJB and revised the said Joint Board Integration Scheme.

- F. The Parties agreed to a new partially Revised Integration Scheme in accordance with the provisions set out in s.47 of the Act to reflect the instructions of the Scottish Ministers. This First Revised Integration Scheme was entered into in 2019.
- G. Full review and subsequent revision of the Joint Board Integration Scheme as envisaged by s.44 of the Act has been carried out by the Parties in accordance with the provisions of s.44 (5) of the Act and it has been agreed that this agreement would constitute the new Revised Integration Scheme.

In implementation of their obligations under the Act, the Parties hereby agree as follows:

1 Definitions and Interpretation

- 1.1 In this Scheme the following expressions have the following meanings, unless the context otherwise requires:-

“Act” means the Public Bodies (Joint Working) (Scotland) Act 2014 (unless otherwise specified by reference to another Act);

“Chief Officer” means the officer described in Section 7 of this Scheme;

“Chief Finance Officer” means the finance officer appointed by the Board under the finance and audit requirements in section 13 of the 2014 Act and section 95 of the Local Government (Scotland) Act 1973, and described in section 9 of the Scheme;

“IJB Budget” means the total funding available to the IJB in the financial year as a consequence of:

- a) The payment for delegated functions from NHS Lothian under Section 1(3) (e) of the Act;
- b) The payment for delegated functions from the Council under Section 1(3) (e) of the Act; and
- c) The amount “set aside” by NHS Lothian for use by the IJB for functions carried out in a hospital and provided for the areas of two or more local authorities under Section 1(3) (d) of the Act;

“IJB Strategic Plan” means the plan which the IJB is required to prepare and implement in relation to the delegated provision of health and social care services in accordance with section 29 of the Act.

“Integration Dataset” means the collective Integration Indicators;

“Integration Indicators” means the indicators and metrics gathered by the IJB and required for monitoring and reporting purposes in compliance with the IJB’s statutory and policy obligations;

“IJB” means the East Lothian Integration Joint Board established by Order under section 9 of the Act pursuant to this Revised Integration Scheme;

“Integration Joint Boards Order” means the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014;

“Integration Scheme or ‘Scheme’ or ‘Revised Integration Scheme’” means this Revised Integration Scheme;

“Integration Scheme Regulations” means the Public Bodies (Joint Working) (Integration Scheme) (Scotland) Regulations 2014;

“Lothian IJBs” means the IJBs to which functions are delegated in pursuance of the integration schemes in respect of the local authority areas served by, City of Edinburgh Council, East Lothian Council, Midlothian Council and West Lothian Council respectively;

“Neighbouring IJBs” means the Lothian IJBs excluding the East Lothian IJB;

“Operational Budget” means the amount of payment made from the IJB to a Party in order to carry out delegated functions;

“Outcomes” means the Health and Wellbeing Outcomes prescribed by the Scottish Ministers in Regulations under section 5(1) of the Act;

“Performance Framework” means the IJB’s agreed measurement and standard for managing, gathering and reporting the Integration Dataset and/or the Integration Indicators as the case may be;

- 1.2 Words and expressions defined in the Act shall bear the same respective meanings in the Revised Integration Scheme unless otherwise specified herein.

- 1.3 References to Sections are to the sections of this Revised Integration Scheme unless otherwise specified as being sections of an Act of Parliament, or has statutory meaning.
- 1.4 Reference to Annexes are to annexes to this Scheme and reference to Parts are the parts of the relevant Annex.

2 The Model to be implemented

- 2.1 The integration model set out in section 1(4)(a) of the Act applies in relation to the East Lothian Area, namely the delegation of functions by each of the Parties to a body corporate established by Order under section 9 of the Act.
- 2.2. The original scheme came into effect on the date the IJB Order to establish the IJB came into force.
- 2.3 This Scheme comes into effect on the date of approval by Scottish Minister's

3 Local Governance Arrangements

3.1 Membership

- 3.1.1 The IJB shall have the following voting members:
- a) **4** councillors nominated by the Council; and
 - b) **4** non-executive directors nominated by NHS Lothian in compliance with articles 3(4) and 3(5) of the IJBs Order.
- 3.1.2 The Parties may determine their own respective processes for deciding who to nominate as voting members of the IJB.
- 3.1.3 Non-voting members of the IJB will be appointed in accordance with article 3 of the IJB's Order.
- 3.1.4 The term of office of members shall be prescribed by regulation 7 of the IJB's Order.

3.2 Appointment of chair and vice chair

- 3.2.1 The IJB shall have a chairperson and a vice-chairperson who will both be voting members of the IJB.

- 3.2.2 The term of office for the Chairperson and Vice Chairperson will be two years.
- 3.2.3 The Council and NHS Lothian may determine (out of those voting members nominated in terms of paragraph 3.1.2 of this Scheme) who they appoint as chairperson or vice-chairperson.
- 3.2.4 The Council appointed the first chairperson and NHS Lothian appointed the first vice-chairperson of the Integration Joint Board for the initial two year period from 1 April 2015.
- 3.2.5 The right to appoint the chairperson and vice chairperson respectively will continue to alternate between each of the Parties on a two-year cycle and on the basis that during any period when the power to appoint the chairperson is vested in one Party, the other Party shall have power to appoint the vice-chairperson.
- 3.2.6 The chairperson shall not have a casting vote
- 3.2.7 Each Party may change its appointment as chairperson (or, as the case may be, vice-chairperson) at any time; and it is entirely at the discretion of the Party which is making the appointment to decide who it shall appoint.

4 Delegation of Functions

- 4.1 The functions that are to be delegated by NHS Lothian to the IJB (subject to the exceptions and restrictions specified or referred to in Part 1 of Annex 1) are set out in Part 1 of Annex 1. The services currently provided by NHS Lothian in carrying out these functions are described in Part 2 of Annex 1.
- 4.2 The functions that are to be delegated by the Council to the IJB (subject to the restrictions and limitations specified or referred to in Parts 1A and 1B of Annex 2) are set out in Parts 1A and 1B of Annex 2. For indicative purposes only, the services which are currently provided by the Council in carrying out these functions are described in Part 2 of Annex 2.

5 Local Operational Delivery Arrangements

5.1 Directions issued by the IJB via the Chief Officer

- 5.1.1 The IJB membership will be involved in the operational governance of integrated service delivery via two particular arrangements: (1) directions issued by the IJB via the Chief Officer of the IJB; and (2) oversight of performance management by the voting members of the IJB.

5.1.2 The IJB will issue directions to the Parties via its Chief Officer. The IJB must direct the Parties to carry out each of the functions delegated to the IJB. A direction in relation to a given function may be given to one or other of the Parties, or to both Parties. The primary responsibility for delivering capacity (that is to say, activity and case mix) in respect of the services associated with the carrying out of a given function shall lie with the IJB, and shall be reflected in the directions issued from time to time by the IJB. Subject to the provisions of the Act and this Revised Integration Scheme, the Parties are then required to follow those directions

5.2 Oversight of performance management by the voting members of the IJB

5.2.1 The IJB shall oversee delivery of the services associated with the functions delegated to it by the Parties. The IJB is the only forum where health and social care functions for the East Lothian Area are governed by members of both NHS Lothian and the Council. Accordingly the Parties agree that the primary responsibility for performance management in respect of delivery of the delegated functions will rest with the IJB.

5.2.2 The Parties will provide performance information so that the IJB can develop a comprehensive performance management system.

5.2.3 The IJB performance management reports will be available to both Parties for their use in their respective performance management systems. However it is expected that the voting members of the IJB will take responsibility for performance management at the IJB, and will provide an account of highlights and/or exceptional matters to meetings of NHS Lothian and the Council.

5.2.4 In the interests of efficient governance, the relevant committees of NHS Lothian and the Council will continue to discharge their existing remits for assurance and scrutiny of the carrying out of NHS Lothian and the Council functions, regarding matters such as internal control, quality and professional standards, and compliance with the law. The IJB will not duplicate the internal operational oversight role carried out by the Parties' respective committees other than in exceptional circumstances where the IJB considers that direct engagement by the IJB (or by a committee established by the IJB) is appropriate and agreed by the Parties in order to secure the proper discharge by the IJB of its statutory responsibilities or duties under this Scheme.

5.2.5 Each of the Parties shall use reasonable endeavours to procure that in the event that one of its committees identifies an issue which is of direct and material relevance to the IJB, the chair of that committee will advise the Chair of the IJB and the Chief Officer of that matter and

will co-operate with the IJB in supplying such further information and evidence in respect of that matter as the IJB may reasonably request.

- 5.2.6 The Parties shall ensure that their respective standing orders, schemes of delegation and other governance documents are amended (if required) to reflect the IJB's powers and remit, and its place as a common decision-making body within the framework for delivery of health and social care within the East Lothian Area.
- 5.2.7 The voting members of the IJB are councillors of the Council and non-executive board members of NHS Lothian. In their capacity as councillors and non-executive board members, they will be engaged in the governance of their respective constituent bodies, and it is likely that they will be members of one or more committees of those constituent bodies.
- 5.2.8 Given the overall vision as outlined in the preamble of this Revised Integration Scheme, it is the intention that the operational governance functions of both Parties and the IJB should be integrated. In all matters associated with the work of the IJB, the voting members of the IJB will be expected by the Parties to play a crucial role in:
- a) communicating, and having due regard to, the interests of NHS Lothian or (as the case may be) the Council in overseeing the carrying out of the integrated functions, but on the understanding that, in carrying out their role as a member of the IJB, their primary duties and responsibilities are those which attach to them in that capacity; and
 - b) communicating, and having due regard to, the interests of the IJB in overseeing the carrying out of the integrated functions whilst discharging their role as a councillor or (as the case may be) as a non-executive board member of NHS Lothian, but on the understanding that, in carrying out their role as a councillor or non-executive board member, their primary duties and responsibilities are those which attach to them in that capacity.
- 5.2.9 This Scheme sets out detailed measures on the governance of integration functions throughout the text. Over and above these measures, the Parties will ensure that the IJB members are involved in overseeing the carrying out of integration functions through the following action:
- a) The terms of reference, membership and reporting arrangements of the relevant committees of the Parties will be reviewed and the IJB will be consulted within this process (and all future reviews).
- 5.2.10 Without prejudice to the role of the voting members of the IJB (as specified above) in relation to oversight of operational delivery of services in accordance with directions issued to either

or both of the Parties by the IJB, the IJB will, through the Chief Officer, have an oversight role in the operational delivery of services by the Parties in the carrying out of integration functions. The Parties acknowledge that the Chief Officer's role in operational delivery will represent an important means by which closer integration of services, in accordance with the integration delivery principles specified in the Act, can be achieved. For the avoidance of doubt, the Chief Officer's role in operational delivery shall not displace:

- (a) the responsibilities of each Party regarding compliance with directions issued by the IJB; or
- (b) the principle that each Party's governance arrangements must allow that Party to manage risks relating to service delivery.

5.2.11 In addition to the specific commitments set out above and the obligations regarding provision of information attaching to the Parties under the Act, each of the Parties will provide the IJB with any information which the IJB may require from time to time to support its responsibilities regarding strategic planning, performance management, and public accountability.

5.3 Support for Strategic Planning

5.3.1 The Parties will support the IJB in ensuring that the consultation process associated with the preparation of each Strategic Plan for the East Lothian Area includes other Integration Authorities likely to be affected by the Strategic Plan. The Integration Authorities that are most likely to be affected by the Strategic Plan for the East Lothian Area are:

- (a) Midlothian Integration Joint Board
- (b) Edinburgh Integration Joint Board
- (c) West Lothian Integration Joint Board.

5.3.2 NHS Lothian will procure that reciprocal provisions to those set out in Sections 5.1, 5.2 and 5.3 are contained in the integration schemes of the Neighbouring IJBs in Lothian.

5.3.3 In addition the Scottish Borders Integration Joint Board shares a border with East Lothian Integration Joint Board and may be affected by the East Lothian Strategic Plan.

5.3.4 The Parties will to ensure that the IJB can:

- (a) effectively engage in all of the planning process and support the Neighbouring IJBs in discharging their role including contributing to the work of the strategic planning groups for the Neighbouring IJBs as required;

- (b) provide such information and analysis as Neighbouring IJBs reasonably require for the production of their Strategic Plans;
- (c) inform Neighbouring IJBs as to how the services, facilities and resources associated with the functions delegated to the IJB by the Parties are being or are intended to be used with respect to carrying out of those functions in line with these planning processes;
- (d) in a situation where Strategic Plans in one area are likely to have an impact on the plans in another area, ensure that these matters are raised with other relevant Integration Joint Boards and resolved in an appropriate manner;
- (e) in a situation where Strategic Plans in another area are likely to have an impact on the East Lothian Area, ensure that these matters are raised and any associated risks are mitigated for the benefit of service users.

5.4 Lothian Hospitals Strategic Plan, and Lothian Strategic Development Framework

- 5.4.1 NHS Lothian developed a plan (the 'Lothian Hospitals Strategic Plan') to support the IJB initial Schemes to fulfil their duties. The Lothian Hospitals Strategic Plan does not and will not bind the IJB though the IJB Strategic Plans are intended to inform and support the Lothian Hospital Strategic Plan. The Lothian Hospitals Strategic Plan encompasses both functions delegated to the Lothian IJBs and functions that are not so delegated.
- 5.4.2 The Lothian Hospitals Strategic Plan (which is or shall be replaced either in whole or part by the Lothian Strategic Development Framework referred to in [5.4.4] herein) was initially developed in partnership with the Lothian IJBs where integration functions are delivered by NHS Lothian in a hospital. Such reflected the relevant provisions of the Strategic Plans prepared by the respective Lothian IJBs, as well as NHS Lothian plans for non-delegated functions and it is intended that the Lothian Strategic Development Framework shall reflect the same.
- 5.4.3 The purpose of the Lothian Hospital Strategic Plan (and the purpose of the forthcoming Lothian Strategic Development Framework) is to ensure that planning for hospital functions and use of hospital facilities are:
 - (a) responsive to and supports each Strategic Plan prepared by the Lothian IJBs for delegated functions; and

- (b) supports the requirement of NHS Lothian to deliver hospital services required by the IJB and other hospital services that are not the responsibility of the Lothian IJBs (e.g. tertiary, trauma, surgical, planned and children's services).

5.4.4 The forthcoming Lothian Strategic Development Framework shall be developed jointly by NHS Lothian and the Lothian IJBs, until such time as such is completed the Lothian Hospitals Strategic Plan shall continue to subsist. The elements of the Lothian Strategic Development Framework addressing non-delegated functions shall only be agreed by the NHS Lothian Board after the four Lothian IJBs have been consulted and their views and requirements appropriately considered. Elements of the Lothian Strategic Development Framework which cover functions delegated to the respective Lothian IJBs will be signed off by relevant Lothian IJBs in consultation with NHS Lothian and all Lothian IJBs.

5.5 Professional, technical or administrative support services

5.5.1 The Parties agree to provide the IJB with the corporate support services that it requires to discharge fully its duties under the Act.

5.5.2 The Parties and the IJB will regularly undertake review of the support services put in place pursuant to the IJB Scheme to ensure that the IJB has available to it all necessary professional, technical or administrative services for the purpose of preparing its Strategic Plan and carrying out the integration functions. This process will form part of the annual budget setting process for the IJB.

5.6 Performance targets, improvement measures and reporting arrangements

5.6.1 All national and local Outcomes, improvement measures and performance targets (including the Annual Performance Report (as defined and required under the Act) which are connected exclusively with the functions delegated by the Parties to the IJB under this Revised Integration Scheme will become the responsibility of the IJB to deliver; and the IJB will also be responsible for providing all such information regarding integration functions which is required by either of the Parties to enable each of them to fulfil its obligations regarding reporting arrangements in respect of those functions.

5.6.2 Where particular national or local outcomes, measures or targets (and associated reporting arrangements) relate to services which are associated with both integration functions and functions which are not delegated by a Party to the IJB, the responsibility for the outcomes, measures or targets (and associated reporting arrangements) will be shared between the IJB and the Party or Parties which exercise those functions, and the IJB will be responsible for providing all such information regarding those integration functions as is required by the relevant Party to enable it to fulfil its obligations regarding reporting arrangements.

- 5.6.3 A set of shared principles will be developed and agreed between the Parties for targets and measurement based on existing best practice, and will be reviewed regularly as required.
- 5.6.4 A core group of senior managers and relevant support staff from each Party will continue to review and where necessary revise and further develop the Performance Framework, taking account of relevant national guidance. The Performance Framework will be underpinned by the Outcomes and will be further developed on an ongoing basis to drive change and improve effectiveness. The Performance Framework will be informed by an assessment of current performance arrangements and the development of a set of objectives which the framework will be intended to achieve.
- 5.6.5 A core set of Integration Indicators and measures will be identified by the Parties from publicly accountable and national indicators and targets which relate to services delivered in carrying out of the functions delegated to the IJB.
- 5.6.6 An Integration Dataset will be created for the IJB. The Integration Dataset shall include information on the data gathering, reporting requirements and accountability for each of these measures and targets and include, in relation to each target, the extent to which responsibility sits with or is to transfer to the IJB. Such shall be shared with and reviewed by the IJB and amended as appropriate following such review.
- 5.6.7 The Outcomes which apply to integrated health and social care, and the associated national indicators which underpin the nine health and wellbeing Outcomes will be used by the IJB to inform the development of the Performance Framework.
- 5.6.8 The IJB shall apply the Outcomes and Integration Indicators to inform and assist in setting local priorities and monitoring performance, and will be reported per national and local reporting arrangements.
- 5.6.9 The Integration Indicators will be aligned with the priority areas identified in the joint strategic needs assessment and the Strategic Plan and will be refined as these documents are reviewed and refreshed. The Integration Indicators shall be in line with IJB strategy and will demonstrably evidence the IJB's endeavours to achieve the Outcomes.
- 5.6.10 The Parties have obligations to meet targets for functions which are not delegated to the IJB, but which are affected by the performance and funding of integration functions. Therefore, when preparing performance management information, the Parties agree that the effect on both integration and non-integration functions must be considered and details must be provided of any targets, measures and arrangements for the IJB to take into account when preparing the Strategic Plan. Where responsibility for performance measures and targets is shared, this will be set out clearly for agreement by the relevant Parties.

5.6.11 The Performance Framework may require information on functions which are not delegated to the Integration Board. Either one of the Parties, or the IJB, will be able to reasonably require information of that nature to be included within the Integration Dataset.

5.6.12 The continuous development of an effective Performance Framework, taking account of relevant national guidance, will be supported by the parties and the IJB. The framework will be underpinned by the Outcomes, and national integration indicators, and will be used by the Parties and the IJB to drive change and improve effectiveness.

6 Clinical and Care Governance

6.1 Introduction

6.1.1 This Section of this Revised Integration Scheme sets out the arrangements that will be put in place to allow the IJB to fulfil its role with professional advice and with appropriate clinical and care governance in place. The Parties will expect the IJB to develop more integrated governance arrangements in East Lothian to complement the existing clinical and care governance arrangements.

6.1.2 The Parties have well established systems to provide clinical and care governance as well as assurance for professional accountabilities. Those systems will continue and the scope of these systems will extend to provide the IJB with the requirements to fulfil their clinical and care governance responsibility.

6.1.3 This Section describes the relationship between the Parties' clinical and care governance systems and the IJB. The relationship between these systems and the Strategic Planning Group and delivery of services within localities will be via the Chair and Chief Officer of the IJB. The IJB non-voting membership includes the Chief Social Work Officer and three health professionals who are determined by NHS Lothian. These members will provide a further link between the Parties clinical and care governance systems and the IJB as described in Section 6.2. It is for the IJB to ensure that the Strategic Planning Group has sufficient information to undertake its function and the Parties shall provide such information to the IJB as is necessary for it to do so. This is in line with the commitment in this scheme at 5.3.1 to provide the IJB with the corporate support services required to fully discharge its responsibilities under the Act, which includes support to the IJB, its Strategic Planning and localities.

6.1.4 Continuous improvement and the quality of service delivery (and its impact on outcomes) will be addressed through the development of the IJB's Performance Framework (pursuant to Section 5.6 of this Scheme).

- 6.1.5 The IJB will not duplicate the role carried out by the Parties existing governance arrangements other than in exceptional circumstances where the IJB considers that direct engagement by the IJB is appropriate in order to secure the proper discharge by the IJB of its statutory responsibilities.
- 6.1.6 The Parties agree that in the event that one of its committees within its governance arrangements identifies an issue which is of direct and material relevance to the IJB, the chair of that committee will advise the chairperson of the IJB and the Chief Officer of that matter and will co-operate with the IJB in supplying such further information and evidence in respect of that matter as the IJB may reasonably request.
- 6.1.7 The Parties shall ensure that its standing orders, schemes of delegation and other governance documents are amended (if required) to reflect the IJB's powers and remit, the IJB's place as a common decision-making body within the framework for delivery of health and social care within the East Lothian Area and the Parties role in supporting the IJB to discharge its duties.
- 6.1.8 The voting members of the IJB are engaged in the governance of their respective Party, and it is likely that they will be members of one or more committees of the relevant Party.
- 6.1.9 The Parties will use reasonable endeavours to appoint voting members of the IJB (regardless of which party nominated the voting members) onto the NHS Lothian and Council governance arrangements with a remit relevant to the clinical and care governance of integration functions.
- 6.1.10 Within its existing governance framework, NHS Lothian has:
- (a) A healthcare governance committee, the remit of which is to provide assurance to the Board that the quality of all aspects of care in NHS Lothian is person-centred, safe, effective, equitable and maintained to a high standard and to provide assurance to the Board of NHS Lothian that the Lothian NHS Board meets its responsibilities with respect to:-
- NHS Lothian Participation Standards
 - Volunteers/Carers
 - Information Governance
 - Protection of Vulnerable People including children, adults, offenders
 - Relevant Statutory Equality Duties
- and
- (b) A staff governance committee, the remit of which is to support and maintain a culture within Lothian NHS Board where the delivery of the highest possible standard of staff

management is understood to be the responsibility of everyone working within NHS Lothian and is built upon partnership and collaboration. The Staff Governance Committee must ensure that robust arrangements to implement the (NHS Scotland) Staff Governance Standard are in place and monitored

- 6.1.11 The staff governance committee has the primary role on staff governance matters, but can and does refer matters of relevance to the healthcare governance committee.
- 6.1.12 The healthcare governance committee can request assurance from the staff governance committee on matters of direct relevance to its remit, e.g. quality of recruitment, learning and development, completion of mandatory training.
- 6.1.13 Within the Council, the Chief Social Work Officer has overall responsibility for the professional standards of the Council's social work and social care staff. The workforce is also regulated by the Scottish Social Services Council (SSSC), and all professional staff must by law be registered with the SSSC. This registration requirement will, in due course, extend to all social care staff employed by the Council and the voluntary and independent sectors.
- 6.1.14 The Chief Social Work Officer reports annually to the Council on standards achieved, governance arrangements (including supervision and case file audits), volume/quantity of statutory functions discharged, the registration of the workforce and on training, including mandatory training and post-qualifying learning and development.
- 6.1.15 These reports must comply with national guidance issued by the Scottish Government. The Chief Social Work Officer will also provide a copy of these annual reports to the IJB.
- 6.1.16 The intention of using the existing NHS Lothian and Council internal governance as a primary source of assurance is to recognise that the Parties will have continuing governance responsibilities for both delegated and non-delegated functions, and that the Parties wish to minimise unnecessary bureaucracy. The IJB will be engaged through its voting membership being part of the Parties' internal governance arrangements. The IJB will be in a position to holistically consider the information/assurance received from the Parties and arrive at a determination for all of its functions. If the IJB is in any way dissatisfied with the information or assurance it receives from the Parties, or the effectiveness of the Parties internal governance arrangements, it may give a direction to the Parties to address the issue, or revise its own system of governance.

6.2 Clinical and Care Governance Risk

- 6.2.1 There is a risk that the plans and directions of the IJB could have a negative impact on clinical and care governance, and professional accountabilities. Section 6.3 of this Revised Integration Scheme sets out the arrangements that have been or will be put in place to avoid this risk.

6.3 Professional Advice

- 6.3.1 NHS Lothian has within its executive membership three clinical members (referred to below as '**Executive Clinical Directors**'); a Medical Director, a Nurse Director, and a Director of Public Health. Their roles include responsibility for the professional leadership and governance of the clinical workforce (medical, nursing, allied health professionals, healthcare scientists, psychology, pharmacy), as well as clinical governance within NHS Lothian generally. The creation of the IJB does not change their roles in respect of professional leadership, and they remain the lead and accountable professionals for their respective professions.
- 6.3.2 The Council has a Chief Social Work Officer who reports to the Chief Executive and councillors. The Chief Social Work Officer monitors service quality and professional standards in social care and social work, for staff employed in both adult and children's services, together with standards in relation to the protection of people at risk of harm. The Chief Social Work Officer role also includes quality assurance of decision-making with regard to adult social care, mental health criminal justice and children's services, in particular in relation to public protection and the deprivation of liberty.
- 6.3.3 The creation of an IJB does not change the Chief Social Work Officer's role in respect of professional leadership and he or she will remain the lead and accountable professional for his or her profession.
- 6.3.4 The IJB may elect to appoint one or both of the Medical Director and the Nurse Director as additional non-voting members of the IJB. The IJB's Order requires NHS Lothian to fill the following non-voting membership positions on the IJB:
- (a) A registered medical practitioner whose name is included in the list of primary medical services performers prepared by NHS Lothian in accordance with Regulations made under section 17P of the National Health Service (Scotland) Act 1978;
 - (b) A registered nurse who is employed by NHS Lothian or by a person or body with which NHS Lothian has entered into a general medical services contract; and
 - (c) A registered medical practitioner employed by NHS Lothian and not providing primary medical services.

- 6.3.5 NHS Lothian will consider the advice of the Executive Clinical Directors, and any other relevant officer it deems fit before making appointments to fill the membership positions referred to in Section 6.3.4. The appointees will be professionally accountable to the relevant Executive Clinical Director. NHS Lothian will develop a role description for the appointments referred to in Section 6.3.4, to ensure that their role on the IJB with regard to professional leadership and accountability is clearly defined and understood.
- 6.3.6 The three health professional representatives referred to in Section 6.3.4 will each also be:
- (a) A member of an integrated professional group (should it be established); and/or
 - (b) A member of a NHS Lothian committee; and/or
 - (c) A member of a consultative committee established by NHS Lothian.
- 6.3.7 If a new “integrated professional group” is established, the Chief Social Work Officer must also be a member.
- 6.3.8 The three health professional representative set out in Section 6.3.4 and the Chief Social Work Officer will be expected by the Parties to play a lead role in:
- (a) Communicating and having regard to their duties to NHS Lothian or the Council as the case may be whilst discharging their role as a member of the IJB;
 - (b) Communicating and having regard to the interests of the IJB whilst discharging their duties as professionals employed by NHS Lothian or (as the case may be) the Council.
 - (c) The members will be expected to communicate regularly with the Executive Clinical Directors, and the Council’s Chief Executive as and when appropriate.
- 6.3.9 The presence of these four members will ensure that the decisions of the IJB are informed by professional advice from within the membership of the IJB.
- 6.3.10 NHS Lothian includes a governance statement in its annual accounts, the content of which is informed by the annual reports of its governance committees (such as healthcare governance and staff governance) and certificates of assurance from its Executive Clinical Directors. The IJB may place reliance on these existing processes, and the Parties will provide any such reports from those processes as the IJB may require.
- 6.3.11 The Executive Clinical Directors shall be entitled to raise issues directly with the IJB in writing. The IJB shall be required to respond in writing when issues are raised in this way. The Chief Social Work Officer will be a non-voting member of the IJB, and can therefore raise any issues directly at the IJB.

- 6.3.12 The engagement of professionals throughout the process to develop and consult on the Strategic Plan is intended to ensure that the IJB has all the required information to prepare a Strategic Plan, which will not compromise professional standards.
- 6.3.13 In the unlikely event that the IJB issues a direction to NHS Lothian, which is reasonably likely to compromise professional standards, then in the first instance, the relevant Executive Clinical Director will write to the IJB.
- 6.3.14 If the issue is not resolved to his/her satisfaction, he/she must inform the board of NHS Lothian before it takes action to implement the direction, and the following measures will apply:
- (a) The relevant Executive Clinical Director must ensure that appropriate advice is tendered to the board of NHS Lothian on all matters relating to professional standards;
 - (b) The relevant Executive Clinical Director must set out in writing to NHS Lothian any objections he/she may have on a proposal that may compromise compliance with professional standards;
 - (c) The board of NHS Lothian will inform the IJB that it has received such objections, along with a statement of the views of the board of NHS Lothian on those objections;
 - (d) If the board of NHS Lothian decides to proceed with a proposal despite those objections, the relevant executive clinical director will be provided with written authority from the board of NHS Lothian to act on the proposal. NHS Lothian must inform the Scottish Government Health and Social Care Directorate if a request for such a written authority is made. A copy of that authority must be sent to the appropriate regulatory body, e.g. General Medical Council;
 - (e) Once the relevant Executive Clinical Director has received that written authority, he/she must comply with it;
- 6.3.15 Regardless of whether a written authority has been given, the Executive Clinical Directors, in their capacity as NHS Lothian members, should always vote against a proposal that they cannot endorse as accountable officers. It is not sufficient to abstain from a decision.
- 6.3.16 The three professional clinical members on the IJB (two medical practitioners, one nurse) are non-voting members. They will be expected by the Executive Clinical Directors to raise any concerns in relation to matters which may compromise professional standards with the IJB.

- 6.3.17 If any of the three professional clinical members becomes aware of a matter arising from the conduct of IJB business, which may compromise professional standards, he/she must immediately notify the relevant Executive Clinical Director(s) of their concerns.
- 6.3.18 The Chief Social Work Officer must be a non-voting member of the Integration Joint Board, and as such, will contribute to decision-making, and will provide relevant professional advice to influence service development.
- 6.3.19 In the event that the Integration Joint Board issues an direction to the Council or NHS Lothian, which in the view of the Chief Social Work Officer compromises professional social work standards or the discharge of statutory functions, the Chief Social Work Officer must immediately notify the Chief Officer of his/her concerns and if his/her concerns are not resolved by the Chief Officer to his/her satisfaction they must then raise the matter with the Chief Executive of the Council.

6.4 Professionals Informing the IJB Strategic Plan

- 6.4.1 With regard to the development and approval of its Strategic Plan, the IJB is required to:
- (a) establish a strategic planning group (which will review the draft Strategic Plan). This strategic planning group must include a nominee from both NHS Lothian and the Council in its membership, as well as representation from health professionals and social care professionals. NHS Lothian and the Council will make recommendations to the IJB with regard to the representation from health professionals and social care professionals;
 - (b) consult both NHS Lothian and the Council on its Strategic Plan, and take into account their views before it finalises the Strategic Plan.
- 6.4.2 There will be three opportunities within these arrangements for professional engagement in the planning process;
- (a) at the IJB;
 - (b) in the context of the work of the strategic planning group; and
 - (c) as part of the consultation process with the Parties associated with the Strategic Plan.
- 6.4.3 The membership of the IJB will not be the only source of professional advice available to the IJB. In advance of the establishment of the IJB the Parties agreed that the chairs of all appropriate committees and groups will be informed that they are able to, and expected to, directly provide advice to the IJB. Those committees and groups may also advise an

integrated professional group that provides advice to the IJB. Those committees and groups include, but are not limited to:

- (a) Local consultative committees that have been established under section 9 of the National Health Service (Scotland) Act 1978;
- (b) Managed Clinical/ Care Networks;
- (c) East and Mid Lothian Public Protection Committee (adult and child protection, drug and alcohol, violence against women, offender management etc). The IJB will consult this committee on any plans that may impact on the protection of children or vulnerable adults or people who are assessed as posing a risk;
- (d) Any integrated professional group established.

6.4.4 NHS Lothian and the Council will ensure that the draft Strategic Plan is sent to the following senior professionals in order to secure their input and advice:

- NHS Lothian Executive Medical Director;
- NHS Lothian Executive Director of Nursing and Allied Health Professions
- NHS Lothian Director of Public Health & Health Policy;
- Chief Social Work Officer.

6.4.5 The engagement of the Council's professionals will not be limited to social work staff, but will extend to related professionals within social care, such as, but not exclusively, occupational therapists, home care and social care staff.

6.4.6 The approach to locality planning and delivery including the arrangements for clinical and social care governance will be developed through the strategic planning process in a collaborative manner for the IJB.

6.5 External scrutiny of clinical and care functions

6.5.1 NHS Lothian seeks assurance for internal control/quality through its Healthcare Governance Committee, which includes reports by external bodies such as Healthcare Improvement Scotland.

6.5.2 The Care Inspectorate (Social Care and Social Work Improvement Scotland) regulates, inspects and supports improvement of adult and children's social work and social care, and their reports feed into the Council's system of governance.

6.5.3 The IJB will consequently be informed of any relevant issues from external scrutiny, as a consequence of drawing from the systems already established by the Parties.

6.6 Service User and Carer Feedback

- 6.6.1 The Parties have a range of systems already in place to capture and respond to service users' experience, and these will continue to be used as the Parties implement the directions of the IJB.

7 Chief Officer

- 7.1 The Chief Officer will be appointed by the IJB; he/she will be employed by one of the Parties and will be seconded to the IJB.
- 7.2 The Chief Officer will provide a strategic leadership role as principal advisor to and officer of the IJB and will be a member of the senior management teams of the Parties. The Chief Officer will lead the development and delivery of the Strategic Plan for the IJB and will be accountable to the IJB for the content of the directions issued to the Parties by the IJB and for monitoring compliance by the Parties with directions issued by the IJB.
- 7.3 The Chief Officer will report directly to the Chief Executives of both Parties. There will be a joint process for the regular performance reviews, support and supervision with both Chief Executives. Annual objectives for the Chief Officer will be agreed and the process will involve the chairperson of the Integration Joint Board agreeing objectives with the Chief Officer relevant to his/her role with the Integration Joint Board as well as the Chief Executives of the Parties. The Chief Officer's performance against those annual objectives will be monitored through an agreed Performance Framework established by the Party which is his/her employer.
- 7.4 If an interim replacement for the Chief Officer of the IJB is required, in line with a request from the IJB to that effect (on the grounds that the Chief Officer is absent or otherwise unable to carry out his/her functions), the Chief Executives of the Parties will initiate a joint selection process, identifying a list of potential replacements; and selection of a suitable candidate will be undertaken against a set of agreed criteria. The interim replacement will be employed by one of the Parties and will be seconded to the IJB on an interim basis.
- 7.5 The Chief Officer will have operational responsibility for all of the functions delegated to the IJB with the following exceptions:
- (a) The Chief Officer for NHS Lothian acute hospital services and directors responsible for the Western General Hospital, the Royal Infirmary of Edinburgh, St Johns Hospital and the Royal Edinburgh Hospital will provide delegated services on these hospital sites that will not be operationally managed by the Chief Officer.

Specific NHS Lothian functions that are managed on a pan-Lothian basis as a 'hosted service' which are solely the responsibility of NHS Lothian and not an IJB Delegated Function, which may be managed by one of the four chief officers in Lothian.

- 7.6 A group consisting of Directors responsible for hospital functions delegated to the IJB and the Chief Officers of the four IJBs in Lothian will be established to ensure close working arrangements between A) IJB Chief Officers, the Chief Officer of NHS Lothian acute hospital services and Hospital Site Directors and B) Chief Officers responsible for the management of a hosted service on behalf of the other three Lothian Chief Officers.

8 Workforce

8.1 The arrangements in relation to their respective workforces agreed by the Parties are:

- (a) For staff managed by a line manager who is employed on different terms and conditions, the manager will observe the contract of employment and apply the employer's employment policies and procedures. Guidance will be available to assist the line manager. In addition the Parties will establish professional leadership lines of accountability to ensure clinical and professional standards are monitored and maintained;
- (b) The Parties have agreed an Organisational Development Plan which is being implemented. There is a Human Resources and Organisational Group which includes Senior Managers and Trades Unions from both Parties.

8.2 The Parties have developed a Human Resources and Organisational Development plan which supports the workforce through the integration process. This is a comprehensive plan which covers staff communication, staff engagement, staff and team development, leadership development and the training needs for staff that will be responsible for managing integrated teams. This plan will be reviewed annually to ensure that it takes account of the Strategic Plan of the IJB and the development needs of staff within the IJB.

8.3 The Human Resources and Organisational Development plan will be monitored regularly and reviewed no less than once in any financial year.

8.4 The Parties will support the IJB to prepare a joint Workforce Development and Support Plan through the provision of professional, technical and support services described in Sections 5.4 and 6.1 of this Revised Scheme of Integration. The Workforce Development and Support Plan will sit alongside and be informed by the IJB's Strategic Plan.

9 Finance

9.1 This section describes the arrangements in relation to financial management and monitoring of integrated resources. It sets out the method for determining the resources to be made available by the council and the health board to the Board. It also explains the financial governance and management arrangements, including budget variances, and the financial reporting arrangements between the Board, the council and the health board

9.2 Chief Finance Officer

9.2.1 In relation to the preparation of its accounts and their audit, the Board is governed by the same legislation applying to local authorities and is required to make arrangements for the proper administration of its financial affairs; through the appointment of a proper officer for that purpose. The Board has appointed a Chief Finance Officer with this responsibility. The Chief Finance Officer will be employed by the council or the health board and seconded to the Board. The holder of the post should be a member of a relevant professional accounting body, and the Board should have regard to the current CIPFA Guidance on the role.

9.2.2 In the event that the Chief Finance Officer position is vacant or the holder is unable to act, the Chief Officer shall secure, in consultation with the Board Chair, and through agreement with both the council's Section 95 Officer and the health Board's Director of Finance, an appropriate interim dedicated resource to discharge the role.

9.3 Financial Management of the Board

9.3.1 The Board is responsible for determining its own internal financial governance arrangements; and the Chief Finance Officer will be responsive to the decisions of the Board, and the principles of financial governance set out in this Scheme.

9.4 Principles of Financial Governance

9.4.1 The following principles of financial governance shall apply:

- the health board and the council will work together in a spirit of openness and transparency
- the health board and the council will work in partnership with the Board with the objective of agreeing sufficient funding of delegated functions in line with the financial elements of the Strategic Plan

9.5 Financial Governance

9.5.1 The Parties will contribute to the establishment of a Board budget. The Chief Officer will manage the Board budget.

9.5.2 The Parties are required to implement the Directions of the Board in carrying out the delegated functions in line with the Strategic Plan. The Parties will apply their established systems of financial governance to the payments they receive from the Board. The health board's Accountable Officer and the council's Section 95 officer have legally defined responsibilities and accountability for the financial governance of their respective bodies.

- 9.5.3 The Chief Officer in their operational role within the health board and the council is responsible for the financial management of any operational budgets (as defined in section 9 of this Revised Scheme of Integration) that may be delegated to them by the Parties, and is accountable for this to the health board's Chief Executive and the council's Section 95 Officer.
- 9.5.4 The Board will develop and maintain its own financial regulations. The Chief Finance Officer will periodically review these financial regulations and present any proposed changes to the Board for its approval.
- 9.5.5 The council will host the Board's Financial Accounts and will be responsible for recording the Board's financial transactions through its existing financial systems. The Integration Joint Board can hold reserves. It is a matter for the Board to determine what its reserves strategy will be.
- 9.5.6 The Board's Chief Finance Officer is responsible for preparing the Board's accounts and ensuring compliance with statutory reporting requirements as a body under the relevant legislation.
- 9.5.7 As part of the financial year end procedures and in order to develop the year-end financial statements, the Chief Finance Officer will work together with the health board and the council to coordinate an exercise agreeing the value of balances and transactions with council and health board Finance teams. Each Party will provide information to this process on their recorded income, expenditure, receivable and payable balance with the Board. The Board's Chief Finance Officer will lead with the Parties on resolving any differences.
- 9.5.8 The Chief Finance Officer will also be responsible for preparing a medium-term financial plan to be incorporated into the Board's Strategic Plan. The Chief Finance Officer will liaise closely with the health board and the council to develop integrated medium term financial planning and associated financial recovery plans taking account of assumptions around available funding and future service demands and service delivery models.
- 9.5.9 The Chief Finance Officer will also be responsible for preparing the annual financial statement that the Board must publish under section 39 of the 2014 Act, which sets out what the Board intends to spend in implementation of its Strategic Plan.
- 9.5.10 The Chief Finance Officer will be responsible for producing finance reports to the Board, ensuring that those reports are appropriate for the needs of the Board.

9.5.11 The Chief Finance Officer will liaise closely with the council's Section 95 Officer and the health board's Director of Finance and their teams in order to discharge all aspects of their role.

9.6 Resources Delegated to the Board

9.6.1 The resources delegated to the Board fall into two categories: (i) payments for the delegated functions; and (ii) resources used in large hospitals that are set aside by the health board and made available to the Board for inclusion in its Strategic Plan.

9.6.2 Section 1(3)(e) of the 2014 Act requires that the Scheme must set out a method of determining payments that are to be made in respect of (i) above. Section 1(3)(d) of the 2014 Act requires the Scheme to set out a method of determining the amounts to be made available by the health board for us by the Board under (ii) above.

9.6.3 It is expected that the net difference between payments into and out of the Board will result in a balancing payment between the council and the health board which reflects the effect of the Directions of the Board. The balancing payment will be reviewed throughout the year and depending on the expected value for the adjusting payment, it will be either made one-off prior to year-end or on a quarterly basis. Such payments would incorporate values previously treated as resource transfer.

9.7 Annual Budget Payments to the Board

9.7.1 The council and the health board identify a core baseline operational budget for each function that is delegated to the Board. This will be used as the basis to calculate their respective payments into the Board budget each year. The previously agreed "resource transfer" payments from the health board will be part of the annual budget payment to the Board.

9.7.2 The council and the health board have established financial planning processes which take into account the financial settlements they have received, and identified and assumed expenditure pressures, to arrive at opening annual budgets. These same processes will be applied to the core baseline operational budgets for the delegated functions in order to arrive at the annual payments to the Board.

9.7.3 The council's Section 95 Officer and the health board's Director of Finance are responsible for preparing the budget contributions from their respective Party. The amounts to be paid will be the outcome of the above processes. They will consult with the Chief Officer and officers in both Parties as part of this process.

- The council's Section 95 Officer and the health board's Director of Finance will each prepare a schedule outlining the detail and total value of the proposed payment from each party, and the underlying methodology and assumptions behind that payment. These draft schedules will identify any amounts included in the payments that are subject to separate legislation or subject to restrictions stipulated by third party funders. The schedules will also contain the detail and total value of set aside resources for hospital services, made under section 1(3) (d) of the 2014 Act.
- The council's Section 95 Officer and the health board's Director of Finance will refer the draft schedules to the Chief Officer so that they may have an opportunity to formally consider it.
- The council's Section 95 Officer and the health board's Director of Finance will thereafter present the final draft schedules to the Parties. This schedule must be agreed by the health board's Director of Finance, the council's Section 95 Officer and the Chief Officer.
- The council and the health board must approve their respective payments, in line with their governing policies

9.7.4 The council's Section 95 Officer and health board's Director of Finance will liaise closely with the Chief Officer and Chief Finance Officer on the assumptions to be used on annual budget contributions and will have due regard to the impact of any service re-design activities that have been a direct consequence of the Board's Strategic Plan or Directions issued. Both the council and the health board will provide indicative three year budget allocations to the Board, subject to annual approval through their respective budget setting processes.

9.7.5 The Parties will ensure the Chief Officer and Chief Finance Officer are actively engaged in their financial planning processes. The Chief Officer will be expected to feed into the planning processes with any intelligence that is relevant, e.g. the aims of the Strategic Plan, the effect of previous directions on activity and expenditure, projected demand led changes in activity and expenditure. The health board's Director of Finance, the council's Section 95 Officer and the Chief Finance Officer will ensure a consistency of approach and consistent application of processes in considering budget assumptions and proposals.

9.8 **The set-aside of resources for use by the Board under section 1(3) (d) of the 2014 Act**

9.8.1 In addition to the payments to the Board, the health board will identify a set aside budget for delegated functions in large hospitals. The set aside budget for delegated hospital services will be based on an apportionment of the relevant health board budgets for the delegated hospital services (excluding overheads).

9.8.2 The core baseline budget for the set-aside functions in each council area will be based on an appropriate methodology and agreed in partnership by the Health Board and Board.

9.9 **Hosted Services**

9.9.1 NHS Lothian carries out functions across four local authority areas. Some of the functions delegated to the Lothian IJBs are currently provided as part of a single Lothian-wide service, commonly referred to as “hosted services”.

9.9.2 The core baseline budget for the hosted services in each IJB area will be based on an appropriate methodology and agreed in partnership by the health board and Board.

9.10 **Due Diligence**

9.10.1 The Parties will share information on the financial performance over at least the previous two financial years of the functions and associated services delegated to the Board. This will allow the Parties to undertake appropriate reviews to gain assurance as to whether the services are currently being delivered sustainably within approved resources, and that the anticipated payments will be sufficient for the Board to carry out its integration functions.

9.10.2 If any such review indicates that the projected expenditure is likely to exceed the payments to the Board, then the relevant Party will be notified. The relevant Party will be required to take action to ensure that services can be delivered within the available operational budget

9.10.3 The Parties recognise that of the functions which are to be delegated to the Board, there are some where there is greater potential for the actual expenditure to vary significantly from projections. The Parties will identify what those functions are, and will ensure that information is provided to the Board so that it is aware of the issues, and is able to focus on those functions within their systems for risk management and financial reporting.

9.10.4 This process of due diligence will be informed by, amongst other things, the intelligence within the financial performance reports covering all integration functions that the Board will routinely receive.

9.11 **Process to agree payments from the Board to the Parties**

9.11.1 The Board will determine and approve, in accordance with the Strategic Plan, the payments to the Parties which will accompany its Directions to them for carrying out functions delegated to the Board. The Parties are required to implement the Directions of the Board in carrying out

a delegated function in line with the Strategic Plan, having agreed with the Board the resources required to deliver the said directions.

9.11.2 The Chief Finance Officer is responsible for providing the Board with appropriate information and advice, so that it may determine what those payments should be.

9.11.3 Directions from the Board to the Parties will take the form of a letter from the Chief Officer referring to the arrangements for delivery set out in the Strategic Plan and will include information on:

- the delegated function(s) that are to be carried out
- the outcomes to be delivered for those delegated functions
- the amount of and / or method of determining the payment to be made, in respect of the carrying out of the delegated functions.

9.11.4 Once issued, Directions can be amended or deleted or replaced by a subsequent Direction by the Board.

9.11.5 Where amounts paid to the Board are subject to separate legislation or subject to restrictions stipulated by third party funders, the Board must reflect these amounts in full, in determining the level of the payments to be made to the Parties in respect of the carrying out of the relevant function or functions. However, the Board is not precluded from increasing the resource allocated to the relevant services.

9.12 **Financial Reporting to the Board**

9.12.1 Budgetary control and monitoring reports will be provided to the Board as and when it requires. The reports will set out the financial position and forecast against the payments by the Board to the Parties in respect of the carrying out of integration functions and against the amount set aside by the health board for hospital services. These reports will present the actual and forecast positions of expenditure compared to budgets for delegated functions and highlight any financial risks and areas where further action is required to manage budget pressures.

9.12.2 The health board will provide information on the set-aside budgets which will be contained in financial reports to the Board.

9.12.3 Both Parties will provide the required information on budgetary performance from their respective finance systems, and this will be co-ordinated and consolidated by the Chief Finance Officer to provide reports to the Board on all the Board's delegated functions.

9.12.4 It is expected that as a minimum there will be quarterly financial reports to the Chief Officer and the Board.

9.13 Process for addressing variance in the spending of the Board

9.13.1 The Board is required to deliver its financial out-turn within available resources. Section 15 of this scheme sets out the arrangements for risk management, and financial risk (within the Board and both Parties) will be managed in line with those arrangements.

9.13.2 The Parties will ensure that their respective budget monitoring and management systems will be applied to monitor and manage their expenditure in relation to delivery of integrated functions in accordance with Directions issued to them by the Board.

9.13.3 The manager leading this remedial action could be the Chief Officer in his or her operational capacity within the affected party.

9.13.4 In the event that such remedial action will not prevent the overspend, then the Chief Finance Officer will, together with the relevant Party, develop a proposed recovery plan to address the forecast overspend. The Chief Finance Officer will then present that recovery plan to the Board as soon as practically possible. The Board has to be satisfied with the recovery plan, and the plan is subject to its approval.

9.14 Additional Payments by the Parties to the Board

9.14.1 Where such a recovery plan is projected to be unsuccessful and an overspend occurs at the financial year end, and where there are insufficient available reserves held by the Board to meet the overspend, then the Parties may make additional payments to the Board.

9.14.2 The Chief Finance Officer and the Parties shall engage in discussion and negotiation about the amounts to be paid by each Party.

9.14.3 The Parties recognise that the delivery of delegated functions in accordance with the Strategic Plan depends on their co-operation between each other and with the Board and that all three parties must approach such discussions in good faith, recognising the pressures and constraints on their respective budgets and services. In such discussions the Parties recognise and accept that an overspend is at the risk of the Party incurring the overspend and the residual amount of overspend after usage of reserves must, in the absence of any other agreement, be met by that Party.

9.14.4 Recurring overspends will be considered as part of the following year's budget process. If a solution to the overspend cannot be agreed by the Parties, or is not agreed by the Board, then the dispute resolution mechanism in this Scheme may require to be implemented.

9.15 Underspends

9.15.1 As part of their normal financial management systems, the Parties conduct in-year reviews of financial performance, and occasionally this may lead to a forecast of an underspend at the year-end on one or more budgets. In the event that this happens within the operational budgets then the following shall apply:

- if the underspend is fortuitous and unrelated to any Board Direction then the underspend should be returned to the affected Party (through an adjustment to the payments to the Board)
- the Board will retain all other underspends.

9.15.2 The Board can hold reserves, as determined by its Reserves Policy.

9.16 Treatment of variations against the amounts set aside for use by the Board

9.16.1 A process will be agreed between the health board and the Board to manage any variations within the set-aside budget. This process will reflect any variations in the activity that was used to establish the set-aside budget. Any cost variations will be managed in the same way as overspends and underspends within the Integrated payment as laid out above.

9.17 Redetermination of payments (made under section 1(3) (e)) to the Board

9.17.1 Redeterminations of payments made by the Parties for the carrying out of integration functions would apply under the following circumstances:

- Additional one off funding is provided to a Party or Parties by the Scottish Government, or some other body, for expenditure in respect of a function delegated to the Board
- The Parties, along with the Board, agree that an adjustment to the payment is required to reflect changes in demand and/or activity levels

9.17.2 In all cases full justification for the proposed change would be required and both Parties and the Board would be required to agree to the redetermination. The Parties would apply the process used to calculate the payment to the Board (described earlier) to the affected functions and the Strategic Plan would be required to be amended as necessary.

9.18 **Redetermination of set aside payments (made under section 1(3) (d)) to the Board**

9.18.1 This process will reflect any variations in the activity that was used to establish the set-aside budget. Any cost variations will be managed in the same way as overspends and underspends within the Operational Budgets as specified above.

9.19 **Use of Capital Assets**

9.19.1 The Board, the health board and the council will ensure there is awareness of all capital assets which will be used in the delivery of the Strategic Plan.

9.19.2 Changes in use of capital assets will flow from the Strategic Plan and the Directions issued by the Board to the Parties. The Strategic Plan process will outline any implications or requirements for capital assets.

9.19.3 The Parties will ensure that their capital asset planning arrangements take due cognisance of the above implications and requirements.

9.19.4 The Chief Officer of the Board will consult with the Parties to identify the specific need for improvements/changes to assets owned by each which may be required in connection with the carrying out of integration functions. Where a capital investment need is identified, a business case will require to be developed. Any business case will set out how the investment will meet the strategic objectives set out in the Strategic Plan and identify the ongoing revenue costs/savings associated with implementation of the proposals.

9.19.5 The Board, the council and the health board will work together to ensure assets required in connection with the carrying out of integration functions are used as effectively as possible and in compliance with the relevant legislation relating to use of public assets.

9.20 **Audit and Financial Statements**

Financial Statements and External Audit

9.20.1 The 2014 Act requires that the Board is subject to the audit and accounts provisions of a body under section 106 of the Local Government (Scotland) Act 1973 (section 13). This requires audited annual accounts to be prepared with the reporting requirements specified in the relevant legislation and regulations (section 12 of the Local Government in Scotland Act 2003, the Local Authority Accounts (Scotland) Regulations 2014 and other regulations under section 105 of the Local Government (Scotland) Act 1973). These will be proportionate to the limited

number of transactions of the Board whilst complying with the requirement for transparency and true and fair reporting in the public sector.

9.20.2 The Parties will agree a clear timetable for the preparation of the Board's annual accounts which will incorporate a process to agree any balances between the Board and the Parties. The reporting requirements for the annual accounts are as set out in legislation and regulations and are prepared following the CIPFA Local Authority Code of Practice.

9.20.3 As part of the financial year-end procedures and in order to develop the year-end financial statements, the Chief Finance Officer of the Board will annually co-ordinate an exercise agreeing the value of balances and transactions with the council and health board finance teams. Each of the Parties will submit to the Chief Finance Officer their recorded income, expenditure, receivable and payable balance with the Board. The Parties' respective finance representatives will then work to resolve any differences arising.

9.20.4 The Board financial statements must be completed to meet the audit and publication timetable specified in the regulations (Regulations under section 105 of the Local Government (Scotland) Act 1973).

9.20.5 The Accounts Commission will appoint the external auditors to the Board.

9.20.6 The financial statements will be signed in line with the governance arrangements for the Board and as specified in the Local Authority Accounts (Scotland) Regulations 2014, made under section 105 of the Local Government (Scotland) Act 1973.

9.20.7 In all forms of audit, the Parties are expected to comply with related requests and to aid the audit process.

10 Participation and Engagement

10.1 The Parties will support the Chief Officer, who will on behalf of the IJB, produce a strategy for engagement with, and participation by members of the public, representative groups or other organisations in relation to the decisions about the carrying out of integration functions as set out in this Section 10. The process to identify and provide support to the Chief Officer to develop the IJB's participation and engagement strategy is described in Section 5. As part of the process set out in Section 5 the Parties will:

- (a) Make available to the IJB arrangements that are already established for consultation by one or both of the Parties. The IJB will consider a range of ways in which to connect with all stakeholders.

- (b) Make available service/user participation and engagement teams to the IJB as this relates to function delegated within this Revised Integration Scheme.
 - (c) Make available communication support to allow the IJB to engage and participate.
- 10.2 The Parties expect that the IJB's participation and engagement strategy will be produced before the date the IJB approves the Strategic Plan for public consultation. When the IJB approves the Strategic Plan, Parties expect that IJB members must be satisfied that the Strategic Plan has had sufficient consultation and that the participation and engagement strategy has been followed.
- 10.3 The development of the participation and engagement strategy will be achieved using a collaborative response, involving the membership of the East Lothian Strategic Planning Group.
- 10.4 The Strategic Planning Group is expected to take both an advisory and active role in the undertaking of future participation and engagement around the implications of service development and re-design.

11 Consultation on this Revised Integration Scheme

- 11.1 A three stage approach was adopted to ensure sufficient involvement and consultation in the revision and further development of this This Revised Integration Scheme:

Stage 1: Informing and Engaging:

Initial review was undertaken and revisions made by officers of the Parties with the involvement of a range of professionals within both Parties. This draft was approved for consultation by the Parties

Stage 2: Consultation

A formal internal and external stakeholder consultation was held from 2/5/22 – 29/5/22.

Stage 3: Response to the consultation

This Revised Integration Scheme was further developed by officers, guided by the consultation, and submitted for approval by the Parties to submit to Scottish Government.

- 11.2 Further details of the people and groups involved in the informing, engagement and consultation on this Scheme are set out in Annex 4.

12 Information-Sharing and data handling

- 12.1 There is an existing and long standing Pan-Lothian and Borders General Information Sharing Protocol, to which NHS Lothian, City of Edinburgh Council, East Lothian Council, Midlothian Council, West Lothian Council and Scottish Borders Council are all signatories and has been subject to previous modifications to comply with the Integration Scheme Regulations. This Protocol is subject to periodic review by a sub group on behalf of the Pan-Lothian Data Sharing Partnership and any resultant updates will be agreed and form the Protocol to support this Revised Integration Scheme. Any updated Protocol, following consultation, will be recommended for signature by Chief Executives of respective organisations, and the Chief Officers of the Integration Joint Boards, once they have been appointed by the IJB, on behalf of the Pan-Lothian Data Sharing Partnership.
- 12.2 Procedures for sharing information between the Council, the other local authorities within NHS Lothian area, NHS Lothian, and, where applicable, the IJB will be drafted as Information Sharing Agreements and procedure documents. This will be undertaken by a sub group on behalf of the Pan-Lothian Data Sharing Partnership, who will detail the more granular purposes, requirements, procedures and agreements for each of the Lothian Integration Joint Boards and the functions respectively delegated to them. This will also form the process for amending the Pan-Lothian and Borders General Information Sharing Protocol.
- 12.3 The Council and NHS Lothian will continue to be Data Controller for their respective records (electronic and manual), and will detail arrangements for control and access. The IJB may require to be Data Controller for personal data if it is not held by either by the Council or NHS Lothian.
- 12.4 Arrangements for third party organisations access to records will be jointly agreed by all the Parties and the IJB prior to access.
- 12.5 Procedures will be based on a single point of governance model. This allows data and resources to be shared, with governance standards, and their implementation, being the separate responsibility of each organisation. Shared datasets governance will be agreed by all contributing partners prior to access.
- 12.6 Following consultation, Information Sharing Protocols and procedure documents will be recommended for signature by the Chief Executives of respective organisations, and the Chief Officers of the Lothian Integration Joint Boards.

- 12.7 The information sharing agreements and procedures have been established and shall be reviewed annually by the sub group of the Pan-Lothian Data Sharing Partnership, or more frequently if required. This will follow the process described in 12.2.

13 Complaints

The Parties agree the following arrangements in respect of complaints:

- 13.1 Any person will be able to make complaints either to the Council or to the NHS Lothian. The Parties have in place well publicised, clearly explained and accessible complaints procedures, which allow for timely recourse and signpost independent advocacy services, where appropriate. There is an agreed emphasis on resolving concerns locally and quickly; as close to the point of service delivery as possible.

Complaints can be made to:

- the Council by:
 - telephone: 0131 653 5290
 - email: feedback@eastlothian.gov.ukonline: www.eastlothian.gov.uk
 - in writing: Customer Feedback Team, East Lothian Council, John Muir House, Haddington, EH41 3HA (or Freepost Plus, RSTG-AGEL-RJYH, Customer Feedback Team, East Lothian Council, John Muir House, Haddington, EH41 3HA) ; or
 - in person by visiting any Council office where feedback forms are available.
 - NHS Lothian by:
 - Telephone: 0131 536 3370
 - Email: feedback@nhslothian.scot.nhs.uk
 - In writing to NHS Lothian Patient Experience Team, Waverley Gate, 2 – 4 Waterloo Place, Edinburgh, EH1 3EG.
- 13.2 There are currently different legislative requirements in place for dealing with complaints about health and social care. Complaints regarding the delivery of an integrated service will be made to, and dealt with by, the Party that delivers the integrated service, in line with their published complaints procedure, and consistent with any statutory complaints handling arrangements that apply. It is the responsibility of the Party initially receiving a complaint to make sure that it is routed to the appropriate organisation/individual, so that the person making the complaint only needs to submit a complaint once.
- 13.3 From 1 April 2017, the health and social work complaints handling procedures were aligned and therefore have the same stages and timescales, with the exception of timescale

extensions. Additionally, complaints about Social Work functions were merged into the Local Authority Model Complaint Handling Procedure in 2020 (now reflected in the updated East Lothian Council Complaints Handling Procedure). Joint working protocols have been adopted and will continue to be reviewed so that the process of making a complaint is as simple as possible and complaints about integrated services are responded to clearly, thoroughly and timeously. These joint working protocols will identify the lead organisation for each integrated service and will include the contact details of officers responsible for managing any complaints received

- 13.4 When a complaint covers both health and social care functions, responsible officers within the Council and NHS Lothian will, where necessary, work together to make sure all parts of the complaint are investigated and responded to within established time limits and the complainant is correctly signposted to the options open to them if they remain dissatisfied. Wherever possible, there will be a joint response from the identified Party rather than separate responses.
- 13.5 At the end of the process, complainants are entitled to take their complaint to the Scottish Public Services Ombudsman. Where appropriate, complainants will also be advised of their right to complain to the Care Inspectorate and information held by the Council may be shared with the Care Inspectorate.
- 13.6 Responsibility for responding to the Scottish Public Services Ombudsman lies with the Party who dealt with the original complaint. Where necessary, officers responsible for complaints handling within the Council and NHS Lothian will work together to provide a full response to any Scottish Public Services Ombudsman enquiry that covers both health and social care functions.
- 13.7 The Chief Officer will have an overview of complaints made about integrated services and subsequent responses. Complaints about integrated services will be recorded and reported to the Chief Officer on a regular and agreed basis. Regular trend analysis of complaints and outcomes will also be carried out as part of a wider quality assurance framework.
- 13.8 All independent contractors (General Practitioners, Community Pharmacists, Optometrists, opticians, General Dental Practitioners etc.) will be required to have a complaints procedure. Where complaints are received about the service provided by an independent contractor, the Party receiving the complaint will refer the complaint to the independent contractor in the first instance, either providing contact details or by passing the complaint on, depending on the preferred approach of the complainant. Complaints received about independent contractors will be recorded for contract monitoring purposes.

14 Claims Handling, Liability & Indemnity

- 14.1 The Parties and the IJB recognise that they could receive a claim arising from or which relates to the work undertaken on behalf of the IJB.
- 14.2 The Parties agree to ensure that any such claims are progressed quickly and in a manner which is equitable between them.
- 14.3 So far as reasonably practicable the normal common law and statutory rules relating to liability will apply.
- 14.4 Each Party will assume responsibility for progressing and determining any claim which relates to any act or omission on the part of one of their employees.
- 14.5 Each Party will assume responsibility for progressing and determining any claim which relates to any building which is owned or occupied by them.
- 14.6 Each Party will assume responsibility for progressing and determining any claim which relates to any heritable property which is owned by them. If there are any heritable properties owned jointly by the Parties, further arrangements for liability will be agreed upon in consultation with insurers.
- 14.7 In the event of any claim against the IJB or in respect of which it is not clear which Party should assume responsibility then the Chief Officer (or their representative) will liaise with the Chief Executives of the Parties (or their representatives) and determine which Party should assume responsibility for progressing the claim.
- 14.8 If a claim is settled by either Party, but it subsequently transpires that liability rested with the other Party, then that Party shall indemnify the Party which settled the claim.
- 14.9 Claims regarding policy and/or strategic decisions made by the IJB shall be the responsibility of the IJB. The IJB may require to engage independent legal advice for such claims.
- 14.10 If a claim has a “cross boundary” element whereby it relates to another integration authority area, the Chief Officers of the integration authorities concerned shall liaise with each other until an agreement is reached as to how the claim should be progressed and determined.

14.11 The IJB will develop a procedure for claims relating to hosted services with the other relevant integration authorities. Such claims may follow a different procedure than as set out above.

14.12 Claims which pre-date the establishment of the IJB will be dealt with by the Parties through the procedures used by them prior to integration.

15 Risk Management

15.1 Integration Joint Board

15.1.1 Risk management processes will include risk monitoring, and a reporting process for the Parties and IJB via a Risk Register for the IJB. Risks will be continuously monitored and reported to the IJB.

15.1.2 The Parties will provide to the IJB sufficient support to enable it to fully discharge its duties in relation to risk management. This will be determined through the process described in Section 5.4.

15.1.3 The Parties anticipate that the IJB will also develop and agree its own risk management procedure in relation to carrying out of integration functions including reports, which will cover all of its activities.

15.1.4 The risk management procedure will include:-

- (a) A statement of the IJB's risk appetite and associated tolerance measures;
- (b) A description of how the system of risk management will work in practice, including procedures for the identification, classification, recording and reporting of risk, and the respective roles of the IJB and its officers. This will explain how the output from the risk management systems within NHS Lothian and the Council will inform the IJB's system of risk management;
- (c) A description of how the IJB system of risk management is informed by other related systems of NHS Lothian and the Council, such as complaints management, health & safety, adverse events management, emergency planning and business resilience;
- (d) an agreement between NHS Lothian and the Council on the resources to be made available to support risk management;

15.1.5 The IJB risk register will not duplicate the detail of risk registers within NHS Lothian and the Council. However, the IJB will update its risk register should there be any emerging themes/risks which have a bearing on its activities.

15.2 NHS Lothian and the Council

15.2.1 Both Parties will continue to apply their existing policies and systems for risk management.

15.2.2 NHS Lothian covers four local authority areas, and there will be some 'hosted services' which one operational director manages on a Lothian-wide basis. The identification and management of risk for those hosted services will reflect the differing directions of the four IJBs.

16 Dispute resolution mechanism

16.1 The Parties will commit to working well together, listening to each other and will always work to resolve any issues before they require the Dispute Resolution process to be actioned.

16.2 Where either of the Parties fails to agree with the other on any issue related to this Revised Integration Scheme or any of the duties, obligations, rights or powers imposed or conferred upon them by the Act (a 'Dispute'), then they will follow the process described below:

- (a) The Chief Executives of NHS Lothian and the Council, and the Chief Officer, will meet to resolve the Dispute within 21 calendar days of being notified of the issue;
- (b) If unresolved, NHS Lothian, the Council, and the Chief Officer, will each prepare a written note of their position on the Dispute and exchange it with the others within 14 calendar days of the meeting in (a) above;
- (c) Within 14 calendar days of the exchange of written notes in (b) the Chief Executives and Chief Officer must meet to discuss the written positions;
- (d) In the event that the issue remains unresolved, representatives of NHS Lothian and the Council will proceed to mediation with a view to resolving the Dispute.

16.3 Scottish Government will be informed by the chairperson of the IJB of the Dispute, the mediation process being followed and the agreed timeframe to conclude the mediation process. A copy of this correspondence will be sent to the Chair of NHS Lothian and the Leader of the Council.

- 16.4 The mediator will be external to the Parties and will be identified and appointed with the agreement of the Chair of NHS Lothian and the Leader of the Council and failing agreement within 21 calendar days shall be nominated by the Centre of Effective Dispute Resolution (CEDR) on the request of either Party.
- 16.5 The mediation will start no later than 21 calendar days after the date of the appointment of the mediator.
- 16.6 The Parties agree that the cost of the mediator will be met equally by NHS Lothian and the Council.
- 16.7 The timeframe to resolve the issue will be agreed prior to the start of the mediation process by the Chair of NHS Lothian and the Leader of the Council.
- 16.8 Where following mediation, the Dispute remains unresolved the Parties agree that the chairperson of the IJB shall write to the Scottish Ministers to provide notification that agreement cannot be reached. Scottish Government may then instruct the Parties how to proceed.
- 16.9 The Parties shall cooperate with each other to mitigate any adverse effect on service delivery pending resolution of the Dispute.
- 16.10 Nothing in this Revised Integration Scheme shall prevent the Parties from seeking any legal remedy or from commencing or continuing court proceedings in relation to the Dispute.

ANNEX 1

PART 1

Functions delegated by the NHS Lothian to the IJB

Set out below is the list of functions that are to be delegated by NHS Lothian to the IJB in compliance with the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014

<i>Column A</i>	<i>Column B</i>
The National Health Service (Scotland) Act 1978	
All functions of Health Boards conferred by, or by virtue of, the National Health Service (Scotland) Act 1978	Except functions conferred by or by virtue of—
	section 2(7) (Health Boards);
	section 2CB ⁽²⁾ (Functions of Health Boards outside Scotland);
	section 9 (local consultative committees);
	section 17A (NHS Contracts);
	section 17C (personal medical or dental services);
	section 17I ⁽³⁾ (use of accommodation);
	section 17J (Health Boards' power to enter into general medical services contracts);
	section 28A (remuneration for Part II services);
	section 48 (provision of residential and practice accommodation);
	section 55 ⁽⁴⁾ (hospital accommodation on part payment);
	section 57 (accommodation and services for private patients);
section 64 (permission for use of facilities in private practice);	

⁽²⁾ Section 2CA was inserted by S.S.I. 2010/283, regulation 3(2) (as section 2CA) and re-numbered as section 2CB by S.S.I. 2013/292, regulation 8(2).

⁽³⁾ Section 17I was inserted by the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2 and amended by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4. The functions of the Scottish Ministers under section 17I are conferred on Health Boards by virtue of S.I. 1991/570, as amended by S.S.I. 2006/132.

⁽⁴⁾ Section 55 was amended by the Health and Medicines Act 1988 (c.49), section 7(9) and Schedule 3 and the National Health Service and Community Care Act 1990 (c.19), Schedule 9. The functions of the Secretary of State under section 55 are conferred on Health Boards by virtue of S.I. 1991/570.

	section 75A ⁽⁵⁾ (remission and repayment of charges and payment of travelling expenses);
	section 75B ⁽⁶⁾ (reimbursement of the cost of services provided in another EEA state);
	section 75BA ⁽⁷⁾ (reimbursement of the cost of services provided in another EEA state where expenditure is incurred on or after 25 October 2013);
	section 79 (purchase of land and moveable property);
	section 82 ⁽⁸⁾ use and administration of certain endowments and other property held by Health Boards);
	section 83 ⁽⁹⁾ (power of Health Boards and local health councils to hold property on trust);
	section 84A ⁽¹⁰⁾ (power to raise money, etc., by appeals, collections etc.);
	section 86 (accounts of Health Boards and the Agency);
	section 88 (payment of allowances and remuneration to members of certain bodies connected with the health services);
	section 98 ⁽¹¹⁾ (charges in respect of non-residents); and
	paragraphs 4, 5, 11A and 13 of Schedule 1 to the Act (Health Boards);
	and functions conferred by—

⁽⁵⁾ Section 75A was inserted by the Social Security Act 1988 (c.7), section 14, and relevantly amended by S.S.I. 2010/283. The functions of the Scottish Ministers in respect of the payment of expenses under section 75A are conferred on Health Boards by S.S.I. 1991/570.

⁽⁶⁾ Section 75B was inserted by S.S.I. 2010/283, regulation 3(3) and amended by S.S.I. 2013/177.

⁽⁷⁾ Section 75BA was inserted by S.S.I. 2013/292, regulation 8(4).

⁽⁸⁾ Section 82 was amended by the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 7) section 1(2) and the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 2.

⁽⁹⁾ There are amendments to section 83 not relevant to the exercise of a Health Board's functions under that section.

⁽¹⁰⁾ Section 84A was inserted by the Health Services Act 1980 (c.53), section 5(2). There are no amendments to section 84A which are relevant to the exercise of a Health Board's functions.

⁽¹¹⁾ Section 98 was amended by the Health and Medicines Act 1988 (c.49), section 7. The functions of the Secretary of State under section 98 in respect of the making, recovering, determination and calculation of charges in accordance with regulations made under that section is conferred on Health Boards by virtue of S.S.I. 1991/570.

	The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 ⁽¹²⁾ ;
	The Health Boards (Membership and Procedure) (Scotland) Regulations 2001/302;
	The National Health Service (Clinical Negligence and Other Risks Indemnity Scheme) (Scotland) Regulations 2000/54;
	The National Health Services (Primary Medical Services Performers Lists) (Scotland) Regulations 2004/114;
	The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004;
	The National Health Service (Discipline Committees) Regulations 2006/330;
	The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006/135;
	The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009/183;
	The National Health Service (General Dental Services) (Scotland) Regulations 2010/205;
	The National Health Service (Free Prescription and Charges for Drugs and Appliances) (Scotland) Regulations 2011/55 ⁽¹³⁾ ;
Disabled Persons (Services, Consultation and Representation) Act 1986	
Section 7 (Persons discharged from hospital)	
Community Care and Health (Scotland) Act 2002	
All functions of Health Boards conferred by, or by virtue of, the Community Care and Health (Scotland) Act 2002.	
Mental Health (Care and Treatment) (Scotland) Act 2003	
All functions of Health Boards conferred by,	Except functions conferred by—

⁽¹²⁾ S.I. 1989/364, as amended by S.I. 1992/411; S.I. 1994/1770; S.S.I. 2004/369; S.S.I. 2005/455; S.S.I. 2005/572 S.S.I. 2006/141; S.S.I. 2008/290; S.S.I. 2011/25 and S.S.I. 2013/177.

⁽¹³⁾ S.S.I. 2011/55, to which there are amendments not relevant to the exercise of a Health Board's functions.

or by virtue of, the Mental Health (Care and Treatment) (Scotland) Act 2003.	section 22 (Approved medical practitioners);
	section 34 (Inquiries under section 33: co-operation) ⁽¹⁴⁾ ;
	section 38 (Duties on hospital managers: examination notification etc.) ⁽¹⁵⁾ ;
	section 46 (Hospital managers' duties: notification) ⁽¹⁶⁾ ;
	section 124 (Transfer to other hospital);
	section 228 (Request for assessment of needs: duty on local authorities and Health Boards);
	section 230 (Appointment of a patient's responsible medical officer);
	section 260 (Provision of information to patients);
	section 264 (Detention in conditions of excessive security: state hospitals);
	section 267 (Orders under sections 264 to 266: recall);
	section 281 ⁽¹⁷⁾ (Correspondence of certain persons detained in hospital);
	and functions conferred by—
	The Mental Health (Safety and Security) (Scotland) Regulations 2005 ⁽¹⁸⁾ ;
The Mental Health (Cross Border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2005 ⁽¹⁹⁾ ;	

⁽¹⁴⁾ There are amendments to section 34 not relevant to the exercise of a Health Board's functions under that section.

⁽¹⁵⁾ Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards under that Act.

⁽¹⁶⁾ Section 46 is amended by S.S.I. 2005/465.

⁽¹⁷⁾ Section 281 is amended by S.S.I. 2011/211.

⁽¹⁸⁾ S.S.I. 2005/464, to which there are amendments not relevant to the exercise of the functions of a Health Board. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

⁽¹⁹⁾ S.S.I. 2005/467. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of "managers" relevant to the functions of Health Boards.

	The Mental Health (Use of Telephones) (Scotland) Regulations 2005 ⁽²⁰⁾ ; and
	The Mental Health (England and Wales Cross border transfer: patients subject to detention requirement or otherwise in hospital) (Scotland) Regulations 2008 ⁽²¹⁾ .
Education (Additional Support for Learning) (Scotland) Act 2004	
Section 23 (other agencies etc. to help in exercise of functions under this Act)	
Public Services Reform (Scotland) Act 2010	
All functions of Health Boards conferred by, or by virtue of, the Public Services Reform (Scotland) Act 2010	Except functions conferred by—
	section 31(Public functions: duties to provide information on certain expenditure etc.); and
	section 32 (Public functions: duty to provide information on exercise of functions).
Patient Rights (Scotland) Act 2011	
All functions of Health Boards conferred by, or by virtue of, the Patient Rights (Scotland) Act 2011	Except functions conferred by The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012/36 ⁽²²⁾ .
Carers (Scotland) Act 2016	
s.12 (duty to prepare young Carer statement)	
s.31 (duty to prepare local Carer strategy) Carers (Scotland) Act 2016	

But in each case, subject to the restrictions set out in article 3(3) of the Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014 so far as they extend to the services detailed in Part 2 of Annex 1 of this Revised Integration Scheme.

⁽²⁰⁾ S.S.I. 2005/468. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

⁽²¹⁾ S.S.I. 2008/356. Section 329(1) of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides a definition of “managers” relevant to the functions of Health Boards.

⁽²²⁾ S.S.I. 2012/36. Section 5(2) of the Patient Rights (Scotland) Act 2011 (asp 5) provides a definition of “relevant NHS body” relevant to the exercise of a Health Board’s functions.

PART 2

Services currently provided by NHS Lothian which are to be delegated

Interpretation of this Part 2 of Annex 1

In this part—

“Allied Health Professional” means a person registered as an allied health professional with the Health Professions Council;

“general medical practitioner” means a medical practitioner whose name is included in the General Practitioner Register kept by the General Medical Council;

“general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978;

“hospital” has the meaning given by section 108(1) of the National Health Service (Scotland) Act 1978;

“inpatient hospital services” means any health care service provided to a patient who has been admitted to a hospital and is required to remain in that hospital overnight, but does not include any secure forensic mental health services;

“out of hours period” has the same meaning as in regulation 2 of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004⁽²³⁾; and

“the public dental service” means services provided by dentists and dental staff employed by a health board under the public dental service contract.

The functions listed in Part 1 of Annex 1 are delegated to the extent that they are exercisable in the provision of the following services:

Part 2A

Provision for people over the age of 18

The functions listed in Part 1 of Annex 1 are delegated to the extent that:

- a) the function is exercisable in relation to the persons of at least 18 years of age;
- b) the function is exercisable in relation to care or treatment provided by health professionals for the purpose of health care services listed at numbers 1 to 6 below; and
- c) the function is exercisable in relation to the following health services:
 1. Accident and Emergency services provided in a hospital.
 2. Inpatient hospital services relating to the following branches of medicine—
 - general medicine;
 - geriatric medicine;
 - rehabilitation medicine;
 - respiratory medicine; and
 - psychiatry of learning disability.

⁽²³⁾ S.S.I. 2004/115.

3. Palliative care services provided in a hospital.
4. Inpatient hospital services provided by General Medical Practitioners.
5. Services provided in a hospital in relation to an addiction or dependence on any substance.
6. Mental health services provided in a hospital, except secure forensic mental health services.
7. District nursing services.
8. Services provided outwith a hospital in relation to an addiction or dependence on any substance.
9. Services provided by allied health professionals in an outpatient department, clinic, or outwith a hospital.
10. The public dental service.
11. Primary medical services provided under a general medical services contract, and arrangements for the provision of services made under section 17C of the National Health Service (Scotland) Act 1978, or an arrangement made in pursuance of section 2C(2) of the National Health Service (Scotland) Act 1978⁽²⁴⁾.
12. General dental services provided under arrangements made in pursuance of section 25 of the National Health (Scotland) Act 1978⁽²⁵⁾.
13. Ophthalmic services provided under arrangements made in pursuance of section 17AA or section 26 of the National Health Service (Scotland) Act 1978⁽²⁶⁾.
14. Pharmaceutical services and additional pharmaceutical services provided under arrangements made in pursuance of sections 27 and 27A of the National Health Service (Scotland) Act 1978⁽²⁷⁾.
15. Services providing primary medical services to patients during the out-of-hours period.
16. Services provided outwith a hospital in relation to geriatric medicine.
17. Palliative care services provided outwith a hospital.
18. Community learning disability services.
19. Mental health services provided outwith a hospital.
20. Continence services provided outwith a hospital.
21. Kidney dialysis services provided outwith a hospital.

⁽²⁴⁾ Section 2C was inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 1(2) and relevantly amended by the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 1, and the Tobacco and Primary Medical Services (Scotland) Act 2010 (asp 3), section 37.

⁽²⁵⁾ Section 25 was relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15.

⁽²⁶⁾ Section 17AA was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 31(2) and relevantly amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 25. Section 26 was relevantly amended by the Health and Social Security Act 1984 (c.48), Schedule 1, and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) section 13.

⁽²⁷⁾ Section 27 was relevantly amended by the Health Services Act 1990 (c.53), section 20; the National Health Service and Community Care Act 1990 (c.19), Schedule 9; the Medicinal Products: Prescription by Nurses etc. Act 1992 (c.28), section 3; the National Health Service and Community Care Act 1997 (c.46), Schedule 2 and the Health and Social Care Act 2001 (c.15), section 44.

22. Services provided by health professionals that aim to promote public health.

Part 2B

NHS Lothian has also chosen to delegate the functions listed in Part 1 of Annex 1 in relation to the following services:

Provision for people under the age of 18

The functions listed in Part 1 of Annex 1 are also delegated to the extent that:

- a) the function is exercisable in relation to persons of less than 18 years of age; and
- b) the function is exercisable in relation to the following health services:
 - 1. Primary Medical Services and General Medical Services (including GP Pharmaceutical services)
 - 2. General Dental Services, Public Dental Services and the Edinburgh Dental Institute
 - 3. General Ophthalmic Services
 - 4. General Pharmaceutical Services
 - 5. Out of Hours Primary Medical Services
 - 6. Learning Disabilities
 - 7. Health Visiting
 - 8. School Nursing

ANNEX 2

PART 1A

Functions delegated by the Council to the IJB

Set out below is the list of functions that must be delegated by the Council to the IJB.

Functions prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
National Assistance Act 1948⁽²⁸⁾	
Section 48 (Duty of councils to provide temporary protection for property of persons admitted to hospitals etc.)	
The Disabled Persons (Employment) Act 1958⁽²⁹⁾	
Section 3 (Provision of sheltered employment by local authorities)	

⁽²⁸⁾ 1948 c.29; section 48 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 39, paragraph 31(4) and the Adult Support and Protection (Scotland) Act 2007 (asp 10) schedule 2 paragraph 1.

⁽²⁹⁾ 1958 c.33; section 3 was amended by the Local Government Act 1972 (c.70), section 195(6); the Local Government (Scotland) Act 1973 (c.65), Schedule 27; the National Health Service (Scotland) Act 1978 (c.70), schedule 23; the Local Government Act 1985 (c.51), Schedule 17; the Local Government (Wales) Act 1994 (c.19), Schedules 10 and 18; the Local Government etc. (Scotland) Act 1994 (c.49), Schedule 13; and the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1.

<i>Column A Enactment conferring function</i>	<i>Column B Limitation</i>
The Social Work (Scotland) Act 1968⁽³⁰⁾	
Section 1 (Local authorities for the administration of the Act.)	So far as it is exercisable in relation to another integration function.
Section 4 (Provisions relating to performance of functions by local authorities.)	So far as it is exercisable in relation to another integration function.
Section 8 (Research.)	So far as it is exercisable in relation to another integration function.
Section 10 (Financial and other assistance to voluntary organisations etc. for social work.)	So far as it is exercisable in relation to another integration function.
Section 12 (General social welfare services of local authorities.)	Except in so far as it is exercisable in relation to the provision of housing support services.

⁽³⁰⁾ 1968 c.49; section 1 was relevantly amended by the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Children Act 1989 (c.41), Schedule 15; the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), schedule 10; S.S.I. 2005/486 and S.S.I. 2013/211. Section 4 was amended by the 1990 Act, Schedule 9, the Children (Scotland) Act 1995 (c.36) (“the 1995 Act”), schedule 4; the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13) (“the 2003 Act”), schedule 4; and S.S.I. 2013/211. Section 10 was relevantly amended by the Children Act 1975 (c.72), Schedule 2; the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13; the Regulation of Care (Scotland) Act 2001 (asp 8) (“the 2001 Act”) schedule 3; S.S.I. 2010/21 and S.S.I. 2011/211. Section 12 was relevantly amended by the 1990 Act, section 66 and Schedule 9; the 1995 Act, Schedule 4; and the Immigration and Asylum Act 1999 (c.33), section 120(2). Section 12A was inserted by the 1990 Act, section 55, and amended by the Carers (Recognition and Services) Act 1995 (c.12), section 2(3) and the Community Care and Health (Scotland) Act 2002 (asp 5) (“the 2002 Act”), sections 8 and 9(1). Section 12AZA was inserted by the Social Care (Self Directed Support) (Scotland) Act 2013 (asp 1), section 17. Section 12AA and 12AB were inserted by the 2002 Act, section 9(2). Section 13 was amended by the Community Care (Direct Payments) Act 1996 (c.30), section 5. Section 13ZA was inserted by the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 64. Section 13A was inserted by the 1990 Act, section 56 and amended by the Immigration and Asylum Act 1999 (c.33), section 102(2); the 2001 Act, section 72 and schedule 3; the 2002 Act, schedule 2 and by S.S.I. 2011/211. Section 13B was inserted by the 1990 Act sections 56 and 67(2) and amended by the Immigration and Asylum Act 1999 (c.33), section 120(3). Section 14 was amended by the Health Services and Public Health Act 1968 (c.46), sections 13, 44 and 45; the National Health Service (Scotland) Act 1972 (c.58), schedule 7; the Guardianship Act 1973 (c.29), section 11(5); the Health and Social Service and Social Security Adjudications Act 1983 (c.41), schedule 10 and the 1990 Act, schedule 9. Section 28 was amended by the Social Security Act 1986 (c.50), Schedule 11 and the 1995 Act, schedule 4. Section 29 was amended by the 1995 Act, schedule 4. Section 59 was amended by the 1990 Act, schedule 9; the 2001 Act, section 72(c); the 2003 Act, section 25(4) and schedule 4 and by S.S.I. 2013/211.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 12A (Duty of local authorities to assess needs.)	So far as it is exercisable in relation to another integration function.
Section 12AZA (Assessments under section 12A - assistance)	So far as it is exercisable in relation to another integration function.
Section 12AA (Assessment of ability to provide care.)	
Section 12AB (Duty of local authority to provide information to carer.)	
Section 13 (Power of local authorities to assist persons in need in disposal of produce of their work.)	
Section 13ZA (Provision of services to incapable adults.)	So far as it is exercisable in relation to another integration function.
Section 13A (Residential accommodation with nursing.)	
Section 13B (Provision of care or aftercare.)	
Section 14 (Home help and laundry facilities.)	
Section 28 (Burial or cremation of the dead.)	So far as it is exercisable in relation to persons cared for or assisted under another integration function.
Section 29 (Power of local authority to defray expenses of parent, etc., visiting persons or attending funerals.)	
Section 59 (Provision of residential and other establishments by local authorities and maximum period for repayment of sums borrowed for such provision.)	So far as it is exercisable in relation to another integration function.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
The Local Government and Planning (Scotland) Act 1982⁽³¹⁾	
Section 24(1) (The provision of gardening assistance for the disabled and the elderly.)	
Disabled Persons (Services, Consultation and Representation) Act 1986⁽³²⁾	
Section 2 (Rights of authorised representatives of disabled persons.)	
Section 3 (Assessment by local authorities of needs of disabled persons.)	
Section 7 (Persons discharged from hospital.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments within the meaning of section 16 and which have been delegated.
Section 8 (Duty of local authority to take into account abilities of carer.)	In respect of the assessment of need for any services provided under functions contained in welfare enactments (within the meaning set out in section 16 of that Act) which are integration functions.
The Adults with Incapacity (Scotland) Act 2000⁽³³⁾	
Section 10 (Functions of local authorities.)	
Section 12 (Investigations.)	
Section 37 (Residents whose affairs may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 39 (Matters which may be managed.)	Only in relation to residents of establishments which are managed under integration functions.
Section 41 (Duties and functions of managers of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions

⁽³¹⁾ 1982 c.43; section 24(1) was amended by the Local Government etc. (Scotland) Act 1994 (c.39), schedule 13.

⁽³²⁾ 1986 c.33. There are amendments to sections 2 and 7 which are not relevant to the exercise of a local authority's functions under those sections.

⁽³³⁾ 2000 asp 4; section 12 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 5(1). Section 37 was amended by S.S.I. 2005/465. Section 39 was amended by the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and by S.S.I. 2013/137. Section 41 was amended by S.S.I. 2005/465; the Adult Support and Protection (Scotland) Act 2007 (asp 10), schedule 1 and S.S.I. 2013/137. Section 45 was amended by the Regulation of Care (Scotland) Act 2001 (asp 8), Schedule 3.

<i>Column A Enactment conferring function</i>	<i>Column B Limitation</i>
Section 42 (Authorisation of named manager to withdraw from resident's account.)	Only in relation to residents of establishments which are managed under integration functions
Section 43 (Statement of resident's affairs.)	Only in relation to residents of establishments which are managed under integration functions
Section 44 (Resident ceasing to be resident of authorised establishment.)	Only in relation to residents of establishments which are managed under integration functions
Section 45 (Appeal, revocation etc.)	Only in relation to residents of establishments which are managed under integration functions
The Housing (Scotland) Act 2001⁽³⁴⁾	
Section 92 (Assistance to a registered for housing purposes.)	Only in so far as it relates to an aid or adaptation.
The Community Care and Health (Scotland) Act 2002⁽³⁵⁾	
Section 5 (Local authority arrangements for of residential accommodation outwith Scotland.)	
Section 14 (Payments by local authorities towards expenditure by NHS bodies on prescribed functions.)	
The Mental Health (Care and Treatment) (Scotland) Act 2003⁽³⁶⁾	
Section 17 (Duties of Scottish Ministers, local authorities and others as respects Commission.)	
Section 25 (Care and support services etc.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 26 (Services designed to promote well-being and social development.)	Except in so far as it is exercisable in relation to the provision of housing support services.
Section 27 (Assistance with travel.)	Except in so far as it is exercisable in relation to the provision of housing support services.

⁽³⁴⁾ 2001 asp 10; section 92 was amended by the Housing (Scotland) Act 2006 (asp 1), schedule 7.

⁽³⁵⁾ 2002 asp 5.

⁽³⁶⁾ 2003 asp 13; section 17 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), section 111(4), and schedules 14 and 17, and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 25 was amended by S.S.I. 2011/211. Section 34 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 33 (Duty to inquire.)	
Section 34 (Inquiries under section 33: Co-operation.)	
Section 228 (Request for assessment of needs: duty on local authorities and Health Boards.)	
Section 259 (Advocacy.)	
The Housing (Scotland) Act 2006⁽³⁷⁾	
Section 71(1)(b) (Assistance for housing purposes.)	Only in so far as it relates to an aid or adaptation.
The Adult Support and Protection (Scotland) Act 2007⁽³⁸⁾	
Section 4 (Council's duty to make inquiries.)	
Section 5 (Co-operation.)	
Section 6 (Duty to consider importance of providing advocacy and other.)	
Section 11 (Assessment Orders.)	
Section 14 (Removal orders.)	
Section 18 (Protection of moved persons property.)	
Section 22 (Right to apply for a banning order.)	
Section 40 (Urgent cases.)	
Section 42 (Adult Protection Committees.)	

⁽³⁷⁾ 2006 asp 1; section 71 was amended by the Housing (Scotland) Act 2010 (asp 17) section 151.

⁽³⁸⁾ 2007 asp 10; section 5 and section 42 were amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedules 14 and 17 and by the Police and Fire Reform (Scotland) Act 2012 (asp 8), schedule 7. Section 43 was amended by the Public Services Reform (Scotland) Act 2010 (asp 8), schedule 14.

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
Section 43 (Membership.)	
Social Care (Self-directed Support) (Scotland) Act 2013⁽³⁹⁾	
Section 3 (Support for adult carers.)	Only in relation to assessments carried out under integration functions.
Section 5 (Choice of options: adults.)	
Section 6 (Choice of options under section 5: assistances.)	
Section 7 (Choice of options: adult carers.)	
Section 9 (Provision of information about self-directed support.)	
Section 11 (Local authority functions.)	
Section 12 (Eligibility for direct payment: review.)	
Section 13 (Further choice of options on material change of circumstances.)	Only in relation to a choice under section 5 or 7 of the Social Care (Self-directed Support) (Scotland) Act 2013 .
Section 16 (Misuse of direct payment: recovery.)	
Section 19 (Promotion of options for self-directed support.)	

Functions, conferred by virtue of enactments, prescribed for the purposes of section 1(7) of the Public Bodies (Joint Working) (Scotland) Act 2014

<i>Column A</i> <i>Enactment conferring function</i>	<i>Column B</i> <i>Limitation</i>
The Community Care and Health (Scotland) Act 2002	

⁽³⁹⁾ 2013 asp 1.

Section 4⁽⁴⁰⁾

The functions conferred by Regulation 2 of the Community Care (Additional Payments) (Scotland) Regulations 2002⁽⁴¹⁾

In each case, so far as the functions are exercisable in relation to persons of at least 18 years of age.

Carers (Scotland) Act 2016

Section 6

(Duty to prepare adult carer support plan)

Section 21

(Duty to set eligibility criteria)

Section 24

(Duty to provide support)

Section 25

(Provision of support to carers: breaks from caring)

Section 31

(Duty to prepare local carer strategy)

Section 34

(Information and advice service for carers)

Section 35

(Short breaks services statements)

⁽⁴⁰⁾ Section 4 was amended by the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13), schedule 4 and the Adult Support and Protection (Scotland) Act 2007 (asp 10), section 62(3).

⁽⁴¹⁾ S.S.I. 2002/265, as amended by S.S.I. 2005/445.

PART 1B

In addition to the functions that must be delegated, the Council has chosen to delegate the following functions to the IJB.

<i>Column A Enactment conferring function</i>	<i>Column B Limitation</i>
Criminal Procedure (Scotland) Act 1995	
Sections 51(1)(aa), 51(1)(b) and 51(5) (Remand and committal of children and young persons in to care of local authority).	
Section 203 (Local authority reports pre-sentencing.)	
Section 234B (Report and evidence from local authority officer regarding Drug Treatment and Testing Order.)	
Section 245A (Report by local authority officer regarding Restriction of Liberty Orders.)	
Management of Offenders etc. (Scotland) Act 2005	
Section 10 (Arrangements for assessing and managing risks posed by certain offenders.)	
Section 11 (Review of arrangements.)	
Social Work (Scotland) Act 1968	
Section 27 (Supervision and care of persons put on probation or released from prison.)	
Section 27ZA (Advice, guidance and assistance to persons arrested or on whom sentence is deferred.)	

PART 2

Services currently associated with the functions delegated by the Council to the IJB

Set out below is an illustrative description of the services associated with the functions delegated by the Council to the IJB as specified in Part 1A and 1B of Annex 2.

- Social work services for adults and older people
- Services and support for adults with physical disabilities and learning disabilities
- Mental health services
- Drug and alcohol services
- Adult protection and domestic abuse
- Carers support services
- Community care assessment teams
- Support services
- Care home services
- Adult placement services
- Health improvement services
- Aspects of housing support, including aids and adaptations
- Day services
- Local area co-ordination
- Respite provision
- Occupational therapy services
- Re-ablement services, equipment and telecare
- Criminal Justice Social Work services including youth justice

ANNEX 3

Proposed Management Arrangements for functions delegated to the IJB

The provisions within this annex are not intended to create legally binding obligations. They are intended to be illustrative of the proposed management arrangements for the functions delegated to the IJB.

The IJB will issue directions to the Parties via its Chief Officer. Those directions will in the main require that the Chief Officer take forward the development of the IJB's Strategic Plan, and lead on ensuring that the plan is delivered. As the Chief Officer will not be personally managing all of the integration functions, ensuring the Strategic Plan is being delivered will include getting assurance from other chief officers (for hosted services – see below) and other managers in NHS Lothian and the four local authorities in Lothian.

The Chief Officer will have direct management responsibility for the following services:

- All Council services described in Annex 2, Part 2.
- All NHS Lothian services described in Annex 1, Part 2 with the exception of the following:

a) Hosted Services

There are NHS Lothian services for which it would not be suitable for the Chief Officer to have operational management responsibility. The factors contributing to determining these services are the degree of medical specialism of the service and scale of the service required for it to be safe, efficient and effective.

NHS Lothian carries out functions across four local authority areas. Some of the functions delegated to all four IJBs in the NHS Lothian boundary are provided as part of a single Lothian-wide service. Where an IJB is nominated by NHS Lothian to 'host' such a service via one of the Chief Officers of the Lothian IJB's in their role as Joint Director of NHS Lothian, this is commonly referred to as a "hosted service".

b) Acute Hospitals

Services provided on the three acute hospitals in NHS Lothian (Western General Hospital, Edinburgh Royal Infirmary, St Johns Hospital) will be managed by the Chief Officer for NHS Lothian acute hospital services and the relevant hospital site Director.

ANNEX 4

Initial Integration Scheme Consultation

Further details of the people and groups involved in the engagement and consultation on the original East Lothian Integration Scheme are set out below:

Public and Staff consultation from December 17th 2014 to February 17th 2015 with responses received from:

- Members of the public
- Members of staff in East Lothian Council
- Clinical and non-clinical staff in NHS Lothian
- Third Sector Organisations and representative bodies

The members and organisations on the following groups and committees were consulted on the original Integration Scheme:

East Lothian Council Corporate Management Team
East Lothian Council
East Lothian Council's Audit and Governance Committee
East Lothian Health and Social Care Partnership Shadow Board
East Lothian Health and Social Care Partnership Shadow Strategic Planning Group
East Lothian Area Partnerships
NHS Lothian Corporate Management Team
NHS Lothian Board
NHS Lothian Strategic Planning Group
NHS Lothian Strategic Programme Managers
NHS Lothian Healthcare Governance committee
Lothian Area Clinical Forum
All staff of East Lothian CHP and East Lothian Council's Adult Wellbeing department
East Lothian Partnership forum
East Lothian joint planning groups
TSI (STRiVE) for all third sector members
East Lothian independent sector care at home and care home providers
Scottish Care
Carers of East Lothian
East Lothian Council Strategic Housing Department (including RSLs within East Lothian)
All General Practitioners in East Lothian
All Community Pharmacists in East Lothian
All Optometrists in East Lothian
All General Dental Practitioners in East Lothian
Press release and use of social media
Advert in East Lothian Courier Newspaper
Lothian Medical Committee
East Lothian Community Planning Partnership
MSPs (including all list MSPs)
Local MP
Midlothian, West Lothian, City of Edinburgh and Scottish Borders Councils
NHS Borders
Scottish Government Policy Department
Joint Improvement Team

Revised Joint Integration Scheme

Details of the people and groups involved in the engagement and consultation on the revised (2022) East Lothian Integration Scheme are set out below:

Public and Staff consultation from April 2/5/22 – 29/5/22.

The following organisations, groups and committees were consulted on the revised Integration Scheme:

East Lothian Council Corporate Management Team
East Lothian Council
East Lothian Council's Audit and Governance Committee
East Lothian Integration Joint Board
East Lothian HSCP Management Team
East Lothian Health and Social Care Partnership Strategic Planning Group
East Lothian Area Partnerships/Connected Communities
NHS Lothian Corporate Management Team
NHS Lothian Board
NHS Lothian Strategic Programme Managers
NHS Lothian Healthcare Governance Committee
Lothian Area Clinical Forum
All staff of East Lothian Health and Social Care Partnership
East Lothian Partnership Forum
East Lothian Joint Planning Groups
Third Sector Interface (TSI) (Volunteer Centre East Lothian) for all third sector members
East Lothian independent sector care at home and care home providers
Scottish Care
Carers of East Lothian
East Lothian Council Strategic Housing Department (including RSLs within East Lothian)
All General Practitioners in East Lothian
All Community Pharmacists in East Lothian
All Optometrists in East Lothian
All General Dental Practitioners in East Lothian
Press release and use of social media
Advert in East Lothian Courier Newspaper
Lothian Medical Committee
GP Sub-committee
East Lothian Partnership
MSPs (including all list MSPs)
Local MP
Midlothian, West Lothian, City of Edinburgh and Scottish Borders Councils
NHS Borders
NHS Borders Integration Joint Board
Scottish Government Policy Department(s)

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Council Resources
SUBJECT: Appointment of Council Champions

11

1 PURPOSE

- 1.1 To seek approval for the appointment of Council Champions for Enterprise, Young People, Older People and Armed Forces and Veterans.

2 RECOMMENDATIONS

- 2.1 That Council approves the appointment of Champions as set out in paragraph 3.3.

3 BACKGROUND

- 3.1 In common with a number of other local authorities, the Administration wishes to appoint Members to act as Champions for specific sections of the community or ranges of activities. In particular, these Champions will be appointed in respect of the following:

- Enterprise
- Young People
- Older People
- Armed Forces and Veterans

- 3.2 The role of Champions is primarily to act as a positive focus for the local community at Elected Member level in respect of their area of responsibility so as to make sure that full consideration is given to the impact of Council activities and decisions upon the section of community or range of activities. A full role profile for the Champions setting out their key duties and responsibilities is attached as Appendix 1 to this report. For the avoidance of doubt, the Champions will have no

specific decision-making powers and will primarily act as advocates for their relevant area within the Council's existing governance framework.

3.3 It is proposed that the following Members be appointed to the roles of Champions:

- Enterprise – Cllr Bennett
- Young People – Cllr Ritchie
- Older People – Cllr McFarlane
- Armed Forces and Veterans – Cllr McMillan

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – None

6.2 Personnel – None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 None

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager - Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	30 May 2022

Appendix 1

Champions Role Profile

The purpose of the Champion is to:

- act as a positive focus for the local community at Elected Member level in respect of the relevant section of the community or range of activities designated by the Council so as to make sure that full consideration is given to the impact of Council activities and decisions upon the section of community or range of activities

The key duties and responsibilities of the Champion are to:

- make contact with local organisations concerned with the designated section of the community or range of activities and to establish effective and regular consultation arrangements with those organisations
- represent the views of such organisations to officers and the Council on all relevant aspects of the Council's activities
- act as an advocate on behalf of the relevant section of the community or range of activities within the Council as an organisation and to the wider community
- become familiar with the needs and priorities of the relevant section of the community or range of activities concerned and to weigh up interests expressed in order to provide sound advice on the implications of alternative courses of action
- feedback decisions of the Council and to explain the Council's position on specific issues of concern to relevant organisations and to individuals involved
- prepare an annual report on work undertaken over each year for consideration by the Council

The key skills required of the Champion are:

- the ability to foster cross-party co-operation and to engage with relevant outside groups and officers
- the ability to campaign with enthusiasm and persistence on behalf of their relevant section of community
- good communication skills
- good media skills

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Appointments to Outside Bodies

12

1 PURPOSE

- 1.1 To appoint Councillor Hampshire to the Scottish Joint Committee for Local Government Employees (SJC), and as named substitute for SEStran.

2 RECOMMENDATIONS

- 2.1 That Council approves:
- the appointment of Councillor Hampshire to represent the Council on the Scottish Joint Committee for Local Government Employees; and
 - the appointment of Councillor Hampshire as the named substitute for SEStran.

3 BACKGROUND

- 3.1 At its meeting on 24 May 2022, the Council made a number of appointments to outside bodies. Since that meeting, CoSLA has submitted a request for the Council to nominate an Elected Member to sit on the Scottish Joint Committee for Local Government Employees. The Administration have nominated Councillor Hampshire to act as the Council's representative on the SJC.
- 3.2 Since the last Council meeting, SEStran has invited the Council to nominate a named substitute to represent the Council in the absence of one of the appointed representatives (Councillors Bennett and McMillan). It is proposed that Councillor Hampshire is appointed as the named substitute.

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – none

6.2 Personnel – none

6.3 Other – none

7 BACKGROUND PAPERS

7.1 East Lothian Council Standing Orders

7.2 Report to Council, 24 May 2022 – Appointment of Representatives to Outside Bodies

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic and Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk x 7225
DATE	13 June 2022

REPORT TO: East Lothian Council
MEETING DATE: 28 June 2022
BY: Executive Director for Council Resources
SUBJECT: Summer Recess Arrangements 2022

13

1 PURPOSE

- 1.1 To advise Members of the arrangements for dealing with Council business during the summer recess 2022.

2 RECOMMENDATIONS

Council is requested to:

- 2.1 approve the application of the recess business arrangements, in accordance with Standing Order 15.6, effective from the close of this meeting until the Council meeting of 23 August 2022 (outlined at Section 3.1); and
- 2.2 note that a summary of business carried out during the recess period will be brought to the Council meeting of 23 August 2022, and that copies of all reports approved during the recess period will be lodged in the Members' Library.

3 BACKGROUND

- 3.1 Rule 15.6 of the Council's Standing Orders states that:

Between the last scheduled Council meeting prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader (if appointed), together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

For the avoidance of doubt, matters that require approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

- 3.2 It is advised that a report outlining the business that has occurred over the recess period and that has required the application of Rule 15.6 will be brought to the Council meeting of 23 August 2022 for noting.
- 3.3 Business dealt with under delegated powers and submitted to the Members' Library will continue to be processed using the normal procedures.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	13 June 2022

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Submissions to the Members' Library Service,
10 May to 13 June 2022

14

1 PURPOSE

- 1.1 To note the reports submitted to the Members' Library Service since the last meeting of Council, as listed in Appendix 1.

2 RECOMMENDATIONS

- 2.1 Council is requested to note the reports submitted to the Members' Library Service between 10 May and 13 June 2022, as listed in Appendix 1.

3 BACKGROUND

- 3.1 In accordance with Standing Order 3.4, the Chief Executive will maintain a Members' Library Service that will contain:
- (a) reports advising of significant items of business which have been delegated to Councillors/officers in accordance with the Scheme of Delegation or officers in conjunction with Councillors, or
 - (b) background papers linked to specific committee reports.
- 3.2 All public reports submitted to the Members' Library are available on the Council website.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
6.2 Personnel – None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders – 3.4

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager - Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk x7292
DATE	13 June 2022

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
10 May – 13 June 2022**

Reference	Originator	Document Title	Access
67/22	Executive Director for Place	CO2 Monitoring in Learning and Teaching Spaces	Public
68/22	Executive Director for Council Resources	Creation of an Education Staffing Officer, within the Education Strategy & Operations Team	Private
69/22	Head of Infrastructure	Conservation Burden for Doocot Flag Heritage Centre, Athelstaneford	Private
70/22	Head of Infrastructure	Acquisition of land adjacent to Windygoul Primary School, Tranent	Private
71/22	Executive Director for Council Resources	SRR: Adult Resource Centre Staffing – Phase 1	Private
72/22	Head of Finance	Bad Debt and Credit Balance Write Offs	Public
73/22	Head of Infrastructure	Building Warrants Issued under Delegated Powers between 1 st April 2022 to 30 th April 2022	Public
74/22	Head of Infrastructure	Grant of Servitude Rights for Pedestrian & Vehicular Access at Burnbrae, Garvald	Private
75/22	Executive Director for Place	Response to Scottish Government Consultation on Open Space Strategies and Play Sufficiency Assessments Regulations	Public
75(a)/22	Executive Director for Place	East Linton Primary School	Public
76/22	Executive Director for Council Resources	Staffing Report for the Creation of a Senior Engineer – Flood Protection	Private
77/22	Head of Infrastructure	Building Warrants Issued Under Delegated Powers – May 2022	Public
78/22	Head of Corporate Support	Establishment Changes for May 2022	Private
79/22	Head of Children's Services	Children and Young People Services Plan Annual Performance Report 2020/2021	Public
80/22	Executive Director for Place	East Lothian COVID-19 Status and Recovery & Renewal Plan	Public

13 June 2022

