



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 23 AUGUST 2022
VIA DIGITAL MEETING FACILITY

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Committee Members Present:

Provost J McMillan (Convener)
Councillor S Akhtar
Councillor R Bennett
Councillor E Allan
Councillor L Bruce
Councillor C Cassini
Councillor D Collins
Councillor F Dugdale
Councillor J Findlay
Councillor A Forrest

Councillor N Gilbert
Councillor N Hampshire
Councillor L Jardine
Councillor C McFarlane
Councillor C McGinn
Councillor S McIntosh
Councillor L-A Menzies
Councillor B Ritchie
Councillor C Yorkston

Council Officials Present:

Ms M Patterson, Chief Executive
Ms L Brown, Executive Director for Education and Children's Services
Ms S Fortune, Executive Director for Council Resources
Mr D Proudfoot, Executive Director for Place
Ms F Wilson, Director of Health and Social Care
Ms M Ferguson, Head of Corporate Support
Mr D Henderson, Interim Head of Finance
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
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
Ms J Mackay, Senior Communications Adviser
Mr R Montgomery, Project Manager
Mr C Price, Project Manager
Mr A Stubbs, Service Manager – Roads
Mr P Vestri, Service Manager – Policy, Improvement and Partnerships
Mr T Renouf, Executive Officer
Ms M Scott, Committees Officer

Visitors Present:

Mr J Baxter, Jacobs (Item 7)

Clerk:

Mrs L Gillingwater

Apologies

Councillor G McGuire
Councillor K McLeod
Councillor T Trotter

Declarations of Interest:

None

Prior to the commencement of business, the Provost advised that the meeting was being held remotely, as provided for in legislation; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. He noted that the Council was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for up to six months from the date of the meeting.

The Provost welcomed Fiona Wilson (Director of Health and Social Care) and Megan Scott (Committees Officer) to their first meeting of the Council.

The clerk recorded attendance by roll call.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved: East Lothian Council, 28 June 2022.

2. SUMMARY OF BUSINESS APPROVED IN ACCORDANCE WITH SUMMER RECESS ARRANGEMENTS 2022

A report was submitted by the Executive Director for Council Resources informing the Council of the urgent business undertaken over the summer recess period in terms of the procedures set out in Standing Order 15.6 and in line with the decision taken at the Council meeting of 28 June 2022.

The clerk advised that three reports had been approved during the summer recess, of which had been published in the Members' Library. The Provost agreed to take questions on matters relating to private reports in the private session.

Councillor Akhtar thanked Douglas Proudfoot, Executive Director for Place, and his team for their efforts to submit the Shared Prosperity Fund bid by the deadline. She hoped this bid would be successful as it would be of significant benefit to communities.

Decision

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

3. 2022-27 COUNCIL PLAN

A report was submitted by the Executive Director for Place, presenting the 2022-27 Council Plan to Council for approval.

The Service Manager – Policy, Improvements and Partnerships, Paolo Vestri, presented the report, setting out the priorities for the Council. He drew attention to the main objectives and themes (as set out in Section 3.4 of the report), and highlighted the main challenges facing the Council (outlined in Section 3.6). He also summarised other plans and strategies underpinning the Council Plan, and advised that commitments from the political group manifestos had been incorporated into the Council Plan. Members were advised that an action plan and Council Plan indicators would be brought to the Council meeting in October 2022 for approval.

Councillor Hampshire asked if additional costs associated with inflation and the staff pay settlement had been factored into the Council Plan. Sarah Fortune, Executive Director for Council Resources, reminded Members of the Financial Prospects report which had been presented to Council in June, which had outlined a potential spending gap of £40-60m over the next five years, and that those figures had been based on assumptions and were subject to change. She noted that inflationary and pay increase pressures added to the already challenging financial environment, and that further information on this would be included in the Quarter 1 Finance Report, to be presented to Cabinet in September. She warned that if no additional funding or flexibility was forthcoming, then the Council would be required to make difficult decisions.

Councillor Akhtar asked how services for older people would be incorporated into the Plan, and about measures to ensure that partners were working together. Mr Vestri explained that a number of strategies would be integrated into the Plan in order to achieve the same vision. He anticipated that the Council Plan and the Integrated Joint Board's (IJB) Strategic Plan would contain the same priorities, noting that the action plan would reflect the IJB's priorities.

Councillor Jardine opened the debate, welcoming in particular the inclusion of the values of the Council – enabling, leading and caring – as well as that of the Christie Commission. She viewed the Plan as vital for future collaboration during difficult times, and she undertook to work in the best interests of communities.

Councillor Hampshire commented that the Plan was a continuation of the work of the Council over a number of years. However, he noted that delivering the Plan would be more difficult given the Council's financial situation, the growth in East Lothian, Brexit, and the cost of living crisis. He feared that the Council would struggle to protect services, but was confident that staff would do everything possible to deliver for communities.

Councillor Forrest referred to the number of affordable homes already delivered, with an additional 2000 in the pipeline. He also highlighted the improvements to existing Council house stock, and the efforts made to welcome people fleeing the war in Ukraine.

As Champion for Young People, Councillor Ritchie welcomed the work done on the Youth Strategy, and looked forward to further progress in this area.

Councillor Dugdale highlighted the enormity of the challenges facing the Council, but stated that the Council was committed to tackling poverty and helping the vulnerable. She also welcomed the recommendations of the Independent Care Review to #KeepThePromise to care-experienced young people.

Councillor McGinn stressed the importance of delivering the Council Plan, against the backdrop of rising poverty rates, climate change, and the COVID-19 recovery. He was confident that Council staff would work in partnership with the voluntary and third sectors to ensure that people were receiving the services required.

Councillor Yorkston pointed out that local government had seen a 7% reduction in funding, which would make service delivery particularly challenging. He spoke of working in

partnership with community bodies, such as the Pennypit Trust, which enabled decisions to be made at a local level.

Councillor Akhtar noted that COVID-19 had made levels of poverty and inequality worse. She mentioned a number of initiatives to support vulnerable people, such as dementia meeting spaces, the appointment of an Older People's Champion, and partnership working. She praised Council staff, who had adapted quickly during the pandemic, and she was confident that they would make every effort to meet the objectives of the Plan and deliver services within budget.

On growth in East Lothian, Councillor McIntosh viewed increasing GDP as being a driver of climate change, and suggested that the concept of decoupling prosperity from infinite growth should be considered. She also made reference to forthcoming changes to the planning regime, and suggested that local place plans should be taken into account. Her views were shared by Councillor Menzies, who remarked that happiness and health were also important aspects. She highlighted a number of benefits available in Scotland which were having a positive impact, and suggested that more preventative work would lead to fewer people seeking interventions from the Council.

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

Decision

The Council agreed:

- i. to approve the 2022-27 Council Plan; and
- ii. to note that a detailed Action Plan along with proposed Council Plan Performance Indicators would be presented to Council in October 2022.

4. 2021 EAST LOTHIAN RESIDENTS' SURVEY

A report was submitted by the Executive Director for Place presenting a summary of the main findings of the 2021 East Lothian Residents' Survey.

The Service Manager – Policy, Improvements and Partnerships, Paolo Vestri, presented the report, advising that the full report had been shared with political groups and had now been lodged in the Members' Library. He drew attention to the key aspects of the report, including the methodology used, the number of responses received, and the results of the survey in comparison to the 2019 survey.

In response to questions from Councillor Bruce, Mr Vestri advised that a follow-up survey had not been carried out, but that it was intended to set up focus groups using similar questions to ascertain if the responses differed. He added that some services conducted their own surveys, and that information on specific issues was also reported through the Council's Feedback function. He noted that the pandemic had had a clear impact on perception of public services, and that the next Residents' Survey would be carried out in 2023.

The Provost queried if it would be possible in future to include a question on how long respondents had lived in East Lothian. Mr Vestri explained that this question had been included in previous surveys, but that it had been removed from the 2021 survey to allow for other questions to be added. He suggested that a survey of new residents could be undertaken at a later date, and that consideration was being given to re-introducing the Citizens Panel.

Tom Reid, Head of Infrastructure, provided some context as regards Roads Services. He explained that during the pandemic, this team could not work within higher density areas, but that a recovery package was now in place. He added that on comments and complaints about roads in new housing estates, these areas often had not been adopted by the Council and so were not the Council's responsibility.

Councillor Jardine asked a question in relation to digital exclusion. Mr Vestri confirmed that on this occasion, all surveys had been issued by post, and that respondents could respond by post or online – most were returned by post.

Opening the debate, Councillor Gilbert referred to Section 3.13 of the report, noting that people did not think the Council listened to them and that they wanted to be more involved in making decisions within their own areas.

Councillor Menzies remarked that the responses received accounted for only 3% of the population of East Lothian, and that the timing of the survey (during the pandemic) would have influenced responses. Councillor Hampshire concurred with these comments, adding that staff had worked hard to limit the impacts of COVID-19 on services and would continue to work hard to rebuild services.

Councillor Jardine indicated that she was satisfied with the level of engagement with communities and that she was reassured that officers were working to make improvements.

Councillor McIntosh spoke about the importance of investing in nature to improve mental health, especially for people living in deprived areas.

Councillor Ritchie noted that the responses to the survey were useful in identifying areas of need; she highlighted work targeted towards young people which she believed would address some of these needs.

Concluding the debate, Councillor Akhtar stressed that the impact of COVID-19 was a key factor in the responses. She stated that the Council would listen to the respondents and take account of their priorities. She believed that there was a strong case for local decision-making.

Decision

The Council agreed:

- i. to note the main findings of the 2021 Residents' Survey presented in the report, as well as the availability of further data and analysis at both East Lothian-wide and ward level in the full report of the survey; and
- ii. to note that the findings of the survey would be used by the Council and Community Planning Partners to inform the development of the Council Plan, East Lothian Plan and Service Plans.

5. DRAFT ANNUAL ACCOUNTS 2021/22

A report was submitted by the Executive Director for Council Resources providing an update on the draft unaudited accounts for the Council and Group entities for the year ending 31 March 2022. In accordance with regulations, the unaudited accounts must be formally scrutinised by Members by 31 August 2022.

The Interim Head of Finance, David Henderson, presented the report, advising that the Council had a statutory duty to scrutinise the draft accounts by 31 August. He referred to a Members' briefing on this matter on 15 August, noting that he did not anticipate any material

changes to the draft accounts, but that they were still draft and subject to change through the audit process. He advised that the deadline for finalisation of the audit had been extended to the end of November, and that any material changes would be reported to Members. The draft accounts, including the group accounts, had been lodged in the Members' Library.

In response to a question by the Provost, Mr Henderson advised that an advert had been published as regards allowing the public access to the draft accounts.

Thanking Mr Henderson and his team for their work on the draft accounts, Councillor Akhtar referred to the challenging environment within which staff were working, and she welcomed the work done to ensure that community facilities continued to operate.

Decision

The Council agreed:

- i. to note that the draft annual accounts for the Council and its wider group, and Dr Bruce, had been submitted to External Audit prior to the statutory deadline of 30 June 2022; and
- ii. to note that the accounts remain in draft pending the finalisation of the statutory audit, expected to be completed by the end of October 2022.

6. NATIONAL CARE SERVICE FOR SCOTLAND: DELEGATED POWERS

A report was submitted by the Executive Director for Education and Children's Services seeking delegated authority to officers to respond to consultation exercises, and to submit evidence, in respect of the Scottish Government's proposal for a National Care Service for Scotland and the National Care Service (Scotland) Bill.

Lesley Brown, Executive Director for Education and Children's Services, presented the report. She advised of the current position as regards the National Care Service (Scotland) Bill, noting that it was still subject to full parliamentary scrutiny. She pointed out that this was now a subject of the highest risk level for the Council, and that developments would be monitored. Due to the timelines for responding to consultations on this issue, she proposed that delegated authority be given to her to prepare and submit responses where these could not be reported to Council. Group Leaders would be consulted on any such responses, and given sufficient time to comment on the proposed responses.

Responding to a question from Councillor McIntosh regarding the potential impact of the changes on the Council, Ms Brown advised that there would be an impact beyond that on social care and children's services, e.g. on finance and HR services.

Councillor Hampshire expressed concern at the timing of proposals in the context of the recovery from the impacts of COVID-19 and the cost of living crisis. He questioned whether this was the right time to implement such significant changes, and whether there was sufficient time available to plan for the changes. Ms Brown commented that this was a matter of great uncertainty for the Council and communities, and that the main priority was to provide access to care for those requiring it. She advised that this piece of work was resource-intensive, that there was only a short period of time for the Bill to go through parliament, and that it was vital for the Council's views to be heard throughout the process.

Councillor Akhtar stressed that the Council's priority was to achieve the best outcomes for people requiring care. She asked about the implications of children's services and justice services being included within the proposed National Care Service. Ms Brown reported that the inclusion of children's services was still to be confirmed; if this were to be included then

there would be implications for the work being done within Education and Children's Services to support young people, including prevention and early intervention work, and supporting young people in communities. Judith Tait, Head of Children's Services, advised that the Council had not adopted a 'one-size fits all' approach to children's services, and that meeting local needs were vital. She highlighted the importance of a joined up education and children's service, adding that the National Care Service had not been designed with children's services in mind. She noted that it was not yet clear how many Care Boards there would be, or how local decisions would be taken, and that the consequences of including children's services should be highlighted, in conjunction with the aspirations of the Feeley Review.

In response to a question from Councillor Dugdale on the timing of the consultation, Ms Brown indicated that there were previous examples of consultations taking place in parallel with bills going through parliament. She noted, however, that this presented uncertainty. She reiterated that it was important that the Council's views were submitted.

Opening the debate, Councillor Hampshire voiced his concern at the timing and scale of the changes proposed, which would affect many areas of the Council. He was of the opinion that social care services should be provided locally, and that the proposals would be detrimental to service users. He commended the Council for its provision of care for older people and children.

Councillor McIntosh pointed out that, when consulted, two-thirds of respondents had indicated support for a National Care Service. She did have reservations about children's services being included; however, she noted that there was no evidence to suggest that including such services would be detrimental, adding that it was important to consider the lived experiences of those involved. She cautioned against using this issue as a 'political football'.

Councillor Menzies remarked that change could be difficult, but that Members should be open-minded about the proposals and base their views on evidence rather than personal feelings.

Councillor Akhtar reminded Members that the response of the previous Council (2017-22) had been supported by all political parties. She was concerned about the expansion of the proposals to include children's services and justice services. She made reference to the benefits of integration through the Health and Social Care Partnership, and of the positive work done during the pandemic. She was concerned about accountability under the proposals, and of the absence of local decision-making. She argued that there was evidence to show that services delivered at a local level provided the best outcomes.

Councillor McGinn spoke in support of Councillor Akhtar's comments, describing the proposals as a 'power grab' by the Scottish Government. He did not believe that a national agency would meet the needs of communities.

Councillor Forrest took a similar view, having observed care services being delivered quickly and efficiently by the Council during his time as a councillor. He also mentioned the partnership working with the third sector, and the relationships formed with other organisations providing social care services. He believed now was not the time to proceed with the proposal.

Councillor Jardine indicated that the voluntary sector was supportive of the proposals for a National Care Service. She referred to her own experience of working with a health and social care partnership, praising the vital work undertaken by frontline staff within care services to ensure that needs were met. It was her view that people receiving such services were not concerned about the governance arrangements, but did want a say on how their care would be delivered. She recognised the concerns raised about such a significant change, adding that she was keen to work collaboratively with all colleagues to ensure that consultation responses were reflective of as many voices as possible.

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

Decision

The Council agreed to grant authority to the Executive Director for Education and Children's Services to submit a response to any Scottish Government or Scottish Parliament consultation on any aspect of the proposal for a National Care Service for Scotland, where it is not practical to have this response approved by Council in advance, as detailed in Section 3.8 of the report.

7. MUSSELBURGH FLOOD PROTECTION SCHEME: UPDATE ON SCHEME DEVELOPMENT

A report was submitted by the Executive Director for Place updating Council on progress made in developing a flood protection scheme for Musselburgh since the 'Preferred Scheme' was approved at a meeting of Cabinet in January 2020.

The Provost advised that an amendment had been submitted by Councillors McIntosh and Cassini, in respect of the recommendations, and he set out the process for dealing with this.

The Service Manager – Roads, Alan Stubbs, presented the report. He provided information on the progress made since the Preferred Scheme's approval by Cabinet in January 2020, including the impact of COVID-19, the consultation events held during 2021 (set out in detail in the report and at Appendix A), and concerns raised during the consultation. Mr Stubbs went on to inform Members of further work carried out on the Hydrology modelling (to be presented to the Council in October 2022), potential 'multiple benefits', and of the proposal to include the Musselburgh Seawall within the Scheme.

In response to a question from Councillor Hampshire, Mr Stubbs confirmed that planning consent for the Flood Protection Scheme would not be required. Morag Ferguson, Head of Corporate Support, added that although the Scheme itself would not require planning consent, there may be a requirement for applications for associated works later in the process; unless the specifics of those works were discussed, Members would not be precluded from taking part in future planning decisions.

Councillor Bruce asked a number of questions relating to cost and the review of the Hydrology model. Mr Stubbs explained that the Scottish Government would fund 80% of the Scheme, with the Council contributing the remaining 20%, or c. £42.5m, which was provided for in the Capital Plan. A further report to Council in October would provide additional detail on costs. He confirmed that the same consultant would carry out the Hydrology model review, which would then be presented to Council.

Councillor McIntosh indicated that there was public concern about the Council report only being issued a week in advance of the meeting, and asked if future reports could be made available earlier. Mrs Ferguson advised of the timescales for issuing public meeting papers, adding that the obligation was to provide Members with the papers in accordance with those timescales, and that issuing papers earlier could have resource implications.

Councillor McIntosh also asked about nature-based solutions. Mr Stubbs advised that the project remained dynamic, and that nature-based solutions were being considered; information on that would follow. He pointed out that the Scheme's outline design would be subject to an Environmental Impact Assessment, noting that it was the intention to deliver an environmentally acceptable and sustainable scheme. At this stage, he was seeking authority to carry out further work, which would then be reported back to Council.

Mr Stubbs also responded to a series of questions from the Provost, advising that the seawall would be integral to the Flood Protection Scheme; that officers were liaising with colleagues at Midlothian Council and other stakeholders as regards the upstream section of the Esk; that both the Council and Jacobs had their own quality control systems in place; that further consultation with stakeholders would take place (as set out in Sections 6.4e and 10.16 of the report; and that the usual arrangements would be put in place for aspects requiring planning permission.

Councillor Forrest asked about the impact on bridges in Musselburgh. Mr Stubbs referred to traffic management issues and the Environmental Impact Assessment, noting that the Preferred Scheme indicated that some bridges would need to be replaced. He noted that it was not a requirement to consider the delivery of additional housing as part of the Scheme. Conor Price, Project Manager, added that the presence or absence of housing would be irrelevant in the context of a significant flood event.

Jim Baxter of Jacobs provided a detailed explanation on the impact of saturated and frozen ground, and the impact of this on the river.

The Provost then invited Councillor McIntosh to present her amendment:

[It is recommended that the Council:]

(g) Instructs that the consultation process throughout the outline design must allow for public participation in a discussion of what form/s of defence are deemed acceptable; must present indicative options to show how altering the height of defences might change the standard of protection, and must gather feedback on public preference between these options; that the Project Team present their proposals in relation to this instruction to the October 2022 meeting of the Council, in order to ensure that Councillors are better informed about the wishes of their constituents before progressing to the approvals process as defined in the Flood Risk Management Act (2009).

Councillor McIntosh informed Members that there were significant concerns among the community about the Scheme, and that it was therefore important that residents were consulted on the form and height of the proposed defences. She felt that more information on the views of the community was required in advance of the Council making a decision, and that the consultation would have to be meaningful.

Councillor Cassini seconded the amendment.

Councillor Hampshire declared that he had no problem with the amendment, as it had always been the intention to consult with the public. He pointed out, however, that it was for the Council to determine the best option to prevent Musselburgh from flooding. He added that flood defences should blend in with the environment as far as possible, but the protection of homes and businesses was the most important factor.

Councillor Forrest provided an assurance that the Council would listen to local views, but that it was the Council's responsibility to provide the best protection for Musselburgh against flooding.

Concluding the debate, the Provost remarked that he was inspired by the depth and scope of the report. He also accepted that there were concerns in the community about the Scheme, noting the importance of listening to those concerns and being open with the community.

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

The Provost then moved to the roll call vote on the recommendations as amended, which were approved unanimously, with the exception of Councillor McIntosh abstaining on Recommendation (iv) below.

Decision

The Council agreed:

- i. to note the progress made in advancing the development of the Scheme since January 2020, and in particular the challenge presented in advancing the Scheme design during the COVID-19 pandemic;
- ii. to note the ability of the project to deliver multiple benefits to the town through working closely with other projects – to minimise some of the identified public concerns regarding potential impact on the landscape and water environments, whilst simultaneously delivering savings to overall combined public funds expenditure; in particular the Musselburgh Active Toun project which is delivering new active travel pathways for the town;
- iii. to note that a major consultation on the Scheme was undertaken by the Project Team between September 2021 and March 2022 to listen to the thoughts of stakeholders and the people of Musselburgh;
- iv. to approve the inclusion of the 2.7km Ash Lagoons Seawall within the ‘Preferred Scheme’ for its use in flood risk reduction to Musselburgh and that an options appraisal would need to be undertaken immediately to determine the ‘Preferred Option’;
- v. to approve the Scheme to undertake a further review of its Hydrology and a revision of its Hydraulic Model to ‘Model C’ – to address recent guidance changes, and public concerns towards ‘Model B’, before returning to Council in October 2022 with the outcome of this activity and a full update on the Scheme Programme and revised Scheme cost;
- vi. to confirm that the Scheme development and project delivery should be advanced by the Project Team under the oversight and authority of the Scheme’s Project Board, and thus that decisions are taken by this Project Board on behalf of the Council, noting that the design developed through the Outline Design Process would ultimately be presented to Council for approval.
- vii. that the consultation process throughout the outline design must allow for public participation in a discussion of what form/s of defence are deemed acceptable, must present indicative options to show how altering the height of defences might change the standard of protection, and must gather feedback on public preference between these options; that the Project Team would present their proposals in relation to this instruction to the October 2022 meeting of the Council, in order to ensure that Councillors are better informed about the wishes of their constituents before progressing to the approvals process as defined in the Flood Risk Management Act (2009).

8. COMMON GOOD REVIEW

A report was submitted by the Executive Director for Council Resources updating Members on the review of Common Good.

Carlo Grilli, Service Manager – Governance, presented the report, noting that it was an update on the review which had commenced in 2019.

The Provost thanked previous Members for their contribution to the review before moving to the roll call vote on the recommendations, which were approved unanimously.

Decision

The Council agreed:

- i. to note the current position and progress regarding the Common Good Review; and
- ii. to approve the delegation to the Head of Infrastructure as regards the maintenance of Common Good assets, as set out in Section 3.16 of the report.

9. COMMUNITY REQUEST FOR THE DESIGNATION OF LAUDERDALE PARK, DUNBAR AS A 'FIELD IN TRUST'

A report was submitted by the Executive Director for Place requesting consent to work with the charity 'Fields in Trust' to designate Lauderdale Park, Dunbar as a Field in Trust, thus legally protecting it as a park in perpetuity.

The Head of Development, Michaela Sullivan, presented the report, advising that a request had been received from the Dunbar community to have Lauderdale Park designated as a Field in Trust, in honour of Her Majesty the Queen's Platinum Jubilee. She noted that the leased café area would not be included. She added that the Community Council would be consulted on the location of the plaque.

Councillor Hampshire welcomed the report. He paid tribute to the late Herbert Coutts, who had initiated the idea, for his commitment to protecting the future of Lauderdale Park and for his service to the community and Community Council.

Councillor McGinn extended his thanks to Dunbar Community Council, in particular the chair, Pippa Swan, commenting that it was sad that Mr Coutts had not lived to see the park being designated as a Field in Trust. He added that the park would serve generations of locals and visitors, remarking on the benefits of green space to people's wellbeing and mental health.

Whilst speaking in support of the protection of the park, Councillor McIntosh noted that she would not be voting in favour because of the connection to the Queen's Platinum Jubilee.

Councillor Collins recalled Mr Coutts' contribution to the local community and to Scotland more widely, agreeing that this proposal was a fitting tribute. Her comments were echoed by the Provost, who added his gratitude to Mr Coutts for all the work he had done within the community.

The Provost moved to the roll call vote on the original recommendations:

For (18)*: Councillors Akhtar, Allan, Bennett, Bruce, Cassini, Collins, Dugdale, Findlay, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McMillan, Menzies, Ritchie, Yorkston

Against (0):

Abstention (1): Councillor McIntosh

* Although in agreement with the recommendations in principle, Councillors Allan, Cassini, Gilbert and Menzies stated that they would not be in favour of changing the name of the park. Ms Sullivan clarified that there was no proposal within the report to change the name of the park.

Decision

The Council agreed:

- i. to approve the submission of an application to the charity Fields in Trust to secure legal protection in perpetuity for Lauderdale Park, Dunbar; and
- ii. to delegate authority to the Head of Corporate Support to execute the formal legal agreement, giving effect to the decision of the Council.

10. ESTABLISHMENT OF CLIMATE CHANGE & SUSTAINABILITY FORUM

A report was submitted by the Executive Director for Place seeking approval for the establishment of a cross-party Climate Change & Sustainability Forum.

The Executive Director of Place, Douglas Proudfoot, presented the report, reminding Members that the Council, at its meeting in June 2022, agreed to establish a Climate Change & Sustainability Forum. He advised of the proposed membership of the Forum, noting that its work would link with that of the cross-party budget development group.

Councillor Hampshire stated that climate change was the biggest challenge facing the Council, and that this forum would look at ways of meeting this challenge, including exploring different ways of working.

Councillor Jardine welcomed the report and the move towards more collaborative working.

Councillor McIntosh thanked Mr Proudfoot for his work in establishing the forum, and Councillor Hampshire for giving her the opportunity of chairing the group. She looked forward to working collaboratively with all groups to meet the challenges posed by climate change and to linking with other sectors to find solutions.

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

Decision

The Council agreed to approve the establishment of a Climate Change & Sustainability Forum, with a remit as set out in Section 3.5 of the report.

11. APPOINTMENT OF COUNCIL CHAMPIONS

A report was submitted by the Executive Director for Council Resources seeking approval for the appointment of a Council Champion for the Voluntary Sector.

The Head of Corporate Support, Morag Ferguson, presented the report, advising that a further request for a Champion for the Voluntary Sector had come forward since the last Council meeting, and that the Administration was proposing Councillor McGinn to take on this role.

Councillor McGinn welcomed the opportunity to act as the Council's Champion for the Voluntary Sector, and looked forward to working with the voluntary sector and volunteers. He stressed the importance of the contribution of volunteers and the third sector in communities throughout East Lothian, and of their impact, adding that he had been a volunteer for 25 years.

Referring to the work done by Councillor McGinn with a number of organisations, such as the Walk with Scott Foundation, VCEL and Homestart, the Provost commented that he was ideally

positioned to foster good relations with and campaign for volunteers. The Provost also paid tribute to all those in volunteering roles throughout East Lothian.

The Provost moved to the roll call vote on the recommendations:

For (14): Councillors Akhtar, Bennett, Bruce, Collins, Dugdale, Findlay, Forrest, Hampshire, McFarlane, McGinn, McIntosh, McMillan, Ritchie, Yorkston

Against (0):

Abstentions (5): Councillors Allan, Cassini, Gilbert, Jardine, Menzies,

Decision

The Council approved the appointment of Councillor McGinn as the Voluntary Sector Champion.

12. NOTICE OF MOTION: DEMOCRATIC OVERSIGHT OF ANY MERGED PENSION FUND TO REPLACE THE LOTHIAN PENSION FUND

A motion was submitted by Councillors McIntosh and Menzies:

A proposal emerged in May of this year for the merging of the Lothian Pension Fund with the Falkirk Council Pension Fund. This will be voted on solely by members of City of Edinburgh Council and Falkirk Council. The dates of the votes have not yet been publicly confirmed. If the merger goes ahead, both committees would cease to have oversight over the new fund, and be replaced by a body currently referred to as a 'Company Board'. It is unclear what the make-up of this proposed 'Company Board' would be, but there are concerns that it would not have the same level of elected member, trade union, and employer representation. It is also noted that there is an existing democratic deficit in the Lothian Pension Fund which means that despite the Fund being administered for four local authorities in the region, only one of these has representation on the Pension Committee.

The Council therefore instructs the Leader of the Council to write to the Lothian Pension Fund Committee, and to the Leaders of Edinburgh and Falkirk councils:

- a) expressing concern at the possibility of any loss of democratic oversight over the local government pension fund for our area, if elected members were to be omitted from the new Board; and
- b) urging them to take this opportunity to instead strengthen democratic oversight, by ensuring that any new Board has broad representation from trade unions and employers, and also contains elected members drawn proportionately from all participating local authority areas.

Councillor McIntosh presented the motion, pointing out that the motion was not asking the Council to express a view on the merger of the two pension funds, but that there was concern that the Council was not being asked for its views. She noted that the Council was not represented on the Lothian Pension Fund Committee, and that this amounted to a democratic deficit. Therefore, as regards the merger proposal, she argued that the Council should be represented on the new Board for reasons of public accountability. She asked Members to support the motion and Councillor Hampshire to write to the Lothian Pension Fund and its committees requesting that, should the merger go ahead, the new Board should be more representative.

Councillor Menzies seconded the motion, commenting that addressing democratic deficit was an important issue for Members.

Councillor Hampshire noted that there were currently 79,000 members of the Lothian Pension Fund, and that number would increase if the merger with Falkirk Pension Fund were to go ahead. He pointed out, however, that members of the Pensions Committee were not there as elected representatives, but were appointed to take decisions in the best interests of the scheme members, and that the scheme was regulated by the FCA. He claimed that the Lothian Pension Fund, administered by the City of Edinburgh Council, was considered to be one of the best-run schemes in the country. He noted that it was proposed that the current governance model would continue, but that the numbers may increase if the merger were to take place. He stressed that these members represented the interests of the pension holders, not any council or constituents. He was of the view, therefore, that the motion was not relevant, and stated that he would not support it.

Councillor McMillan informed Members that he had taken advice from an individual who had previously been involved with the management of the Lothian Pension Fund. He concurred with Councillor Hampshire that the Pensions Committee was not concerned with political matters and its purpose was to serve the interests of its members. On the question of Pension Fund investments, he cautioned that to disinvest in a particular sector would have consequences for the fund and its members. He added that the individual from whom he had taken the advice was of the opinion that the merger was a positive move, in that it would provide efficiencies and improve risk mitigation. It was also supported by Unison at the national level. He declared that he would not be supporting the motion.

Councillor Cassini recalled her previous employment in the pensions industry, commenting that pension funds with greater accountability performed better. She was in favour of the motion, noting that it was asking the Council to explore extending democratic oversight.

Councillor Bruce remarked that the Council had a responsibility to ensure that pensions were invested wisely. As the Council had not been consulted on this, he was prepared to support the motion.

Sarah Fortune, Executive Director for Council Resources, informed Members that there had been some discussion on this matter with her counterparts in the other authorities, and confirmed that no decisions would be taken by Lothian Pension Fund and the City of Edinburgh Council without consultation with the member authorities. She did not have details on the timeline for the proposed merger, but undertook to get further information on this. She felt it appropriate to report back to Council on the matter.

Summing up, Councillor McIntosh noted that she may have misunderstood the role of those on the Pensions Committee; however, this did not change her position on the matter. She had concerns about the ethical and social impacts of some investments, and felt it was important that members of the scheme were represented.

The Provost moved to the roll call vote on the motion:

For (9):	Councillors Allan, Bruce, Cassini, Collins, Findlay, Gilbert, Jardine, McIntosh, Menzies
Against (10):	Councillors Akhtar, Bennett, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McMillan, Ritchie, Yorkston

The motion therefore fell.

13. NOTICE OF MOTION: ALLEVIATING THE WORST OF FUEL POVERTY CRISIS

A motion was submitted by Councillors Jardine and Allan:

The Council has been in Business Continuity since the COVID pandemic struck in 2020 and is now moving back to business as usual. This is being made very difficult due to the combination of Brexit and ongoing impacts from the COVID crisis that has seen our national GDP drop by over 4% in recent months.

As these unprecedented times unfold, residents have also had the energy price cap increased by 12% in October 2021 and 54% in April 2022, with further rises planned for October [2022].

Bold and empathetic action is required from this Council. We have a chance to make a marked difference to vulnerable people's lives and we must act immediately to ensure we offer that help at the time it is most needed.

Council is called upon to produce a full report of costs, and operational implications, of making all open and functioning Council-owned buildings (except those that require PVG membership) Warmth Refuges, allowing members of the public to enter these publicly owned and paid for buildings to warm up and escape the cold during opening hours and to make available the facilities so the public can make themselves a hot beverage and truly take refuge in our public buildings.

This report should be brought back to the next meeting of the Council in October and, if approved, that the Council implement this measure from October to April 2022/23 and revisit in 2023 to assess the impact and plan for winters going forward.

Councillor Jardine presented the motion, expressing regret that she was having to bring such a motion to Council. She indicated that a number of other Scottish local authorities were establishing schemes similar to that proposed in the motion. She was critical of the UK Government's stance on fossil fuel companies paying out huge dividends at a time when many people were struggling with rising living costs. With reference to her own personal situation, she spoke of the continuing stigma of poverty and claiming benefits, and the impact of rising fuel costs on low-income households. She called on Members to support the introduction of warmth refuges, which would allow people to access help whilst maintaining their dignity, and which could be funded through the welfare fund and fuel poverty fund. She proposed that discussions should be held on how this idea could be facilitated and asked for costings to be drawn up.

Councillor Allan seconded the motion, pointing out that in the past 12 months, demand for the East Lothian Foodbank had increased by 77%, and that the Scottish Government was predicting that 906,000 households in Scotland would be in fuel poverty within weeks. She also referred to the rising rates of inflation and interest rates, stressing that those on low incomes, disabled, or with large families would be significantly impacted, as would businesses. She was concerned that if the Council did not act now and put plans in place to help vulnerable people, there would be an increase in hypothermia and deaths in the community. She urged Members to support the idea of warmth refuges.

An amendment was submitted by Councillor Hampshire:

The Council has been in Business Continuity since the COVID pandemic struck in 2020 and is now moving to business recovery. This is being made very difficult due to the combination of Scottish Government budget cuts, Brexit and ongoing impacts from the COVID crisis that have seen our national GDP drop by over 4% in recent months. It has also seen inflation hit 10.1% and is predicted by the Bank of England to hit 13%.

As these unprecedented times unfold, residents have also had the energy price cap increased by 12% in October 2021 and 54% in April 2022, with further rises planned for October [2022]. Many residents in East Lothian will be unable to afford

any further increase in the energy price cap, so East Lothian Council calls on the Council Leader to write to the UK Government to call on them to implement an immediate freeze on the energy price cap.

East Lothian Council will continue to work in partnership with community groups to make a difference to vulnerable people's lives in East Lothian. Staff across all departments will follow the actions set out in the East Lothian Poverty Action Plan 2021-23 to support East Lothian residents struggling during the cost of living crisis.

To enable the Council to provide the support that communities need, the Council Leader shall write to the Scottish Government calling on them to provide Scottish local authorities with a fair share of the £4.6 billion increase it received from the UK Treasury.

Progress on actions taken, as well as any developing issues, will be reported to Council as required.

Presenting his amendment, Councillor Hampshire noted that there was general agreement amongst Members on the impact of the crisis on people on low incomes. He warned of the financial challenges facing the Council, with an anticipated reduction in funding over the next five years of £40m. This, he stated, would have a devastating impact on Council services, and that the proposals in the motion would exacerbate the situation; he therefore could not support further spending commitments at this time. He indicated that Council staff would do all they could to support communities within existing resources, and that he would write to the Scottish Government to seek additional funding.

Councillor Akhtar seconded the amendment. She provided examples of work already undertaken by the Council to alleviate poverty, including introducing the living wage and establishing the East Lothian Poverty Commission. She also noted that the East Lothian Poverty Plan had been approved by all Members. Councillor Akhtar set out the work done to open many community facilities since the pandemic, as well as the provision of additional funding to create community kitchens and kindness cafes, which provided safe and secure spaces for people to visit. She stressed the need to have an immediate freeze on the energy price cap, especially at a time when oil and gas companies were making significant profits. She also supported Councillor Hampshire's call for additional funding from the Scottish Government, which would allow the Council to target those most in need. She agreed with the views expressed about helping people whilst treating them with dignity and respect.

Councillor Cassini remarked that energy was not a devolved issue and that the Scottish Government was therefore limited in what it could do. She urged the Council to do all it could to help, even if it was just providing assistance using existing resources.

Opening the debate, Councillor McIntosh took the view that the UK Government should provide additional funding directly to those in need. She was in agreement with the Labour Party proposal on introducing a windfall tax and price cap freeze. She also pointed out that the price cap was linked only to the price of oil and gas and took no account of renewables. She welcomed the work already being done by the Council to make community facilities accessible, and suggested that advertising a list of these facilities would be useful.

Councillor Bruce welcomed Councillor Hampshire's proposal to seek additional funding from the Scottish Government, remarking that the Scottish Government had received more funding than ever before from the UK Government, which had not been passed on to local government. He also supported the proposal for a report on the costs of establishing warmth refuges, and suggested that this could come to Council in October. He declared that he would be supporting the motion.

Councillor Menzies argued that Councillor Hampshire's amendment was in conflict with the East Lothian Poverty Plan, and that writing to the government would not resolve the problems facing people. She urged Members to support the motion, maintaining that it would save lives and remove the stigma of poverty. She also clarified that the motion was concerned with allowing people to use facilities during their opening hours.

The Provost disagreed with Councillor Menzies, indicating that the amendment was consistent with the Poverty Plan. He noted that services should be person-centred, and that any assistance should therefore be targeted at those in need. He stated that the Council would do it all it could to assist and suggested that cross-party working was important in identifying solutions.

A number of Members voiced their concern at the rise in energy prices when oil and gas companies were making significant profits, and people were being impacted by the increase in the cost of living. Some Members also expressed their disappointment about the tone of the debate.

Summing up, Councillor Jardine welcomed the comments made by Councillor Akhtar on the re-opening of facilities. However, in discussions with her community, it had been clear that warmth refuges would be welcomed and would allow people to stay warm whilst retaining their dignity. She called on the Council to take action on this issue now.

The Provost moved to the roll call vote on the amendment:

For (10): Councillors Akhtar, Bennett, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McMillan, Ritchie, Yorkston
Against (9): Councillors Allan, Bruce, Cassini, Collins, Findlay, Gilbert, Jardine, McIntosh, Menzies

Decision

The Council agreed to support the amendment, as proposed by Councillor Hampshire, and the original motion therefore fell.

14. NOTICE OF MOTION: EMERGENCY RELIEF FOR THE COST OF LIVING CRISIS

A motion was submitted by Councillors Menzies and Cassini:

It is noted that the Council has implemented various supporting packages for residents on low incomes as part of the Scottish Government's COVID response and we commend the excellent work and initiatives.

Unfortunately, we find ourselves in unprecedented times with a 'perfect storm' causing a cost of living crisis, the likes of which most of us will never have seen before. National governments have done some work in setting up emergency one-off payments to those on certain benefits, but far more must be done if we are to assist the residents and businesses of East Lothian through this crisis.

While plenty of evidence exists in relation to rates of absolute poverty in East Lothian, there is an ever-growing issue of 'hidden poverty'. The number of working poor in East Lothian is expected to grow exponentially during this crisis, with East Lothian Foodbank already reporting having helped 7496 people with a food parcel in 2021. Amongst those were 2837 children.

Council Leader, Councillor Hampshire, has previously stated: 'Now is not the time to do nothing.' This Council fully agrees with this sentiment and aims to provide

practical assistance to those with least resources during such exceptionally difficult times.

This Council therefore commits to having the following emergency and temporary measures fully costs for decision as soon as possible, with an update to be provided at the next full Council meeting:

1. All Council-run schools open up for breakfast clubs and after-school clubs, giving parents the opportunity of additional hours to their working day and also ensuring children and young people have a safe and secure environment.
2. To offer universal free school meals across the Council-run school estate, including breakfast and/or a meal to those who attend after-school clubs.
3. To offer free places to both breakfast and after-school clubs (including free access to food) to all children and young people who attend, with a voluntary payment system for those who can afford to pay.

Councillor Menzies presented the motion, stating that the proposed help would only be temporary, to help families who were struggling. She noted that hidden poverty was being experienced by people in work, and this situation was likely to get worse. She advised that the motion did not seek action from the Council, only the costs involved, and added that her group was committed to collaborative working and looking for new income streams for the Council.

Councillor Cassini seconded the motion, suggesting that if available funding was not being used to provide warmth refuges, then it could be used to fund the initiatives set out in this motion. She stressed that the motion was concerned with confirming the costings of the proposed initiatives.

An amendment was submitted by Councillors Hampshire and Akhtar:

It is noted that the Council has implemented various supporting packages for residents on low incomes as part of the Scottish Government's COVID response. We commend the work carried out by the Council to support children and families during COVID and which continues during the cost of living crisis.

Unfortunately, we find ourselves in unprecedented times with a 'perfect storm' causing a cost of living crisis, the likes of which most of us will never have seen before. National governments have done some work in setting up emergency one-off payments to those on certain benefits, but far more must be done if we are to assist the residents and businesses of East Lothian through this crisis.

While plenty of evidence exists in relation to rates of absolute poverty in East Lothian, there is an ever-growing issue of 'hidden poverty'. The number of working poor in East Lothian is expected to grow exponentially during this crisis, with East Lothian Foodbank already reported having helped 7496 people with a food parcel in 2021. Amongst those were 2837 children.

The Council is committed to delivering the action plan in the East Lothian Poverty Plan 2021-23 to try and protect the most vulnerable in our communities during this cost of living crisis. This is extremely difficult due to the cuts in the Council budget from the SNP/Scottish Greens Government alongside the growth in demand from local communities.

1. With the limited budget available the Council will target its resources to support the most vulnerable in our communities. In addition, the Council Leader will write to the Scottish Government to call for additional funding to support those most in need and, whilst recognising that the Council does not have full flexibility

over all funding streams, with a large proportion of Council funding aligned to the delivery of Scottish Government policies, the Council Leader will call on the Scottish Government to provide the Council with full flexibility over all its funding.

2. The Council will continue to support the development of breakfast clubs, after-school clubs and other activities that its limited resources and facilities allow.

Councillor Hampshire presented the amendment, claiming that the motions submitted by the SNP Group were not serious proposals, given the current financial challenges facing the Council, and he asked where the savings would come from to fund the proposed initiatives. He reminded Members that savings of c. £40m over the next five years would need to be made, but that the Council would do what it could to assist communities and protect jobs. He suggested that the proposers of the motions should have discussed the practicalities of the proposals with officers in advance.

The amendment was seconded by Councillor Akhtar. She reaffirmed that the Council was doing everything it could to assist people during the cost of living crisis. She made reference to the Council's support for breakfast and after-school clubs, whether they were run by volunteers, private companies or the school staff themselves. She asked officers for information on the potential costs of extending free school meal provision, and how this would be resourced.

Tom Reid, Head of Infrastructure, informed Members that a desk-top study had been carried out to assess the expansion of free school meal provision. He reported that the Council was currently operating beyond capacity, and could not cope with any additional lunch sittings. If school meals were to be offered to all primary school years, c. 12 schools would require additional equipment and extension work to kitchens, and 20 dining rooms would need to be extended. He provided an estimate of the costs involved: c. £10m capital, c. £1.6m non-recurring revenue, and c. £900,000 recurring revenue. He stressed that these costs were based on the desk-top study, and that to carry out a full study would require significant additional resource. He added that recruiting to vacancies within Facilities Management was currently challenging.

A number of Members expressed their disappointment at the tone of the debate, with Councillor Jardine suggesting that Councillor Hampshire could have approached her to discuss the motions outwith the meeting. Councillor Hampshire responded, remarking that he was defending the Council's position, and that it was vital to balance the budget.

Councillor Bruce indicated that he would support the motion, on the grounds that it would be helpful for Members to see the costs of implementing the proposals.

Councillor Ritchie highlighted the importance of identifying need in order that assistance could be properly targeted. She commended the work done by breakfast and after-school clubs.

Summing up, Councillor Menzies voiced her disappointment at the language and tone used during the debate, and argued that she was not using the cost of living crisis as a 'political football'. Drawing on her own experiences, she was appalled that children were living in poverty in the UK in 2022, and believed that writing to the government was not the only solution to the problem. She called on Members to reflect on the debate at this meeting and approach future meetings in a more collaborative spirit.

The Provost moved to the roll call vote on the amendment:

For (10):	Councillors Akhtar, Bennett, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McMillan, Ritchie, Yorkston
Against (9):	Councillors Allan, Bruce, Cassini, Collins, Findlay, Gilbert, Jardine, McIntosh, Menzies

Decision

The Council agreed to support the amendment, as proposed by Councillors Hampshire and Akhtar, and the original motion therefore fell.

15. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 14 JUNE TO 8 AUGUST 2022

A report was submitted by the Executive Director for Council Resources noting the reports submitted to the Members' Library since the meeting of the Council in June 2022.

The Provost welcomed the report on Summer Holiday Food, Activities and Childcare (Ref: 87/22), which had been a very useful programme during the summer break.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 14 June and 8 August 2022, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Council unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

Scottish Power Musselburgh Agreement: Seawall

A private report submitted by the Executive Director for Place advising Council of the situation with Musselburgh Seawall was approved.



**MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY**

**THURSDAY 18 AUGUST 2022
VIA THE DIGITAL MEETINGS SYSTEM**

2

Committee Members Present:

Councillor N Hampshire (Chair)
Councillor D Collins
Councillor N Gilbert

Advisers to the Local Review Body:

Mr C Grilli, Legal Adviser to the LRB
Ms J Squires, Planning Adviser to the LRB

Other attendees:

Ms M Scott, Committees Officer

Clerk:

Ms F Currie, Committees Officer

Apologies:

None

Declarations of Interest

None

Introductory Statement by the Legal Adviser

The Legal Adviser outlined the procedure for the Local Review Body to reach a decision on the planning application before it. He also asked the Members to confirm that they had viewed all of the documentation which had been available to the planning case officer during his consideration of the application. All members did so.

The Legal Adviser then invited nominations to chair the meeting. Councillors Gilbert and Collins indicated that they would be content for Councillor Hampshire to chair the Local Review Body (LRB) on this occasion.

1. PLANNING APPLICATION NO. 22/00286/P: CHANGE OF USE OF FLAT TO HOLIDAY LET ACCOMMODATION (RETROSPECTIVE), 2 WESTBAY APARTMENTS, 7 STATION HILL, NORTH BERWICK EH39 4FA

The Chair invited the Planning Adviser, who had had no involvement in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser outlined the proposals contained in planning application no. 22/00286/P. She set out in detail the proposals contained within the application and provided details of the site and surroundings.

She reminded Members that applications should be determined in accordance with the development plan for the area unless material considerations indicate otherwise: in this case the South East Scotland Development Plan (SEsplan) and the adopted East Lothian Local Development Plan 2018 (LDP). The proposal was within North Berwick Conservation Area. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 required that in the exercise of planning functions, with respect to any buildings in a conservation area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

While none of the policies approved by SEsplan were relevant to this application, it instructed LDPs to have regard to the need to improve quality of life in local communities; it also recognised the importance of tourism to the area. Similarly, the LDP did not contain any topic specific policy on short term lets but noted that a range of accommodation attracted visitors and encouraged them to stay and benefit the economy of East Lothian. The LDP also stated that all leisure and tourism related development proposals, including visitor attractions, hotels and holiday accommodation, should be assessed against all relevant LDP policies.

The Planning Adviser outlined the most relevant policies of the LDP, which were: TC2 (Town and Local Centres) and CH2 (Development Affecting Conservation Areas). She also explained how the North Berwick Town Centre Strategy Supplementary Guidance and the Scottish Government's guidance on Short Term Lets related to this application.

The Planning Adviser summarised the case officer's assessment of the application which considered the determining factor to be the impact of use as a holiday let on the amenity of existing residential property within Westbay apartments. Identified impacts included the regular turnover of occupants which would change the nature of comings and goings to the application property and communal areas with a level of disturbance and nuisance from luggage movement not associated with long term use. Service and

cleaning, and removal of waste, would increase activity levels. Frequently changing guests would reduce the actual and perceived level of security.

The case officer therefore considered that due to the location of the property within a residential building containing long term residents who shared communal parking, pend access and shared main entrance and internal hall, use as a holiday let was incompatible with and harmful to the amenity of the occupiers, and was therefore contrary to Policy RCA1. The Planning Adviser clarified that the policy that applied to this site was TC2 not RCA1. However, TC2 contained a similar provision protecting existing housing. The material reason for refusal would therefore be the same.

Turning to the consultation process, the Planning Adviser noted that 13 representations had been made on the application. One was neutral and one was in support of the application, though gave no reason for this, and the remainder were objecting on a variety of grounds including: security, parking, alleged anti-social behaviour, the effect on communal facilities, and that there were too many holiday lets in North Berwick leading to a reduction in the supply of rented housing for permanent residents, a large number of empty properties in North Berwick in the winter and the consequent effect on community spirit in North Berwick.

North Berwick Community Council was consulted and objected due to loss of amenity and security for neighbours. The Council's environmental health and roads services raised no issues. The Council's Anti-Social Behaviour Team checked their records back to 1 January 2020 and did not find any record of calls from Westbay Apartments. Police Scotland were consulted but did not respond.

The Planning Adviser then turned to the applicant's appeal submission which contended that the planning department had not taken a consistent approach to similar applications; and that the successful letting history of the property had not been taken into account, with undue emphasis on exaggerated objections. The applicant believed that setting of precedent was a reason for the refusal and that each application should be considered on its merits. They also stated that letting the property benefitted the economy of the town, the alternative being that the property would sit empty much of the year. They referred to a lack of holiday accommodation, from their own research, and the general support for tourism shown in the Council's Economic Development Strategy and within the LDP. They added that the proposed use supported businesses and the wider community.

The applicant stated that they have notices in the flat regarding dogs, noise and respect for the neighbours. They had given the neighbours contact numbers for any issues, but have had less than five incidents reported in 7 years. They also noted that the Council had received no reports of anti-social behaviour, and the police had not responded to the application. They addressed specific objections regarding movement of luggage and access for cleaners. On security issues, they noted that in any development of this type there would be numerous individuals and organisations that had unaccompanied access to flats and there was no reason to suppose holiday guests or letting agent staff would pose a greater risk. Finally, the applicant considered that their application had not been considered separately from another similar proposal in the same building.

The Planning Adviser concluded her presentation by reminding Members that, should they be minded to grant planning permission, the applicant had stated that they would accept restrictions to protect amenity and the planning case officer had provided suggested conditions.

The Planning Adviser responded to a question from the Chair advising that the new legislation on Short Term Lets, due to come into force in October 2022, did not impact on the determination of this application.

The Chair asked his colleagues to confirm that they had attended the site visit and if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their views on the application.

Councillor Gilbert commented on the common entrance way and garden and the lack of any physical barrier within these shared areas. He agreed with the view of the planning officer that there would be a significant impact on other residents and that this would be in contravention of planning policy. He was minded to uphold the decision of the planning officer to refuse planning permission.

The Chair noted the close proximity to the communal area, the shared access and car parking arrangements. He also believed that the presence of holiday visitors would have an adverse impact on the amenity of residents within the development and he expressed concern about holiday lets being operated without adequate controls where landlords were not in attendance. He did not consider this property to be an appropriate choice for a holiday let and he would be voting to uphold the planning officer's decision to refuse planning permission.

Councillor Collins was concerned that the property had not been well managed as a holiday let and she concurred with her colleague's views regarding loss of amenity and disturbance to neighbours. She was minded to uphold the officer's decision to refuse planning permission.

Decision

The ELLRB agreed unanimously to dismiss the appeal and to refuse planning permission for this application, for the reasons set out in the original decision notice. Subject to the inclusion of reference to policy TC2 in place of policy RCA1.

Signed

Councillor Norman Hampshire
Chair of Local Review Body (Planning)

REPORT TO: East Lothian Council
MEETING DATE: 25 October 2022
BY: Executive Director for Place
SUBJECT: 2022–2027 Council Plan Action Plan

3

1 PURPOSE

- 1.1 To present the 2022–2027 Council Plan Action Plan to Council for approval.





2 RECOMMENDATIONS

Council is asked to:

- 2.1 approve the 2022–2027 Council Plan Action Plan (Appendix 1)
- 2.2 agree that a new set of Top 50 Council Plan indicators will be presented to the Policy Performance and Review Committee for consideration before coming to Council for approval.

3 BACKGROUND

- 3.1 The 23 August Council meeting unanimously approved the 2022–2027 Council Plan and noted that a detailed Action Plan along with proposed Council Plan Performance Indicators would be presented to Council in October 2022.
- 3.2 The Council Plan is based around three overarching objectives and four thematic objectives:

-  **Recovery and Renewal** – recovering from the COVID pandemic by investing in regeneration and a sustainable future
-  **Reduce poverty and Inequality** – supporting our communities to deal with the growing levels of poverty and inequality
-  **Respond to the Climate Emergency** – meeting our net zero climate change targets
-  **Grow our Economy** – increase sustainable and inclusive growth as the basis for a more prosperous East Lothian

- ✚ **Grow our People** – give our children the best start in life and protect vulnerable and older people
- ✚ **Grow our Communities** – give people a real say in the decisions that matter most and provide communities with the services, infrastructure and environment that will allow them to flourish
- ✚ **Grow our Capacity** – deliver excellent services as effectively and efficiently as possible within our limited resources

- 3.3 The Council Plan Action Plan (Appendix 1) sets out the key actions which will deliver the 2022–2027 Council Plan objectives. Delivery of the Plan and its objectives will be carried out predominantly through key strategies and plans, including the:
- Recovery and Renewal Plan
 - Poverty Plan
 - Equality Plan
 - Climate Change Strategy
 - Economic Development Strategy
 - Education Improvement Plan
 - IJB Strategic Plan
 - Local Housing Strategy
 - Local Transport Strategy
 - Financial Strategy
- 3.4 The Action Plan does not include all the actions in these strategies and plans – the first four listed above alone contain 290 actions. So the Action Plan includes the implementation of each of these strategies and plans as single actions.
- 3.5 It should be noted that all strategies and plans require to be agile in order to respond to changing circumstances and evolving risks and financial and legislative contexts such as the cost of living crisis and inflation. Therefore the Council Plan and its Action Plan will be kept under regular review.
- 3.6 A review of the party manifestos under which the Council’s 22 Elected Members were elected in May 2022 has identified around 220 specific commitments. Most of these are already included in existing strategies and plans and are not replicated in the Action Plan. However, the Action Plan has highlighted around 55 commitments as specific actions that will make a major contribution to delivery of the Council Plan.
- 3.7 The Action Plan includes a column which sets out how each action and relevant performance indicators will be monitored and reported on. Rather than create new reporting and frameworks and structures it is proposed that progress with the 68 actions be carried out primarily through the existing reporting mechanisms for the key strategies and plans.
- 3.8 The Annual State of the Council report which is presented to Council at the end of each year will provide a summary of progress with the Council Plan and Action Plan and a review of the Council Plan Performance Indicators.

- 3.9 The Council adopted a set of Top 50 Council Plan indicators to monitor progress with implementing the 2017–2022 Council Plan. Appendix 2 provides the latest update on these 50 indicators, structured around the new Council Plan objectives.
- 3.10 Officers are to review the existing Top 50 indicators to take account of the new Council Plan’s priorities (e.g. the current Top 50 does not include any indicators relating to Recovery and Renewal and has only one indicator specifically related to responding the climate emergency) and the availability of relevant and timely data. It is proposed that the new set of Top 50 Council Plan indicators will be presented to the Policy Performance and Review Committee for consideration before coming to Council for approval.

4 POLICY IMPLICATIONS

- 4.1 This report has no policy implications.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report is not applicable to the well-being of equalities groups and an Impact Assessment is not required.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – no direct financial implications associated with this report.
- 6.2 Personnel – no direct implications on staffing associated with this report.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 Appendix 1: 2022–2027 Council Plan Action Plan
- 7.2 Appendix 2: 2017–2022 Council Plan Top 50 indicators
- 7.3 The 2022–2027 Council Plan; approved by Council, 23 August 2022

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DATE	30 th September 2022

Appendix 1: 2022–2027 Council Plan Action Plan

Ref.	Objective/ Action	Outcome Reporting and Monitoring
Recovery and Renewal		
1	Implement the Recovery and Renewal Plan’s 36 actions under the eight priorities: <ul style="list-style-type: none"> • Support our communities to tackle inequality and social exclusion • Respond to the climate and ecological emergency in accordance with our Climate Change Strategy • Support business, employment and promote inclusive economic growth • Help our children and young people achieve their full potential • Deliver improved connectivity and digital innovation to ensure the most effective use of all our resources • Maintain and develop resilient and sustainable services • Develop our people and future ways of working • Invest in regeneration and a sustainable future 	The Recovery and Renewal Plan is a Partnership plan and its implementation is being monitored and reviewed by the East Lothian Partnership Governance Group The Recovery and Renewal Plan’s monitoring framework includes outcome measures and indicators for each of the Plan’s 36 actions The first annual review will be produced in June 2023
2	Establish a circular economy framework for East Lothian and support Community Wealth Building through an approach to procurement prioritising local jobs and promoting diversity	This is a major new development for the Council which will require a joint approach with key partners such as NHS Lothian and other members of the East Lothian Partnership Progress on this will be reported through the East Lothian Partnership Governance Group and updates to the Council
Reduce Poverty and Inequality		
3	Implement the 49 actions detailed in the East Lothian Poverty Plan under the seven outcomes: <ul style="list-style-type: none"> • Working and free from in-work poverty 	The East Lothian Poverty Plan is a partnership Plan which is being delivered by a multi-agency Working Group that reports in to the East Lothian Partnership Governance Group.

	<ul style="list-style-type: none"> • Financially included - people have access to income maximisation and money advice • Having a decent, affordable, warm and dry home • Educated – reduce the attainment gap and raise the attainment and achievement of our children and young people • Healthy and Well – people in East Lothian are enjoying healthier lives and health inequalities are eliminated • Resilient and Well Connected individuals and communities • Empowered and Responsible 	<p>The Poverty Plan’s monitoring framework includes indicators for each of the Plan’s 49 actions</p> <p>The review of the Plan and its indicators will be produced in Autumn 2023 and reported both to the East Lothian Partnership and the Council</p>
4	<p>Implement the East Lothian Council Equality Plan’s 38 actions based around seven high level equality outcomes</p> <ul style="list-style-type: none"> • East Lothian Council services are accessible to, and will meet the needs of, all in the community including people who share protected characteristics • The gap in educational outcomes for children and young people impacted by socio-economic disadvantage will be closed; and, the health and wellbeing of children and young people with protected characteristics will be improved • Everyone in East Lothian has access to a decent, affordable, warm and dry home • In East Lothian we live healthier, more active and independent lives • People feel safe and experience less crime in their communities, and at home, there is zero tolerance of hate, abuse and violence against women and girls and people feel their communities are inclusive • In East Lothian we are breaking the cycle of poverty so that fewer people experience poverty. • East Lothian Council is an Equal Opportunities employer and our workplace feels inclusive to staff with protected characteristics 	<p>Progress with implementation of the Equality Plan and is carried out through a biennial Equality Outcomes and Mainstreaming Progress report. The next report is due to be published in Autumn 2023</p> <p>This report will review indicators that will be used to assess progress with achieving the equality outcomes</p> <p>A single set of Poverty and Equality Performance Indicators (covering both the Poverty plan and the Equality plan), will be presented for consideration to the Policy Performance Review Committee in early 2023</p>
5	Continue to invest in local CAB services and the council’s Financial inclusion Service	Progress with actions 5-8 be monitored and reported through the Poverty Plan
6	Continue to support the East Lothian Food Bank and other food groups across East Lothian	

7	Target services and resources, led by data and evidence, to those people and areas most in need	
8	Engage with third and voluntary sector organisations to support county-wide networks of community groups	
Respond to the Climate Emergency		
9	<p>Implement the Climate Strategy which includes 170 actions under 29 priority areas and seven outcomes:</p> <ul style="list-style-type: none"> • East Lothian Council will be a Net Zero and sustainable council • Active travel and sustainable travel are used for everyday journeys, to drastically cut emissions from transport and improve air quality • Net Zero, energy efficient homes and buildings that are adapted for a changing climate • A resource efficient and sustainable East Lothian and the route to Zero Waste • A low carbon and sustainable economy • A healthy and resilient natural environment and the route to carbon neutral • East Lothian's communities are places encouraging a low carbon lifestyle and are prepared for the effects of climate change 	<p>The Climate Change Strategy will be reviewed and refreshed to take account of legislative and fiscal changes</p> <p>Progress with the Strategy is reported through the Climate Change Strategy Annual Reports</p>
10	Continue to work to establish East Lothian's 'climate forest' in a way that maximises biodiversity and ensures the resultant green space is open for people to enjoy and accessible to reach by public / active travel transport routes	Progress with this action will be monitored and reported through the Climate Change Strategy
11	Continue to expand the number of electric vehicles in the Council's fleet and to invest in East Lothian's electric vehicle charging points to ensure more than 200 are available by 2023 and explore options for electric cargo bike hire and cargo bike delivery schemes	Progress with this action will be monitored and reported through the Transport Strategy
12	Prepare and deliver a local Food Growing Strategy	Indicators and monitoring arrangements will be agreed when the Strategy is approved

13	In partnership with stakeholders, develop a strategy to address coastal erosion, marine pollution and encourage biodiversity along the coast	Indicators and monitoring arrangements will be agreed when the Strategy is approved
Grow our Economy (Prosperous) – Increase sustainable and inclusive economic growth as the basis for a more prosperous East Lothian		
14	Renew the East Lothian Economic Development Strategy to 2030 and beyond and tie in with the revision of the Local Development Plan and the Regional Prosperity Framework	Indicators and monitoring arrangements will be agreed when the new Strategy is approved
15	Support plans that bring long-term and secure employment and inward investment into the county	Progress with actions 15 - 24 will be monitored and reported through the Economic Development Strategy
16	Ensure Local Development Plan 2 allocates sufficient land for economic development, that is capable of being brought forward for new and expanding business developments at sites across the county	
17	Support and advise East Lothian businesses, including SMEs to recover and grow and work to increase the number of business premises available	
18	Work to ensure that our strategic development sites including the Food and Drink Innovation Hub and the former Cockenzie power station site, attract and facilitate significant investment to deliver new employment opportunities for local people	
19	Support start-up businesses and help successful businesses to expand, create new jobs and develop training opportunities for the workforce	
20	Support the rural economy and encourage rural business development and training for young people	
21	Work with energy companies to ensure as many jobs as possible come to East Lothian via the development of the off-shore windfarms off our coastline	

22	Do all we can to retain highly skilled jobs as Torness power station is decommissioned, promoting local renewable and other energy industry opportunities	
23	Improve the employability of East Lothian's workforce, promoting skills development and training in core sectors and supporting apprenticeship and modern apprenticeship opportunities	
24	Continue to support town centres and help them to remain vibrant and attractive places for people to visit for leisure and shopping	
Grow our People (Fair) – Give our children the best start in life		
25	<p>Reduce the poverty related attainment gap, raise the attainment and achievement of our children and young people and help our children and young people achieve their potential. The Education Service will maintain a relentless focus on raising attainment and improving outcomes for all learners through implementing the Education Progress and Improvement Plan with focus on three priorities:</p> <ul style="list-style-type: none"> • The Curriculum – meeting the needs of all learners by supporting schools to develop a refreshed curriculum rationale shaped by their values and reflecting the new needs of the school and its community • Wellbeing, Equality and Inclusion – ensuring a universal commitment to inclusive practice • Leadership – developing a skilled workforce; leadership of learning; pupil leadership; and Head Teacher leadership and empowerment 	The Education Service Progress and Improvement Plan is reported to Education Committee each November
26	Invest over £136 million in our school estate and infrastructure, including new Primary Schools and extensions or upgrades to schools across the county to meet growing demand in line with the Learning Estate Strategy	Progress with the investment in the school estate and infrastructure is reported to Council through the Quarterly financial reviews
27	Develop the senior phase and the curriculum, including non-academic focussed pathways, to meet the needs for every pupil and make sure there is an appropriate pathway for every child to reach their full potential	Progress with actions 27 & 28 will be monitored and reported through the Education Service Progress and Improvement Plan

28	Ensure appropriate and timely support for those children who have gaps in their learning and need additional interventions to support their development, progress and achievement	
29	Review our Early Years offer to ensure we provide the best start through integrated arrangements with key partners, and working with providers and parents/carers to deliver early learning and childcare in a flexible way	Progress with this action will be monitored through the Education Service Progress and Improvement Plan and the Children's and Young People's Service Plan
30	Support the Scottish Government's commitment to fund year round Breakfast, Lunch and After School Clubs across East Lothian	Progress with this action will be monitored and reported through the Poverty Plan
31	Implement the Children and Young People's Service Plan, including developing whole family support services to provide families whole effective early help	The Children and Young People's Service Plan is a partnership Plan that is delivered through the Children's Strategic Partnership that receives monitoring reports and annual progress reports
32	Continue to promote pupil voice, engagement with Youth Parliament, and develop use of Children's Rights Impact Assessments	
33	Ensure children's rights are placed at the heart of everything we do and incorporate the United Nations Convention on the Rights of the Child into council policies and practices	Progress with actions 32 - 34 will be monitored and reported through the Children's and Young People's Service Plan and the Education Service Progress and Improvement Plan
34	Seek to enhance community children and adolescent mental health services and provide targeted mental health and wellbeing support for children and young people and their families	
35	Implement the recommendations of the Independent Care Review to shift policy, practice and culture to #KeepThePromise to care experienced infants, children, young people, adults and their families that every child grows up loved, safe and respected, able to realise their full potential	Progress with this action will be monitored and reported through the Children's and Young People's Service Plan and the Corporate Parenting Board

36	Embed Trauma Informed Practice into everything we do – recognising the prevalence of trauma such as Adverse Childhood Experiences, and its impact on the emotional, psychological and social wellbeing of people	Progress with this action will be monitored and reported through the Workforce Plan and the Annual State of the Council Report
Grow our People - Improve the life chances of the most vulnerable in our society		
37	Implement the Integration Joint Board's Strategic Plan	Progress with this action will be monitored and reported through the IJB Strategic Plan
38	Support carers and young carers to build resilience in order for them to sustain their caring role	Progress with actions 38 - 43 will be monitored and reported through the IJB Strategic Plan
39	Continue to develop services and facilities to allow people to remain in their own home for as long as it is safe to do so, including working with our NHS partners to further develop the Hospital to Home and Hospital at Home services to get people home from hospital quickly and enable them to stay at home	
40	Develop a long-term care strategy for East Lothian despite the result of the Government's proposed centralised National Care Service	
41	Support the retention of local services such as community hospitals and GP surgeries to be well resourced and appropriate to the needs and size of the community	
42	Work with NHS Lothian to improve access to GP facilities and services in our communities	
43	Support the establishment of a Dementia Meeting Centre in Musselburgh and satellite bases across the county	
44	Work in partnership to provide suitable housing to enable self-care and independent living across East Lothian for older people and people with extra care needs	Progress with this action will be monitored and reported through the IJB Strategic Plan and the Local Housing Strategy

Grow our Communities (Community Minded) – Give people a real say in the decisions that matter most and provide communities with the infrastructure and environment that will allow them to flourish		
45	Implement the Community Learning and Development (CLD) Plan and the Youth Strategy	Indicators and monitoring arrangements will be agreed when the new CLD Plan and Youth Strategy are approved
46	Develop a place based approach to deliver services designed around our local communities, and devolve powers to local levels wherever possible, including to Community Councils and Area Partnerships, and involve citizens in decisions in a meaningful way – fulfilling our commitment to devote at least 1% of our revenue budget to Participatory Budgeting	Progress with this action will be monitored and reported through the CLD Plan and the State of the Council Annual report
47	Provide opportunities for children and young people’s voices to be heard in decision-making to make improvements in their community	Progress with this action will be monitored and reported through the Youth Strategy
48	Continue to work with Volunteer Centre East Lothian to encourage increased levels of volunteering across our communities and community partners, and support East Lothian’s Third Sector, including local social enterprises	Progress with this action will be monitored and reported through the CLD Plan
49	Work with all available stakeholders to implement the Equally Safe Strategy and further support initiatives working towards ending violence against women and girls	Progress with this action will be monitored and reported through the Community Safety and Justice Partnership of the East Lothian Partnership
50	Review the current Local Housing Strategy and complete the development and implementation of the new East Lothian Housing Strategy 2023-2028.	Indicators and monitoring arrangements will be agreed when the new Strategy is approved
51	Invest £116 million in delivering over 700 new council homes and continue working with our Registered Social Landlord partners to deliver over 400 new homes for social rent.	Progress with actions 51 - 54 will be monitored and reported through the Local Housing Strategy
52	Review Council rents to ensure our rent model allows for excellent services to be delivered to tenants as well as provide sustainable growth and investment in existing	

	stock, such as delivering on energy efficiency targets, new kitchens, bathrooms etc. and the delivery of the new council new build housing programme	
53	Continue to explore and identify innovative financial models to maximise opportunities to deliver more affordable housing and increase choice through the delivery of other affordable tenures such as mid-market rent and low cost home ownership.	
54	Continue to maximise funding and invest in homes to improve their energy efficiency to help reduce bills, prioritising the insulation and decarbonisation of all housing, helping to tackle fuel poverty as well as the climate crisis across all tenures.	
55	Review the existing Local Transport Strategy	Progress with the existing Transport Strategy will be reported when the Strategy is reviewed and revised – new Indicators and monitoring arrangements will be agreed when the new Strategy is approved
56	Take actions that aim to meet our climate change targets to reduce car kilometres travelled and emissions from cars	
57	Support the development and expansion of active travel routes and promote health and wellbeing prioritising active travel and public transport links	
58	Work with local bus operators to improve the quality and frequency of local services serving our coastal and rural towns and villages and to higher education institutions	Progress with actions 56 – 60 will be monitored and reported through the Local Transport Strategy
59	Work with communities and rail providers to encourage improvements in local services and facilities at stations and for improvements to the East Coast mainline services	
60	Continue to work with local communities and funding partners on the development of the core path network, including the delivery of the Drem-Gullane path	

61	Prepare, consult on and then adopt Local Development Plan 2, taking account of any Local Place Plans that communities bring forward	The target for adoption of LDP2 is 2025
62	Deliver a revised and updated Open Space Strategy that will ensure provision of quality, useable, accessible local greenspace, enabling access to parks, greenspaces and the natural environment across our communities; and actions to protect and enhance open space / greenspace for people and nature	Indicators and monitoring arrangements will be agreed when the new Open Space Strategy is approved
63	Review, revise and implement the Anti-Social Behaviour Strategy with community based solutions involving community policing, bringing together schools, council, charities as well as organisations and people in the area	Progress with this action will be monitored and reported through the Community Safety and Justice Partnership
Grow our Capacity – Deliver excellent services as effectively and efficiently as possible within our limited resources		
64	Implement the Council's Digital Strategy to enable maximise provision of digital services and digital engagement with customers	Indicators and monitoring arrangements will be agreed when the new Digital Strategy is approved
65	Review, upgrade and replace our technology to keep pace with digital security, stability and integration and support new ways of working and engaging with our citizens through reliable and resilient digital infrastructure	Progress with this action will be monitored and reported through the Digital Strategy
66	Support the provision of improved broadband and seek improved mobile telephony, including in rural areas	Progress with this action will be monitored and reported through Economic Development Strategy and the Digital Strategy
67	Implement the Council's Workforce Plan	Indicators and monitoring arrangements will be agreed when the Workforce Plan is approved
68	Implement the Council's Financial Strategy, ensuring the council continues to take a strategic and prudent approach to financial planning and maintains a rigorous approach to tightly controlling expenditure through a balanced budget; and, keeps Council Tax as low as possible while protecting frontline services	Progress with this action will be monitored and reported through the quarterly financial reviews and the Annual Accounts

APPENDIX 2: 2017-22 Council Plan Top 50 Indicators (September 2022)

Column 5: **Green** – on target and/or improving. **Red** – not on target and or/ worsening. **Orange** – no change. White – latest data not yet available

1	2	3	4	5	6	7
Outcome	Original Ref No.	Indicator	Baseline 2016/17 (or later)	2020/21	2021/22	Target 2022
Reduce Poverty / Inequality/ Poverty						
<i>Reduce Poverty / Inequality/ Poverty</i>	28.	% of children in families with limited resources 'living in a household whose income is less than 70% of median net household income and experiences material deprivation'	8% (2014-16)	N/A	5% (latest available data, 2014-17)	6.5% (2023) National targets – 8% by 2023; 5% by 2030
	29.	% of children living in households with less than 60% of median net household income after housing costs	23.4% (2017)	24.5% (2020)	18.9% (2021) 2022 data not available until July 2023	16% (2023) National targets – less than 18% by 2023; less than 10% by 2030
Respond to Climate Emergency						
<i>Respond to Climate Emergency</i>	39	East Lothian Council's corporate annual carbon emissions (tonnes CO2e)	14,630 (2020)	13,723	Available November 2022	To be confirmed in the Climate Change Strategy
Growing our Economy						
<i>Reduce Unemployment</i>	1.	Job density – proportion of people of working age (16-64) in employment in East	0.55 (2016)	0.55	2021/22 figure not available	0.60

		Lothian (including employed and self-employed)				
	2.	Claimants in receipt of out of work benefits (% of pop aged 16-64)	N/A	4.9% (Mar 21) (S.av: 5.4%)	2.7% (Mar 22) (S. av: 3.4%) 2.1% (Jul 22) (S. av – 3.0%)	0.5% below S. average
	3.	Number of businesses accessing (assisted by) support services; including Business Gateway, East Lothian Works, SDI, and SDP	237	429	2021/22 figure not available	400
Improve the employability of East Lothian's Workforce	4.	Number of people participating in EL Works operated or funded employability programmes	520	138	467	450
	5.	% of people that have participated in Council operated/ funded employability programmes who have progressed into employment	21.3%	21.1%	43.0%	20%
Support the growth of East Lothian's economy	6.	Business base – number of businesses	3,135 (2016)	3,800	2021/22 figure not available	3,300
	7.	Business Gateway start-ups per 10,000 pop	21.7	5.75	Available Nov 2022	
	8.	% of procurement spent on local small/ medium enterprises	23.1%	21%	Available Nov 2022	22%
	9.	Town Centre vacancy rate	5.6%	8.8%	Available Nov 2022	5%
	10.	Land supply immediately available for business growth (sqmt)	55,000	103,000	2021/22 figure not available	155,000 as identified in LDP

Support the faster roll out of Superfast Broadband	11.	% of East Lothian properties with Superfast Broadband (30Mbps - National target)	85%	93.3%	Available Nov 2022	100%
Growing our People						
Reduce the attainment gap and raise the attainment of our children and young people	12	% of pupils from deprived areas gaining 5+ awards at level 5	35%	38.0%	Available Feb 2023	S. Average (42%)
	13.	% of school leavers attaining literacy and numeracy at SCQF Level 5 or above	63.2%	61.3%	Available Feb 2023	S. Average (67.1%)
	14.	% of school leavers attaining 3 or more SCQF at Level six	50.4%	50.4%	Available Feb 2023	S. Average (50.3%)
	15.	School exclusion rate per 1,000 pupils – Secondary and Primary	16.8% (2020)	9.7%	Available Nov 2022	S. Average (26.8)
	16.	% participation rate for 16-19yr olds	93.1%	94.0%	2021/22 figure not available	95%
Improve the life chances of the most vulnerable people in our society – vulnerable children	17.	The % of young people receiving After Care, for whom a destination is known, who are in a positive destination (i.e. Employment, Training or Education)	N/A	50%	52%	53% (2020)
	18.	% of Looked After Children who feel settled where they live (8-17yr olds)	N/A	100%	91%	85% (2020)
	23.	% of eligible 3 & 4 yr olds accessing 600 hours of early learning and childcare (1140 hours from 2020)	N/A	97%	105%	99%
Take concerted action to tackle obesity in children	24.	% of children in Primary 1 who are overweight or obese using epidemiological ('at risk') and clinical ('critical') measurements	At risk: 21.9% Critical: 15.7%	At risk: 21.8% Critical: 14.8%	2021/22 figure not available	At risk: 18% Critical: 13% (2020)

	25.	% of primary school pupils benefitting from at least 2 hours per week of physical education and % of secondary school pupils (S1 to S4) benefitting from two periods of P. E. per week	100% 100%	94% 100%	94% 100%	100% 100%
Improve the life chances of the most vulnerable people in our society – vulnerable adults and older people	19.	% of under 65 with long-term care needs receiving personal care at home	78.9% (2020)	81.4%	83.5%	Target to be agreed
	20.	% of all under 65 non-residential service users receiving care under SDS Options 1, 2 and 3	72.3% (2020)	65.6%	72.5%	Target to be agreed
	21.	% of 65+ with long-term care needs receiving personal care at home	63.5%	58.6%	58.7%	Target to be agreed
	22.	% of all 65+ non-residential service users receiving care under SDS Options 1, 2 and 3	21.8% (2020)	20.7%	18.4%	Target to be agreed
	26.	Number of days people aged 75+ spend in hospital when they are ready to be discharged	3,227 (2020)	2,589	1,594	Target to be agreed
	27.	Emergency/ Unplanned hospital admissions (18+)	7,650	9,340 (2020)	2021/22 figure not available	7,268
Growing our Communities						
Extend community engagement and decision making	30.	% of citizens who ‘Strongly Agree’ / ‘Tend to Agree’ My Council is good at listening to people’s views before it makes decisions (excluding Don’t Knows)	38% (Feb 2017)	44% (June 2019)	13% (Dec 2021)	50%
Increase community and individual resilience	31.	% of citizens who say their neighbourhood is a ‘Very Good’ / ‘Good’ place to live	98% {VG: 74%	98% {VG: 74%	94% {VG: 51%	Maintain level

			G: 24%} (Feb 2017)	G: 24%} (Feb 2017)	G: 43%} (Dec 2021)	
	32.	Proportion of Community Councils with local Community Resilience Plans	10%	60%	40%	75%
	33.	% of citizens who 'Strongly Agree' and 'Tend to Agree' they can rely on a friend/ neighbour to help	91% (Feb 2017)	92% (June 2019)	Question not asked in 2021 survey	Maintain level
Maximise opportunities to increase the supply of affordable housing	34.	Number of affordable house completions and Open Market Acquisitions	279 (2020)	157	126	945 (2018-2023)
	35.	Average number of days taken to re-let properties	30.8 (2020)	51.9	66.2	
	36.	Average time taken to complete non-emergency repairs	12.8	8.2 days	9.2days	
Better and more effective public transport	37.	Number of bus service routes and timetabled journeys	N/A	36 routes and 2,949 timetabled journeys	38 routes	Maintain number of routes and journeys
Increase waste recycling to meet the 2025 target	38.	% of total household waste that is recycled (national targets)	51.8%	52.3%	53.9%	70% (2025)
Support initiatives to reduce crime and anti-social behaviour	40.	% of citizens who feel 'Very Safe' and 'Fairly Safe' walking alone in their local area after dark	85% {VS: 51% FS: 34%} (Feb 2017)	94% {VS: 64% FS: 30%} (June 2019)	Question not asked in 2021 survey	Maintain levels
	41.	Number of anti-social behaviour complaints reported to Police Scotland and the Council	6,648 (2020)	9,317	7,188	2% reduction each year from 7,625 (2019)

Growing our Capacity

<i>Deliver transformational change</i>	42.	Proportion of non-Direct Debit payments, including school payments, undertaken online (at 31 st March)	27.2%	58.5%	72.0%	To be determined
<i>Harness the opportunities technology offers in the provision of services</i>	43.	Number of on-line form transactions completed on Council website	12,813 (2020)	28,578	32,751	To be determined
	44.	Number of care at home clients with Community Alarm, telecare or stand alone telecare devices	28,578	N/A	2021/22 figure not available	Target to be agreed by
<i>Improve attendance management / reduce staff absence</i>	45.	% of employees agreeing that the Council is a great place of work	77.6% (Feb 2017)	80.5% (Oct 2019)	85.9% (Oct 2021)	80%
	46.	Days lost due to absence (FTE)	9.74	5.9	8.1	9.5
<i>Maintain the current rigorous approach to controlling expenditure, ensuring that it continues to 'live within its means' by operating as efficiently as possible</i>	47.	% of income due from Council Tax received by the end of the year	97.6%	95.5%	97.7%	97%
	48.	Gross rent arrears (<i>all tenants</i>) as at 31 March each year as a percentage of rent due for the reporting year	9.4%	5.9%	4.9%	9%
	49.	% of citizens who 'Strongly Agree and 'Tend to Agree' that My Council does the best it can with the money available (excluding Don't Knows)	79% (Feb 2017)	72% (June 2019)	44% (Dec 2021)	Maintain level
	50.	Budget out-turn within 1% of budget	1.79 (2020)	- 4.53%	-2.3%	1%

REPORT TO: East Lothian Council
MEETING DATE: 25 October 2022
BY: Executive Director for Council Resources
SUBJECT: Finance Update

4

1 PURPOSE

- 1.1 To provide Council with the Quarter 1 financial performance which was reported to Cabinet on 27 September 2022
- 1.2 To provide an update on the financial position at the end of August 2022, and a wider review of the financial outlook and current risks.

2 RECOMMENDATIONS

- 2.1 The Council is recommended to:
 - Note the outcome of the Quarter 1 financial performance, which was reported to Cabinet on 27 September 2022.
 - Note the update on key developments since the Quarter 1 report.
 - Note that future financial review reports will go to Council for scrutiny until the financial position improves. The Quarter 2 position will be reported to Council on 13 December 2022.
 - Note the update on the wider financial environment and current risks.

3 BACKGROUND

- 3.1 Given the significant financial challenges facing the Council and following consultation with political group leaders, taking account of the Council's Scheme of Administration, the Cabinet agreed with the Chief Executive's recommendation that financial review reports should be presented to Council for scrutiny until the financial position improves.

- 3.2 The report presented to Cabinet on 27 September 2022 is attached to this report as Appendix 1 with supporting appendices 1a to 1f.
- 3.3 This report seeks to update Council on a number of key issues highlighted in that report and significant developments since the report went to Cabinet in September.
- 3.4 The Quarter 2 financial review will be reported to Council on 13 December 2022 and will include a detailed update on the financial position.
- 3.5 Given the speed at which the external factors which impact on the Council's financial position are changing, this interim report is intended to provide Members with an update on the wider financial environment.

General Services Revenue Update – Period 5

Pay Award

- 3.6 Following a revised pay award for non-teaching staff, the three SJC Trade Unions have completed their ballots with all three in favour of accepting the offer. Once a draft circular has been agreed with the SJC Trade Unions it will be circulated for implementation.
- 3.7 Regarding the funding of the pay award, Scottish Government has announced that an additional £140 million of recurring revenue funding from 2022-23 and an additional £120.6 million of capital funding in both 2022-23 and 2023-24 which will then be baselined as General Revenue Grant from 2024-25 onwards, to support the local government pay offer. East Lothian Council's shares of these funding streams are £2.679m (revenue) and £2.308m (capital) for 2022-23. The residual unfunded element of the pay award is currently £2.4 million for East Lothian Council.
- 3.8 Teachers pay negotiations are ongoing. The 2022/23 budget includes provision of 2% for pay inflation. It should be noted that if the pay settlement for teachers exceeds this level this would exacerbate the existing pressure on revenue budgets.

Utility Inflation

- 3.9 At this stage, it appears that the six-month price cap on businesses utility bills will have no direct benefit on the significant cost pressures being faced by East Lothian Council. This is due to the advance purchase of electricity and gas being at a lower price than the revised price cap.
- 3.10 Forecast continue to show Electricity cost at 25% and gas costs at 160% higher than in 2021/22. It will be necessary to ensure that use of the Council's operational assets is as cost effective as possible and this will continue to be closely monitored given the significance of these increases.

General Inflation

- 3.11 General inflation remains at over 9% and currently shows no sign of abating. Initial analysis indicated that the caps on utility bills would reduce

medium term inflation predictions; however, the recent turbulence in the economy may impact on these projections.

National Insurance Reduction

- 3.12 The recent UK budget announcement indicated the government's intention to reverse the 1.25% increase to National Insurance from 6 November 2022. The full year cost of this increase for East Lothian Council was around £800,000, and the part year saving in 2022/23 from this reduction would be approximately £330,000.

Council Tax

- 3.13 The Joint Valuation Board has contacted a number of East Lothian residents to advise them of the outcome of a banding review of their home. The recurring impact of these adjustments is a reduction in Council Tax income £50,000. Backdated refunds totalling £263,000 have now been made to those affected.
- 3.14 Overall, in-year Council Tax income is forecast to be £313,000 less than expected at Quarter 1; this is due to a reduction in the number of new build completions and lower than expected banding rates of the properties that have been completed.

Additional Scottish Government Funding

- 3.15 Since Quarter 1, the following additional funding has been received from the Scottish Government:
- £579,000 – Whole Family Wellbeing Funding (Children's)
 - £75,000 – Local Heat and Energy Efficiency Strategy
 - £627,000 – Balance of the 2021/22 Teachers Pay Award
- 3.16 These funding streams are to support specific policy objectives so they cannot be used to help alleviate wider pressures on the council's financial position. Further detail on the deployment of this funding will be included in the Q2 report in December.

General Services Capital Summary – Period 5

- 3.17 The updated projection for General Services Capital spend during 2022/23 is £95 million relative to a revised budget of £111 million with £30 million spent to date. As reported in the Q1 Financial Review, this forecast reflects a range of assumptions that are subject to change and may therefore have an impact on the actual position achieved by 31st March 2023.
- 3.18 There is a continuing overarching risk of delays in the supply chain delivery of individual projects, coupled with inflation pressures and cost risks arising from tender prices, and contractor claims on projects in construction.

- 3.19 The wider economic environment and the combined impact of rising interest rates and inflationary pressure present a risk to the overall affordability of the capital programme. It will therefore be necessary to progress a review of the current scope and profiling of projects within the capital programme to ensure that borrowing levels can be managed within affordable limits. An update on this exercise will be included within the Q2 report.

Housing Revenue Account Summary – Period 5

- 3.20 At the end of September 2021, the Housing Revenue Account continues to show a deficit against the revenue budget, with the main pressures remaining in line with those previously reported to Cabinet in the Q1 report attached within Appendix 1.
- 3.21 At this stage, the service expects to spend in excess of £40 million across the Housing Capital Programme. The main risks remain in line as the Cabinet report attached in Appendix 1.

Emerging Pressures and Risks

Interest Rates

- 3.22 Recent turbulence in the economy has given rise to increases in interest rates beyond the expectations made at budget setting stage. This may give rise to adverse impacts on the budget later in the year and almost certainly into future years. Officers are in the process of reviewing the impact of this on the affordability of the capital programme and options to mitigate this.

Capital Accounting Review

- 3.23 The Scottish Government has announced a 12-month delay to the proposed Capital Accounting Review. Due to the scale of the potential impact of this review on the Council's financial position, this remains a significant risk to the Council and we will continue to monitor this closely.

Cost of Living Crisis

- 3.24 The cost of living crisis continues to place additional demands on services across the Council. Applications to the Scottish Welfare Fund have risen sharply, with a 60% increase in the number of applications received in September 2022, compared to the same month in 2021. There is also considerable demand for cost of living assistance payments, with an increase in the number of new claimants to the fund who are experiencing significant difficulties with fuel and food poverty.
- 3.25 The Council has continued to deploy the Local Authority COVID Recovery (LACER) funding, through the allocation of £758,500 to support low-income households. Previously unallocated funding totalling £113,500 will be distributed to support the East Lothian Foodbank, pantry and community kitchens providing hot meals, the Fareshare Hub, and additional welfare support including increased crisis grants.

Homelessness

- 3.26 Increased demand and limited availability for temporary accommodation, compounded by the impact of the Ukraine crisis, continues to place pressure on current year budgets. The Quarter 1 update identified a £300k pressure for this service. We will continue to monitor this closely as demand continues to increase.

Future Year Budget Development

Cross Party Budget Group

- 3.27 The first meeting of the Cross Party Budget Group took place on 20 September 2022. At this meeting, Members considered the role and remit of the group, the current financial outlook and areas for future focus including transformation priorities, the consultation approach and the wider framework for developing budgets and submitting amendments. The next meeting is scheduled for 18 October.

Budget Development

- 3.28 Work to develop to 2023/24 budget is ongoing, and a further report will be brought to Council in December. The financial outlook across the local government sector remains extremely challenging, and external factors including high inflation, economic instability, the cost of living crisis and constrained permanent funding streams through the local government finance settlement continue to create significant pressure and risk to local government finances. These factors present a substantial risk to balancing the Council's budget over the coming years, and we will continue to consider all potential options, including the use of fiscal flexibilities, to support the development of a sustainable financial plan.
- 3.29 Following the chancellor's 'mini budget' announcement on 23 September, the publication date for UK Government's fiscal plans and economic forecasts has been brought forward from 23 November to 17 October 2022, and Scottish Government has confirmed that its budget will be published on 15 December, with a budget review to take place on 24 October 2022. A verbal update on any issues emerging from these announcements will be provided at the meeting, and we will continue to keep Members updated on the implications of these events to the Council through regular financial update reports.

Conclusion

- 3.30 There remain significant financial challenges that the Council will need to address. The Quarter 2 report in December will provide a detailed update on the impact of recent changes in the economy and their impact on the Council's financial position. At this stage, it remains likely that the Council will have to use reserves in excess of the levels planned.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with this report, although, ongoing monitoring and reporting of the Councils 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 – 16 November 2021 – Item Financial Update Report
- 7.2 Council – 1 March 2022 – Item 1 – Budget Development including setting of Council Tax and Council Rent for 2022/23
- 7.3 Council – 1 March 2022 – Item 2 – Budget Proposals on General Service – Amendment Submitted by the Labour Administration
- 7.4 Cabinet – 13 September 2022 (Meeting delayed until 27 September 2022) – Item 1 – Quarter 1 Financial Review 2022/23

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DATE	5 October 2022

REPORT TO: Cabinet

MEETING DATE: 13 September 2022

BY: Executive Director for Council Resources

SUBJECT: Quarter 1 Financial Review 2022/23

1 PURPOSE

- 1.1 To provide an update on the in-year financial position at the end of June 2022.

2 RECOMMENDATIONS

- 2.1 The Council is recommended to:
- Note the financial performance at the end of Quarter 1 in 2022/23 against the approved budgets.
 - Note the impact of inflationary pressures, particularly gas and electricity and the uncertainty over the pay settlement.
 - Note the additional funding received from the Scottish Government to meet specific policy initiatives.
 - Note the range of intervention measures approved by the Council Management Team set out in paragraph 3.20.
 - Note that future financial review reports will go to Council for scrutiny until the financial position improves.

3 BACKGROUND

- 3.1 Council approved the 2022/23 Financial Strategy and associated financial plans on and prior to 1 March 2022. The approved plans included the requirement to use just under £9 million of reserves to balance the 2022/23 General Services budget.
- 3.2 The 2021/22 draft out-turn was reported to Council on 28 June 2022 and the report noted that £1.489 million was being carried forward to 2022/23

to deliver specific policy commitments directed by the Scottish Government including supporting wider COVID recovery.

- 3.3 A number of substantial pressures are emerging across budgets with the most significant relating to utility inflation, general inflation, availability of labour and materials as well as ongoing negotiations over pay, which is likely to see an agreement significantly in excess of the 2% assumed within the 2022/23 budget.
- 3.4 The Council continues to face a high number of significant financial and other risks, which may materialise over the remainder of this financial year.
- 3.5 Within this context, the Finance Service will continue to work with colleagues across services to manage expenditure commitments in 2022/23 and the future implications going forward.

General Services Revenue Summary – Quarter 1

- 3.6 The approved General Services revenue budget for 2022/23 included the following:
- Planned expenditure commitments of around £275 million to support service delivery.
 - A planned drawdown of £8.690 million from General Reserves.
 - Planned recurring service efficiencies of £393,000, a further £150,000 savings from the ongoing review of Council assets and the continued delivery of £2 million relating to the management of staffing budgets.
- 3.7 At the end of June 2022, the Council is reporting a £869,000 overspend (1.6%) in the General Services revenue financial position. This position reflects current increases in utility costs with electricity increasing by 25% and gas by 160% and includes a number of significant contract prices linked to inflation, which is running in excess of 10% and there is potential for this to increase further by the end of the year. This is likely to mean an additional pressure in excess of approved budgeted increases of over £1 million at the end of the financial year. There remains a growing range of uncertainties and financial risks facing the Council the scale of which may be difficult to manage within existing revenue constraints during 2022/23 and beyond.
- 3.8 The reported financial position at the end of June 2022 includes the following:
- The Council's approved budget reflected an increase of 2% in staffing budgets from 1 April 2022, which remained broadly aligned to the public sector pay policy in Scotland. Current projections reflect this position. Trade Unions have rejected this offer from employers, and national negotiations remain ongoing.
 - Additional Scottish Government funding of £140 million is being made available to Scottish Councils on a recurring basis to support all pay claims, including teachers. This funding would cover a pay award up to 3.5%. National discussions remain challenging, and whilst there is

a desire to increase the pay offer to employees, without additional funding from the Scottish Government each additional 1% of pay award across all employee groups costs an additional £1.6 million. The financial implications of pay negotiations will remain a key area of risk and focus for the Finance team during this year and beyond.

- Additional General Resource Grant Funding of £5.898 million to fund a number of Government priorities including, free school meals for Primaries four and five and across the summer holidays and the share of the additional £200 million for Health & Social Care which has been passed on to the IJB in its entirety in line with national direction.
- 3.9 Further information, including a financial risk rating for each service, is set out in **Appendix 1** with further details of the key challenges set out in the narrative below.
- 3.10 The Quarter 1 overspend in the **Education and Children's Directorate** is £748,000 (2.3%), with an Education overspend of £530,000 (1.8%) and a Children's Services overspend of £218,000 (5.6%).

Children's Services, £218,000 over (5.6%)

- The main pressure remains the demand for Residential and External Fostering placements. Currently, despite a recruitment process, there are no foster carers available, which may lead to further external placements being required.
- Despite this, there remains evidence that targeted interventions are having an impact on controlling demand for external placements with more packages of support to keep young people within East Lothian at significantly lower cost. This remains a volatile area and there is evidence that referrals to Social Work are increasing which will put further pressure on the service. As such, there is a risk that demand for services could increase before the year-end, which would affect the financial position.
- A wider strategic review of services provided to children is ongoing.

Education Services, £530,000 over (1.8%)

- Spend is over budget largely due to the significant increase in the cost of gas and electricity. Despite additional provision reflected within the approved budget to support projected increases in utility costs, current projections indicate that utility cost in schools will be over budget by more than £500,000 at the end of the financial year. With further increases predicted, this remains a significant risk to the Council.
- 1140 hours projections indicate that the cost of delivering the service will be within the available budget in 2022/23.
- There remain teacher costs being funded from the Recovery and Resilience fund and an element of spend in East Lothian Works is

being funded from money received in 2021/22, which, in line with guidance, was earmarked in reserves to be used for this purpose.

3.11 The Quarter 1 overspend in **Council Resources Directorate** is £157,000 (1.9%).

- **Finance, £156,000 over (2.6%)** – this mainly relates to additional spend to support applications from the Scottish Welfare Fund to offset the Cost of Living crisis, which will be funded from Reserves as planned.
- The **Corporate Services** position is in line with budget.

3.12 The Quarter 1 overspend in the **Health & Social Care Directorate** is £79,000 (0.6%).

- As noted earlier, an additional £3.841 million has been received as the share of the national £200 million since the budget was approved in March 2022 and this has been passed on in full to the IJB in line with national direction.
- Work is ongoing with colleagues in Health and Social Care to confirm spend commitments around the additional funding received in 2022/23.
- There remain significant pressures in the budget with a continuing growing demand for commissioned services, particularly residential and care at home. The Scottish Government has again extended Sustainability Payments to providers and there is additional funding for this.
- Labour shortages, in common with other areas of the Council, remain a challenge in ensuring that services are fully delivered.
- The majority of this budget is delegated to the IJB, along with a small number of other budgets within Community Housing, the Housing Revenue Account and Housing Capital. IJB budget management is in accordance with the scheme of integration and wider overall IJB resources.

3.13 The Quarter 1 underspend in the **Place Directorate** is £85,000 (0.8%).

- **Development, £119,000 over (43.1%)** – The overspend relates to the previously allocated Business Recovery Fund with £368,000 carried forward to 2022/23, which will be funded from reserves.
- **Housing, £171,000 under (6.7%)** – The underspend largely relates to timing delays relating to the recharges from Property Maintenance. There remains challenges within the service to manage the demands of the wider national resettlement schemes and local housing issues. This remains under close monitoring.
- **Infrastructure, £60,000 under (1.3%)** – While there is currently an underspend there remain a wide range of pressures to manage across

wider Infrastructure services, including recycling levels, completion of the Roads Capital programme, availability of labour and the pressures that severe winter weather would bring.

- **Communities & Partnerships, £27,000 over (0.8%)** – While the service is slightly over budget the service is likely to operate within budget limits.

3.14 The Quarter 1 underspend in the **Corporate Management Budgets** is £30,000 (0.0%).

- The recent increase in interest rates has had an impact in the interest repayment for the year with costs forecast to be £170,000 higher than budgeted. This potentially will have an impact on the affordability of the capital programme going forward and is an area that will continue to be monitored closely. There remains a significant risk that interest rates will continue to increase due to current wider economic circumstances.
- Current year Council Tax collection has remained high in quarter one with collection levels above target. Eligible households received Scottish Government cost of living payments during quarter one in line with national guidance. While this is a strong position, expectations are that many more households will face considerable financial challenges with the expected increase in the energy price cap and inflations running at over 10%, which could have an impact on collection rates.
- To support this the Financial Inclusion Team is supporting residents to maximise income and to identify any underlying entitlement to welfare benefits or other financial support schemes and grants. The launch of the new leaflet “Helping with the cost of living crisis” is being widely publicised by all Revenues Teams, other council services and multi-media outlets to make sure residents are aware of the help and support available to them. Officers are continuing to work with customers to set up flexible and affordable repayment arrangements where they are struggling to meet payments.
- A social media campaign will run from October 2022 to March 2023 to highlight how the Council can help anyone who is struggling over that period with the cost of living. This will include alerts to encourage customers to contact the Council before they reach crisis and a wider promotion of a benefits calculator.

3.15 The Council approved budget includes the requirement to deliver £393,000 of recurring planned efficiencies. Current projections indicate £254,000 of savings are at an amber status. More detail is set out in **Appendix 2**.

3.16 The current budget assumes the recurring delivery of £2 million of corporate efficiencies relating to management of staffing budgets. Current projections indicate that this saving is likely to be achieved in-year but

there remain risks as to the ability to deliver this level of saving on a recurring basis.

Scottish Government Funding

- 3.17 Since budget approval on 1 March 2022 there has been additional funding from the Scottish Government of £5.898 million with £3.841 million of that total passed directly to the IJB. There has been other funding provided to support specific policy initiatives including the expansion of free school meals and Scottish Child Bridging Payments. More detail setting out the updated funding provided by Scottish Government in 2022-23 is in **Appendix 3.**

General Services Revenue Conclusion

- 3.18 The Council is operating within an extremely challenging and complex financial environment and is continuing to face a wide range of uncertainties and ongoing demand pressures for services. There are significant challenges due to a number of factors including the Ukraine War, the UK leaving the European Union, inflation, particularly utilities, labour shortages, supply chain issues and uncertainty over pay settlements. In addition, there remains significant risks relating to the ongoing, Scottish Government led, Capital Accounting Review that is not due to complete until the end of 2023. Despite assurances that there are no pre-determined outcomes, the potential impact could be significant and in addition to the growing and unprecedented range of challenges being faced by the Council.
- 3.19 In recent years, significant amounts of additional funding has been allocated by the Scottish Government during the financial year to support the costs of the pandemic or new Scottish Government policy and which has provided in-year flexibility. It is unlikely that significant additional funding will materialise during 2022/23.
- 3.20 Given the wide range of uncertainties facing the Council and following discussion at CMT, further work is ongoing with services to identify options for reducing costs and an update on progress will be included in future financial update reports. Management have agreed a number of mitigation options and these will continue to be monitored going forward. These include:
- All Council managers are to ensure they deliver their service commitments within their approved budget levels. Any cost pressures will require to be offset with savings elsewhere within their budget where possible.
 - All Council managers are to avoid new and additional purchasing commitments where possible.

- All Council managers to continue to apply workforce management measures including careful monitoring of vacancies and minimising the use of overtime and agency staff where possible.
 - The CMT will continue to oversee the delivery of planned efficiencies and will continue to receive regular reports on the progress of implementing agreed savings plans. Where existing efficiency plans cannot be delivered, alternative efficiencies will need to be identified.
 - In line with the approved budget development framework, the Chief Executive and Chief Financial Officer will manage the use of the Cost Reduction Fund as a means of reducing the Council's cost base through the delivery of planned efficiency savings and therefore reducing budget overspending.
 - Maximising flexibility on all existing funding streams available within the Council.
 - Ensure Council operational assets are utilised in the most cost effective manner to mitigate the impact of rising utility costs.
- 3.21 In addition, the Council will continue to engage in national discussions with COSLA and through professional networks including Directors of Finance and SOLACE to ensure appropriate and sustainable funding is available to Local Government to support the delivery of essential local services.

General Services Capital Summary – Quarter 1

- 3.22 The approved budget for 2022/23 has been updated to reflect carry forward flexibility of £16 million from the closing position at the end of 2021/22, the outcome of which remains subject to the conclusion of the statutory audit. Collectively, these budgets over the 5-year period currently remain within the approved capital financial limits. The ability to maintain this limit remains subject to on-going review given wider external risks including market uncertainties relating to project cost increases and changes to the timing of income projections.
- 3.23 **Appendix 4** shows the approved and updated 2022/23 budgets and expenditure to 30 June 2022, showing spend of £16.903 million relative to the updated gross expenditure budget of £111.310 million.
- 3.24 Latest projections indicate expenditure of around £106 million by the end of the financial year. This forecast reflects a range of assumptions that are subject to change and may therefore have an impact on the actual position achieved at the end of the financial year. Whilst recognising the significance of the capital programme, there remains a wide range of growing external pressures all of which are placing very significant pressure on wider affordability limits. The capital plan remains under close monitoring and review to assess the cumulative financial impact and to consider potential options for mitigation and more details will be included

in future reports. A summary of the key changes since the budget was approved along with some additional risks are set out below:

- External market conditions remain challenging with wider supply and cost pressures. This wider external focus is placing significant additional financial challenges on the current approved capital programme and borrowing levels. Rising material, labour and fuel costs are affecting tender prices. In addition, contracts already in place remain subject to further risk exposure and this remains challenging. Given these collective risks, the affordability of the Capital Programme will need to be reviewed given the current financial environment.
- The Town Centre Regeneration projection has been increased to reflect the additional funding from the 2022/23 Place Based Programme grant. This budget is being spent on a number of workstreams including the ongoing Preston Tower refurbishment.
- Nature Restoration and Replacement Play Equipment projections have increased to reflect additional grant funding from the Scottish Government. A number of Sports and Recreation projects have been re-profiled from future years, fully funded by developer contributions. Further additional funding has also been secured towards the 3G carpet replacements within this budget heading.
- The Cycling, Walking, Safer Streets projection has been updated as additional Scottish Government specific grant funding has been awarded, noting this allocation must be spent within the financial year.
- A number of projections for Education projects have been amended to reflect progress with projects and timing of construction start, primarily Aberlady, Pinkie St. Peters 1140 and Windygoul 1140 extensions. Extensions at North Berwick and Ross High Schools were almost complete at the end of Quarter 1. Several other Education related property projects are currently projected to complete during this financial year.
- Construction of the new A1/QMU junction is ongoing with an expected completion in 2022/23. The Cockenzie link road will not be completed in 2022/23 and the projection has been amended. Property Renewals projection has been increased to include Scottish Government grant for ventilation works.
- The projection for use of developer contributions, early learning 1140 grant and other funding sources are directly linked to the projections of the projects they support. There continues to be ongoing risks around the timing and realisation of planned developer contributions that may put additional strain on borrowing requirements and this position will continue to be closely monitored. The reduction in projected expenditure has also reduced the in-year borrowing requirement.

- 3.25 Despite relatively low levels of current spend in the year to 30 June, many projects are progressing, as reflected in the spend projections.

Housing Revenue Account Summary – Period 3

- 3.26 At the end of June 2021 the Housing Revenue Account is showing a surplus against current budget of £1.252 million, most of which is due a backlog in the recharging of repairs costs. It is expected that the service will be in a breakeven position when the backlog is cleared. Further information is set out in **Appendix 5**.
- 3.27 There remain some pressures with void properties, which is still recovering from the impact of COVID-19 on productivity levels and work is ongoing to rectify. Rent income is currently in line with the budget but will remain under review as the timing of new build completions may have an impact on this position. Rent arrears are at a lower level than at this stage in 2021/22, though the cost of living challenges may have an impact on this going forward. Enhanced debt recovery work is ongoing to support tenants who are experiencing difficulties in paying rents and as noted earlier in the report, a range of support is available to tenants suffering financial hardship.
- 3.28 In line with the existing financial strategy, the council will maximise any flexibility arising from revenue balances during 2022/23 to minimise the future impact of debt charges.
- 3.29 Details of the Housing Revenue Account capital budgets and expenditure incurred to date are set out in **Appendix 6** of this report. The total capital budget approved for HRA was £42.179 million. At the end of June 2022, actual spend was £6.958 million, considerably higher than the £4.313 million at this stage in 2021/22.
- 3.30 At this stage, the service expects to spend in excess of £40 million across the Housing Capital Programme. There are a number of risks to that being achieved including availability of labour, supplies and materials and the impact should there be an increase in COVID or similar over the Autumn / Winter period.

Conclusion

- 3.31 Given the significant financial challenges facing the Council, the Chief Executive, in conjunction with the Chief Financial Officer, has undertaken consultation across all political group leaders. Taking account of the Council's Scheme of Administration, the Chief Executive has agreed that all financial update reports going forward will go to Council for scrutiny until the financial position improves.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy implications associated with this report, although, ongoing monitoring and reporting of the Councils 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 – 16 November 2021 – Item Financial Update Report
- 7.2 Council – 1 March 2022 – Item 1 – Budget Development including setting of Council Tax and Council Rent for 2022/23
- 7.3 Council – 1 March 2022 – Item 2 – Budget Proposals on General Service – Amendment Submitted by the Labour Administration

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Appendix 1
 East Lothian Council
 Budget Monitoring 2022/23 - Period 3

Service	Head of Service	Business Unit	2022/23 Budget	Year to Date			2021/22 Budget Variance to Date	Financial Risk Assessment
				2022/23 Actual to Date	2022/23 Budget to Date	2022/23 Budget Variance to Date		
				£'000	£'000	£'000		
Education & Children's	Children's	Performance & Service Delivery	1,209	278	299	-21	-7.0%	
Education & Children's	Children's	Management	4,570	893	559	334	59.7%	
Education & Children's	Children's	Assessment HUB and Early Interventions	2,538	607	608	-1	-0.2%	
Education & Children's	Children's	Long Term Social Work Supervisory Groups	2,402	540	582	-42	-7.2%	
Education & Children's	Children's	TAC, Disability & Resources	6,423	1,679	1,732	-53	-3.1%	
Education & Children's	Children's	Disability Short Breaks	707	135	134	1	0.7%	
EDUCATION & CHILDREN'S	CHILDREN'S TOTAL		17,849	4,132	3,914	218	5.6%	
Education & Children's	Education	Additional Support for Learning	11,083	6,148	6,179	-31	-0.5%	
Education & Children's	Education	Pre-school Education & Childcare	16,660	7,551	7,735	-184	-2.4%	
Education & Children's	Education	Schools - Primary	48,438	3,616	3,483	133	3.8%	
Education & Children's	Education	Schools - Secondary	49,487	9,529	9,424	105	1.1%	
Education & Children's	Education	Schools - Support Services	5,038	1,713	1,491	222	14.9%	
Education & Children's	Education	East Lothian Works	1,362	1,137	852	285	33.5%	
EDUCATION & CHILDREN'S	EDUCATION TOTAL		132,068	29,694	29,164	530	1.8%	
EDUCATION & CHILDREN'S TOTAL			149,917	33,826	33,078	748	2.3%	
Council Resources	Finance	Financial Services	1,827	748	765	-17	-2.2%	
Council Resources	Finance	Revenues & Benefits	6,600	5,330	5,172	158	3.1%	
Council Resources	Finance	Procurement	349	84	69	15	21.7%	
COUNCIL RESOURCES	FINANCE TOTAL		8,776	6,162	6,006	156	2.6%	
Council Resources	Corporate	IT Services	3,162	642	668	-26	-3.9%	
Council Resources	Corporate	Legal	394	106	118	-12	-10.2%	
Council Resources	Corporate	People & Governance	5,350	1,387	1,347	40	3.0%	
Council Resources	Corporate	Communications	434	127	128	-1	-0.8%	
COUNCIL RESOURCES	CORPORATE TOTAL		9,340	2,262	2,261	1	0.0%	
COUNCIL RESOURCES TOTAL			18,116	8,424	8,267	157	1.9%	
Health & Social Care Partnership	Head of Operations	Adult SW	36,603	7,645	9,109	-1,464	-16.1%	
Health & Social Care Partnership	Head of Operations	Acute & Ongoing Care	8,191	1,903	2,048	-145	-7.1%	
Health & Social Care Partnership	Head of Operations	Rehabilitation	1,697	486	419	67	16.0%	
Health & Social Care Partnership	Head of Operations	Adult Statutory Services	2,587	908	832	76	9.1%	
Health & Social Care Partnership	Head of Operations	Statutory Services	2,296	1,074	669	405	60.5%	
Health & Social Care Partnership	Head of Operations	Head of Operations	11,930	715	-355	1,070	301.4%	
Health & Social Care Partnership	Head of Operations	Business & Performance IJB	2,990	739	747	-8	-1.1%	
HEALTH & SOCIAL CARE PARTNERSHIP	IJB TOTAL		66,294	13,470	13,469	1	0.0%	
Health & Social Care Partnership	Head of Operations	Business & Performance Non-IJB	540	348	270	78	28.9%	
HEALTH & SOCIAL CARE PARTNERSHIP	Non-IJB TOTAL		540	348	270	78	28.9%	
HEALTH & SOCIAL CARE PARTNERSHIP TOTAL			66,834	13,818	13,739	79	0.6%	
Place	Development	Planning	1,263	270	246	24	9.8%	
Place	Development	Economic Development	1,654	125	30	95	316.7%	
PLACE	DEVELOPMENT TOTAL		2,917	395	276	119	43.1%	
Place	Housing	Housing, Strategy & Development	254	172	161	11	6.8%	
Place	Housing	Property Maintenance Trading Account	-863	1,960	2,218	-258	-11.6%	
Place	Housing	Community Housing	2,406	263	187	76	40.6%	
PLACE	HOUSING TOTAL		1,797	2,395	2,566	-171	-6.7%	
Place	Infrastructure	Facility Support Services	3,863	589	657	-68	-10.4%	
Place	Infrastructure	Facility Trading Activity	-276	-2,108	-2,070	-38	1.8%	
Place	Infrastructure	Asset Planning & Engineering - Paul ianetta	3,374	915	913	2	0.2%	
Place	Infrastructure	Asset Planning & Engineering - Eddie Reid	-475	-36	16	-52	-325.0%	
Place	Infrastructure	Landscape & Countryside Management	5,667	1,662	1,651	11	0.7%	
Place	Infrastructure	Roads Network	4,827	650	646	4	0.6%	
Place	Infrastructure	Roads Trading Activity	-562	-10	-72	62	86.1%	
Place	Infrastructure	Transportation	1,584	350	364	-14	-3.8%	
Place	Infrastructure	Waste Services	9,750	1,923	1,923	0	0.0%	
Place	Infrastructure	Active Business Unit	3,729	621	588	33	5.6%	
PLACE	INFRASTRUCTURE TOTAL		31,481	4,556	4,616	-60	-1.3%	
Place	Communities & Partnerships	Corporate Policy & Improvement	1,632	242	168	74	44.0%	
Place	Communities & Partnerships	Connected Communities	6,485	2,099	2,093	6	0.3%	
Place	Communities & Partnerships	Protective Services	1,915	139	154	-15	-9.7%	
Place	Communities & Partnerships	Customer Services Group	3,925	1,142	1,180	-38	-3.2%	
PLACE	COMMUNITIES & PARTNERSHIPS TOTAL		13,957	3,622	3,595	27	0.8%	
PLACE TOTAL			50,152	10,968	11,053	-85	-0.8%	
SERVICE TOTAL			285,019	67,036	66,137	899	1.4%	
CORPORATE MANAGEMENT TOTAL			-285,019	-121,967	-121,937	-30	0.0%	
TOTAL			0	-54,931	-55,800	869	1.6%	

Appendix 2

East Lothian Council

2022/23 Budget Efficiencies - Period 9

Service	2022/23		
	Achieved	Amber	High
	£'000	£'000	£'000
Education	0	0	0
Finance	0	0	0
Corporate Services	10	10	0
H&SCP	0	0	0
Housing	8	0	0
Communities	30	0	0
Infrastructure	91	94	0
Corporate Management	0	150	0
Total	139	254	0
	35.37%	64.63%	0.00%

393

Appendix 3

East Lothian Council

Budget Monitoring 2022/23 - Additional Funding from the Scottish Government

	£million
2022/23 GRG (per Budget Amendment)	195.103
<hr/>	
Additional Funding - GRG	
<hr/>	
Universal Free School Meals (future years TBC)	0.947
Free School Meals School Holiday Support (future years TBC)	0.303
Additional Investment in H&SC (share of £200m)	3.841
Scottish Child Bridging Payments	0.646
Summer Holiday Provision for Primary School Children	0.161
<hr/>	
Total Additional Funding	5.898
<hr/>	
Revised GRG	201.001
<hr/>	

Appendix 4
 East Lothian Council
 General Services Capital Budget Monitoring Summary 2022-23
 as at 30 June 2022

	RAG	Annual (in-Year)							Projected Outturn - Funding					
		Approved Budget 2022/23	Carry Forward 2021/22	Updated Budget 2022/23	Actual 2022/23	Updated Budget-Actual Variance 2022/23	Projected Outturn 2022/23	Updated Budget - Projection Variance 2022/23	Developer Contribution	1140 Grant Income	Town Centre Regeneration Grant	Other Funding Sources	Projected Outturn 2022/23 - Funding	General Capital Grant / Council Borrowing
		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Expenditure														
Community Projects														
Community Intervention	G	375		375	(82)	(457)	375	-						(375)
Community Intervention Fund - Pump Tracks	G	125		125	-	(125)	125	-						(125)
Bleachingfield Centre Remodelling Works	G	90		90	-	(90)	90	-				(90)		-
Dunbar Conservation Area Regeneration Scheme (CARS)	G	196	90	286	-	(286)	286	-				(146)		(140)
Support for Business	G	1,544	714	2,258	363	(1,895)	2,258	-						(2,258)
CCTV	G	150	228	378	-	(378)	378	-						(378)
Town Centre Regeneration	G	823	452	1,275	77	(1,198)	1,992	717				(1,992)		-
Total Community Projects		3,303	1,484	4,787	358	(4,429)	5,504	717				(236)		(3,275)
ICT														
IT Programme & Digital Opportunities	G	2,100		2,100	359	(1,741)	2,100	-						(2,100)
Total ICT		2,100		2,100	359	(1,741)	2,100							(2,100)
Fleet														
Amenties - Machinery & Equipment - replacement	G	230		230	32	(198)	230	-						(230)
Vehicles	A	5,041	512	5,554	1,832	(3,722)	4,527	(1,027)						(4,527)
Total Fleet		5,271	512	5,784	1,864	(3,919)	4,757	(1,027)						(4,757)
Open Space														
3G Pitch Carpet Replacement Programme	G	500		500	-	(500)	600	100				(211)		(389)
Cemeteries (Burial Grounds)	A	439	500	939	7	(932)	439	(500)						(439)
River Tyne / Haddington Flood Protection scheme	G	300	15	315	-	(315)	315	-						(315)
Coastal / Flood Protection schemes - Musselburgh	G	1,642	269	1,912	(136)	(2,047)	1,912	-						(1,912)
Coastal Car Park Toilets	G	14	68	81	38	(43)	112	30				(40)		(72)
Core Path Plan	G	50	9	59	-	(59)	59	-						(59)
Mains Farm Town Park & Pavilion	G	12	26	38	-	(38)	38	-						(38)
Nature Restoration	G	-	43	43	-	(43)	153	110						(153)
Replacement Play Equipment	G	100		100	-	(100)	208	108						(208)
Polson Park	G	160		160	-	(160)	160	-						(160)
Sports and Recreation LDP	G	1,361		1,361	3	(1,359)	1,985	624	(961)			(924)		(100)
Waste - New Bins	G	172		172	18	(154)	172	-						(172)
Waste - Machinery & Equipment - replacement	G	40		40	5	(35)	40	-						(40)
Total Open Space		4,791	930	5,720	(64)	(5,784)	6,193	472	(961)			(1,174)		(4,057)
Roads, Lighting and related assets														
Cycling Walking Safer Streets	G	472	30	502	4	(498)	721	219				(721)		-
East Linton Rail Stop / Infrastructure	G	1,520	1,518	3,038	-	(3,038)	3,038	-						(3,038)
Parking Improvements	G	110	120	230	46	(184)	230	-						(230)
Roads	G	6,700	293	6,993	468	(6,524)	6,993	-						(6,993)
Roads - externally funded projects	G	1,729		1,729	341	(1,387)	1,729	-	(69)			(1,660)		-
Drem - Gullane Path	G	30		30	-	(30)	30	-				(30)		(30)
Total Roads, Lighting and related assets		10,561	1,961	12,522	860	(11,662)	12,741	219	(69)			(2,411)		(2,480)
Property - Education														
Aberlady Primary - extension	A	1,698	716	2,413	1	(2,412)	1,200	(1,213)	(200)	(17)				(217)
Blindwells Primary - new school	G	3,227	(11)	3,216	-	(3,216)	3,216	-	(1,210)					(1,210)
Craighall Primary - New School	G	4,298	(6)	4,292	-	(4,292)	4,292	-	(3,149)					(3,149)
Dunbar Grammar - extension									(131)					(131)
Dunbar Primary - John Muir Campus - Early Learning and 1140	G	-	24	24	8	(15)	24	-		(24)				(24)
East Linton Primary - extension including Early Learning and 1140	A	324	-	324	-	(324)	300	(24)	(147)					(147)
Elphinstone Primary - extension	A	77	200	277	-	(277)	77	(200)						(77)
Gullane Primary - extension including Early Learning and 1140	G	-	702	702	-	(702)	702	-	(312)					(312)
Haddington School (Infants & St. Mary)	G	26	25	51	-	(51)	51	-	(51)					(51)
Kingsmeadow Primary	G	26	25	51	-	(51)	51	-	(51)					(51)
Law Primary - extension including Early Learning and 1140	A	2,890	524	3,415	601	(2,813)	3,415	-	(427)	(3,119)				(3,546)
Letham Primary - New School	G	-	120	120	-	(120)	120	-						(120)
Macmerry Primary - extension	G	157	(1)	156	1	(154)	156	-	(194)					(194)
Musselburgh Grammar - upgrades	G	284	128	412	249	(164)	412	-						(412)

East Lothian Council
General Services Capital Budget Monitoring Summary 2022-23
as at 30 June 2022

	RAG	Annual (In-Year)							Projected Outturn - Funding					
		Approved Budget 2022/23	Carry Forward 2021/22	Updated Budget 2022/23	Actual 2022/23	Updated Budget-Actual Variance 2022/23	Projected Outturn 2022/23	Updated Budget - Projection Variance 2022/23	Developer Contribution	1140 Grant Income	Town Centre Regeneration Grant	Other Funding Sources	Projected Outturn 2022/23 - Funding	General Capital Grant / Council Borrowing
Expenditure		£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
North Berwick High School - Extension	A	1,445	1,638	3,083	429	(2,654)	3,083	-	(3,092)				(3,092)	9
Ormiston Primary - extension	A	374	638	1,012	361	(651)	1,012	-	2				2	(1,014)
Pinkie St Peter's Primary - sports hall extension	G	1,454	633	2,087	200	(1,887)	2,087	-	(871)				(871)	(1,216)
Pinkie St Peter's Primary - extension including Early Learning and 1140	A	2,970	625	3,596	488	(3,107)	2,596	(1,000)	(2,596)				(2,596)	-
Preston Lodge High School - extension (phase 1)	G	248		248	-	(248)	248	-	(334)				(334)	86
Prestonpans Primary - upgrades	G	3		3	-	(3)	3	-	(3)				(3)	-
Ross High School - extension	A	1,273	104	1,377	240	(1,136)	1,377	-	(1,271)				(1,271)	(105)
School Kitchens - 1140 Upgrades	G	-		-	5	5	5	5	(5)				(5)	-
St Gabriel's Primary - extension including Early Learning and 1140	G	648	94	742	196	(545)	742	-	(142)	(366)			(508)	(234)
Wallyford Primary - New School	G	-	59	59	-	(59)	59	-					-	(59)
Wallyford Learning Campus	G	18,545	1,256	19,801	6,175	(13,626)	19,801	-	(437)				(437)	(19,364)
West Barns Primary - extension including Early Learning and 1140	G	1,590	204	1,794	468	(1,326)	1,794	-	(422)	(931)			(1,353)	(441)
Whitecraig Primary - new school including Early Learning and 1140	G	185	123	309	24	(284)	309	-	(269)	(40)			(309)	-
Windygoul Primary - Early learning and 1140 extension	G	1,063	(53)	1,010	-	(1,010)	10	(1,000)		(10)			(10)	-
Windygoul Primary - extension	G	900		900	838	(62)	900	-					-	(900)
Total Property - Education		44,035	8,090	52,125	10,285	(41,840)	48,692	(3,433)	(12,711)	(7,106)	-	-	(19,817)	(28,875)
Property - Other														
Accelerating Growth		11,696	3,006	14,702	1,778	(10,924)	12,702	(2,000)				(4,746)	(4,746)	(7,956)
- Cockenzie	A	3,000		3,000	5	(2,995)	1,000	(2,000)				(1,000)	(1,000)	-
- Blindwells	G	91	183	273	(30)	(303)	273	-				(85)	(85)	(188)
- Innovation Hub	G	1,006	324	1,330	67	(1,263)	1,330	-				-	-	(1,330)
- A1/QMU Junction	G	7,599	2,499	10,098	1,736	(8,363)	10,098	-				(3,661)	(3,661)	(6,437)
Brunton Hall - Improved Community Access	G	200		200	-	(200)	200	-					-	(200)
Court Accommodation - incl. SPOC	G	1,749		1,749	-	(1,749)	1,749	-					-	(1,749)
Haddington Corn Exchange - upgrades	G	16		16	-	(16)	-	(16)					-	-
Haddington Town House - Refurbishment and Rewire	G	300	117	417	137	(280)	417	-					-	(417)
Meadowmill - New Depot	G	-	25	25	27	2	25	-					-	(25)
New ways of working Programme	G	1,995		1,995	6	(1,989)	1,995	-					-	(1,995)
Prestonrange Museum	G	2,279	205	2,484	-	(2,484)	2,484	-				(633)	(633)	(1,851)
Property Renewals	G	3,000		3,000	87	(2,913)	3,099	99				(99)	(99)	(3,000)
Replacement Childrens House	G	802		802	-	(802)	802	-					-	(802)
Sports Centres	G	200	172	372	207	(166)	372	-					-	(372)
Tynebank Resource Centre	G	-		-	-	-	13	13				(13)	(13)	-
Water meter size reduction	G	14		14	-	(14)	14	-					-	(14)
Whitecraig Community Centre	G	-	49	49	-	(49)	49	-					-	(49)
Total Property - Other		22,251	3,574	25,825	2,241	(23,585)	23,922	(1,904)	-	-	-	(5,492)	(5,492)	(18,430)
Total Property Spend - Education and Other		66,286	11,664	77,951	12,526	(65,424)	72,614	(5,336)	(12,711)	(7,106)	-	(5,492)	(25,309)	(47,306)
Capital Plan Fees	G	2,447		2,447	-	(2,447)	2,447	-					-	(2,447)
Total Gross Expenditure		94,759	16,551	111,310	15,903	(95,407)	106,355	(4,955)	(13,741)	(7,106)	(1,992)	(9,313)	(32,152)	(74,202)
Income														
Developer Contribution	A	(11,190)	(2,103)	(13,293)			(13,741)	(448)						
1140 Grant Income	G	(8,190)	(308)	(8,498)			(7,106)	1,392						
1140 CFCR from Revenue														
Town Centre Regeneration Grant	G	(823)	(452)	(1,275)			(1,992)	(717)						
Other Funding Sources	A	(9,401)	(1,426)	(10,827)			(9,313)	1,515						
Scottish Government General Capital Grant	G	(9,044)	-	(9,044)			(9,262)	(218)						(9,262)
Total Income		(38,648)	(4,289)	(42,938)			(41,414)	1,524						
Borrowing Requirement	A	56,110	12,262	68,372			64,940	(3,432)						64,940

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. Notification of change in projection - delays, risks or known increases in costs, gross up for funding awards.

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

Funding

The Projected Outturn - Funding column shows the total external funding per budget line excluding General Capital Grant.

Appendix 5
 East Lothian Council
 Budget Monitoring HRA 2022/23 - Period 3

	2022/23 Budget £'000	2022/23 Actual to Date £'000	2022/23 Budget to Date £'000	2022/23 Budget Variance to Date £'000
Total Income	-34,711	-8,670	-8,666	-4
Total Expenditure	33,025	2,534	3,782	-1,248
(Surplus) / Deficit for Year	-1,686	-6,136	-4,884	-1,252

	2022/23 Budget £'000
Management of Balances	
Opening (Surplus) / Deficit	-1,748
CFCR	1,500
(Surplus) / Deficit for Year	-1,686
Closing (Surplus) / Deficit	-1,934

Appendix 6
East Lothian Council
Budget Monitoring HRA Capital 2022/23 - Period 3

	2022/23 Budget	2022/23 Actual to Date	2022/23 Budget to Date	2022/23 Budget Variance to Date
	£'000	£'000	£'000	£'000
Modernisation	14,421	1,275	3,605	-2,330
New Council Housing	26,068	5,683	6,517	-834
Fees	1,410	0	0	0
Mortgage to Rent	280	0	0	0
TOTAL	42,179	6,958	10,122	-3,164

Funded By:

	2022/23 Budget	2022/23 Actual to Date	2022/23 Budget to Date	2022/23 Budget Variance to Date
	£'000	£'000	£'000	£'000
Grants	-6,500	-2,396	-1,625	-771
Grants MTR	-196	0	0	0
CFCR	-1,500	0	0	0
Borrowing	-33,983	0	0	0
TOTAL	-42,179	-2,396	-1,625	-771

REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Executive Director for Place

SUBJECT: Musselburgh Flood Protection Scheme – Update on Scheme Development

5

1 PURPOSE

- 1.1 To update Council on progress made in a number of key areas in advancing the development of the Musselburgh Flood Protection Scheme (the Scheme) and in respect of specific recommendations at the Council meeting in August 2022, and to seek Council approval and authorisation of key elements of project work.

2 RECOMMENDATIONS

- 2.1 It is recommended that Council:
- a) Notes the work undertaken to achieve a full and final review of the Scheme’s Hydrology, the development of the Hydraulic ‘Model C’ to ensure the Scheme is applying the best approach to modelling the flood risk to Musselburgh.
 - b) Approves the defined flood risk as the relevant flood risk to the town of Musselburgh, and authorises the Scheme to now go and determine the flood defences, and thereby the standard of protection, through which the flood risk to Musselburgh can be reduced, noting that the appropriate defences will be evolved through consultation.
 - c) Notes the work undertaken on the incorporation of the Ash Lagoons Seawall into the Scheme including the Options Appraisal Process and the identification of an emergent ‘Preferred Option’ including its range of estimated costs.
 - d) Approves the Scheme Timeline for the advancement of the Outline Design, including the presentation of the prepared Outline Design for review and approval by a meeting of Council at the end of that timeline.

- e) Notes the revised estimate for the £42.1M Preferred Scheme, as approved by Cabinet in January 2020, to £43.5M – which is revised due to the loss of time to programme due to COVID-19 pandemic and inflation between 2020 and 2022.
- f) Notes the inclusion of £122k of 100% grant allocated new budget from the Sustrans funded Places for Everyone ‘Musselburgh Active Toun’ project to allow the Scheme’s Project Team to work in partnership with that multiple-benefits project.
- g) Notes the high level upper-bound estimate of £52.4M which includes Optimism Bias in line with HM Treasury Green Book, for the emerging ‘Preferred Option’ for the Ash Lagoons Seawall – which will allow the asset to continue to function as a waste containment system whilst also being redesigned to achieve both flood protection and active travel multiple-benefits.
- h) Approves the Scheme’s Strategic Communications Plan.
- i) Approves the Scheme’s Consultation Plan for the Outline Design.

3 BACKGROUND

3.1 The project presented a report to update on Scheme development to Council in August 2022, and recommended that further work be undertaken in a number of areas with a further update provided to Council in October 2022 – this report provides all of those updates.

3.2 Flood Risk to Musselburgh

3.2.1 On behalf of the Scheme, and thereby the Council, Jacobs have undertaken a full review of all appropriate guidance alongside the public concerns towards ‘Model B’. The process of this review, the revised determination of the appropriate Scheme Hydrology, and the resultant ‘Model C’ including its flood maps – have been documented in a Technical Report produced by Jacobs. This is provided as Appendix A to this report.

3.2.2 The Scheme previously set a Project Objective of aspiring to protect against the 0.5% Annual Exceedance Probability (or AEP) Flood Event (plus an allowance for climate change) – the Project Objectives Report was presented to Cabinet in January 2020. The Scheme continues to consider that protection against the 0.5% AEP Flood Event is the minimum Standard of Protection that should be provided to Musselburgh. This is referred to as the ‘present-day flood risk’ in this report. The flood event of August 1948, as experienced in Musselburgh, was equivalent to this event. This is also the event considered as a minimum for a standard property planning application.

3.2.3 Flood Risk is however not fixed: it changes over time, and due to the impact of climate change flood risk in Scotland is projected to increase.

3.2.4 Increased flood risk due to climate change is accounted for within the Scheme's Hydrology by the determination of an allowance for climate change, and 'Model C' has taken a revised approach to this compared with 'Model B', with the following notable changes being made:

- a) The Scheme has produced flood maps for both the present day flood risk and the future with climate change flood risk. Previously the Scheme's 'Model B' flood mapping published the more onerous 'with climate change' scenario. In producing the two sets of flood maps we secure the following: (i) a clarification of the major flood risk that Musselburgh has today; (ii) a presentation of the very much worse 'credible worst-case flood risk' that Musselburgh is expected to be facing by 2100; and (iii) it provides the Project Team with a range of risk so that through the Outline Design, the Scheme may evolve the appropriate flood protection defences against a flood risk within this range. The appropriate defences will be evolved through consultation and may include future-flexibility of a lesser standard of protection if the outcome of the design is that aesthetics and landscape impacts are of more importance to Musselburgh compared with the reduction of the defined flood risk. Future flexibility refers to the potential to increase the level of flood defence measures in the future, should the need be determined.
- b) In 'Model B' the time-duration considered for climate change was 100 years so that it aligned with the design life of any flood defences being designed as part of the Scheme. In so doing it was required to extrapolate forward the UKCP18 Climate Change projections for the sea from 2100 until 2125. In 'Model C' the time-duration is not being continued past the date of 2100: the date of 2100 is therefore used in the 'credible worst-case flood risk'. This addresses a concern of the public that the 'Model B' approach to climate change was looking too far into the future. This change has resulted in the flood risk defined in 'Model B' being reduced – the coastal allowance for increase in sea levels are reduced from 1.24m to 0.86m.
- c) The recommendations of the new SEPA guidance (i.e. *Climate Change Allowances for Flood Risk Assessment in Land Use Planning – Version 2, (SEPA, 2022)*) which allows Local Authorities to underpin their land use planning decisions with the best evidence available, have been accepted within the 'credible worst-case flood risk' within 'Model C'. It is a requirement for a flood risk assessment associated with a development and / or a Planning Application to consider these climate change allowances. It is therefore appropriate for this up-to-date information to inform the 'credible worst-case flood event' for Musselburgh to be considered within the 'credible worst-case' scenario. This change has resulted in the flood risk defined in 'Model B' being increased. Within the Version 2 Guidance the coastal level increases do not change: but the fluvial (River Esk) allowance increases from plus 40%, onto 'present-day' flow, to plus 56%.

3.2.5 The outputs from 'Model C' have been examined by the Project Team and a suite of maps have been developed in the Scheme's GIS System to

present the impact of these flood events to Musselburgh. These maps are provided as Appendix B to this report.

3.2.6 'Model C' has modelled the risk from three different sources of flood risk, namely: (i) the Firth of Forth (i.e. Coastal); (ii) the River Esk (i.e. Fluvial); and (iii) the Pinkie Burn (i.e. Fluvial). The probability of these events happening at the same time is not considered. Each event has its own flood map and thereby a definition of the area of inundation and number of properties flooded by the event. The Scheme will work to remove the flood risk from the three events. For simplicity of presentation the individual maps have been 'blended' into one flood map to define the whole area of flooding in Musselburgh from the three events being looked at. Within the Jacobs report (i.e. Appendix A) and within the additional flood maps provided in Appendix B, examples of both individual and blended maps are provided.

3.2.7 The 'Blended' 'Present-Day' Flood Risk to Musselburgh (0.5% AEP Flood Event) will impact on 923 properties in Musselburgh. This includes: the whole of the High Street and large areas of the town centre; the whole of the Eskmills Business Area; areas of the Racecourse and the Old Golf Course; parts of the Ash Lagoons; the grounds of Pinkie Primary School; Loretto School; one Scottish Water Wastewater Pumping Station; the SGN (i.e. the company who looks after the gas network in Scotland) area Gas Governor; many care homes; and all businesses and residential dwellings in that flooded area.

3.2.8 The 'Blended' 'Credible Worst-Case' Flood Event to Musselburgh (0.5% AEP Flood Event plus the defined allowance for climate change) will impact on 2,962 properties in Musselburgh. This includes: the whole of the town centre; the whole of the Eskmills Business Area; the Racecourse; the Old Golf Course; the Ash Lagoons; the Brunton Theatre; Pinkie Primary School; Fisherrow Harbour; Loretto School; the Bus Depot; three Scottish Water Wastewater Pumping Stations; the SGN area Gas Governor; many care homes; and all businesses and residential dwellings in that flooded area.

3.3 Including the Ash Lagoons Seawall in the Preferred Scheme

3.3.1 Further to being directed by the Council meeting in August 2022 to include the Ash Lagoons Seawall in the Scheme, Jacobs commenced an Options Appraisal Process (OAP). This is equivalent to the Options Appraisal Process undertaken for the Scheme during its Project Stage 3 (named 'The Options Appraisal Process') back in 2019.

3.3.2 At this point the OAP is not fully concluded by Jacobs; however, they have produced an Intermediate Assessment report to summarise the process thus far. This report is provided as Appendix C to this report.

3.3.3 The OAP has undertaken the development of a long-list of options, option consideration, and engagement with the Scheme's Regulatory Working Group (the Roads, Structures & Access Working Group), and then identified a Short-List of Options. At this point a, small number of options are being considered, one of which will become the Preferred Option.

Once the OAP is fully completed Jacobs will present a final report to the Scheme on the conclusion of the OAP. That Preferred Option will then continue into the Outline Design process.

3.3.4 Further to Section 3.3.3 of this report, it is highlighted that the Project Team has been able to identify the most likely preferred option through working with: (i) the Council Team advancing the confidential Seawall Negotiation with Scottish Power; (ii) senior Council Managers; and (iii) under the oversight of the Scheme's Project Board. For the purpose of this report this option will be known as the 'emerging preferred Seawall option'. This is option 'A7' as defined in the Jacobs Technical Report, and it produces the estimated cost of £52.4M for advancing this option that has been analysed and presented through Section 6.1(b) of this report.

3.3.5 The Project Team will continue to advance the incorporation of the Seawall into the Preferred Scheme and Outline Design. In so doing the Scheme will work to achieve the three parallel deliverables (multiple-benefits) associated with this investment, namely:

a) Continuation of its primary environmental function to contain the waste ash.

b) Provision of new, formal, flood protection within the Scheme.

c) Provision of a new active travel pathway along the 2.7km length of the Seawall just inside the existing concrete wall. This carries significant benefit for Musselburgh and wider communities.

3.3.6 It is highlighted that the 'emerging preferred Seawall option' (i.e. option A7) is to undertake works to extend the life of the existing asset, and not the 'Advance the Line' or 'Retreat the Line' options identified in the long-list of options. It is considered that this approach, of significant intervention on the existing structure, provides the best potential for minimising the overall environmental, carbon, and construction impacts etc. – all of which will be assessed by the Scheme's Environmental Impact Assessment which still requires to be undertaken.

3.3.7 The Scottish Power Ash Lagoons Seawall, is already beyond its design life of 50 years, and it will require significant investment to extend its life with or without the flood protection scheme.

3.3.8 Further to Section 3.3.5 of this report, it is also highlighted that the Ash Lagoons Seawall is already functioning as a flood defence, and that its continued functioning and enhancement is essential for flood risk reduction to Musselburgh in the long-term.

3.4 The Scheme Programme and a Timeline for the Outline Design

3.4.1 One key concern identified through the consultation and reported to Council in August 2022 was that the project has been 'off-programme' for some time as a result of the COVID-19 Pandemic. This is now addressed by the development of a revised programme.

- 3.4.2 The Scheme Programme is driven by the Contractual Work Activities, Key Milestones, and all Timescales / Dates within the Contract Programme that exists between Jacobs and the Council.
- 3.4.3 The Project Team has developed a new, graphically designed, timeline to illustrate the key Scheme activities / processes and points in time where key decisions will be required. The Timeline for the Outline Design is provided as Appendix D to this report.
- 3.4.4 The Project Team have also developed a similar Timeline for all further stages of the project (i.e. Project Stage 5 through to Project Stage 9). These graphic illustrations are all intended for publication on the Scheme Website during week commencing Monday 25 October 2022.
- 3.4.5 It is highlighted that the timescales / estimates of time for all activities up until the moment of Scheme Publication are considered to be a reasonable projection of assumed timescales, based on experience from the delivery of other Scottish flood protection schemes. From the moment of the Scheme's Publication the project is capable of travelling down multiple pathways as defined in the Flood Risk Management (Scotland) Act 2009, including a Public Local Inquiry (PLI) – therefore the Timeline provided is based on a pathway that does not include a PLI. In the event of a PLI, or other alternative pathway at that point in time, the Timeline will be revised.
- 3.4.6 The Scheme Programme will now include all key dates defined in the Timeline, and will continue to be revised under the responsibilities of the existing contracts and under the oversight of the Project Board.
- 3.5 The cost of delivering these projects and thereby the Scheme
- 3.5.1 The project that set out to deliver a flood protection scheme in 2016 was estimated at £8.9M. In January 2020 the Preferred Scheme was valued at £42.1M – as previously reported this financial change was driven by the massive increase in flood risk from the sea deriving from projected sea-level rise as identified through UKCP18. The project is now bringing together three separate individual projects: (i) the flood protection scheme; (ii) the Ash Lagoons Seawall future-proofing; and (iii) parts of the Musselburgh Active Town project. The emerging total cost of these estimates is therefore not comparable with the estimates previously stated for the Scheme.
- 3.5.2 The project is being advanced under a PRINCE2 Project Management System, and therefore at any point in the delivery of the project the Council is only liable for the costs authorised within the stage that is open. The project is currently working within Project Stage 4, and this stage is being managed by the Project Board, including the management of the budget delivery which has an estimate of its cost based on the latest best available information. Furthermore, the Scheme is being designed through a process of consultation to evolve the best flood protection scheme possible for Musselburgh within the constraints of the finance available. This will remain under review as the Scheme design evolves.

- 3.5.3 It is essential that the project can define its Total Scheme Cost, or delivery budget, for the purposes of its: Business Case; grant funding management; and financial management systems: notwithstanding this is an estimated cost. The project undertakes this through standard estimating techniques and assumptions which are overseen by the Scheme's Project Board. This is in line with the approach of all schemes on the national flood protection scheme programme advanced under the Flood Risk Management (Scotland) Act 2009.
- 3.5.4 Further to authority provided by Cabinet in January 2020, and Council in August 2022, the Scheme is advancing its development working with external partners to achieve multiple-benefits in Musselburgh – e.g. with the Musselburgh Active Toun project; with Scottish Power regarding their Ash Lagoons Seawall; and regarding Musselburgh River Restoration. This partnership working is now yielding real benefits in relation to emerging blended designs where parallel projects overlap. The first such specific financial change is in relation to the Musselburgh Active Toun and is detailed in Section 6.1(b) of this report.
- 3.5.5 The Scheme is at a point in its timeline where it is extremely difficult / impossible to provide a full update on the Total Scheme Cost. The finances associated with the Seawall continue to sit within the confidential negotiation that is ongoing between the Council and Scottish Power. The process of exploring joint-deliverability between the Scheme and the Musselburgh Active Toun projects is only commencing. This report has therefore endeavoured to provide an update on each of the currently anticipated project funding streams within Section 6 of this report.
- 3.5.6 Further to Section 3.5.5 of this report, it is highlighted that the estimated cost of the project can be considered to be changing constantly as the design is evolving. The estimates provided are considered to be upper-bound estimates as they include an allowance for Optimism Bias which is derived from the guidance of the HM Treasury 'Green Book'. A full update on the Total Scheme Cost will be provided to Council at the end of the Outline Design. This will include a full report on the available sources of funding that are required for East Lothian Council to deliver that Scheme, including a continued assumption that the Scottish Government will continue to fund 80% of scheme costs.

3.6 The Strategic Communications Plan

- 3.6.1 The Scheme's approach to communication has evolved as the scale of the project has expanded. The Scheme provided a full update to Council in August 2022 on the development of the Strategic Communications Plan in response to the COVID-19 pandemic, and in particular the new communication tools it developed (e.g. the Scheme Website etc.).
- 3.6.2 The Strategic Communications Plan has been revised since August 2022 to take into account the direction of travel of the project as determined by the authority deriving from Council at that August meeting. This revised plan is provided as Appendix E of this report.

3.7 The Consultation Plan for the Outline Design

3.7.1 Further to the amendment to the recommendations to the August 2022 Council report the Project Team have prepared a Consultation Plan for the Outline Design. This new plan is provided as Appendix F of this report.

3.8 The Next Steps

3.8.1 The Project Team will advance the development of the Scheme's Outline Design through the timescales and key decision points identified in the Timeline for the Outline Design. This will be undertaken through a continuation of the design consultation process that has been successfully used to date, and through the specific approach defined in the Consultation Plan for the Outline Design.

3.8.2 At the end of the development of the Outline Design the Scheme will present the outcome to Council for approval. This will include a full revision of the Total Scheme Cost.

4 POLICY IMPLICATIONS

4.1 The Flood Risk Management (Scotland) Act 2009 places a statutory responsibility on the Local Authority to exercise their flood risk related functions with a view to reducing overall flood risk and complying with the EU Floods Directive. A key responsibility is the implementation of the flood risk management measures in the Local Flood Risk Management Plan.

4.2 The Scheme will contribute towards The East Lothian Plan – 2017-27 focusing on health and wellbeing, safety, transport connectivity, sustainability and protecting our environment.

4.3 The Scheme will support the Council's Climate Change Strategy; however, it is highlighted that this project is an 'adaptation' project due to implications of climate change on Musselburgh.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The Scheme will undergo an Integrated Impact Assessments during its development.

5.2 A Preliminary Environmental Appraisal Report (PEA) was undertaken during Project Stage 3 (the Outline Design), and this was included in the Preferred Scheme Report presented to Cabinet in January 2020.

5.3 The Scheme will undertake an Environmental Impact Assessment on the Outline Design. This will be presented to Council alongside the developed Outline Design at the end of this stage (i.e., Stage 4 – 'Outline Design'), which is now estimated at January 2024 as per the Timeline for the Outline Design which is detailed in Section 3.4 of this report.

6 RESOURCE IMPLICATIONS

6.1 Financial -

- (a) The concept named the 'Preferred Scheme' was estimated to cost £42.1M in advance of the report to Cabinet in January 2020. This cost was defined in Q2-2019 and was index linked to the Scheme Programme at that time. This cost has been reviewed and at this point the only revision that has been deemed to be appropriate to make is to re-baseline the costs relative to the Q2-2022 index. This revision to the estimated costs is due to the loss of time relative to the programme, and this is primarily due to the COVID-19 Pandemic impact, alongside inflation over the 2020 to 2022 period. These are considered one-off time losses, however they highlight the risk of cost impact due to time loss. The revised estimate is £43.5M.
- (b) The Council is currently advancing a parallel project named 'Musselburgh Active Toun'. There is a direct overlap between these two projects in Musselburgh, and as previously reported to Council this is a key multiple-benefit for the Scheme. Due to the workload being advanced by the Scheme's Project Team to assist the Musselburgh Active Toun project, £122k of new grant funding has been provided by that project to the Scheme. This new money is provided at a rate of 100% by Sustrans from their 'Places for Everyone' grant fund, therefore there is no financial implication for the Council in this internal movement of budget.
- (c) The Project Team working with Jacobs have developed an estimated cost of £52.4M for the 'emerging preferred Seawall option' for the Ash Lagoons Seawall. This is estimated relative to Q2-2022 prices and is thus considered an equivalent cost to the revised Preferred Scheme estimate stated in Section 6.1(a) of this report. This element of work will simultaneously deliver multiple-benefits and thus outcomes for the ash waste containment, the flood protection scheme and the active travel network. Just now the final determination of the income matrix to fund this estimated cost is not yet concluded, and it is linked to the confidential negotiation being undertaken between the Council and Scottish Power. It is however confirmed that the Council will only ever lock-in a cost that is affordable by the Council. It is confirmed that just now the Council needs to: (1) advance the confidential negotiation; and (2) develop the Outline Design – so that it is better empowered with the numbers associated with all of this so that it can make a final recommendation to future meeting of Council.
- (d) In accordance with the confirmed Scottish Government Flood Protection Programme, the Government will contribute 80% of the eligible costs of the Total Scheme Cost, which will be confirmed when the Construction Works Contract is signed. Within the PRINCE2 Project Management System being applied by this project this is at the end of project Stage 7 (which is named 'Construction Procurement').

- (e) The Scheme is already authorised under the Scottish Government’s flood protection scheme programme. The Project Team and thereby the Council update the Scottish Government every autumn on the updated estimate for the Total Scheme Cost and its Spend Profile. From this data, and in line with the authorised programme, it is assumed the Council receive the 80% contribution on an annual basis as part of the capital grant settlement.
- (f) It is highlighted that, in accordance with the Scheme’s PRINCE2 Project Management System, that at any point in the delivery of the project the Council is only liable for the costs authorised within the stage that is open.

6.2 Personnel - None

6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Report to Cabinet in May 2016 – approval of the Local Flood Risk Management Plan (Forth Estuary) which included a proposed flood protection scheme for Musselburgh.
- 7.2 Report to Cabinet in January 2020 – approval of the ‘Preferred Scheme’ concept to be advanced to an Outline Design.
- 7.3 Report to Council in August 2022 – Update on Scheme Development.

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Determination of present-day and credible worst-case flood risk in Musselburgh

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Introduction

Musselburgh Flood Protection Scheme (the Scheme) is being promoted by East Lothian Council (ELC) under the Flood Risk Management (Scotland) Act 2009 (The Act). Jacobs was appointed by ELC in December 2017 to develop a scheme for Musselburgh to reduce flood risk from all sources of flooding. The project is being delivered in stages under PRINCE2 Project Management principles and is currently in Stage 4 Outline Design.

The purpose of this technical note is to definitively state what Musselburgh's flood risk is today, and what the credible worst-case flood risk could be by 2100 due to the effects of climate change. The analysis will consider the flood risk due to a 0.5% Annual Exceedance Probability (AEP) event, also known as a 1 in 200-year flood event¹. The analysis of this particular flood event derives from the Scheme's objectives, which state an aspiration to provide a level of protection against an event of this magnitude. The intention is for this technical note to accompany a report to Full Council² and to seek its approval of the flood risk maps contained herein as a true reflection of Musselburgh's present and future flood risk.

Due to the scale and complexity of Musselburgh's flood risk, it is considered appropriate to seek Full Council's approval of this risk. Thereafter, it is acknowledged that Full Council³ has empowered the Project Board to select the Scheme's response to that risk. This response is known as the Scheme's 'standard of protection'. Once the outline design of the entire Scheme has been completed, it will then be returned to Full Council to seek its approval to proceed to stage 5 of the project – the statutory approvals process under The Act. Only once the Scheme successfully passes through the statutory process, can it be formally 'Approved' under the Act by either ELC or, if required as a result of feedback to the statutory consultation process, the Scottish Ministers.

¹ A 1 in 200 year event refers to an event which has a 1 in 200 chance of occurring in any given year. This is known as the event's return period and is the inverse of its annual exceedance probability. i.e. 1 divided by 200 = 0.005, or 0.5%.

² Full Council is the collective term for all East Lothian Council's elected members, of which four represent the Musselburgh ward.

³ The empowerment of Project Board to take decisions during each stage of the project was confirmed by Full Council on 23rd August 2022.

Consultation Feedback and Media Coverage

During 2022 some members of the public have provided feedback which suggests a lack of acceptance or misunderstanding of Musselburgh’s flood risk, and this has been compounded by some aspects of media coverage. Some have also suggested that protecting against the possible worst-case effects of climate change up to 2125 would be overly conservative because the international community may succeed in intervening to limit global temperature rises before then.

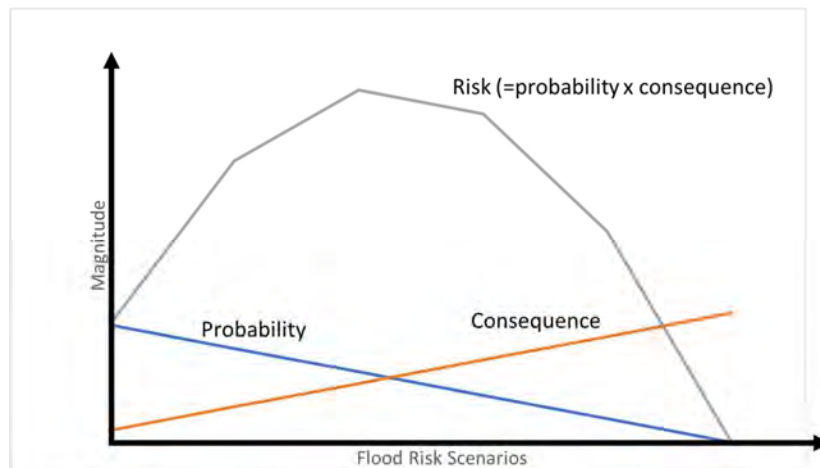
For the avoidance of doubt, Jacobs is satisfied that the hydrology⁴ on which its hydraulic model is based was, and remains, correct and appropriate. Notwithstanding this, advice relating to climate change continues to evolve. This technical note aims to provide greater clarity to Full Council and the public about the distinction between flood risk and standard of protection, as well as between present-day flood risk and the possible future risks due to the effects of climate change.

Flood Risk

A risk is a potential event which can be characterised by its probability (how likely it is to occur within a specific timeframe) and consequence (the degree of harm inflicted by it). Flood risk is the potential for a specific location to be flooded by a storm of defined magnitude and AEP. Floods of small magnitude can be considered more likely to occur frequently but with lower consequences, whereas floods of greater magnitude as less likely to occur frequently but with greater consequences. Flood risk can also vary with time due to changes in climate and land use (McBain, 2014). Where multiple higher probability, low consequence flood events occur in a town, the cumulative impact of these can still have a significant impact on the community. This applies particularly to members of the community who are more vulnerable or less resilient to the effects of flooding.

In a sense, communities like Musselburgh can be considered at risk from an infinite combination of flood risk scenarios along a sliding scale (

Figure 1). Risk is measured as the product of probability and consequence. A flood event with high probability and low consequence can therefore have the same level of risk as an event with low probability and high consequence (Mockett and Simm, 2002). Protecting against the higher consequence event will also protect against the lower consequence event with the same level of risk, whereas only protecting against the lower consequence event will not provide any protection against the high consequence event.



⁴ Hydrology is the scientific study of the river flows, rainfall, and sea levels which together form the input data for the hydraulic model. The model, meanwhile, is a computer representation of the physical geography of Musselburgh. It includes the shape of the river channel and the floodplain on which the town is built, together with information about surface roughness and other parameters. The hydrology is then ‘run’ through the model under different scenarios to determine how far the floodwater would spread and how deep it would be.

Figure 1: Sliding scale of flood risk

Musselburgh has multiple sources of flood risk: fluvial (from watercourses such as the River Esk and the Pinkie Burn), pluvial (surface water resulting from rainfall), coastal (high tide levels and wave overtopping), and groundwater. A river gauging station on the River Esk has recorded water levels since the 1960's. This is owned and operated by the Scottish Environment Protection Agency (SEPA). The water level remains predominantly within a certain range, and occasionally extreme water levels, either high or low, can occur in response to rainfall or drought. The resulting dataset can therefore be used to calculate the probability of a specific water level being exceeded during any given year, based on how frequently it has occurred in the past. That relationship between water level and probability can also be extrapolated beyond the time period of the dataset to estimate the probability of extreme events which have never been recorded.

Musselburgh has experienced flooding in the past, with the largest recorded fluvial event occurring in August 1948 (see Figure 2) – the so-called Muckle Flood which devastated parts of south-eastern Scotland and north-east England. That flood was approximately a 0.5% AEP event, and indications of the water depths and flooded areas from that event were used to validate Jacobs' hydraulic model for the Scheme. Furthermore, Jacobs' hydraulic model uses SEPA's historical dataset from the River Esk gauging station as the basis of the fluvial flooding scenarios. In general, the onset of fluvial flooding begins between the 20% and 10% AEP events, with out of bank flooding first occurring at the Eskmills Industrial Estate.



Figure 2: Flooding on New Street, looking towards Fisherrow (1948)

A tidal gauging station is also located within Musselburgh which has recorded tidal levels since approximately 2006. Musselburgh has experienced coastal flooding in recent years, albeit on a smaller scale than the 1948 fluvial flood event. A high tide coinciding with a storm surge can cause flooding to originate on the tidal stretch of the River Esk, on its west bank near Loretto Newfield. At present, flood events of low magnitude at this location can be contained by deploying ELC's temporary defences (see Figure 3). Without temporary defences in place, the event of December 2013 (equivalent to a 4% AEP event) could have resulted in flooding across Loretto Newfield and towards Mountjoy Terrace as shown in Figure 4.



Figure 3: High tide plus storm surge flooding at Loretto Newfield, contained by ELC temporary defences (December 2013)

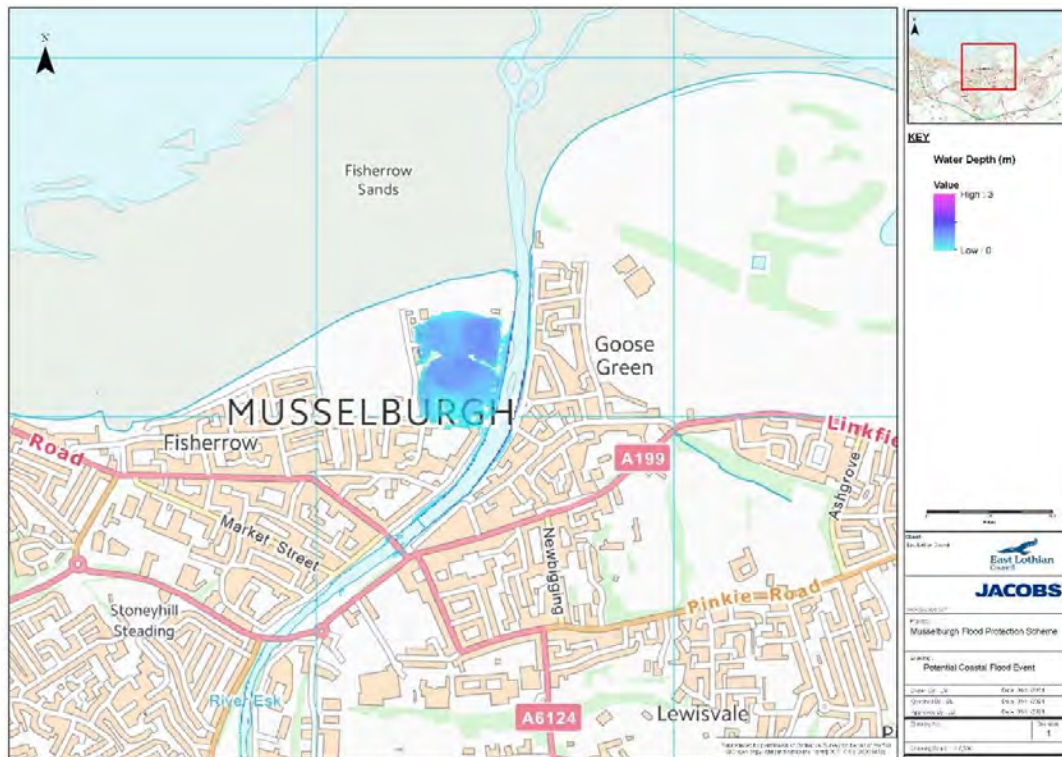


Figure 4: Potential flooded area of December 2013 flood event if temporary defences had not been deployed

Standard of Protection

Flood risk management involves assessing flood risk and providing flood risk reduction measures in response. Examples of flood risk reduction measures include constructing flood storage reservoirs, flood barriers, and surface water pumping stations. The Standard of Protection of a flood risk reduction measure can be thought of as the most extreme flooding scenario that it is designed to protect against. This means that those measures will protect against floods of smaller magnitude, but that they will be overwhelmed if a flood occurs which is greater than they were designed for. ELC has established a scheme objective for the Scheme to provide a standard of protection equivalent to the 0.5%AEP flood event (plus an allowance for climate change).

Flood events which are greater than a flood risk reduction measure is designed to protect against are known as exceedance events. The risk associated with these exceedance events is known as the residual flood risk and it is important to understand that Musselburgh will always have some degree of residual flood risk as it is built on the River Esk and coastal flood plains. The purpose of a flood protection scheme is to reduce the residual flood risk to a broadly acceptable level. Mockett and Simm (2002) noted that the resources required to reduce the risk beyond this level are *"grossly disproportionate to the [additional] risk reduction achieved"*.

The standard of protection to be provided by this Scheme can only be selected once the level of flood risk is accepted.

Current Guidance on Climate Change

Musselburgh has a present-day risk of flooding, and climate change would have the effect of increasing that risk. This is because a rise in global atmospheric temperature would lead to a rise in sea level (primarily due to melting polar ice and thermal expansion of the oceans), and an increase in river flows (primarily due to greater rainfall intensity because of the capacity of a warmer atmosphere to hold more water vapour). All these factors would increase flood risk to Musselburgh. This increase in flood risk means that a flood of a given magnitude would become more likely to occur in the future than it would today. It also means that a flood with a specific likelihood would have greater magnitude in future than it would today. There are many different scientific predictions of how much the global temperature will increase by over the next century, all of which are based on the assumed amount of carbon emitted globally each year.

These predictions are known as climate change scenarios, which in the UK are defined as Representative Concentration Pathways (RCP). These are defined within the United Kingdom Climate Projections 2018 (UKCP18), (MET Office, 2018). The RCP scenarios include a wide range of assumptions regarding population growth, economic development, technological innovation and attitudes to social and environmental sustainability. The different RCP scenarios and the corresponding increase in global mean temperature over the 21st century is shown in Table 1.

Table 1: Increase in global mean surface temperature compared to pre-industrial period

RCP	Change in temperature (°C) by 2081-2100
RCP2.6	1.6
RCP4.5	2.4
RCP6.0	2.8
RCP8.5	4.3

Whereas probability, based on SEPA's historic water level data, can be associated with Musselburgh's flood risk in the present day, the same is not true for the effects of climate change. This is because the effects of climate change may be influenced by the actions of the global community in the future. The Paris

Agreement⁵ aimed to limit global warming to well below 2, preferably 1.5 degrees Celsius compared to pre-industrial levels. If agreements such as this are successful, then the effects of climate change in the future may be less extreme or may take longer to occur. Unfortunately, the intended nationally determined contributions of the Paris Agreement's signatories suggests, "that we are currently on a higher emissions pathway than 2°C" (SEPA, 2022). Jacobs has no view as to the probability or timescale of any emissions scenario occurring, and therefore any allowance included within the Scheme for the effects of climate change is considered separate and distinct from its standard of protection.

In May 2022, SEPA published *Climate change allowances for flood risk assessment in land use planning - Version 2*, (SEPA, 2022). This superseded version 1 of the guidance (SEPA, 2019). SEPA (2022) sets out recommended allowances for climate change that can be used for flood risk assessment. It is intended for use by developers and planning authorities, to assist them in making appropriate land use planning decisions.

The allowances use RCP8.5. This is the emissions scenario used in the Intergovernmental Panel on Climate Change's (IPCC) 5th Assessment report (IPCC, 2014). For RCP8.5 the best estimate global average temperature rise is 4.3°C above pre-industrial levels by 2100. Global temperature rise is currently on the trajectory of this scenario, and without further international intervention to mitigate climate change, this could be considered a reasonable outcome.

The SEPA (2022) allowances can be used to increase the values of peak river flow, peak rainfall intensity and sea level rise used in the assessment of flood risk for a given location. For Musselburgh, which lies within the Forth river basin, a 56% increase in peak river flow and a 39% increase in peak rainfall intensity to the year 2100 are recommended. A 0.86m cumulative sea level rise from 2017 to 2100 is also recommended.

During a meeting between the project team and SEPA in July 2022, SEPA acknowledged that these allowances, "use a fairly precautionary scenario," [RCP8.5] which is, "probably not appropriate for economic appraisal of flood schemes as it is likely to increase costs and may overestimate future benefits." The precautionary allowance, however, provides adequate an unambiguous guidance to property developers who may have less expertise in flood risk assessment. The technical background paper to SEPA (2022) also states that,

"Potential flood risk management measures are... likely to require assessment against a number of different future scenarios and timescales including a credible worst case – so although use of the same climate change projections... is also recommended for flood schemes, it is not recommended that flood protection measures are solely tested against a single climate change allowance."

Furthermore, it states that,

"The adaptability of measures should be tested against a range of emissions scenarios, probability levels and timeframes, including a reasonable worst case."

Consequently, these allowances stated are considered by Jacobs to represent a 'credible worst case' for Musselburgh.

Evolution of the Scheme's Flood Model

Jacobs' hydraulic model has evolved since it was first created. This has been done to incorporate new data, comply with changes in guidance, and acknowledge feedback from the public. As a result, the associated flood risk maps have changed over time.

The assessment of flood risk in Musselburgh commenced during Stage 3 of the project, with the production of 'Model A' in 2018. This was replaced in 2020 by Model B to incorporate new gauge data from SEPA, revised climate change guidance, and improved catchment schematisation. In 2022 this was replaced by Model C, the current and most up-to-date flood model for Musselburgh. This latest revision incorporated further changes to climate change guidance, improved coastal survey data, and improved schematisation to better reflect coastal flooding mechanisms.

⁵ The Paris Agreement is a legally binding international treaty on climate change, which was adopted by 196 parties at COP 21 in December 2015.

Models A and B considered flood risk as far ahead as the 2125 epoch. This was done to align the allowance for climate change with a 100-year design life for the Scheme. The design life is the length of the time that any flood defence structure is designed to last before having to be replaced. A 100-year life is an industry standard for structures of this nature.

In contrast, Model C only considers flood risk as far as the 2100 epoch. This was done in recognition of public feedback about greater uncertainty associated with climate change projections into the next century. The 2100 epoch also aligns with SEPA's latest climate change guidance. Whilst considering an earlier epoch had the effect of reducing the apparent coastal flood risk to Musselburgh, this was more than offset by increases to the uplifts for peak fluvial flow and peak rainfall intensity contained in the latest climate change guidance. As a result, the blended flood risk maps shown in the later sections of this technical note indicate an overall increase in flood risk to Musselburgh compared to those previously published, which were based on Model B.

Present-day Flood Risk

The flood risk maps in this section represent the latest results from Jacobs' hydraulic model utilising baseline conditions for the present-day scenario. Baseline refers to the flooded area which could occur without the Scheme in place. Present day means the flood which could occur now, in the current era, without any allowance for climate change. The flood risk extent has been determined using the most up to date topographical, hydrological and hydraulic modelling information.

Figure 5 represents the area which would be flooded by a flood event on the River Esk, which has a 0.5% probability of occurring in any given year. This event would flood 920 properties⁶. Figure 6 represents the area which would be flooded by a high tide plus storm surge from the Forth estuary, and which has a 0.5% probability of occurring in any given year. This event would flood 115 properties through tidal inundation along the Esk and wave overtopping along the coast. Figure 7 represents the area which would be flooded by a flood event on the Pinkie Burn, which has a 0.5% probability of occurring in any given year. This event would flood one property. Figure 8 represents the blended flood envelope of the three aforementioned events. This identifies that 923 properties in Musselburgh are currently at risk from a 0.5% AEP flood event on either the River Esk, Forth Estuary or Pinkie Burn. The blended map does not represent all three scenarios happening simultaneously, as the probability of that occurring is infinitesimally small.

⁶ Throughout this document, the number of properties affected in each flooding scenario were derived from the number of Basic Land and Property Units (BLPUs) located within the flood extent for that scenario. These property numbers were provided to Jacobs by ELC and are accepted *prima facie*.

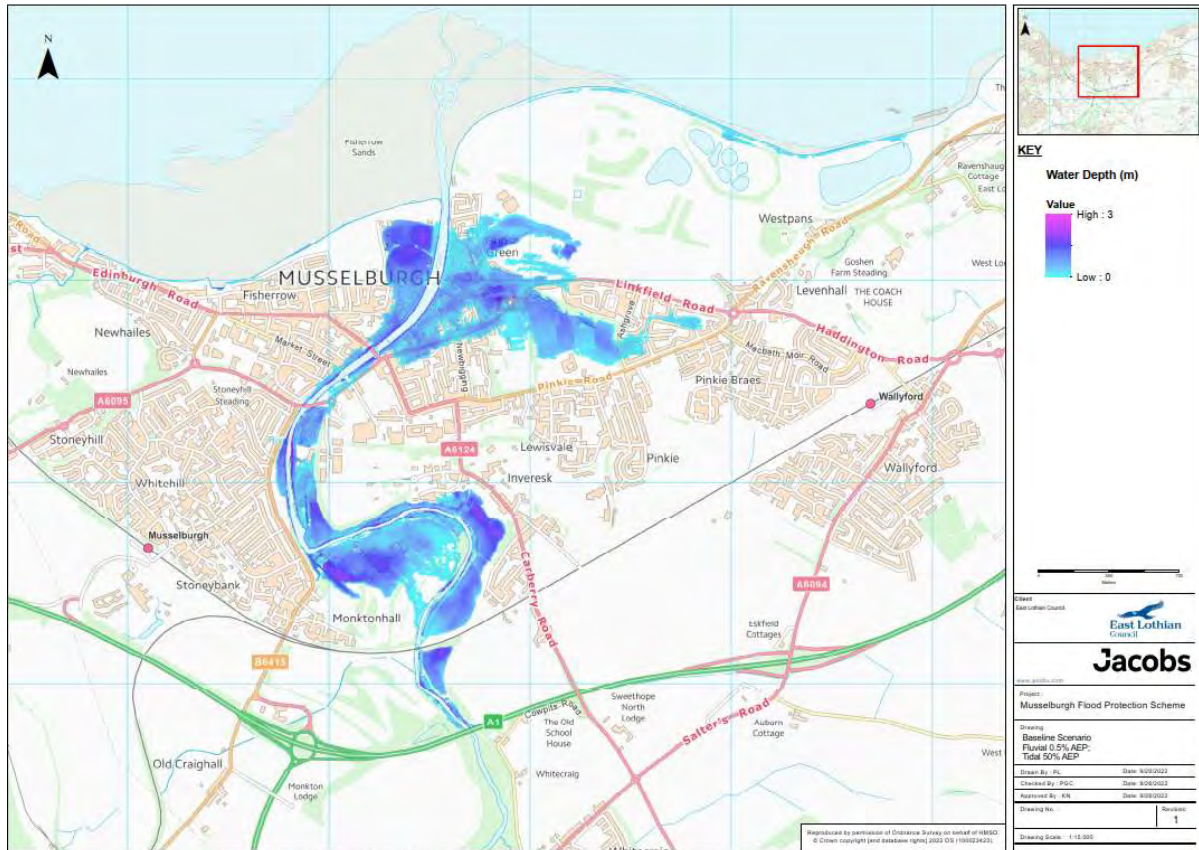


Figure 5: 0.5% AEP fluvial event (River Esk) plus 50% AEP coastal event

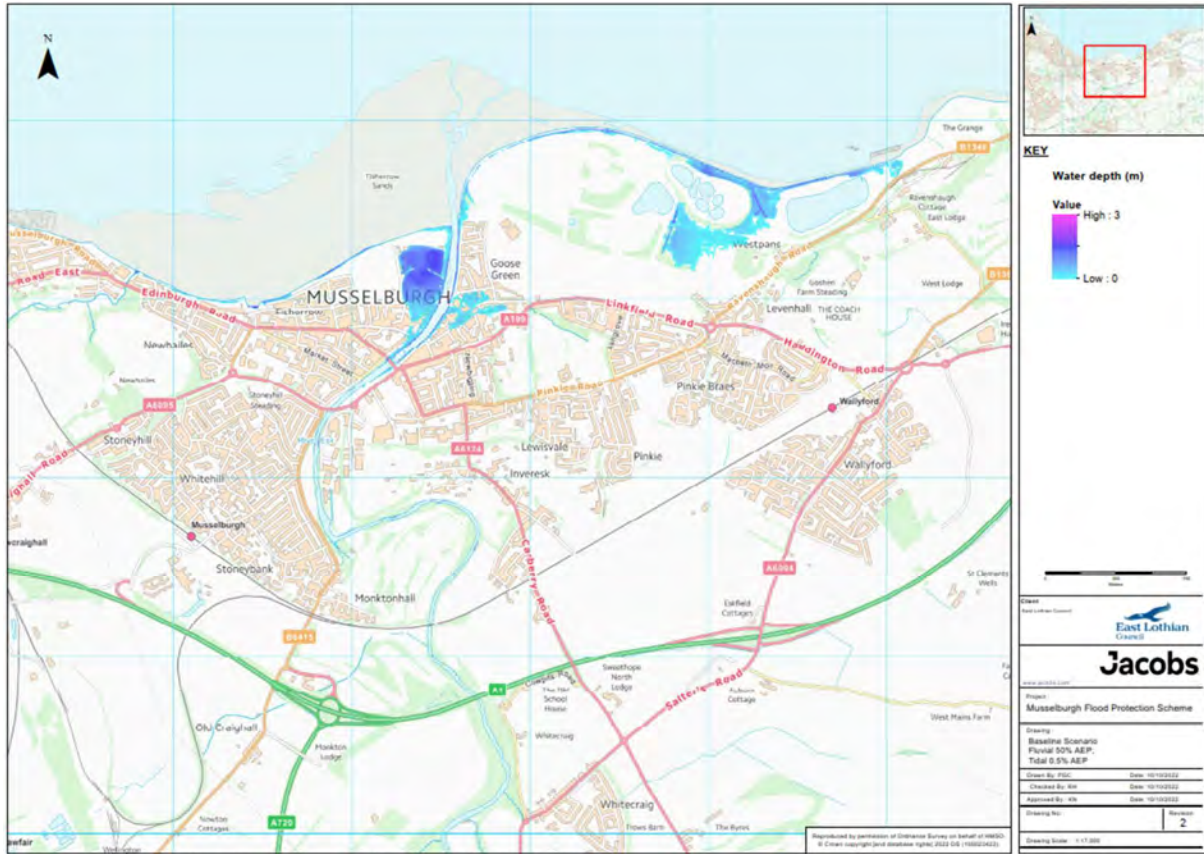


Figure 6: 0.5% AEP coastal event plus 50% AEP fluvial event (River Esk)

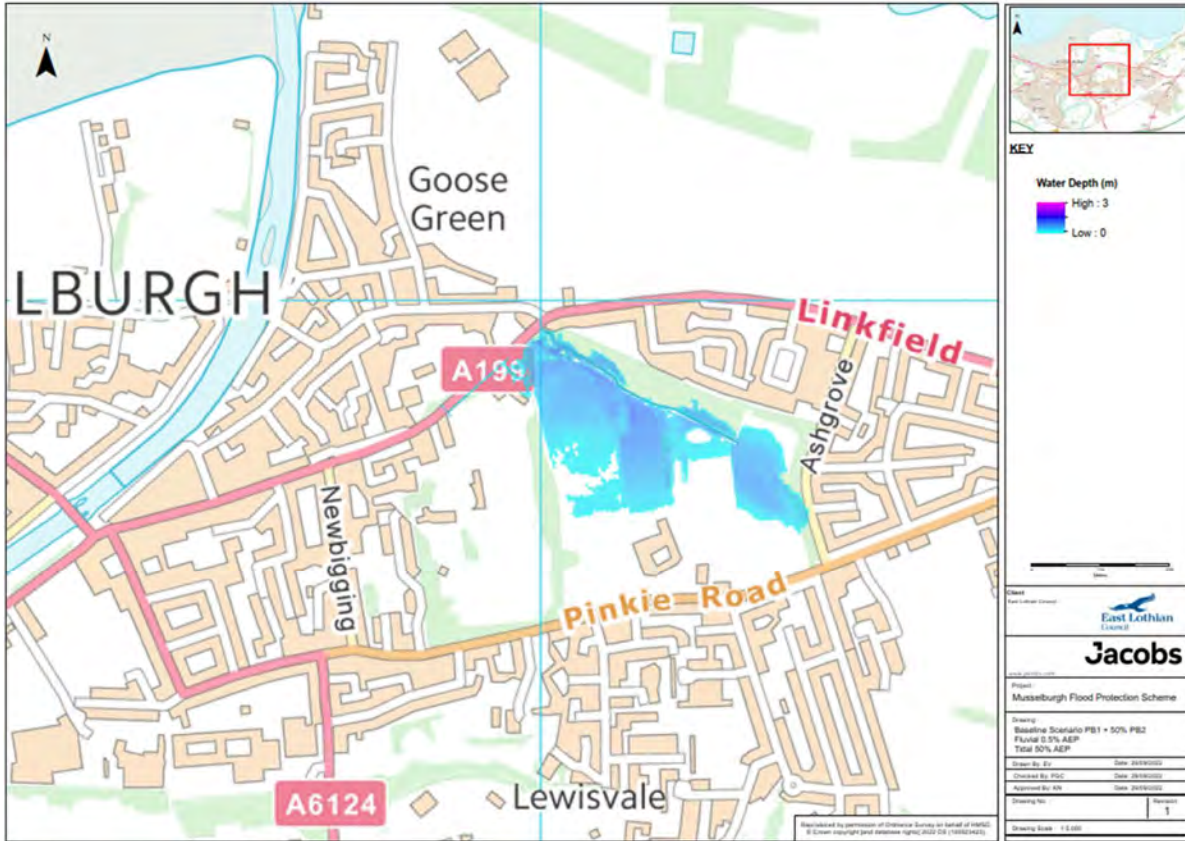


Figure 7: 0.5% AEP fluvial event (Pinkie Burn) plus 50% AEP coastal event

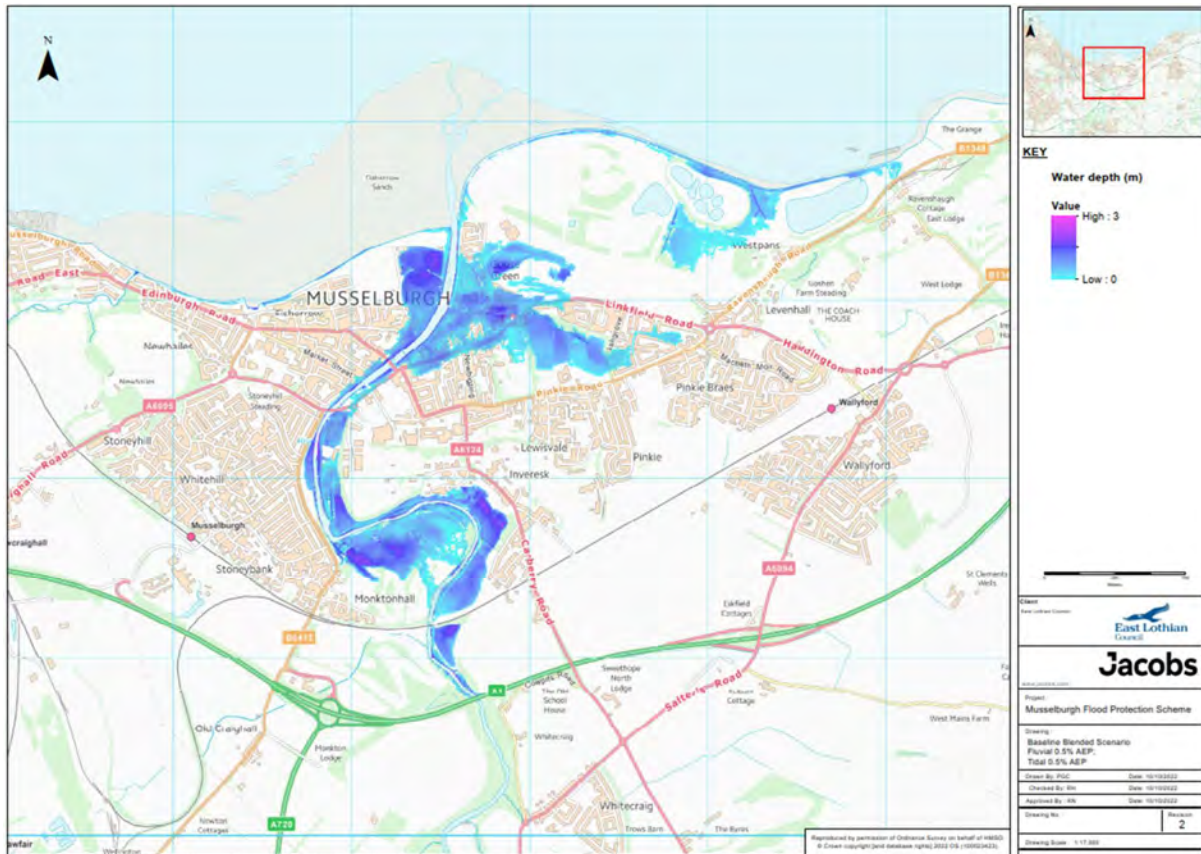


Figure 8: 0.5% AEP blended flood risk

For the purposes of hydraulic modelling, it was necessary to select a nominal probability for the secondary flood component. For example, during a 0.5% AEP flood event on the River Esk, the river would discharge into the Forth Estuary, and its ability to discharge would depend upon the Forth's tidal cycle. It was considered appropriate to use a 50% AEP, or 1 in 2-year tidal cycle for this purpose. Doing so limits the influence of the secondary flood component while continuing to simulate the effect of the tidal cycle on the river's discharge. Conversely, for a 0.5% AEP coastal flood event, a 50% AEP, or 1 in 2-year flow on the River Esk was selected as the secondary component. The process of including a secondary flood component should not be considered equivalent to a joint probability analysis, which was not deemed necessary to understand the flood risk due to the primary flood component.

The same approach was taken for the Pinkie Burn hydraulic model, although the effect of the tidal cycle on this system is slightly different. This watercourse is culverted along most of its length, and discharges through an outfall within the tidal stretch of the River Esk near Goosegreen weir. When the tide rises above the level of the outfall, it prevents the Pinkie from discharging and the flow backs up within the culvert. The water is then released when the tide recedes. This mechanism contrasts with the River Esk, which continues to discharge into the estuary even at high tide.

Credible worst-case flood risk

The flood risk maps in this section represent the latest results from Jacobs' hydraulic model utilising baseline conditions for a credible worst-case scenario for Climate Change (CC). As stated earlier in this document, the credible worst-case scenario for Musselburgh is considered to be RCP8.5 for the 2100 epoch. This means that the following uplifts have been applied relative to the present-day 0.5% AEP conditions:

- 56% uplift in peak fluvial flow on the River Esk

- 39% uplift in peak rainfall intensity on the Pinkie Burn catchment
- 0.86m sea level rise in the Forth Estuary

Figure 9 represents the area which would be flooded by a flood event on the River Esk, which would have a 0.5% probability of occurring in any given year by 2100 in the event of this climate change scenario. This event would flood 2906 properties. Figure 10 represents the area which would be flooded by a high tide plus storm surge from the Forth estuary, and which would have a 0.5% probability of occurring in any given year by 2100 in the event of this climate change scenario. This event would flood 1894 properties through tidal inundation along the Esk and wave overtopping along the coast. Figure 11 represents the area which would be flooded by a flood event on the Pinkie Burn, which would have a 0.5% probability of occurring in any given year by 2100 in the event of this climate change scenario. This event would flood 157 properties. Figure 12 represents the blended flood envelope of the three aforementioned events. This identifies that 2962 properties in Musselburgh would be at risk from a 0.5% AEP flood event by 2100 in the event of this climate change scenario. The blended map does not represent all three scenarios happening simultaneously, as the probability of that occurring is infinitesimally small.

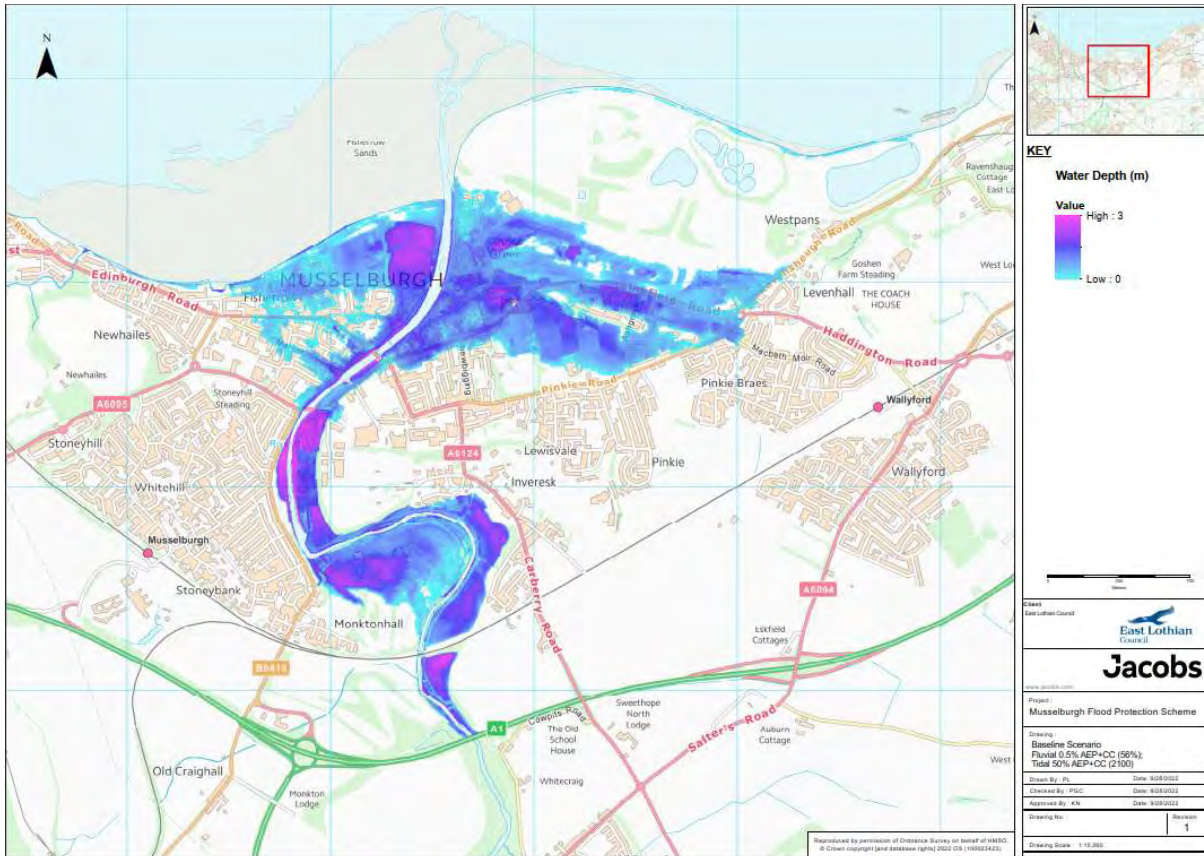


Figure 9: 0.5% AEP+CC fluvial event (River Esk) plus 50% AEP+CC coastal event

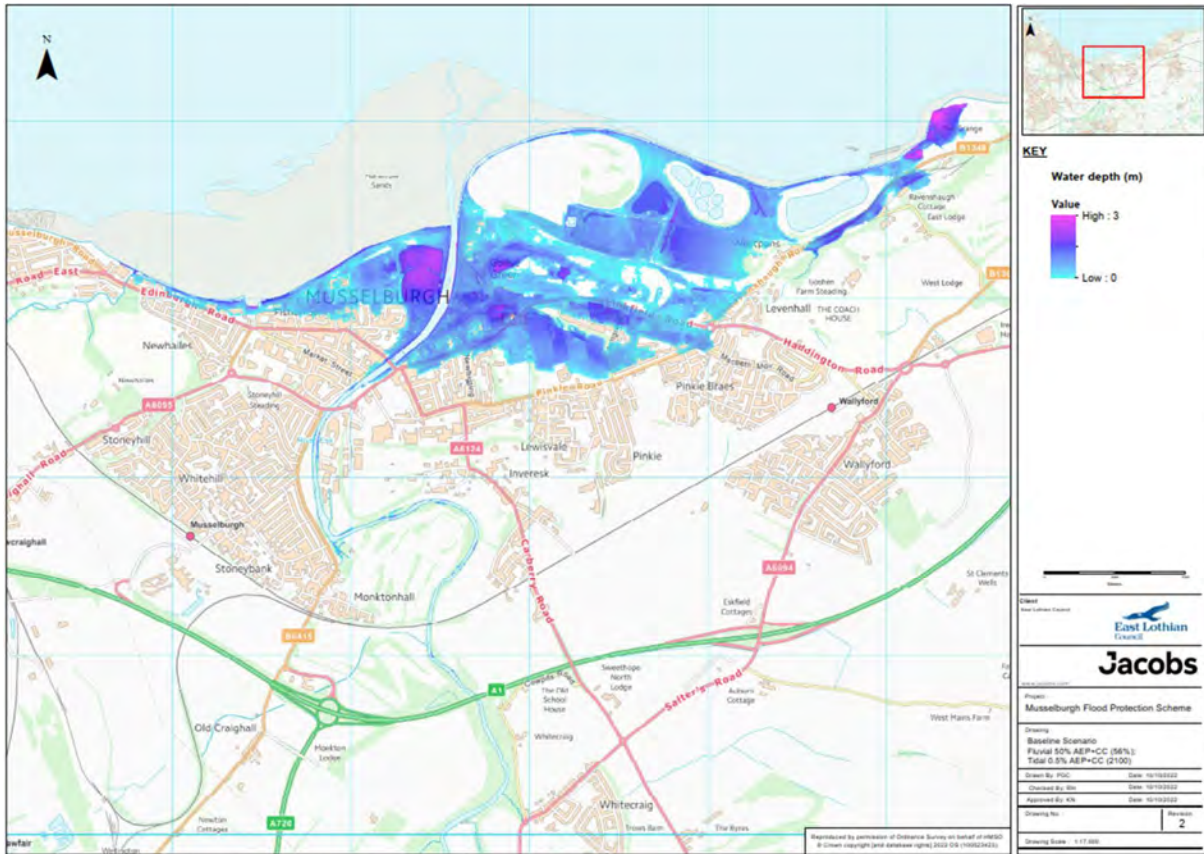


Figure 10: 0.5% AEP+CC coastal event plus 50% AEP+CC fluvial event (River Esk)

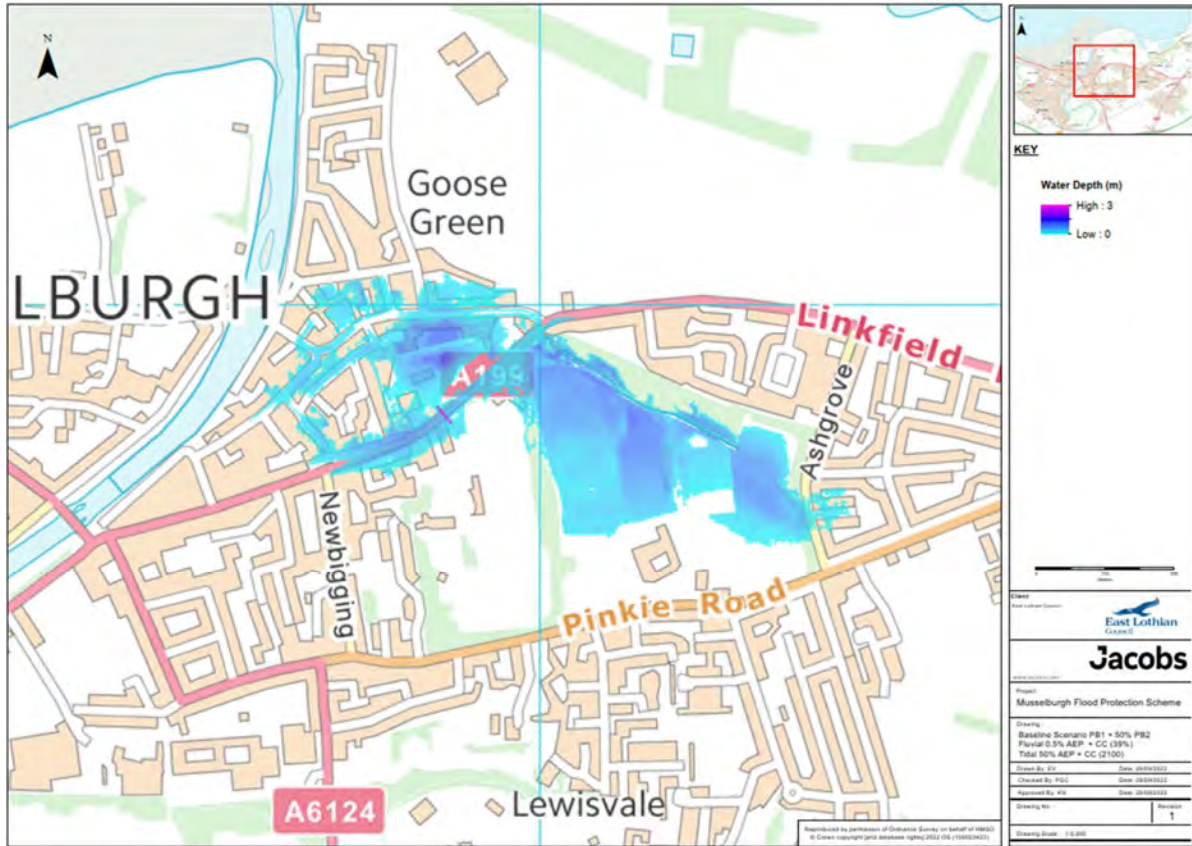


Figure 11: 0.5% AEP+CC fluvial event (Pinkie Burn) plus 50% AEP+CC coastal event

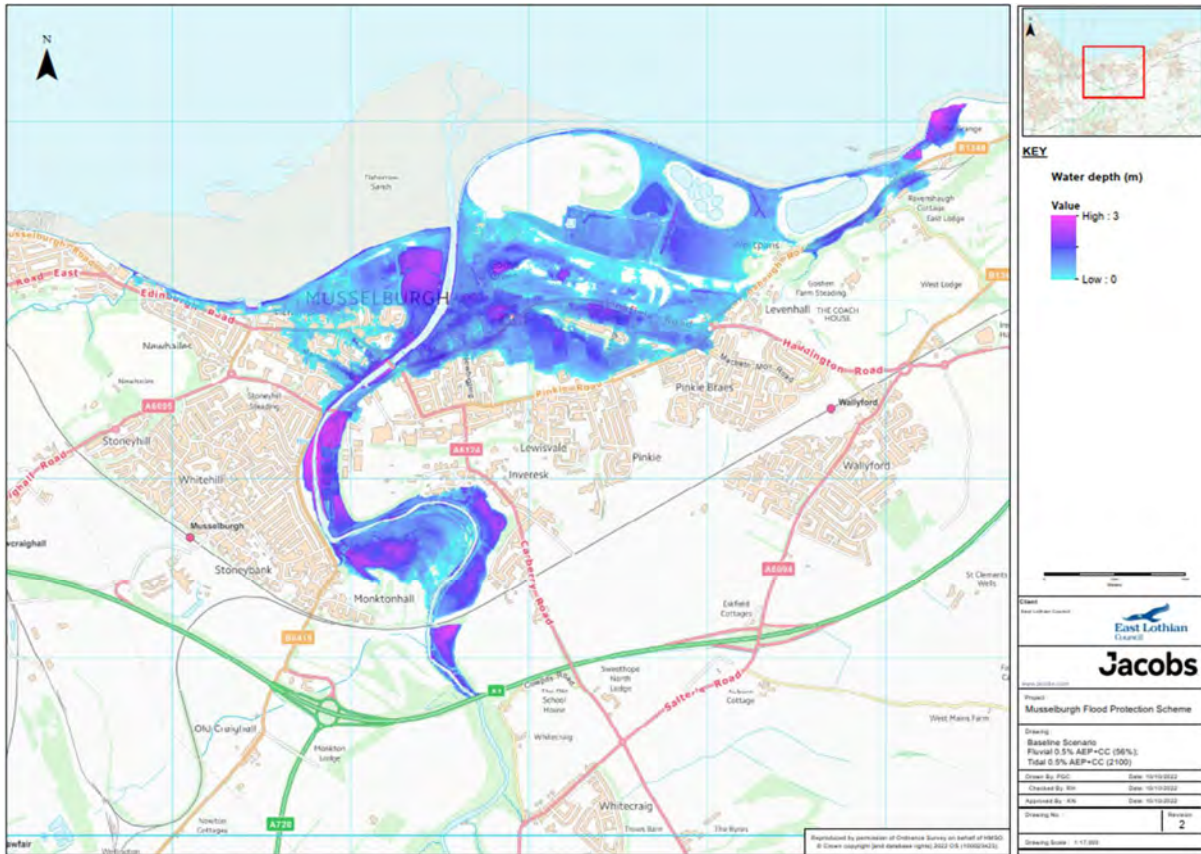


Figure 12: 0.5% AEP+CC blended flood risk

Recommendations

It is recommended that ELC accepts the above flood risk maps as a true reflection of Musselburgh’s current flood risk and a credible worst-case flood risk by the year 2100 from the 0.5% AEP events of fluvial and coastal origin.

It is further recommended that work is immediately undertaken by the project team in consultation with the Project Board, statutory stakeholders, and the public to determine an appropriate level for the physical defences in Musselburgh. This is with the understanding that, as a minimum, the level of those defences should be equivalent to a present-day 0.5% AEP standard of protection, as defined in the original project objectives.

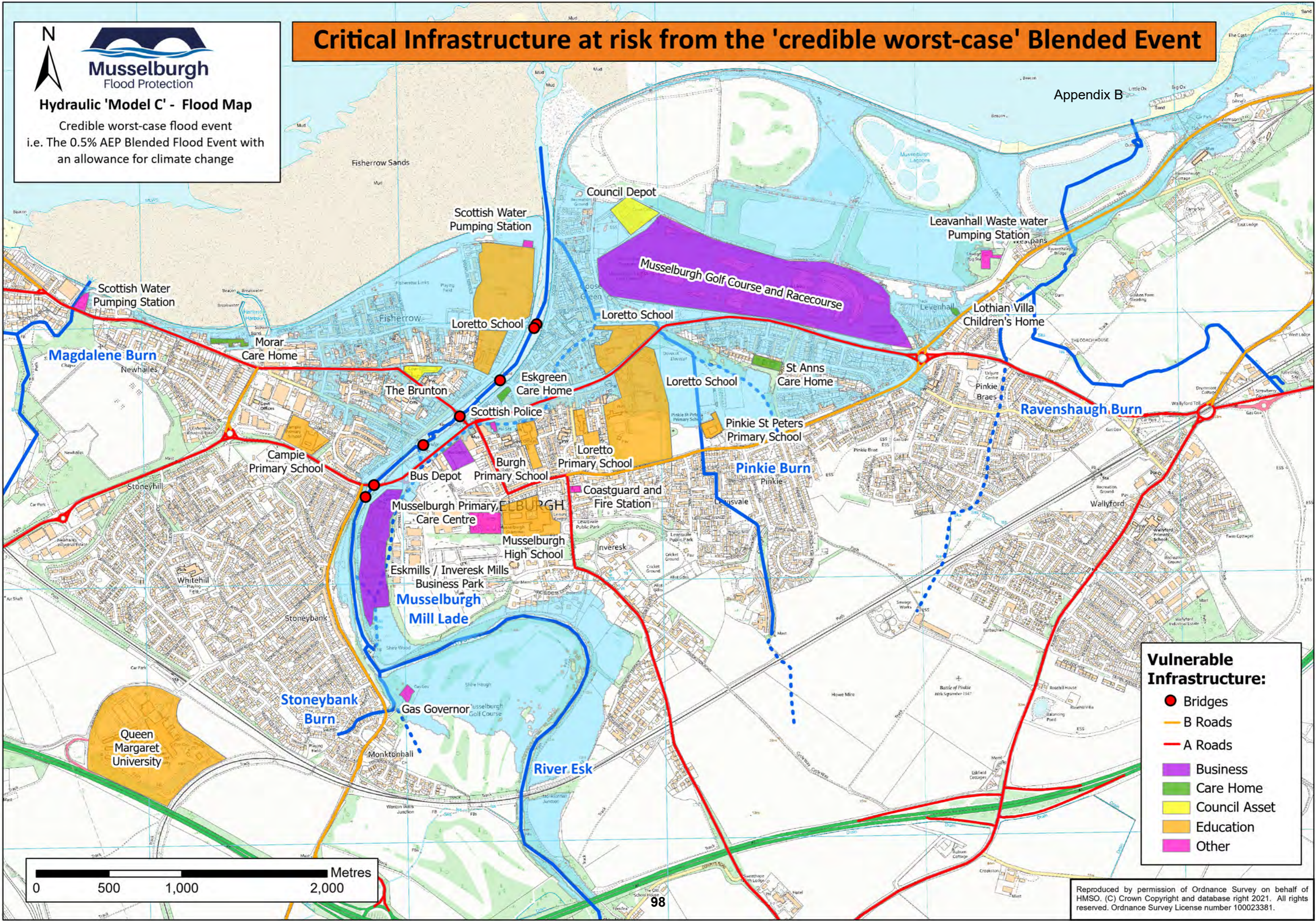
In accordance with SEPA’s advice relating to climate change, it is recommended that an assessment is carried out to determine what would be required in addition to the Scheme’s standard of protection to protect against a range of different emissions scenarios and timescales. Doing so will inform the selection of the Scheme’s allowance for climate change and its strategy for future flexibility as part of a managed adaptive approach. This approach could involve protecting against a shorter-term climate change scenario than 2100, and by doing so, give ELC the opportunity at a point in the future to assess what to do next.

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- SEPA (2019) 'Climate change allowances for flood risk assessment in land use planning'. Available at www.sepa.org.uk (accessed on 28/06/22).
- SEPA (2022) 'Climate change allowances for flood risk assessment in land use planning - Version 2'. Available at www.sepa.org.uk (accessed on 21/07/22).

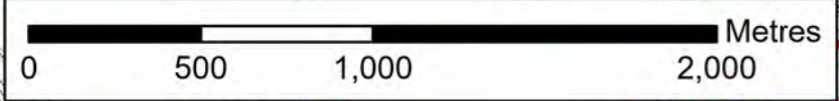
Critical Infrastructure at risk from the 'credible worst-case' Blended Event

Musselburgh Flood Protection
Hydraulic 'Model C' - Flood Map
 Credible worst-case flood event
 i.e. The 0.5% AEP Blended Flood Event with
 an allowance for climate change



Vulnerable Infrastructure:

- Bridges
- B Roads
- A Roads
- Business
- Care Home
- Council Asset
- Education
- Other



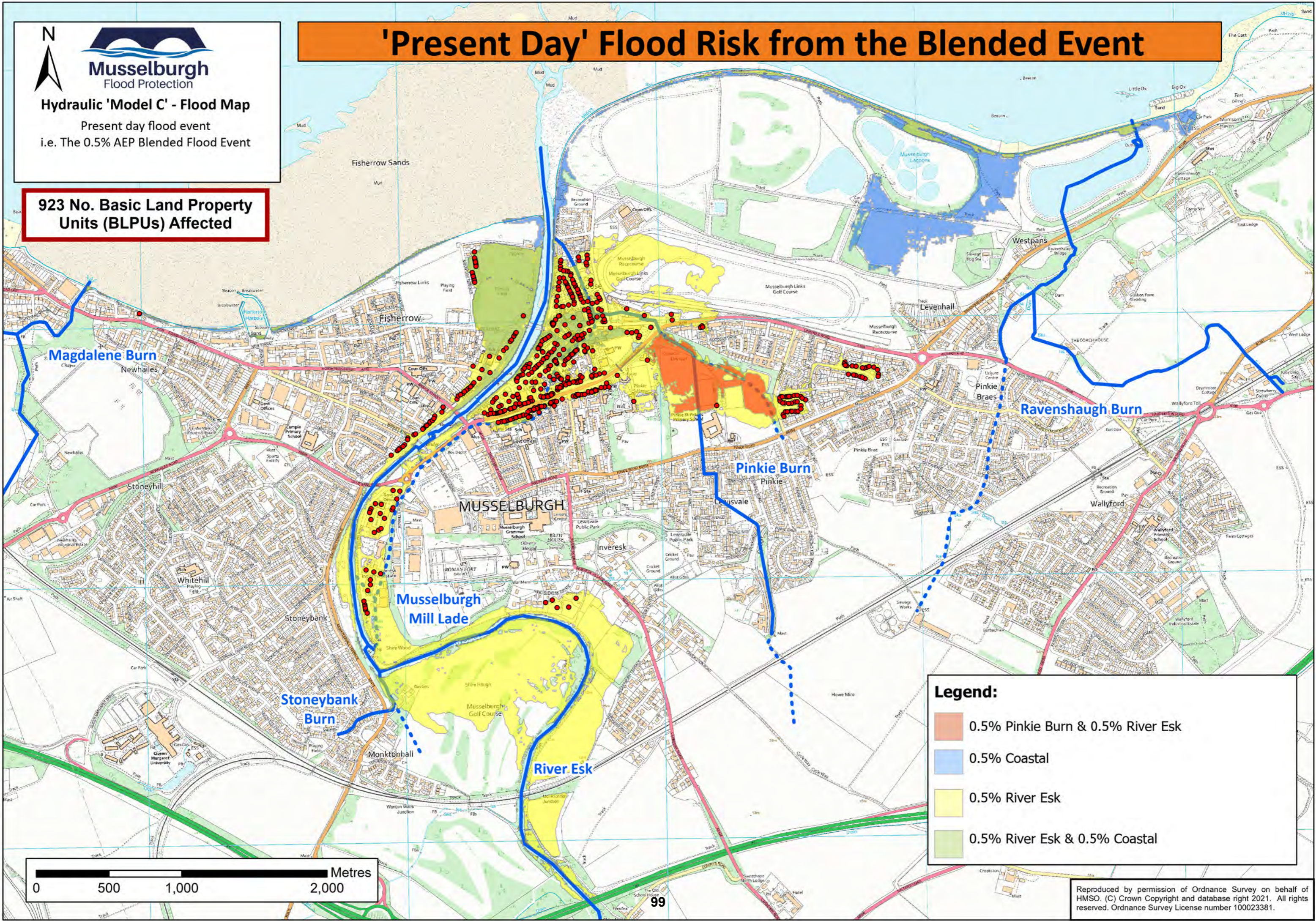
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Hydraulic 'Model C' - Flood Map
Present day flood event
i.e. The 0.5% AEP Blended Flood Event

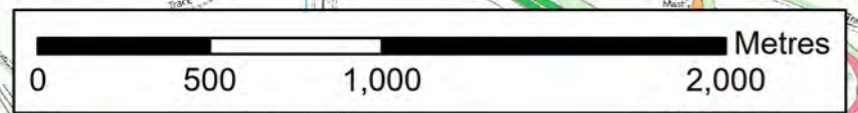
'Present Day' Flood Risk from the Blended Event

923 No. Basic Land Property Units (BLPUs) Affected



Legend:

- 0.5% Pinkie Burn & 0.5% River Esk
- 0.5% Coastal
- 0.5% River Esk
- 0.5% River Esk & 0.5% Coastal



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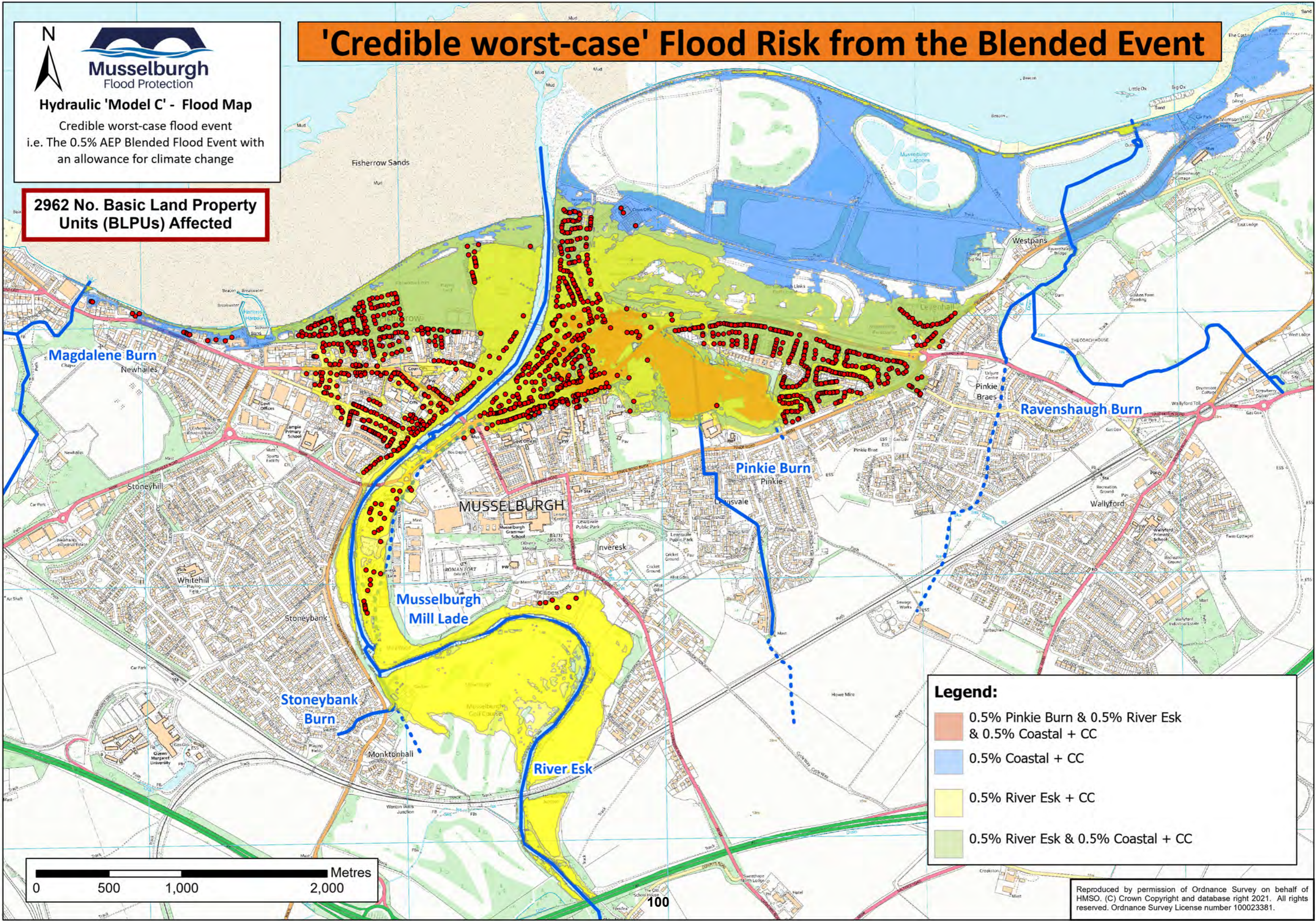


Hydraulic 'Model C' - Flood Map





Credible worst-case flood event
i.e. The 0.5% AEP Blended Flood Event with
an allowance for climate change

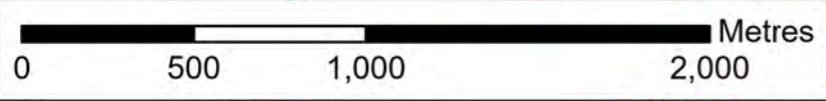
'Credible worst-case' Flood Risk from the Blended Event

**2962 No. Basic Land Property
Units (BLPUs) Affected**



Legend:

-  0.5% Pinkie Burn & 0.5% River Esk & 0.5% Coastal + CC
-  0.5% Coastal + CC
-  0.5% River Esk + CC
-  0.5% River Esk & 0.5% Coastal + CC



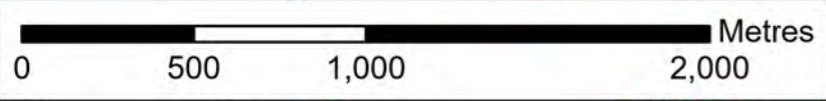
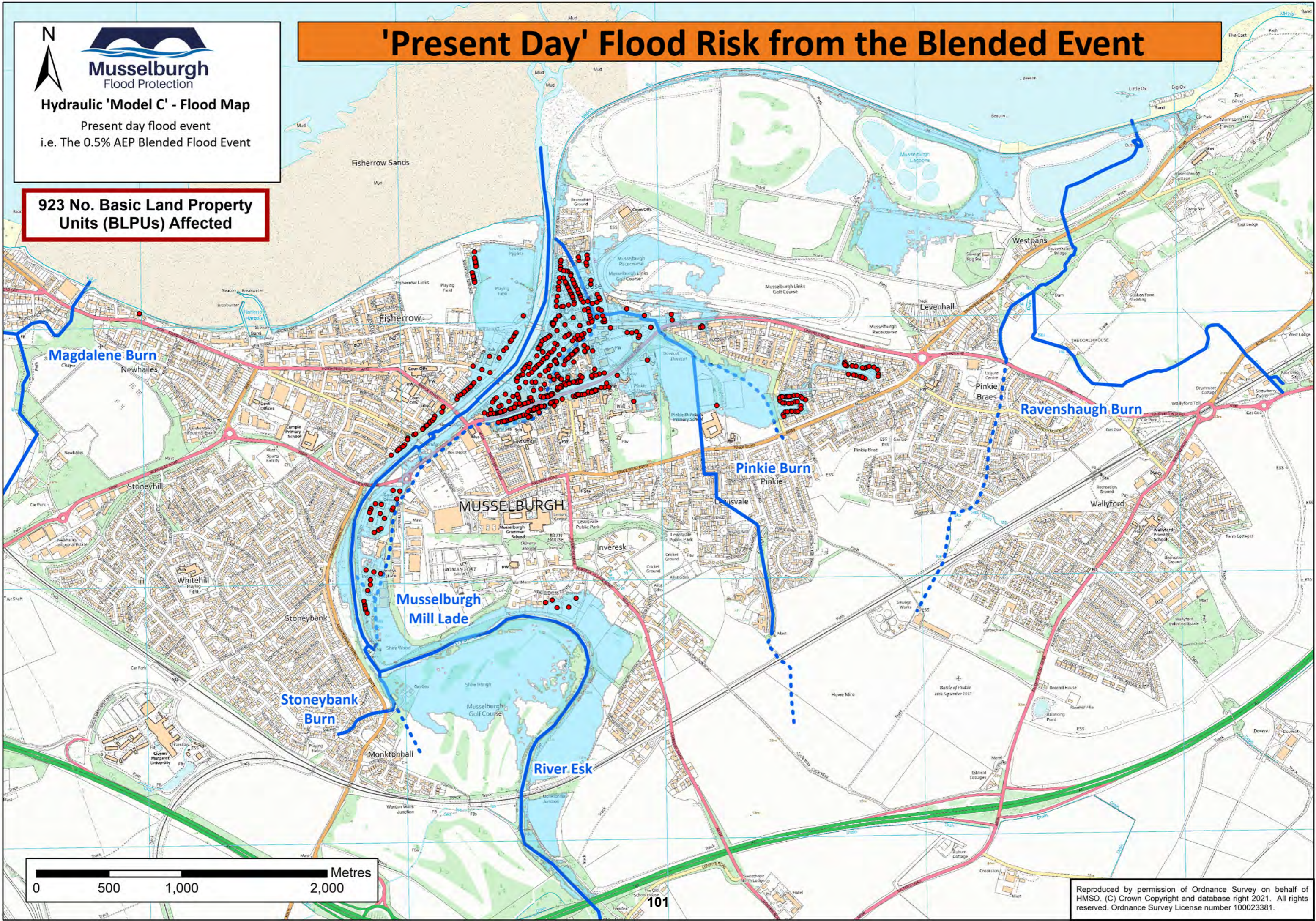
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Hydraulic 'Model C' - Flood Map
 Present day flood event
 i.e. The 0.5% AEP Blended Flood Event

923 No. Basic Land Property Units (BLPUs) Affected

'Present Day' Flood Risk from the Blended Event



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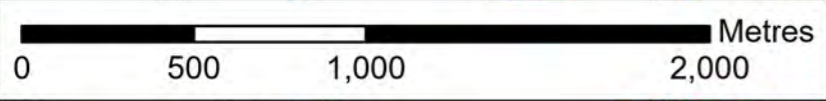
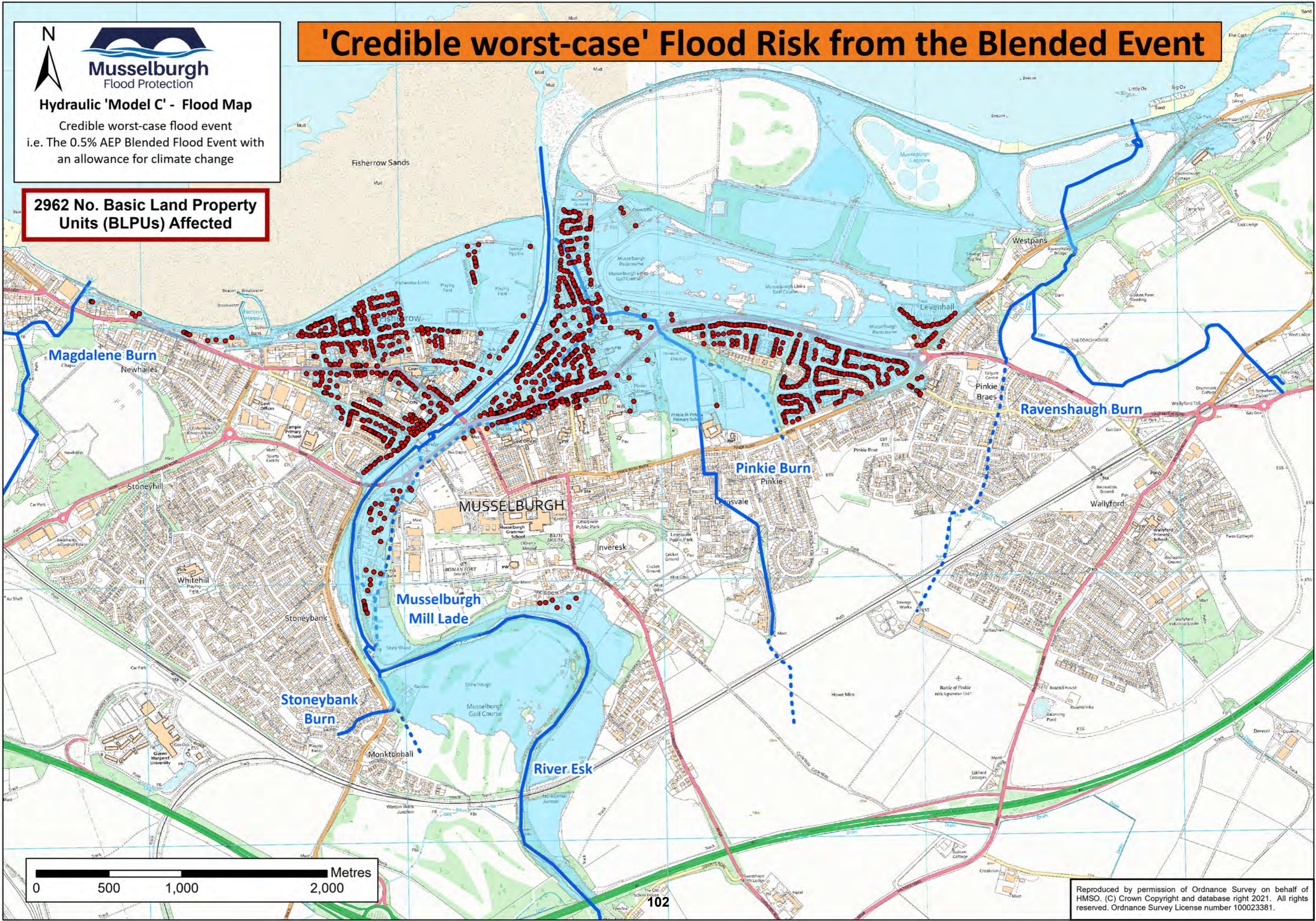


Hydraulic 'Model C' - Flood Map

Credible worst-case flood event
i.e. The 0.5% AEP Blended Flood Event with
an allowance for climate change

'Credible worst-case' Flood Risk from the Blended Event

**2962 No. Basic Land Property
Units (BLPUs) Affected**



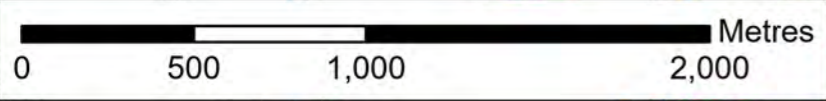
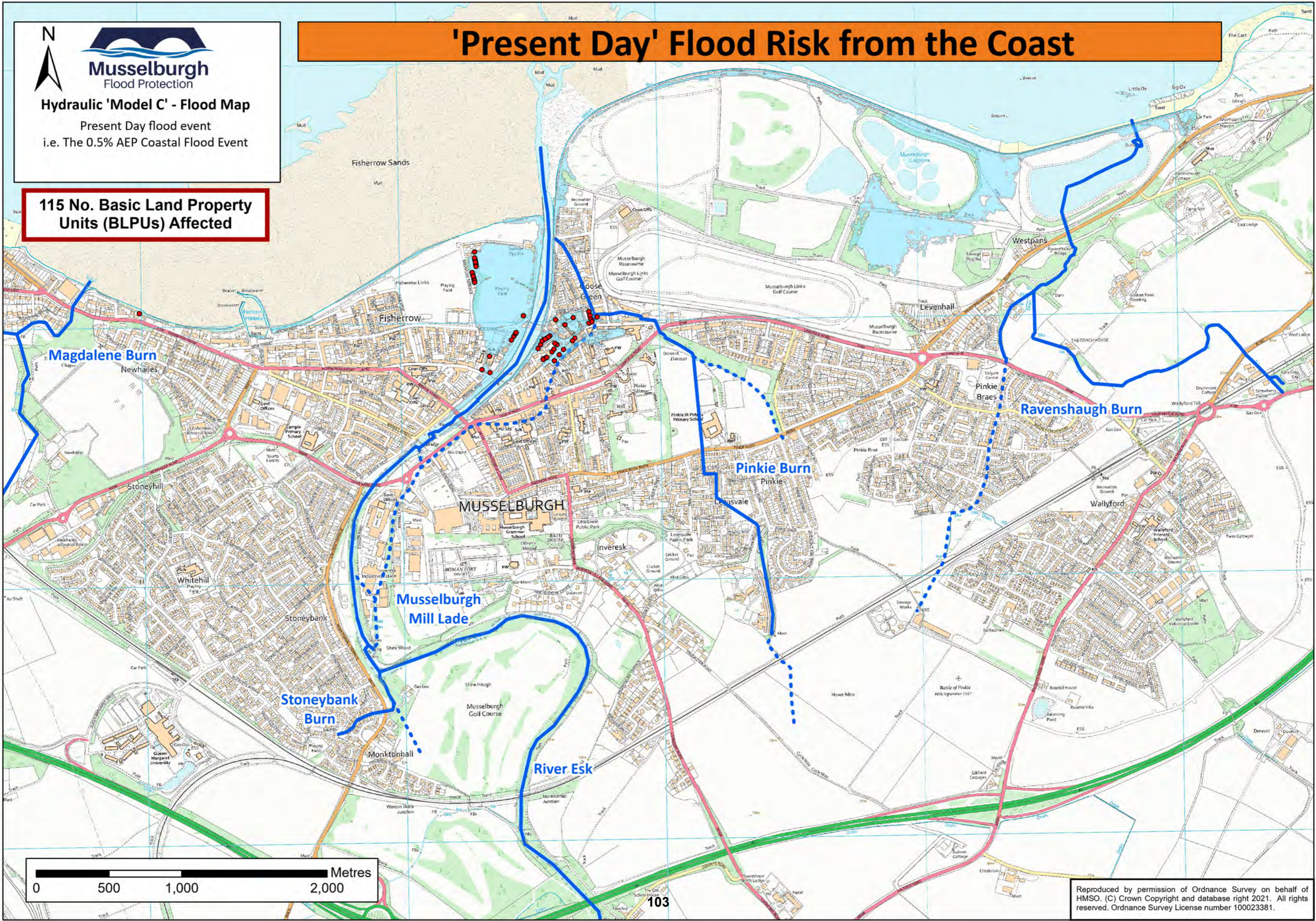
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Hydraulic 'Model C' - Flood Map
 Present Day flood event
 i.e. The 0.5% AEP Coastal Flood Event

115 No. Basic Land Property Units (BLPUs) Affected

'Present Day' Flood Risk from the Coast



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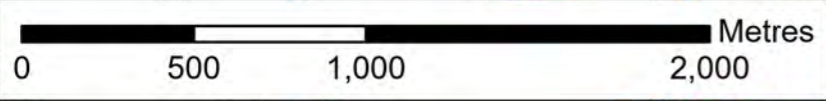
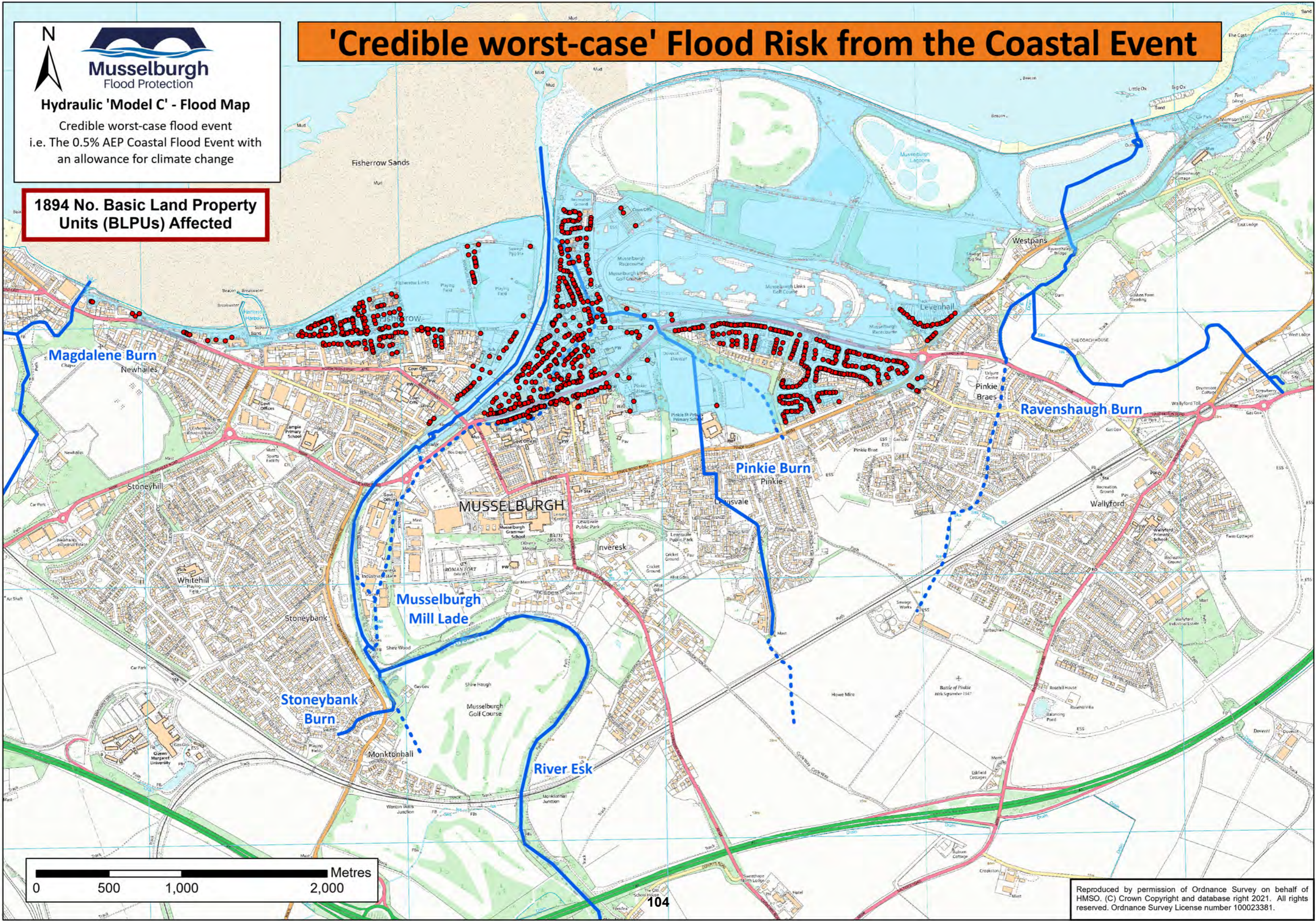


Hydraulic 'Model C' - Flood Map

Credible worst-case flood event
i.e. The 0.5% AEP Coastal Flood Event with
an allowance for climate change

'Credible worst-case' Flood Risk from the Coastal Event

**1894 No. Basic Land Property
Units (BLPUs) Affected**



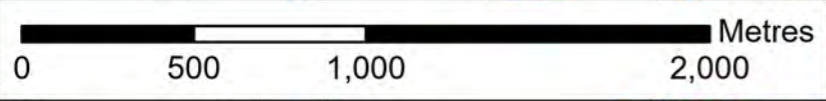
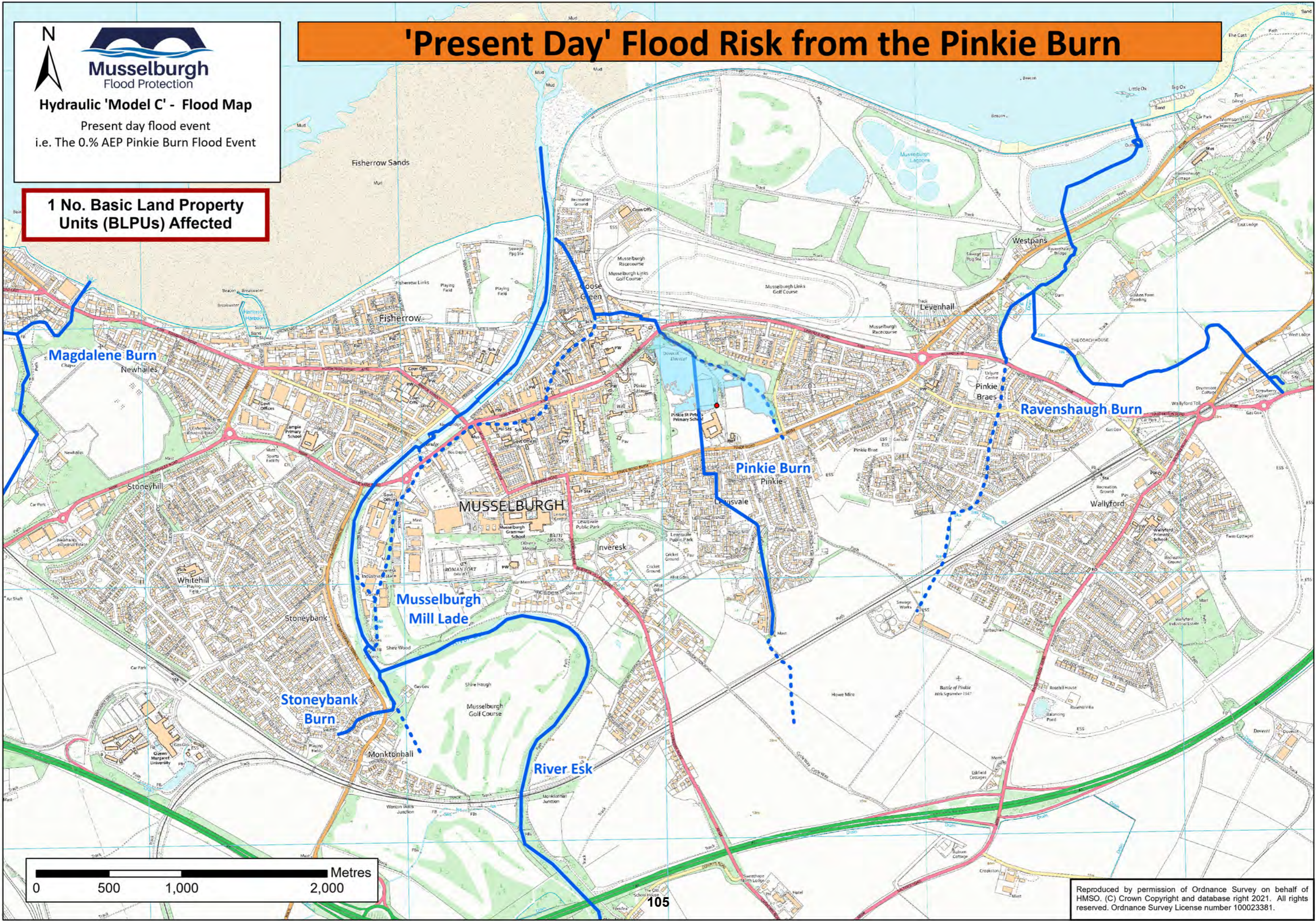
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Hydraulic 'Model C' - Flood Map
 Present day flood event
 i.e. The 0.1% AEP Pinkie Burn Flood Event

'Present Day' Flood Risk from the Pinkie Burn

1 No. Basic Land Property Units (BLPUs) Affected



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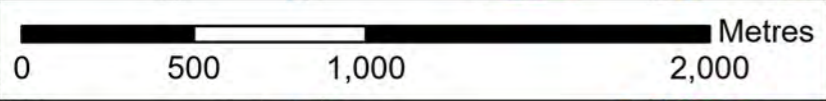
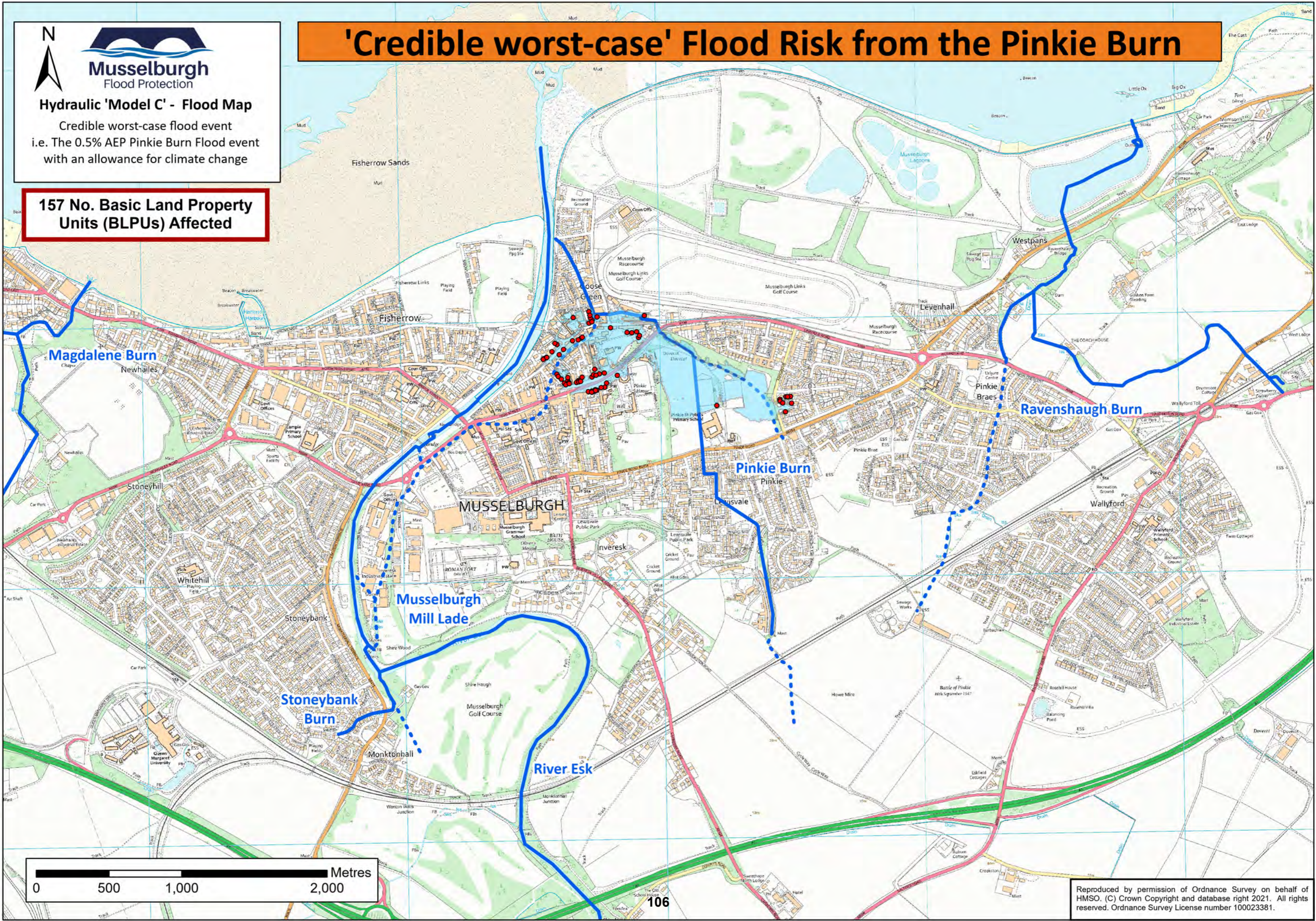


Hydraulic 'Model C' - Flood Map

Credible worst-case flood event
i.e. The 0.5% AEP Pinkie Burn Flood event
with an allowance for climate change

**157 No. Basic Land Property
Units (BLPUs) Affected**

'Credible worst-case' Flood Risk from the Pinkie Burn



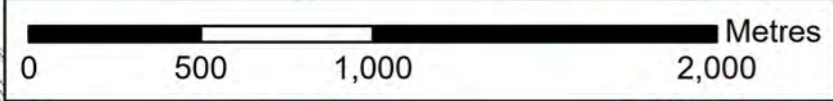
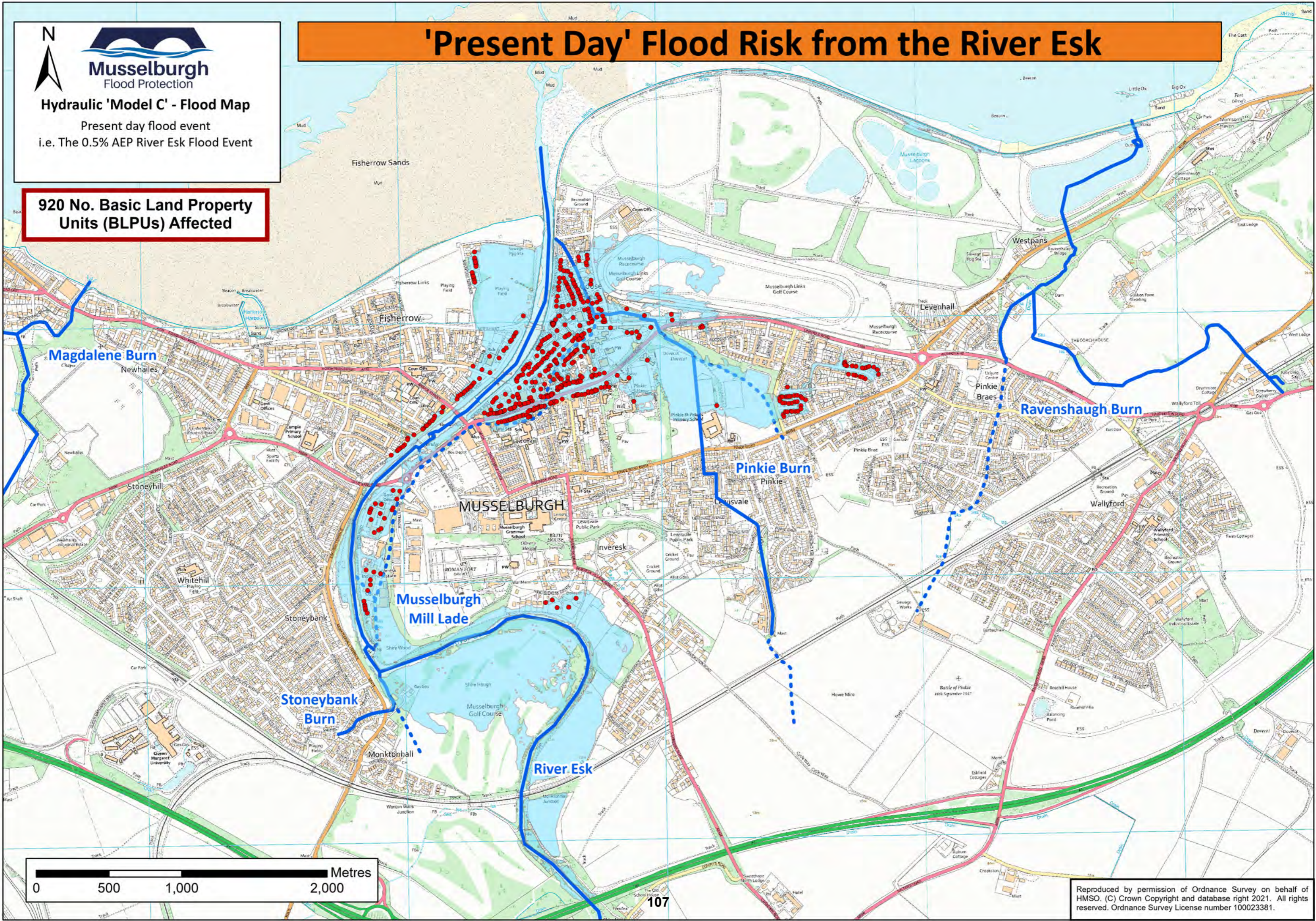
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Hydraulic 'Model C' - Flood Map
 Present day flood event
 i.e. The 0.5% AEP River Esk Flood Event

'Present Day' Flood Risk from the River Esk

920 No. Basic Land Property Units (BLPUs) Affected



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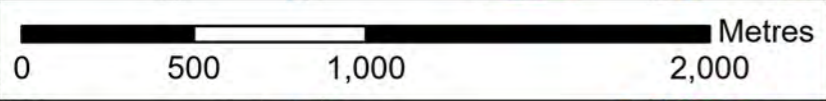
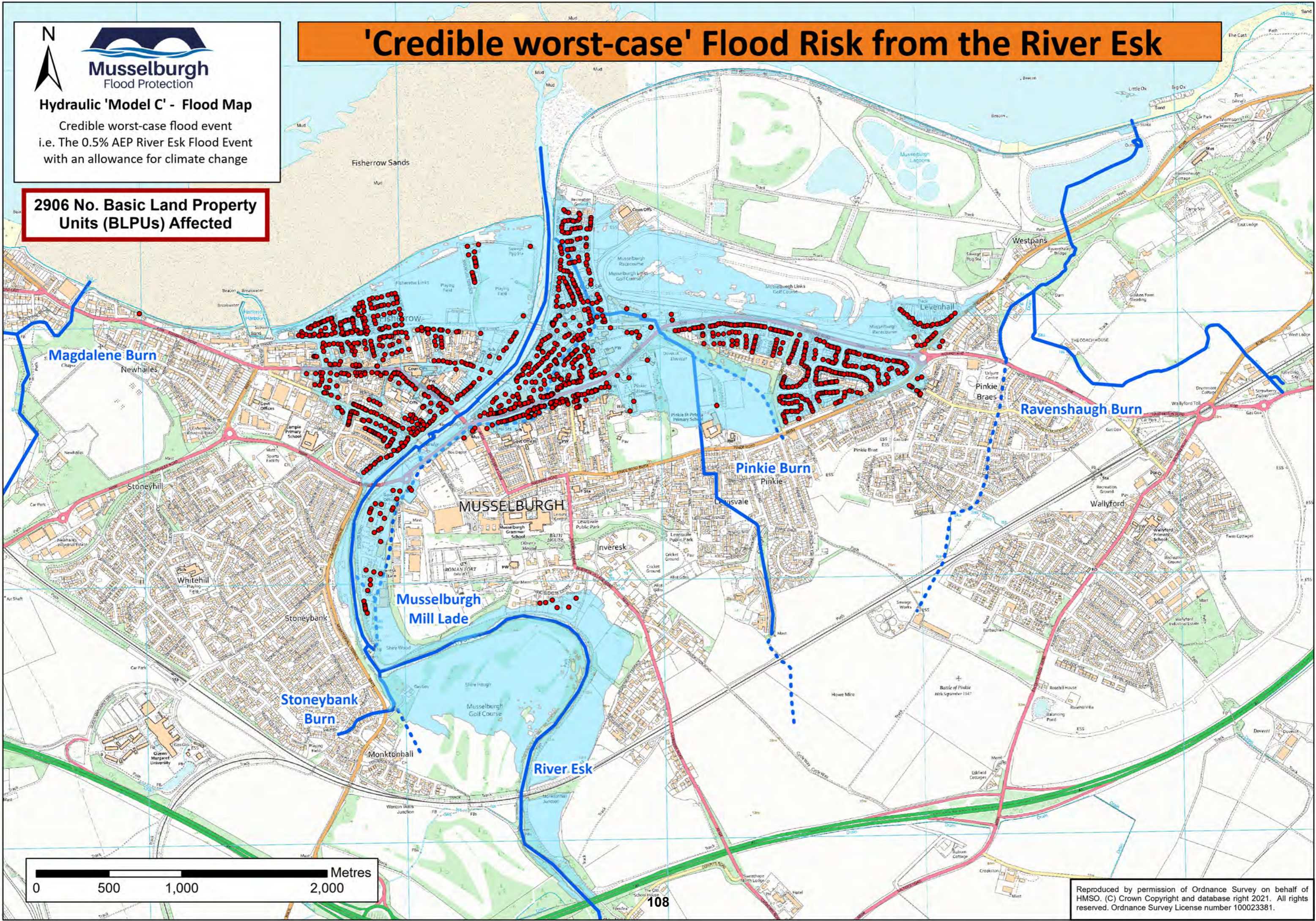


Hydraulic 'Model C' - Flood Map

Credible worst-case flood event
i.e. The 0.5% AEP River Esk Flood Event
with an allowance for climate change

**2906 No. Basic Land Property
Units (BLPUs) Affected**

'Credible worst-case' Flood Risk from the River Esk



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Ash Lagoon Seawall Options Study – Intermediate Assessment

Date:	11 October 2022	CH2M HILL United Kingdom
Project name:	Musselburgh Flood Protection Scheme	The West Wing
Project no:	701909CH	1 Glass Wharf
Attention:	Conor Price	Bristol, BS2 0EL
Company:	East Lothian Council	United Kingdom
Prepared by:	Faye Wright/ Leanne Baker	T +44 (0)117 457 2500
Reviewed by:	Kirsteen Nixon, Steven Vint	www.jacobs.com
Document no:	701909-JEC-S4-C06-ZZZ-TN-C-0001	
Revision no:	P02	
Copies to:	East Lothian Council, Jim Baxter (Jacobs)	

1. Purpose and Scope

Jacobs have been requested by East Lothian Council (ELC) to consider options for incorporating the Seawall for the Ash Lagoons into the Musselburgh Flood Protection Scheme. The coastal revetment is 2.7km long, extending from the mouth of the River Esk eastward towards the site of the old Cockenzie power Station.

The Seawall was constructed in the 1960s and was built to contain ash waste from the Cockenzie Power Station. The Flood Protection Scheme's components are required to have a 100-year design life. As the Seawall is already beyond its original design life, incorporating within the Scheme would be a considerable extension to its design life.

The purpose of this Technical Memorandum is to summarise the options study progress to date and the next steps required to complete the options appraisal and to make a recommendation for a preferred option which could be implemented as part of the Flood Protection Scheme.

This technical memorandum has been prepared in advance of completion of the Ash Lagoon Seawall Options Study. The information presented is indicative for discussion purposes only and subject to confirmation.

1.1 Musselburgh Flood Protection Scheme Background

Musselburgh Flood Protection Scheme (the Scheme) is being promoted by East Lothian Council (ELC) under the Flood Risk Management (Scotland) Act 2009. Jacobs were appointed by ELC in December 2017 to develop a scheme for Musselburgh to reduce flood risk. The project is being delivered in stages under PRINCE2 Project management principles and is currently in Stage 4 Outline Design.

In November 2019, Stage 3 Option Appraisal was completed and a Preferred Scheme selected. The aim of Stage 4 outline design is to establish sufficient confidence in the deliverability of the components within the Preferred Scheme such that an outline cost estimate can be prepared and ELC can publish the Scheme under the Stage 5 Statutory Approvals process.

The Ash Lagoon Seawall is situated within Flood Cell 6 within the Scheme. The structures were built to contain ash waste from Cockenzie Power Station and to protect against erosion and inundation from the sea.

Discussion with ELC at the submission of the Preferred Scheme Report (Jacobs, 2019) identified that Scottish Power owned Cell 6 therefore the options for Cell 6 were not to be considered further until negotiations regarding the transfer of ownership had been undertaken. ELC has subsequently approved the inclusion of the Ash Lagoons Seawall into the Preferred Scheme in August 2022 and Jacobs have been instructed to

undertake an Options Study for the Ash Lagoons and determine a Preferred Solution to bring it in line with the ongoing Scheme.

1.2 Existing Information

The following data and information have been used to inform the development of the options:

- records and photographs of historic construction of the Ash Lagoon Seawall
- drone survey
- various environmental reports
- details of existing structure and related inspection, specifically:
 - Cockenzie Sea Wall Assessment – Phase 2 – Detailed Investigation and Testing (Mott MacDonald, 1999)
 - Musselburgh Seawall - Principal Inspection Report - Rev B (Amey, 2015)
 - Musselburgh Seawall – Review of Survey Data and Assessment of Suitability of Cathodic Protection - Rev 2 (Amey, 2015)
 - Musselburgh– Ash Lagoons Seawall and Electric Bridge Survey 2014 - Rev 1 [Draft] (Amey, 2015)
 - Musselburgh Seawall Inspection 701909-JEC-S4-ZZZ-XXX-RE-S-0002 Rev 1.0 (Jacobs, 2022)

Further studies, investigations and surveys may be required to inform the design stage, a gap analysis will be undertaken as part of the finalisation of the Options Study, refer to Section 0.

2. Ash Lagoons Seawall Site overview

The Ash Lagoons Seawall is located in Musselburgh, to the east of Edinburgh on the southern coastline of the Firth of Forth.



Figure 1 – Location (Microsoft® Bing™ Maps screen shot(s) reprinted with permission from Microsoft Corporation)

The structure was constructed circa 1963 to form the Musselburgh (ash) Lagoons as part of the now demolished Cockenzie power station. It is 2.7km in length running west to east, from the mouth of the River Esk, and its extents are shown in Figure 1.

2.1.1 Current Management Approach

In Countryside and Coast Supplementary Planning Guidance the Musselburgh frontage is included in “Area 2: Levenhall” and notes that the concrete Seawall requires maintenance to avoid discharge of pulverised fuel ash into the Forth. It notes a Shoreline Management Plan (SMP) policy of hold the line (East Lothian Council, 2018).

The flood risk management strategy (SEPA, 2021) designates Musselburgh a potentially vulnerable area and outlines a number of general actions for managing flood risk in the area and the following are applicable to reducing coastal flood risk and the economic damages caused by coastal flooding:

- The Musselburgh Flood Protection Scheme has a preferred scheme that is to progress to outline design. Coastal elements of the scheme potentially include new sea defences, demountable sea defences, Natural Flood Management and the continued use of existing defences including the Scottish Power Ash Lagoons Seawall.
- Additional actions related to coastal flooding for 2022 to 2028 include; flood defence maintenance, community engagement, flood warning maintenance, Strategic mapping improvements.
- Additional actions for after June 2028 include Flood warning maintenance.

2.1.2 Current Defence

The defence is a composite defence combining rock and concrete elements. A whinstone rock lower revetment placed on a slope of 1:2 protects the embankment below approximately Mean Sea Level. Above the lower revetment is a mass concrete reinforced toe beam with a top level of +1.22mOD approx. Above the toe beam is an upper revetment formed of interlocked precast concrete blocks placed on a slope of 1:1.5. In a limited number of locations this appears to have been replaced with a single surface in-situ concrete revetment (Prior to the 1999 assessment (Mott MacDonald, 1999)). Above the upper revetment is an in-situ concrete headwall with a top level of +6.25mOD approx. Both the upper and lower revetment are founded on a layer of smaller whinstone and then larger whinstone, determined anecdotally from historical drawings (James Williamson and Partners, 1963). These layers are founded on a limestone rock fill core. Each element of the composite defence will provide support to the elements above. The existing defence is illustrated in Figure 2 and the location of the defence in Figure 3.

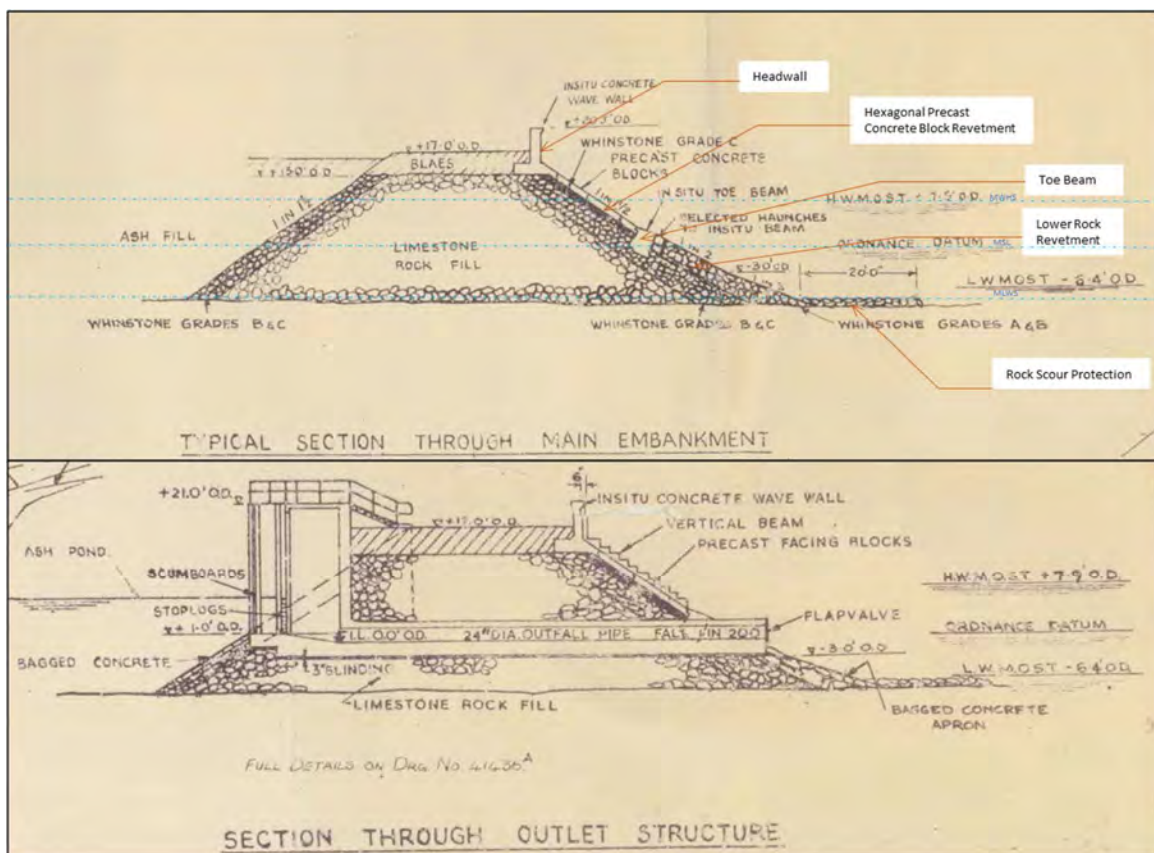


Figure 2 - Seaward facing revetment sections [Extract taken from Drawing Number 35672c General Layout & Typical Cross Sections of Embankments, (James Williamson and Partners, 1963)]



Figure 3 - Location of seaward revetment [Extract taken from Drawing Number 35672c General Layout & Typical Cross Sections of Embankments, (James Williamson and Partners, 1963)]

The frontage consists of 89 panels, with each panel approximately 30.5m between two cast in situ stepped beams. The following provides a brief condition overview of the Seawall's components:

Limestone Rock Fill – The rock fill forms the foundation of the structure and is assumed to be in a good condition, although not visually inspected. The structural integrity and condition would need to be confirmed through further investigations. The existing rockfill bund presents an obstruction to construction activities such as piling and drilling. Other obstructions such as cobbles and boulders are also within the natural superficial deposits. There is a potential for geochemical attack of concrete from the existing embankment construction containing blaes (a hardened shale or mudstone) if sulphates were to be found within the material.

Headwall - The headwalls are not at risk of failure in the short term but do display a number of defects consistent along its length. These defects include cracking, spalling and delamination as well as rusting of the reinforcement. Extensive repairs are required to slow further deterioration. For the medium to long term life of the structure, surface repairs would likely not be sufficient due to the observed lack of expansion joints and inadequate cover to the reinforcement, when compared to modern standards. Defects generally appear to be due to the long-term exposure of the concrete which has likely led to chloride ingress and corrosion of the reinforcement or the lack of expansion joints within the headwall. For repairs to the seaside of the headwall, access may be an issue due to the steep revetment slope. (Jacobs, 2022).

Hexagonal Block Arrangement - The general condition of the upper revetment shows fairly sporadic defects, namely spalling, cracking and some surface voids with good interlock still present between units, the toe beam and the headwall. The defects that are present will continue to worsen over time increasing the risk of blocks failing or becoming displaced and exposing the underlayers. There are some blocks that are starting to be displaced on panel 13 and the whinstone underlayer is visible with some voiding in the exposed area. This displacement will make this section vulnerable to damage due to wave and water levels. The panels adjacent to panel 13 - panels 11 and 12 - appear to have been replaced by a concrete surface revetment (Prior to the 1999 assessment (Mott MacDonald, 1999)). and this suggests a similar failure mechanism was present in the past at the adjacent revetments (Jacobs, 2022), (Mott MacDonald, 1999).

Stepped Beams - The vertical stepped beams 'bookend' each revetment panel and are generally in a stable and reasonable condition with no signs of major movement. Again, there are defects that are consistent with all of the stepped beams throughout the length of the entire revetment. The most common of these is the lower steps – around the water line - have eroded or spalled to such an extent that the stepped feature has completely disappeared. This is often accompanied by cracking and exposed reinforcement (Jacobs, 2022).

Toe Beams - The condition of the toe beam is consistent along the length of the defence and is generally in reasonable condition. A general rounding off of edges and weathering to the top surface of the concrete was observed and there is some cracking at the joints between panels. In a couple of locations reinforcement has

been exposed but this is rare. In a few locations the toe beam has sunk and concrete has been used to fill the gap between the toe beam and the hexagonal blocks. A full condition assessment was not possible due to the marine growth and the toe beam being buried in some areas (Jacobs, 2022).

Lower Rock Revetment – The lower revetment rock armour condition varies along the length of the lower revetment, but the general condition is poor. There are locations where larger stones are observed to be missing from the grading and locations where rock has fallen away and left the toe beam exposed. In some areas concrete has been used to bind and stabilise the rock but this was not successful in all locations. Some areas of the toe beam are completely exposed after the rock has fallen away or the rock has started to be undercut. There are areas where sediment has buried the rock revetment and these areas are likely to be of less concern (Jacobs, 2022); however, this would depend on the stability of the beach in front of the revetment. Considering Figure 2, the lower revetment was formed without a typical rock toe feature as described in CIRIA; CUR CETMEF, 2007 which would help stabilise the upper slope and this may partly explain rock falling away from the toe beam in locations where the beach has been stripped away.

2.1.3 Shoreline Change

From 1907 to 1999 a maximum shoreline change of 750m seaward was observed for the Musselburgh ash lagoons frontage from review of OS maps. This has resulted in moving the Mean High Water Spring Level further seawards than would naturally occur. This could lead to potential erosion of the frontage in the future due to sea level rise and increasing storminess.

There are no natural beaches along this frontage with mainly a sand foreshore with gravel/rubble present. The dominant wave direction is likely from the north-eastern sector. There is a low westerly drift present, however a weak anti-clockwise gyre (circulating current) is thought to drive localised easterly littoral transport in this area (SMP, 2001).

Along the Musselburgh frontage the construction of flood defences has the potential to modify wave conditions and disrupt local sediment erosion and accretion patterns. The presence of a hard, fixed structure such as a wall or embankment has the potential to reflect waves leading to localised beach erosion at the toe of the defence, disruption to local sediment transport and minor lowering of beach levels and slope.

In the last decade, adjacent areas have shown limited erosion and these areas would be expected to continue to display erosional tendencies in the future under rising sea levels and increasing storminess. Figure 4 presents the anticipated shorelines for each decade to 2100, driven by sea level rise expected based on current greenhouse gas emissions (Dynamic Coast, 2022).



Figure 4 - *dynamiccoast.com*. (2022.). *Dynamic Coast*. [online] Available at: <https://www.dynamiccoast.com/> [Accessed 31 Aug. 2022].

2.1.4 Outline of the problem

The Ash Lagoon Seawall is beyond its original design life. Jacobs (2022) Inspection Report noted some areas of concern and deterioration but generally found the Seawall to be in a stable condition.

There are approximately 5,200 people and 2,700 homes and businesses currently at risk from flooding within the Scheme. This is likely to increase to 6,900 people and 3,500 homes and businesses by the 2080s due to climate change (SEPA, 2021). If the Ash Lagoons Seawall were to fail this would likely increase.

The short-listing exercise and hydraulic modelling for the Scheme confirmed that the integrity of all the preferred scheme components on the right bank of the River Esk could be significantly compromised if the Ash Lagoon Seawall deteriorates in any way. If the headwall was to fail, the 0.5% Annual Exceedance Probability event in year 100 has the potential to inundate and saturate the ash lagoons causing it to quickly liquefy. The liquification of the ash within the Lagoon could create a health and safety and environment risk (Jacobs, 2019).

Further modelling is currently being undertaken as part of the Scheme, therefore homes and businesses currently at risk are subject to change.

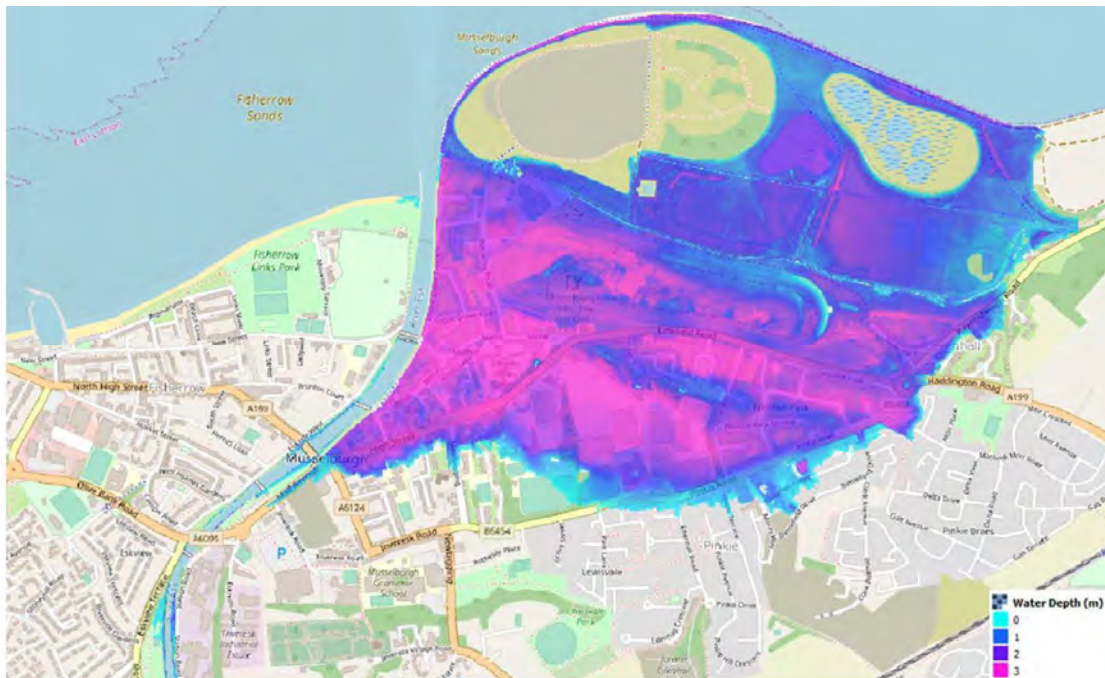


Figure 5 - Flood risk to the east side of the town due to potential failure of the entire Ash Lagoon Seawall (Jacobs (2019))

2.1.5 Issues, Constraints and Opportunities

The study area frontage around Musselburgh is located in the Outer Firth of Forth estuary, downstream of Queensferry, which is defined as a coastal water body. The intertidal areas between Mean Low Water Springs (MLWS) and Mean High Water Springs (MHWS), excluding the tidal Esk, are designated under the Firth of Forth Special Protection Areas under the European Council Directive on the conservation of wild birds (Birds Directive 2009/147/EC), a wetland of international importance under the Ramsar Convention on Wetlands and Site of Special Scientific Interest (SSSI) under the Nature Conservation (Scotland) Act 2004. This includes the intertidal areas of the Firth of Forth up to MHWS.

The Firth of Forth SSSI (Scottish Natural Heritage (SNH), 2003, Site Code 8163) qualifying features include the following physical features:

- Coastal Geomorphology of Scotland; Maritime cliff; Mudflats; Quaternary geology and geomorphology; Saline lagoon; Saltmarsh; and Sand Dunes.

Within the Firth of Forth Special Protection Area (SPA) and Ramsar, qualifying features principally relate to bird species and habitat. The study area is nationally (SSSI) and internationally (RAMSAR) designated.

There is substantial contamination risk due to preventing the contamination from the demolished Cockenzie powerplant, saturation of the ash lagoon causing liquefaction, ash redepositing in residential areas such as nearby Goose Green properties. If coal ash deposits do contaminate the local areas, this also has an adverse impact to public health once it is dry or disturbed and released into the air. Other contamination risks include from the riffle range, oil mills, gas works, brick and tile work.

Musselburgh Lagoons is regarded as a prime location for bird watching. Over the years the lagoons have been capped and landscaped and two of the lagoons have been transformed into wetlands. Further landscaping and wetland works are ongoing at the time of writing.

There have been several development ideas presented over the years. The lagoons provide an opportunity for future development.

An existing path runs along the back of the seawall and this provides an opportunity for incorporating greater access along the frontage. Incorporation of Active Travel Route could be accommodated. An effective Desirable Minimum width for shared pedestrian footpath and cycle way is 4.0 metres. This accommodates two-way traffic for up to 300 cycles per peak hour per direction. Thus, a 'high level of service' in relation to the comfort of the end users would be achieved.

The Ash Lagoons ground conditions consist of soft and compressible cohesive deposits present within the natural superficial deposits within and beneath the ash lagoons (made ground).

There is potential for ground gas and for recorded or unrecorded shallow mine-workings and mine entries across the site.

There may also be buried sewers and pipelines present beneath the ash lagoons and existing seawall. A number of outlets pass through the seawall and a site visit undertaken in September 2022 by ELC indicated the following issues:

- Non-Return / Flap Valves on the outside of the outlet pipes appear to have broken off.
- Condition of the outlets are unknown due to sand accumulation

Further investigation of the outlets, culverts and outfalls is required to confirm their condition, purpose and continued use for the Scheme period.

3. Options Appraisal Approach

The following approach has been adopted in the development of the Options Study:

- Define Options
- Short Listed Options Development
- Appraise Options

3.1 Define Options

The following process has been undertaken to define the options for consideration:

- Options defined through optioneering to identify appropriate long list of potential options.
- Appraisal of long list options to define a draft proposed short list of options.
- Engagement with ELC to develop options long list and present proposed short listed options.

Each option was assessed using a RAG (Red, Amber, Green) analysis against the same factors used within the Scheme Preferred Scheme Report. This qualitative process facilitated a holistic approach to the options appraisal and enabled each option to be categorised as either 'consider', 'reject', or 'can't decide'.

Each option was assessed using the following six key appraisal categories:

- Economics – Relative cost e.g. low, medium or high, of undertaking the option
- Technical – Engineering considerations and anticipated complexity of the option
- Environment – Impact of the option on the environment (built and natural)
- Social and stakeholder – Impact of the option on harbour users and stakeholders
- Health and safety – Health and safety considerations associated with both the construction and operation of the option
- Flooding – considerations associated with flood risk and the standard of protection afforded by the option

Each appraisal category above (for each option) was assigned a colour coding at this stage:

	Generally significant/unacceptable/insurmountable risks/impacts/constraints
	Moderate impacts/risks/constraints
	Generally feasible with minor/mitigable impacts/risks/constraints

Utilising the RAG analysis against the six key appraisal categories assisted in the determination of the preferred solution to take forward.

3.2 Short Listed Options Development

Each of the proposed short listed options was considered and initially developed to allow a high level whole life cost assessment to be undertaken, refer to Section 5.2.

The whole life cost of the short listed options will inform the next stage of the options appraisal.

3.3 Appraise Options

On confirmation of the proposed short listed options by ELC, further option development can be undertaken to allow refinement of whole life cost estimates and final appraisal to identify the preferred option.

This is still to be undertaken.

4. Long List of Options

The long list of potential options was developed and categorised into the following:

1. Do nothing - means walking away from the defences, undertaking no further work, including no maintenance or repair. Do nothing option will be retained for the short list appraisal to provide a baseline against which other options can be compared.
2. Do Something – identification of a range of potential measures that could be adopted as part of the options (packages of measures) to manage the flood risk along this frontage.

Following the development of the long list of Options and Jacobs initial appraisal a virtual workshop was carried out on Monday 12th September 2022 with ELC. The workshop presented a short list of feasible options by screening out long list options based on technical suitability, economic viability, and social, environmental, health & safety and flooding factors. The outcome of this workshop has been incorporated within the following long list options and proposed short listed options.

4.1 Do Nothing

This means walking away from the defences, undertaking no further work, including no maintenance or repair. Where defences exist, these would deteriorate over time and fail, and natural processes would be allowed to take their course. Erosion and flood risk would increase over time as defence condition worsens.

The current preferred scheme relies on continued operation of the Seawall structure for the design life of the scheme to be met (Jacobs, 2019). This implies a do nothing approach would undermine the flood management measures put into place in other flood cells.

The following describes the Do Nothing option consequence for the whole structure and individual structural elements:

- (A.) **Whole Structure** - residual whole structure life assumed to be 10 years, with the failure of the toe beam and rock revetment the whole structure is at risk.
- (B.) **Headwall** - In the short term the wall would likely continue to provide flood protection to the current standard of protection with similar defects continuing to occur and a worsening of the currently observed defects.
In the medium to long term, increases in water level and storminess due to climate change increase the exposure of the wall to hydrodynamic actions. This may accelerate the deterioration of the observed defects and increase the occurrence of new defects resulting in an increased risk of defence breach.
- (C.) **Hexagonal Units** - In the short term the revetment panels would continue to provide protection to the embankment with similar defects continuing to occur and a worsening of the currently observed defects.
In the medium to long term, increases in exposure to more significant hydrodynamic actions would accelerate the deterioration of the observed defects and increasing the occurrence of new defects. Blocks may become displaced, leading to the loss of underlying embankment material, and eventual failure. Failure of the revetment would also accelerate the failure of the headwall with reduced support, increasing the risk of breach to the defences.
- (D.) **Stepped Beams** - In the short to medium term the stepped beams would likely continue to function as designed with similar defects continuing to occur and a worsening of the currently observed defects. In the long term the failure of the vertical beams would contribute to the failure of the upper revetment panels.
- (E.) **Toe Beams** - In the short term the wall would likely continue to provide support to the upper revetment and headwall with similar defects continuing to occur and a worsening of the currently observed defects.
In the medium to long term, increases in exposure to more significant hydrodynamic actions likely accelerate the deterioration of the observed defects, increasing the occurrence of new defects resulting in an increased risk of failure to the toe beam. This would reduce the support it provides to the upper defence elements.
- (F.) **Lower Rock Revetment** - In the short term the areas where rock has already fallen away from the toe beam and undercut will result in significantly reduced support to the toe beam and localised risk of collapse. This risk will continue to increase where further scour of the material from under and eventually behind the toe beam occurs.
In the medium term, increases in storminess due to climate change would likely result in a significant reduction to the stability of the revetment resulting in increased movement and displacement of the rock away from the toe beam further increasing the risk of collapse and or scour of the founding or underlying material. Failure of the rock revetment will also likely result in failure of the upper revetment and headwall due to the reduction in support to the toe beam and upper revetment.

4.2 Do Something Options

Options can be categorised into whole structure options and individual element options, the general advantages and disadvantages of which are explained below.

Whole structure approach requires replacing the existing defence with a new defence. This has the advantages of a longer design life which can be achieved as there is no reliance on the existing components and also benefits from lower maintenance requirements. With this option type the option is likely to have a greater economic capital cost and a greater impact on the environment if the structure footprint changes,

especially also due to the disposal of materials. It would conversely likely have a lower long term maintenance requirements and more likely to achieve the required design life.

An **individual element approach** targets the refurbishment or replacement of individual structure elements. This can have a lower impact on the environment as likely to follow the existing structure layout and footprint and can target the parts of the structure in the worst condition so less short-term capital cost is required. However, it is often harder to achieve the required design life as there is reliance on parts of the original structure which require increased maintenance. It is likely that additional capital would be required in the future to achieve a long design life.

An individual element approach requires consideration of combining element options to achieve the Scheme objectives. This has been undertaken with consideration of the proposed Short Listed Options, refer to Section 5.

A detailed appraisal for the long list of options can be found in Appendix A, Table 1 to Table 6 present an extract of the results and justification of the proposed short listed options.

Table 1 - (A.) Whole Structure Long List Options RAG Summary

Option	Description	RAG	Comment
A.1	Do nothing - see element specific 'Do Nothing' as baseline option also.	CONSIDER	Taken forward as required baseline option
A.2	Do minimum	CONSIDER	Continuation of asset management (required second baseline option)
A.3	Complete removal of seaward face and replacement with rock revetment and new crown wall	CONSIDER	Expensive option, however, would meet scheme objectives with low future capital cost and maintenance. Allows for incorporation of additional requirements [increased flood protection/ erosion protection / active travel routes and any further masterplan requirements to improve the landscape and amenity value of the frontage].
A.4	Managed Realignment - Retreat	REJECT	Due to magnitude of the temporary works required to realign the defences - this is not feasible.
A.5	Secondary defence line	REJECT	Not feasible due to containment requirement of the existing bund for the ash material.
A.6	Reclaim seaward of defence to form new defence line- Advance the line	REJECT	Not feasible due to the increased footprint on the marine environment and further potential erosion protection measures required.
A.7	Whole structure rock revetment	CONSIDER	Would be a significant capital cost. Would increase flood protection due to material properties and extend the design life due to new headwall.
A.8	Whole Structure open stone asphalt (OSA) Revetment	REJECT	May be difficult to incorporate stepped beams without significant thickness of OSA. May not be suitable for scheme design life or wave climate. Would also require works to headwall to provide flood protection

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	Option	Description	RAG	Comment
A.9	Create Beach fronting existing structure	Create a new beach in front of the existing seawall along with the associated beach control structures	REJECT	It may smother existing biodiversity. Would be difficult to maintain sufficient beach levels to ensure structure remains covered therefore impacting stability without providing significant beach control structures and ongoing import of beach material. Introduction of new beach control structures likely to impact adjacent frontages, interrupt sediment supply.

Table 2 - (B.) Headwall Long List Options RAG Summary

	Option	Description	RAG	Comment
B.1	Do nothing at headwall	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	CONSIDER	Taken forward as required baseline option
B.2	Do minimum - General surface level repairs.	This option would consist of reactive patch and repair maintenance works to the existing headwall, to prolong the life of the asset.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.
B.3	Concrete repairs	This option would consist of proactive patch and repair maintenance works to the existing headwall	CONSIDER	Should be used in conjunction with B.4, B.5, B.6, B.7, B.8
B.4	Sacrificial anodes added to the structure [which should be undertaken in conjunction with concrete repairs in Option B.3].	This option would consist of providing protection against chloride attack with the use of sacrificial anodes, to prolong the life of the asset. The addition of anodes would be to control the incipient anode effect (provide protection from corrosion for areas adjacent to the repair)	CONSIDER	Would not provide increased level of flood protection. Success of solution is dependent on the success of other elements being refurbished successfully. Future capital would likely be required to achieve scheme design life.
B.5	Protective system of Impressed Current Cathodic Protection (ICCP) [in conjunction with concrete repairs in Option B.3].	This would require the structure to be electrically continuous (which the reinforcement is not as it is split into panels) and localised patch repairs to be undertaken.	REJECT	Not considered feasible due to high associated costs of the installation due to the unlinked reinforcement along the 2.7km of seawall, as well as the permanent cabling required.
B.6	Protective system of corrosion inhibitor [in conjunction with concrete repairs in Option B.3].	This option would involve concrete patch and repair where corrosion inhibitors are added to the structure. A corrosion inhibitor (a chemical solvent) can be added as an admixture to concrete patch repairs and on the remaining existing structure it will be applied on the hardened concrete.	CAN'T DECIDE YET	Additional trials will be required to determine the depth of penetration and suitability of option
B.7	Electrochemical chloride extraction [in conjunction with concrete repairs in Option B.3].	This option would involve removal of chloride from the concrete. It would not address existing defects within the wall	REJECT	Not considered feasible due to high associated costs, time required for installation and complexity of option.
B.8	Application of protective coating [in conjunction with concrete repairs in Option B.3].	This option would involve applying protective coating.	CONSIDER	This approach would require ongoing repairs to the structure.
B.9	Removal of damaged wall aspects and repaired with spray concrete to existing top level	This option would involve concrete patch and repair.	CONSIDER	This approach would require ongoing repairs to the structure.
B.10	Remove top portion (500mm) of the headwall and replace.	The top 500mm of the parapet wall with large deterioration will be removed and will be replaced, the existing structure will undergo proactive maintenance and repairs to prolong the life of the asset.	REJECT	Option does not address the expansion joint issue and high level of cost compared to other patch and repair approaches or complete replacement.
B.11	Remove the damaged panels of the headwall and replace	Complete removal of damaged panels within headwall and proactive repair work.	REJECT	Option does not address the expansion joint issue and high level of cost compared to other patch and repair approaches or complete replacement.
B.12	Full replacement of the fixed headwall.	Complete removal of the headwall and replacement.	CONSIDER	Highest capital cost, longest design life. Options to include changes to area behind for improved amenity use.
B.13	In combination with another option, the installation of retro fit expansion joints	This would involve retrofitting of joints through saw-cutting to enable the structure to account for thermal cycles. This would prevent future cracking caused by restraint	REJECT	Reject due to potential to further damage the wall through the retrofitting of the joints - allowing further routes for chloride ingress and potential loss of strength in the reinforcement.

Table 3 – (C.) Hexagonal Units Long List Options RAG Summary

Option	Description	RAG	Comment
C.1	Do nothing on facing slope at the upper revetment.	CONSIDER	Taken forward as required baseline option
C.2	Do minimum - Patch up works over existing hexagonal units	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.
C.3	Remove displaced/damaged hexagonal units and relay units which are repaired or replaced.	REJECT	H&S grounds - heavy units and access restrictions. Majority of the units are soundly in place if removed could unsettle/ reduce their existing integrity.
C.4	Remove all hexagonal units and fill bays with insitu concrete revetment.	CONSIDER	Wave protection in moderate to high wave energy environments and would hold the line of the upper beach. Smoother surface finish may increase overtopping, does not offer any additional benefit other than encasing the existing structure - significant concrete usage. Has been adopted on panels 11 and 12 prior to 1999, no significant defects observed. Therefore, has been used at this site with some success although achieving scheme design life may be difficult without significant maintenance in the medium to long term.
C.5	Cover the facing blocking with a concrete mattress layer	REJECT	High cost, access restrictions for construction and maintenance difficulties
C.6	Cover the facing blocking with an Open Stone Asphalt Layer	REJECT	Not suitable in the short lengths required between the bookends, introduces weaknesses into the structure. May not be suitable for scheme design life or wave climate.
C.7	Cover the facing blocks with sprayed concrete	REJECT	May be difficult to get required thickness to ensure integrity of the concrete surface with existing blocks in place.
C.8	Localised repairs to the hexagonal units	CONSIDER	Condition assessment noted blocks are in generally fair condition. This could extend life of structure marginally and delay requirement for significant capital expenditure.
C.9	3D Printing of Revetment Blocks	REJECT	Likely to be little benefit over more traditional forming techniques. Condition of blocks would mean there may be more benefit to more localised repairs. Wave climate likely too high if material is light.

Table 4 - (D.) Stepped Beam Long List Options RAG Summary

	Option	Description	RAG	Comment
D.1	Do nothing at stepped beams	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	CONSIDER	Taken forward as required baseline option
D.2	Do minimum-General surface level repairs	This option would consist of reactive patch and repair maintenance works to the existing stepped beams, to prolong the life.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.
D.3	Concrete repairs	This option would consist of proactive patch and repair maintenance works to the existing stepped beam	CONSIDER	Would not provide increased level of flood protection, would likely require an additional capital expenditure in the medium term
D.4	Extensive repairs to slow deterioration and add sacrificial anodes to the structure.	This option would provide protection against chloride attack of exposed reinforcement in vertical beam using sacrificial anodes, to prolong the life.	CONSIDER	Would not provide increased level of flood protection, would likely require an additional capital expenditure in the medium term
D.5	Replace stepped beams	Replace stepped beams, which would include the need to remove hexagonal blocks and then reform vertical and replace.	REJECT	Not feasible due to the scale of disruptions, cost and difficulty of removing entire structure.
D.6	Encase the stepped beam in mass concrete	Provide concrete cover to existing stepped beam.	CONSIDER	Corrosion may be expected to continue until such a time that oxygen is reduced at the surface of the reinforcement. To ensure reflective cracking does not occur within the overlay concrete, a significant thickness of concrete may be required.
D.7	Apply waterproof coating to the stepped beam after repairs	In this option whichever option is used, a waterproof coating would be applied in order to slow down the corrosion process on the repairs.	CONSIDER	Enhances the maintenance free life of the structure. Similar applications to that intended here may not be common place so would need further appraisal.

Table 5 - (E.) Toe Beam Long List Options RAG Summary

	Option	Description	RAG	Comment
E.1	Do nothing at toe beam	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	CONSIDER	Taken forward as required baseline option
E.2	Do minimum - General surface level repairs	This option would consist of reactive patch and repair maintenance works to the existing toe beam, to prolong the life.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.
E.3	Extensive repairs to slow deterioration and add sacrificial anodes to the structure.	This option would consist of proactive patch and repair maintenance works to the existing toe beam and provide protection against chloride attack of exposed reinforcement using sacrificial anodes, to prolong the life.	CONSIDER	Repairs to toe beam need to ensure stability to the revetment above.

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	Option	Description	RAG	Comment
E.4	Replace toe beam with Rock Toe	In this option the existing toe beam would be removed and replaced with a rock toe, where the armour is sized to stabilise the upper slope and against hydraulic action.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing.
E.5	Replace toe beam with gabion mattress	In this option the existing toe beam would be removed and replaced with a gabion mattress, with the function to stabilise the upper slope against hydraulic action.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing. Design life of gabions may not achieve scheme objectives.
E.6	Replace Toe Beam with Grouted Rock Toe	In this option the existing toe beam would be removed and replaced with a grouted rock toe, with the function to stabilise the upper slope and against hydraulic action.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing.
E.7	Apply waterproof coating to the toe beam after repairs	In this option whichever option is used, a waterproof coating would be applied in order to slow down the corrosion process on the repairs.	CONSIDER	Enhances the maintenance free life of the structure. Similar applications to that intended here may not be common place so would need further appraisal.
E.8	Overlay the existing toe beam with mass concrete	In this option, the toe beam is covered with mass concrete and the existing toe beam is encased	REJECT	Access issues and ongoing complicated maintenance.

Table 6 - (F.) Rock Armour Long List Options RAG Summary

	Option	Description	RAG	Comment
F.1	Do nothing at lower revetment rock armour	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	CONSIDER	Taken forward as required baseline option
F.2	Do minimum-reactive maintenance, moving the rock armour back to the toe beam.	This option would consist of reactive patch and repair maintenance works to the existing lower revetment armour, to prolong the life of the toe beam from scour.	REJECT	With no import of material there is no benefit in moving material. Will not halt ongoing undercutting.
F.3	Patch and repair works utilising suitably sized rock armour where required	This option would consist of proactive patch and repair maintenance works to the lower revetment utilising appropriate rock sizing for stability within the design life.	CONSIDER	Broadly in keeping with what is there already.
F.4	Patch and repair by concrete cover to stabilise rock armour	This option consists of moving rock which had moved from the toe beam and then applying concrete to secure all rock armour.	REJECT	Unfeasible due to technical and environmental reasoning
F.5	Enhance rock armour to suitable size and form to protect from further scour and support toe beam	This option involves enhancing the current armour, filling any voids and sizing and sourcing (or reusing) rock armour of a suitable size for its stability at the toe beam.	CONSIDER	Rock could be sized to achieve the scheme design life and standard of protection. Rock is a sustainable material that could be reused as part of a future solution or could be adapted or added to form a whole structure rock revetment. Ensuring

Option	Description	RAG	Comment
			existing voids are filled may be difficult.
F.6	Remove and replace rock armour, the new lower slope revetment could consist of OSA/concrete lower revetment.	REJECT	OSA only suitable in low to moderate wave climates and difficult to justify scheme design life. Difficult to remove the rock armour and replace lower revetment with OSA or concrete. Would likely need to be a whole structure solution to adopt these materials.
F.7	Replacement with vertical toe (sheet piles)	REJECT	Unfeasible due to the difficulties in access, noise and increase in the potential scouring processes against a vertical toe.
F.8	Import beach material and continue beach nourishment to bury rock armour and toe beam	REJECT	It may smother existing biodiversity. Would be difficult to maintain sufficient beach levels to ensure structure remains covered therefore impacting stability without providing significant beach control structures and ongoing import of beach material.

5. Short listed options

Initial development of the proposed short listed options has been undertaken to inform the next stage of the options appraisal. The proposed short listed options are presented below:

(A.) Whole Structure

- A.1 Do Nothing – base case
- A.2 Do Minimum - reactive patch and repair maintenance works, to the existing coastal defence assets, to prolong the life of the asset and meet Health & Safety legislation.
- A3 Complete removal of seaward face and replacement with rock revetment and new crown wall

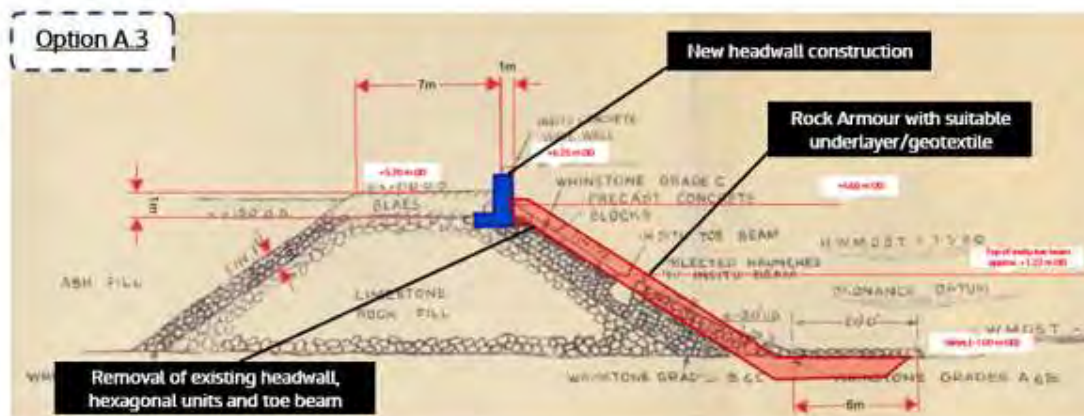


Figure 6 - (A.) Whole Structure Short Listed Option A.3 indicative sketch

- A.7 Whole structure rock revetment form new rock revetment over the existing structure with crest level to the top of a new headwall.

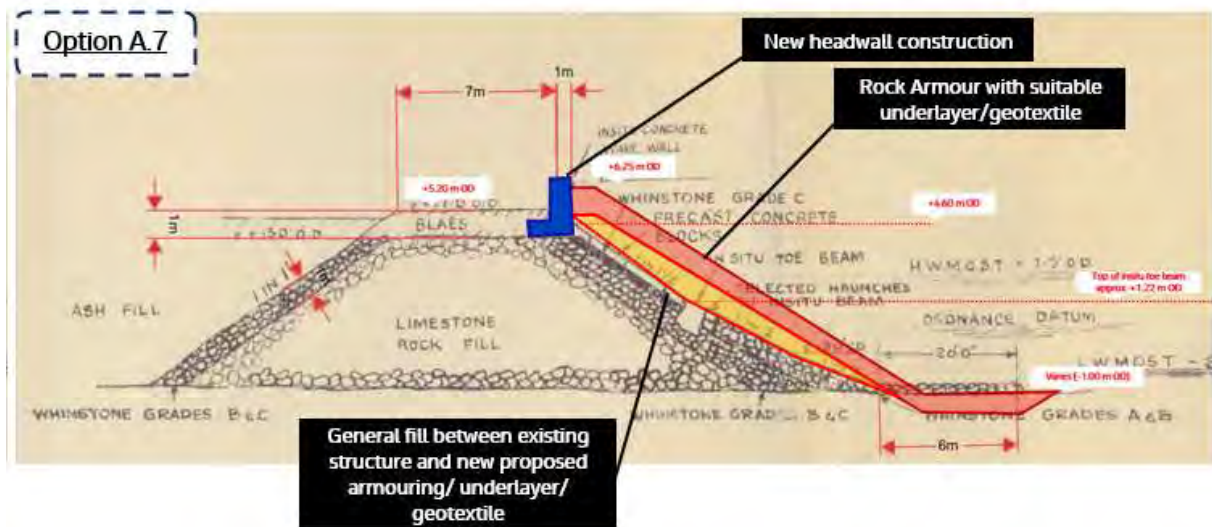


Figure 7 - (A.) Whole Structure Short Listed Option A.7 indicative sketch

(B.) Headwall

- B.3/ B.4/ B.6/ B.7 / B.8 Extensive repairs and measures to slow deterioration – dependant on the material investigations undertaken possible means of this could be as follows:
 - B.3 Concrete repairs.
 - B.4 Sacrificial anodes to the structure [in conjunction with concrete repairs in Option B.3].
 - B.6 Protective system of corrosion inhibitor [in conjunction with concrete repairs in Option B.3].
 - B.7 Electrochemical chloride extraction [in conjunction with concrete repairs in Option B.3].
 - B.8 Application of protective coating
- B.12 Full replacement of the fixed headwall.

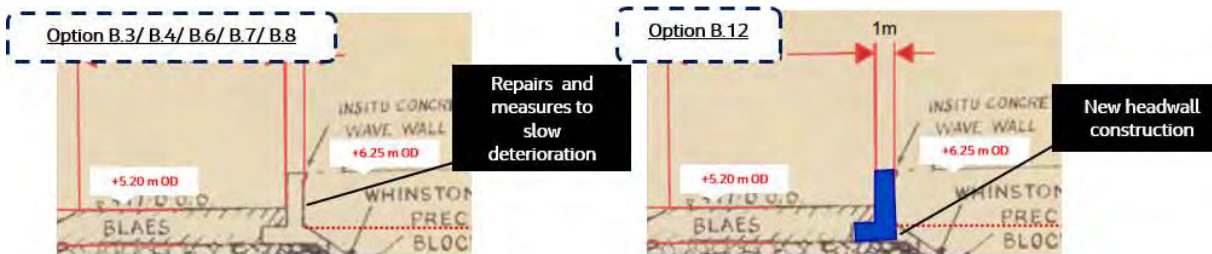


Figure 8 - (B.) Headwall Short Listed Options B.3/ B.4/ B.6/ B.7 / B.8 and B.12 indicative sketch

(C.) Hexagonal Units

- C.4 Remove all hexagonal units and fill bays with insitu concrete revetment - This option would consist of removing the hexagonal units on the structure, ensure fill material is regraded and cover the slope face in concrete layer.
- C.8 Localised repairs to the hexagonal units - This option would consist of proactive inspection and repair of units depending on level of deterioration. Namely reinforcement exposure recovering.



Figure 9 - (C.) Hexagonal Units Short Listed Option C.4 and C.8 indicative sketch

(D.) Stepped Beam

- D.3/ D.4/ D.6/ D.7 Extensive repairs and measures to slow deterioration – dependant on the material investigations undertaken possible means of this could be as follows:
 - D.3 Concrete repairs
 - D.4 Extensive repairs to slow deterioration and add sacrificial anodes to the structure.
 - D.6 Encase the stepped beam in mass concrete
 - D.7 Apply waterproof coating to the stepped beam after repairs



Figure 10 - (D.) Stepped Beam Short Listed Options D.3, D.4, D.6, D.7 indicative sketch

(E.) Toe Beam

- E.3/ E.7 Extensive repairs and measures to slow deterioration – dependant on the material investigations undertaken possible means of this could be as follows:
 - E.3 provide protection against chloride attack of exposed reinforcement using sacrificial anodes, to prolong the life.
 - E.7 A waterproof coating would be applied in order to slow down the corrosion process on the repairs.

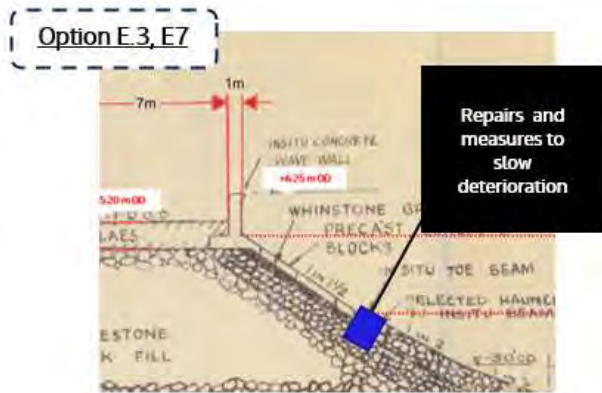


Figure 11 - (E.) Toe Beam Short Listed Options E.3 and E.7 indicative sketch

(F.) Rock Armour

- F.3 Patch and repair works utilising suitably sized rock armour where required
- F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam

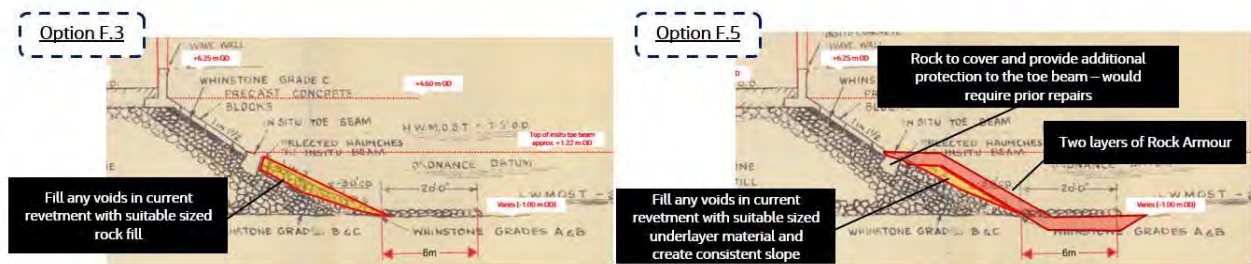


Figure 12 - (F.) Short Listed Option F.3 and F.5 indicative sketch

5.1 Combined options

An individual element approach requires consideration of combining individual element options to achieve the Scheme objectives. This has been undertaken with consideration of the proposed Short Listed Options to produce the following options:

Combined Option 1

- Headwall - B.3/ B.4/ B.6/ B.7 / B.8 Extensive repairs and measures to slow deterioration
- Hexagonal Units - C.8 Localised repairs to the hexagonal units
- Stepped Beams - D.3/ D.4/ D.6/ D.7 Extensive repairs and measures to slow deterioration
- Toe beam - E.3/ E.7 Extensive repairs and measures to slow deterioration
- Rock Armour -F.3 Patch and repair works utilising suitably sized rock armour where required

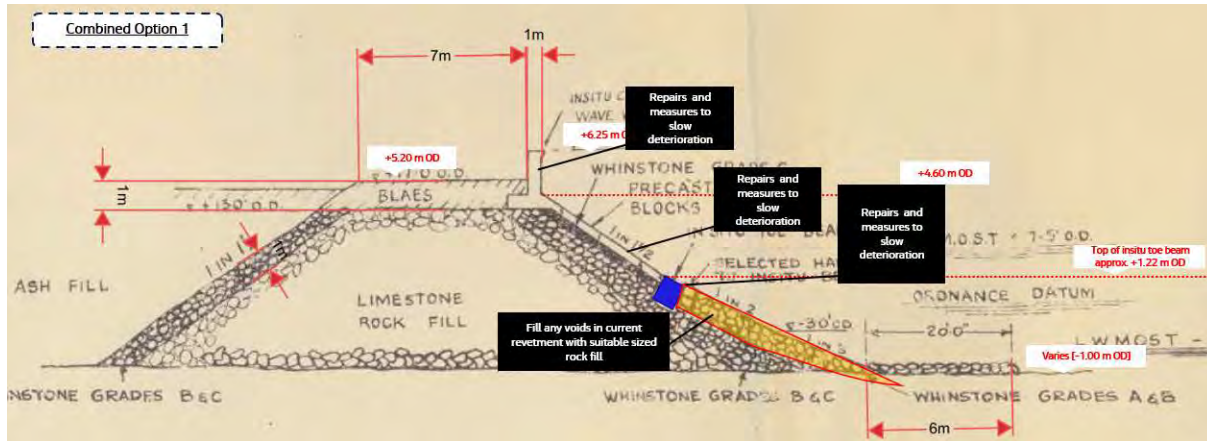


Figure 13 – Combined Option 1 indicative sketch

Combined Option 2

- Headwall - B.12 Full replacement of the fixed headwall.
- Hexagonal Units - C.4 Remove all hexagonal units and fill bays with insitu concrete revetment
- Stepped Beams - D.3/ D.4/ D.6/ D.7 Extensive repairs and measures to slow deterioration
- Toe beam – refurbishment of the toe beam included within Rock Armour F.5 enhancement works
- Rock Armour - F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam

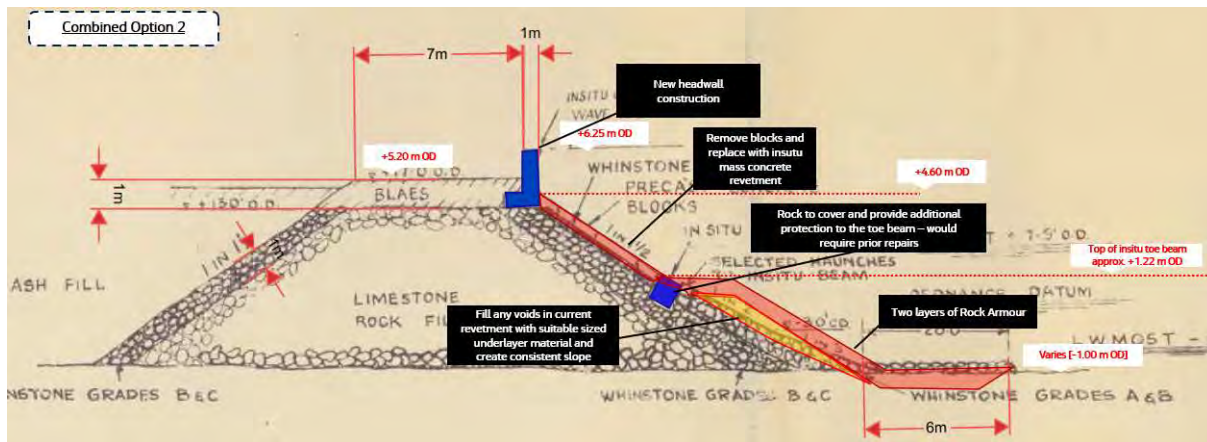


Figure 14 – Combined Option 2 indicative sketch

Combined Option 3

- Headwall - B.12 Full replacement of the fixed headwall.
- Hexagonal Units - C.8 Localised repairs to the hexagonal units
- Stepped Beams - D.3/ D.4/ D.6/ D.7 Extensive repairs and measures to slow deterioration
- Toe beam – refurbishment of the toe beam included within Rock Armour F.5 enhancement works
- Rock Armour -F.3 Patch and repair works utilising suitably sized rock armour where required

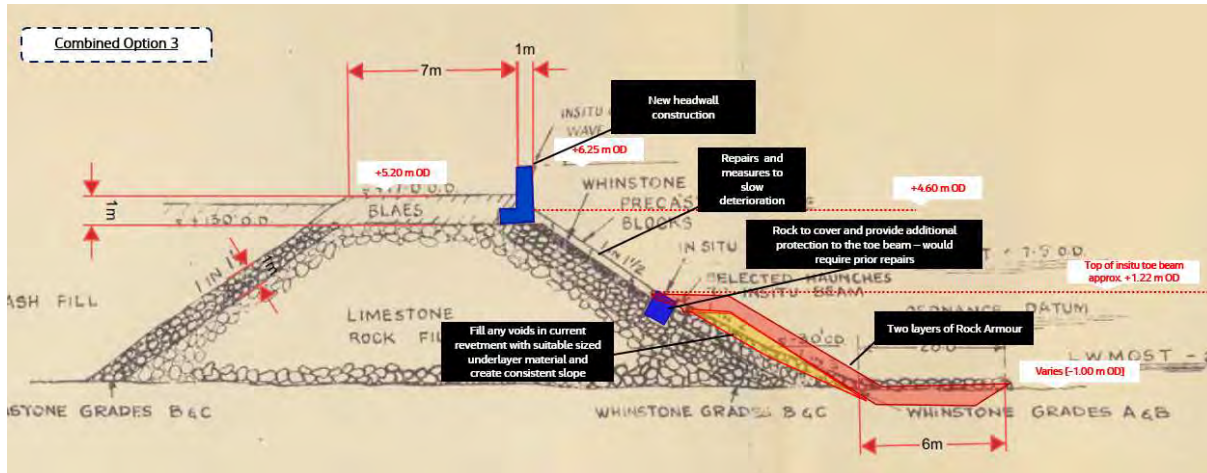


Figure 15 – Combined Option 3 indicative sketch

5.2 Whole Life Cost Estimates

Costs have then been estimated for each shortlisted option. In accordance with the Flood Risk Management (Scotland) Act 2009, Chapter 5, costs are estimated over the 100 year appraisal period to derive a Present Value (PV) cost for each option. This PV cost includes all costs that can reasonably be foreseen over the appraisal period including:

- Capital works costs;
- Design costs (consultancy and client fees);
- Maintenance costs.

All options were costed using a combination of the Environment Agency's 'Flood Risk Management Estimating Guide – Update 2010' and an internal costs database compiled by Jacobs. The Jacobs database consists of a collation of cost estimates and cost rates from a range of similar projects and from industry pricing guides. Costs were updated to 2022 base date using price indices.

The total PV cost over the life of the scheme is subjected to an Optimism Bias (OB) adjustment. For initial feasibility stage, the recommended OB allowance is 60% and this has been applied to all options and costs developed as part of the Options Study.

In accordance with current HM Treasury guidelines, costs have been discounted at the approved rates (3.5% for years 0-30, 3.0% for years 31-75, and 2.5% thereafter).

5.2.1 General Cost Assumptions

The following general assumptions were adopted in the development of the option costs:

- It is assumed that do minimum is based on a regime of reactive maintenance which involves monitoring the structures following significant storm events and making necessary interventions.
- Where new structures are installed, it is assumed that a proactive maintenance regime will be put in place whereby structures are monitored and maintained periodically and therefore a different rate for this has been included.
- Some solutions call for a proactive rather than reactive maintenance regime to be part of the solution and in these instances a small additional capital cost at the start will be included to account for some limited refurbishment to bring the structure up to maintainable state.
- For all extensive concrete measures to prolong structures residual life a cost based on Impressed Current CP system has been assumed. This is to be confirmed and is dependent on further material test results and any further required investigations.

- Due to ongoing uncertainty with cost rates the estimates provided should be viewed with caution. Further consideration of sensitivities to rate changes should be undertaken once further development of the short listed option has been undertaken.

5.3 Cost Estimates

The cost estimates for each Short Listed Option are summarised in Table 7 to Table 14 with full cost breakdown of the whole life costs for each of the considered options, including capital costs, maintenance and risk. The base date for the costs is Quarter 2 (Q2), 2022.

Table 7 - (A.) Whole Structure – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Do Nothing	10	-	0.0	0.0	0.0	0.0	0.0
Whole Structure A.2 Do Minimum	15	0	0.7	0.0	0.6	0.6	0.9
Whole Structure A.3 Complete removal of seaward face and replacement with rock revetment and new crown wall	100	0	40.7	33.1	2.2	35.3	56.5
Whole Structure A.7 Whole structure rock revetment form new rock revetment over the existing structure with crest level to the top of the new headwall.	100	0	33.7	26.1	2.2	28.3	45.3

Table 8 - (B.) Headwall – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Headwall B.3/ B.4/ B.6/ B.7 / B.8 Extensive repairs to slow deterioration	50	0	30.7	10.9	9.5	20.4	32.6

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Headwall B.12 Full replacement of the fixed headwall.	100	0	15.8	13.8	0.6	14.4	23.1

Table 9 - (C.) Upper Revetment Facing Blocks – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Hexagonal Units C.4 Remove all hexagonal units and fill bays with insitu concrete revetment	100	0	25.8	18.4	0.5	18.8	30.2
Hexagonal Units C.8 Localised repairs to the hexagonal units	50	0	4.6	4.0	0.1	4.1	6.5

Table 10 - (D.) Stepped Beam Whole Structure – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Stepped Beams D.3, D.4, D.6, D.7 Extensive repairs to slow deterioration	50	0	1.1	0.5	0.3	0.8	1.2

Table 11 - (E.) Toe Beam – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVC)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Toe beam E.3, E.7 Extensive repairs to slow deterioration	50	0	25.2	5.5	9.5	14.9	23.9

Table 12 - (F.) Rock Armour – Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVC)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Rock Armour F.3 Patch and repair works utilising suitably sized rock armour where required	100	0	10.0	3.8	1.6	5.4	8.7
Rock Armour F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam	100	0	21.2	15.6	1.6	17.2	27.5

Table 13 - Combined Options 1– Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVC)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Headwall B.3/ B.4/ B.6/ B.7 / B.8 Extensive repairs to slow deterioration	50	0	30.7	10.9	9.5	20.4	32.6
Hexagonal Units C.8 Localised repairs to the hexagonal units	50	0	4.6	4.0	0.1	4.1	6.5

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Stepped Beams <i>D.3, D.4, D.6, D.7 Extensive repairs to slow deterioration</i>	50	0	1.1	0.5	0.3	0.8	1.2
Toe beam <i>E.3, E.7 Extensive repairs to slow deterioration</i>	50	0	25.2	5.5	9.5	14.9	23.9
Rock Armour <i>F.3 Patch and repair works utilising suitably sized rock armour where required</i>	100	0	10.0	3.8	1.6	5.4	8.7
Combined Option_1	50 to 100	0	71.6	24.7	21	45.6	72.9

Table 14 - Combined Options 2– Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Headwall <i>B.12 Full replacement of the fixed headwall.</i>	100	0	15.8	13.8	0.6	14.4	23.1
Hexagonal Units <i>C.4 Remove all hexagonal units and fill bays with insitu concrete revetment</i>	100	0	25.8	18.4	0.5	18.8	30.2
Stepped Beams <i>D.3, D.4, D.6, D.7 Extensive repairs to slow deterioration</i>	50	0	1.1	0.5	0.3	0.8	1.2
Toe Beam <i>[Included within Rock Armour F.5]</i>	-	-	-	-	-	-	-

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Rock Armour <i>F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam</i>	100	0	21.2	15.6	1.6	17.2	27.5
Combined Option_2	50 to 100	0	63.9	48.3	3.0	51.2	82.0

Table 15 - Combined Options 3– Short Listed Option cost summary

Option	Design Life	Capital Works year applied	Whole Life Cost (cash 2022)	Present Value (PV)			
				Capital Works	Maintenance and Operation Works	Total cost (PVc)	Total cost with Optimism Bias (PV(OB)c)
	Year	Year	£m	£m	£m	£m	£m
Headwall <i>B.12 Full replacement of the fixed headwall.</i>	100	0	15.8	13.8	0.6	14.4	23.1
Hexagonal Units <i>C.8 Localised repairs to the hexagonal units</i>	50	0	4.6	4.0	0.1	4.1	6.5
Stepped Beams <i>D.3, D.4, D.6, D.7 Extensive repairs to slow deterioration</i>	50	0	1.1	0.5	0.3	0.8	1.2
Toe Beam <i>[Included within Rock Armour F.5]</i>	-	-	-	-	-	-	-
Rock Armour <i>F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam</i>	100	0	21.2	15.6	1.6	17.2	27.5
Combined Option_3	50 to 100	0	42.7	33.9	2.6	36.5	58.3

6. Conclusions and Recommendations

The purpose of this Technical Memorandum was to summarise the options study progress to date and the next steps required to make a recommendation for a preferred option which could be implemented as part of the Scheme.

The options were defined through optioneering to identify an appropriate long list of potential options. Appraisal of the long list options was undertaken to define a draft proposed short list of options. Engagement with ELC through a workshop on Monday 12th September 2022 was undertaken to allow an opportunity to develop the options long list and present proposed short listed options.

Each long list option was assessed using a RAG (Red, Amber, Green) analysis against the same factors used within the Scheme. Appendix A provides this appraisal.

An initial development of the proposed short listed options was undertaken to allow a high level whole life cost for each option to be calculated. Further short listed option development, refinement of whole life cost estimates and final appraisal to identify the preferred option is to be undertaken.

A summary of the proposed short listed options for whole structure and combined options, description and whole life costs are summarised in Table 16.

Table 16 - Short Listed Option Summary – Whole Structure and Combined Options

Option	Description	Residual Life/ Design Life	Present Value Capital Works*	Present Value Total cost (PVC)*	Present Value Total cost with Optimism Bias (PV(OB)c)*
		Year	£m	£m	£m
Do Nothing	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	10	0.0	0.0	0.0
Whole Structure A.2 Do Minimum	This option would consist of reactive patch and repair maintenance works, to the existing coastal defence assets, to prolong the life of the asset and meet Health & Safety legislation.	15	0.0	0.6	0.9
Whole Structure A.3 Complete removal of seaward face and replacement with rock revetment and new headwall	Remove headwall, hexagonal units, toe beam and lower rock revetment to the existing core and replace with new rock revetment and crown wall.	100	33.1	35.3	56.5
Whole Structure A.7 Whole structure rock revetment. Form new rock revetment over the existing structure with crest level to the top of the new headwall.	Form new rock revetment over the existing structure with crest level to the top of the headwall.	100	26.1	28.3	45.3

Option	Description	Residual Life/ Design Life	Present Value Capital Works*	Present Value Total cost (PVC)*	Present Value Total cost with Optimism Bias (PV(OB)c)*
		Year	£m	£m	£m
Combined Option_1	Headwall - B.3/ B.4/ B.6/ B.7 / B.8 Extensive repairs and measures to slow deterioration Hexagonal Units - C.8 Localised repairs to the hexagonal units Stepped Beams - D.3, D.4, D.6, D.7 Extensive repairs and measures to slow deterioration Toe beam - E.3, E.7 Extensive repairs and measures to slow deterioration Rock Armour -F.3 Patch and repair works utilising suitably sized rock armour where required	50 to 100	24.7	45.6	72.9
Combined Option_2	Headwall - B.12 Full replacement of the fixed headwall. Hexagonal Units - C.4 Remove all hexagonal units and fill bays with insitu concrete revetment Stepped Beams - D.3, D.4, D.6, D.7 Extensive repairs and measures to slow deterioration Toe beam – refurbishment of the toe beam included within Rock Armour F.5 enhancement works Rock Armour - F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam	50 to 100	48.3	51.2	82.0
Combined Option_3	Headwall - B.12 Full replacement of the fixed headwall. Hexagonal Units - C.8 Localised repairs to the hexagonal units Stepped Beams - D.3, D.4, D.6, D.7 Extensive repairs and measures to slow deterioration Toe beam – refurbishment of the toe beam included within Rock Armour F.5 enhancement works Rock Armour - F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam	50 to 100	33.9	36.5	58.3
* The base date for the costs is 2022. Due to ongoing uncertainty with cost rates the estimates provided should be viewed with caution.					

Table 16 presents a summary of present value cost rates, these are based on the current development of the options being considered and subject to confirmation as the design is developed.

6.1 Consultation

Further engagement with ELC through a meeting on Monday 3rd October 2022 was undertaken to allow an opportunity to review the Ash Lagoon Seawall progress to date and the short listed options. Through the appraisal process and the discussion with ELC the following two options have been considered favourable:

- **Whole Structure - A.7** Whole structure rock revetment. Form new rock revetment over the existing structure with crest level to the top of the new headwall.

Total Q2 2022 Present Value Capital Cost (£26.1 million) + 60% Optimism Bias = £41.8 million

- **Combined Option_3:**
 - **Headwall** - B.12 Full replacement of the fixed headwall
 - **Hexagonal Units** - C.8 Localised repairs to the hexagonal units
 - **Stepped Beams** - D.3, D.4, D.6, D.7 Extensive repairs and measures to slow deterioration
 - **Toe beam** – refurbishment of the toe beam included within Rock Armour F.5 enhancement works
 - **Rock Armour** - F.5 Enhance rock armour to suitable size and form to protect from further scour and support toe beam

Total Q2 2022 Present Value Capital Cost (£33.9 million) + 60% Optimism Bias = £54.2 million

6.2 Next steps

The next steps required to make a recommendation for a preferred option which could be implemented as part of the Scheme are outlined below:

- **Gap Analysis** - to establish where there are gaps in information, surveys and investigations that should be undertaken to inform the next stage of works. This could include topographical surveys, site investigations, non-destructive testing etc. These investigations will not be costed. The outcome of this section will be informed through reviewing the information supplied and the nature of the options that are to be taken forward. Specialists in materials (such as a concrete expert) and geotechnical engineering will be consulted to determine if further investigations should be carried out on the existing structure in order to progress the design.
- **Further Short Listed Option Development** – further consideration of the short listed options and combinations will be undertaken.
- **Preferred Solution Selection** - An options appraisal report will present proposed short listed options developed for the project, appraising their technical merit and buildability. Each option will have a high-level environmental appraisal. This will outline any environmental concerns and what licences or assessments will need to be carried out prior to constructing each solution. This will also inform any overlap or addition to the main flood scheme requirements. An Options Study report will be developed capturing the appraisal undertaken and Preferred Solution Selection.

7. References

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SEPA. 2021, Flood Risk Management Plan – Forth Estuary Local Plan District

**Appendix A - Ash Lagoons Seawall
Options Study - Long List RAG Analysis**



Appendix A - Musselburgh Flood Protection Scheme - Ash Lagoons Seawall Options Study - Long List RAG Analysis

REF	OPTION	Description	G R A D I ECONOMIC COMMENTS	G R A D I TECHNICAL COMMENTS	G R A D I ENVIRONMENT / ECOLOGY COMMENTS	G R A D I SOCIAL & STAKEHOLDER COMMENTS	G R A D I HEALTH & SAFETY COMMENTS	FLOODING GRADING	FLOODING COMMENTS	PROPOSAL	COMMENTS	OPPORTUNITY / MULTIPLE BENEFIT
A. Baseline/Whole Structure Options												
A.1	Do nothing - see element specific 'Do Nothing' as baseline option also.	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change	Deteriorating structure may pollute the sea. In addition the ash dumping pits protected by the current seawall would be exposed to pollute the sea and land under flood events.	Reduced levels of flood protection in Musselburgh. Amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events. Loss of primary function to contain the ash deposits would be of concern to some stakeholders.	Would need to reduce access to structure as it deteriorates for public safety. Liquefaction of the ash lagoons due to water inundation would be a risk to safety.		Risk of flooding would increase and eventually be inevitable once breach has occurred.	CONSIDER	Taken forward as required baseline option	
A.2	Do minimum	This option would consist of reactive patch and repair maintenance works, to the existing coastal defence assets, to prolong the life of the asset and meet Health & Safety legislation.	No upfront capital cost associated with scheme delivery. Capital investment likely required in the medium term as it becomes less feasible to repair the structure.	May not be possible to undertake maintenance into the medium term due to structure deterioration.	Emergency repairs not likely to be the most sustainable solution, likely to lead to a more carbon heavy use of materials. Eventually (medium term) repair may not be feasible and failure may occur. When failure occurs the deteriorating structure may pollute the sea. In addition, the ash dumping pits protected by the current seawall would be exposed to pollute the sea and land in a flood event.	Reduced levels of flood protection in Musselburgh. Amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events. Loss of primary function to contain the ash deposits would be of concern to some stakeholders.	Ongoing frequent intervention increases health and safety risks. Possible reduction of access provision in the medium term. Possible liquefaction of the ash lagoon due to water inundation would be a risk to safety.		Risk of breach if damage not repaired between successive storms. In medium term may be difficult to maintain and then risk similar to 'do nothing'.	CONSIDER	Continuation of asset management (required second baseline option)	
A.3	Complete removal of seaward face and replacement with rock revetment and new crown wall	Remove headwall, hexagonal units, toe beam and lower rock revetment to the existing core and replace with new rock revetment and crown wall.	Very high capital cost but with design life of the new structure in line with the flood defence scheme, very little maintenance required	Complete removal and replacement allows the design life of the structure to meet the design of the flood defence scheme. Armouring with rock provides significant wave energy dissipation offering a hard defence solution to the frontage. Compared to a concrete seawall this structure has the advantage of having a longer life and of reducing the wave reflection (also reducing toe erosion). The crown wall can increase the crest level to acceptable overtopping levels to reduce inundation for both flooding and environmental reasons. Due to increased dissipation, crest wall height may be able to be optimised compared to existing.	The disturbance to existing species within the vicinity is moderate from construction noise and duration. Full structural rock revetment will provide new possible habitat creation. High carbon cost with demolition of existing seaward face.	Would be seen to be providing proactive repairs and flood protection scheme/life. Longer construction period would mean reduced access to seawall. Area required for site compound. Option to increase amenity use of seawall, i.e. active travel route.	Main consideration is the structural integrity of the core bund during construction of the new face in the exposed wave conditions and inundation of the ash which could lead to liquefaction. Full designers risk assessment required to capture full health and safety comments from storage of materials, logistics for delivery access and restrictions of access to the area in construction, to the signage to prevent climbing on the rock armour and necessary demolition sequence.		Flood protection could be provided for full flood protection scheme life. Construction risk due to exposed core should there be significant storm events during the works.	CONSIDER	Expensive option, however would meet scheme objectives with low future capital cost and maintenance. Allows for incorporation of additional requirements [increased flood protection/ erosion protection / active travel routes and any further masterplan requirements to improve the landscape and amenity value of the frontage].	Works could be undertaken in conjunction with the creation of an active travel route.
A.4	Managed Realignment - Retreat	Remove existing defences, rock core bund and ash deposits and form a new defence line working with coastal processes allowing the sea to reclaim some of the ash lagoon.	Very high capital cost for demolition of existing structure and to ensure that removal of ash deposits does not contaminate the area or become airborne on removal. Relocation of the ash deposits expensive and will need new containment system. There may be an opportunity to re-use ash deposits as an embankment fill material, but this would require testing for suitability. PFA is used within road or other embankment construction and could reduce the requirement for ash re-disposal. Also opportunity to re-use materials from existing rock core bund.	Would need significant studies to understand the effect of abandoning defence. Medium to long term position of setback line would need considering.	Loss of environmental designations on the ash lagoons: potential impact on Firth of Forth SSSI, Firth of Forth SPA/ Ramsar Site and Potential Wildlife Site	Would be seen as not protecting the amenity value of the land, reducing the quality of life of local residents and removing the hard structural defence against flooding- unfavourable.	Ash deposits would require careful extraction prior to retreat as liquefaction of the ash lagoons due to water inundation would be a risk to safety. In addition, there is a risk of contamination. Excavation of ash creates significant dust risk requiring management.		This does not necessarily improve the flood risk of Musselburgh due to the unobstructed flood route.	REJECT	Due to magnitude of the temporary works required to realign the defences - this is not feasible.	Opportunity for the creation of wetland habitat from removing defence (although tempered by loss of amenity use).
A.5	Secondary defence line	Form a set back secondary defence line from primary defence line to ensure flood protection to scheme design life.	Depending on the line chosen High capital cost to ensure that removal of ash deposits does not contaminate the area or become airborne on removal.	Straightforward methods of construction on land, but preventing ash contamination in removal technically challenging. The solution does not rely upon the existing seawall for the design life of the scheme although in time the secondary defence may need to be adapted to dynamic coastal action. Dependent on nature of secondary defence adopted and method of construction, potential soft and compressible nature of ash may cause construction difficulties. Another alternative is to drive piles immediately behind the existing defence which would reduce the ash deposit volume that would need removing although the deterioration and abandoning of the sea defence could mean that the sheet pile defence would require adaption to coastal processes in the medium term.	Unsustainable use of materials, high carbon footprint solution. The disturbance to existing species within the vicinity is moderate from construction noise and duration. Potential impact on Firth of Forth SSSI / SPA	May be seen as wasteful due to the loss of coastline including the current promenade and cuts into amenity space.	Ash deposits would require careful extraction between the new and old containment structure as liquefaction of the ash lagoons due to water inundation would be a risk to safety. In addition, there is a risk of contamination. Excavation of ash creates significant dust risk requiring management. Existing seawall would fall into disrepair without ongoing maintenance.		Flood protection could be provided for full flood protection scheme life if the defence can be adapted for future coastal actions as the existing defence deteriorates,	REJECT	Not feasible due to containment requirement of the existing bund for the ash material or the likelihood the existing defence would need demolition at some point in the scheme life.	
A.6	Reclaim seaward of defence to form new defence line- Advance the line	Form a new defence line forward of the existing line, backfill to existing coastline.	Very high capital cost to construct whole new structure without reuse of existing core material and whinstone.	Investigation would be required on how this impacts the surrounding coastline would be required. Defence seaward of current position would likely be subject to more significant hydrodynamic conditions.	Unsustainable use of materials, high carbon footprint solution with high volume of backfill would be required. Loss of biodiversity on existing structure and foreshore in front of the defence. May be difficult to acquire consent. Potential impact on Firth of Forth SSSI / SPA	Would be seen to be providing proactive approach to flood protection and containment of ash. But may not be understood why the previous wall was not repaired. Would provide additional land which could have amenity use. Large site compound required.	Construction in difficult exposed and tidal marine conditions. To meet the design life the structure would need to assume that the migration of PFA fines would not occur in the short term and be adequate for containment.		Flood protection could be provided for full flood protection scheme life.	REJECT	Not feasible due to the increased footprint on the marine environment and further potential erosion protection measures required.	New land creation and opportunity to increase amenity use of area behind defence. Works could be undertaken in conjunction with the creation of an active travel route.

Appendix A - Musselburgh Flood Protection Scheme - Ash Lagoons Seawall Options Study - Long List RAG Analysis

REF	OPTION	Description	G R A D I ECONOMIC COMMENTS	G R A D I TECHNICAL COMMENTS	G R A D I ENVIRONMENT / ECOLOGY COMMENTS	G R A D I SOCIAL & STAKEHOLDER COMMENTS	G R A D I HEALTH & SAFETY COMMENTS	FLOODING GRADING	FLOODING COMMENTS	PROPOSAL	COMMENTS	OPPORTUNITY / MULTIPLE BENEFIT
A.7	Whole structure rock revetment	Form new rock revetment over the existing structure with crest level to the top of the existing headwall. New headwall.	Moderate to high capital cost depending on the availability to source and transport rock.	Armouring with rock provides significant wave energy dissipation offering a hard defence solution to the frontage. Compared to a concrete seawall this structure has the advantage of having a longer life and of reducing the wave reflection (also reducing toe erosion). The existing defences would still require remedial measures to prolong their life and ensure their stability, although the addition of rock after the remedial measures have been taken will reduce the exposure to environmental conditions and extend the life of these elements.	The disturbance to existing species within the vicinity is moderate from construction noise and duration. Rock is a sustainable material that be reused following the life of the structure.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound to store rock.	Laying geotextile should be easy to place to prevent the need for divers or operatives in the tidal zone. Installation may require large plant to place and transport the rock (dependent on size required). People may climb on rock when installed, trip and fall hazard.		Reduces risk of structural breach of the structure in a storm event. Rock increases structural roughness and as a consequence Overtopping compared with smooth surface so may reduce flood risk without increasing wall height.	CONSIDER	Would be a significant capital cost. Would increase flood protection due to material properties and extend the design life due to new headwall.	
A.8	Whole Structure open stone asphalt (OSA) Revetment	Form a new OSA revetment over the existing structure with repairs to the headwall.	Moderate capital cost	Open stone asphalt is a flexible revetment material constructed from crushed rock and asphalt in a mix that retains some porosity whilst providing a continuous revetment that is resistant to light and moderate wave attack. Residual design life is 25 years, however a revision of this is being considered as schemes have shown that this may be longer. Important that the correct mix is adopted and reliant on proprietor to ensure it is suitable. May be difficult to incorporate stepped beams without significant thickness of OSA	Opportunity for marine growth. Moderate disturbance to species during construction. Temporary adverse visual impact from new material. Risk of contamination when pouring bitumen.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall.	Bitumen based OSA is poured hot onto the surface during construction so ensure site staff are trained and have correct equipment. Operatives on the seaward side to guide the plant movements.		Reduces risk of structural breach of the structure in a storm event. Does not reduce flood risk due to the smooth surface of OSA and no change in crest height.	REJECT	May be difficult to incorporate stepped beams without significant thickness of OSA. May not be suitable for scheme design life or wave climate. Would also require works to headwall to provide flood protection	
A.9	Create Beach fronting existing structure	Create a new beach in front of the existing seawall along with the associated beach control structures	Very high capital costs. There would be a significant volume of sand. This would either need to be replaced frequently or held in place with groyne structures which could be made from rock or timber.	It would be possible to create a stable beach if the correct size and number of groynes are also installed. Beach maintenance will still likely be required periodically. A significant number of studies would be required to first model the hydrodynamic processes and then to design stable beaches. Also the risk of downdrift effects would need to be fully understood or it could impact the feed of material to the adjacent coastline (Fisherrow frontage). Beach may draw down significantly after storm meaning structure is again exposed. This beach can be corrected with maintenance recycling or nourishment regime. However, it would not fix areas where toe has started to be undermined and because of this some remedial works to the existing structure would still be advised	Difficult to source, covering a bigger footprint than structure impacting the intertidal habitat. Source of material issues/ large footprint may smother existing marine biodiversity. Knock on effects to wider frontage would need to be understood.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound, to store material and a logistical plan of beach nourishment deliveries. Beach may provide amenity benefits (assuming access is created) which would be good for the local community.	If beach is provided public would likely try to access the beach and therefore adequate access would be required. If beach is drawn down during storm structure may be at risk of failure.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	REJECT	It may smother existing biodiversity. Would be difficult to maintain sufficient beach levels to ensure structure remains covered therefore impacting stability without providing significant beach control structures and ongoing import of beach material.. Introduction of new beach control structures likely to impact adjacent frontages, interrupt sediment supply.	There would be opportunities for increased amenity use of the foreshore area.
B. Headwall												
B.1	Do nothing at headwall	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	Headwall damage currently includes cracks, spalling and delamination as well as reinforcement rusting. The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change.	If the wall was to breach, which is likely in the medium term, increased overtopping of the seawall would inundate the ash pits potentially leading to liquefaction. As the structure fails it may release pollutants and material into the protected areas. No disturbance to species initially but drastic impact once breach of the headwall occurs.	Reduced levels of flood protection in Musselburgh as structure deteriorates. Lack of action may not be seen favourably particularly to bird watchers using the area and for residents of Musselburgh as amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events. Loss of primary function to contain the ash deposits would be of concern to some stakeholders.	Would need to reduce access to structure as it deteriorates, for public safety, by closing the gravel seawall path and potential evacuation if erosion causes the PFA to become airborne where it is a risk to human health. Liquefaction of the ash lagoons due to water inundation would also be a risk to safety.		Wall will continue to provide flood protection in the short term, as the wall continues to deteriorate the wall will fail and breach will occur.	CONSIDER	Taken forward as required baseline option	
B.2	Do minimum - General surface level repairs.	This option would consist of reactive patch and repair maintenance works to the existing headwall, to prolong the life of the asset.	Patchwork repairs are low capital cost with ongoing frequent maintenance required increasing in severity as structure life continues. Capital investment likely required in the medium term as it becomes less feasible to repair the structure. This failure of the headwall also depends on investment to the other aspects of the structure which support it.	Does not address lack of expansion joints and inadequate cover for the reinforcement (required for modern standards). Patch repairing is not usually adequate to stop further deterioration in the presence of chloride attack, patched areas caused "incipient anode effect" accelerating corrosion elsewhere. Patching is not considered an appropriate stand alone option as, due to structure deterioration, it may not be possible to undertake maintenance into the medium term.	Initially, save on increased carbon footprint particularly from low use of new materials low construction traffic and transport and little waste, and very low disturbance to wildlife which would occur from building a new structure and removing the existing structure concrete. Without frequent maintenance of the headwall as flood protection the PFA can liquify with overtopping or with inundation contaminate local residential areas which is a risk to human health. Maintenance would increase in frequency over time which would also increase disturbances from the associated works.	Minimal disruption during scheme construction period. Lack of more substantial/long-lasting action may not be seen favourably. Amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events.	Access for the repairs may be an issue due to the steep revetment slope. One access path behind the seawall will accommodate construction access. Structure will continue to deteriorate, possibly leading to a reduction of access in the medium term, unless maintenance keeps pace with deterioration.		No additional flood protection. In medium term may be difficult to maintain and then risk similar to 'do nothing'.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.	

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B.3	Concrete repairs	This option would consist of proactive patch and repair maintenance works to the existing headwall	Low capital costs with ongoing Operation and Maintenance cost. Additional capital costs are likely in the future to achieve medium to long structure life.	No technical challenges to proactive repair work. Does not consider inadequate cover for the reinforcement, should be used in conjunction with a reinforcement protection option. Would not solve the reason for the deterioration noted in the condition report, i.e. lack of expansion joints.	The additional solution required in the medium to long term may have environmental implications. Concrete patch repair products are CE marked to BS EN 1540-3 which limits the ability to reduce the carbon footprint of the repair material.	Minimal disruption during construction of scheme.	Access for the repairs may be an issue due to the steep revetment slope. Protection from concrete alkaline burns ensuring trained workforce utilised.		No additional flood protection. Additional work required to maintain this in medium to long term.	CONSIDER	Should be used in conjunction with B.4, B.5, B.6, B.8, B.9	
B.4	Sacrificial anodes added to the structure [which should be undertaken in conjunction with concrete repairs in Option B.3].	This option would consist of providing protection against chloride attack with the use of sacrificial anodes, to prolong the life of the asset. The addition of anodes would be to control the incipient anode effect (provide protection from corrosion for areas adjacent to the repair)	Medium capital cost solution for longevity of the headwall, maintenance of the sacrificial anodes are important for the success of the option. Additional capital costs are likely in the future to achieve medium to long structure life.	May not be possible to achieve medium to long term design life. Sacrificial anodes tied to exposed reinforcement at the boundary of each concrete repair prevents the corrosion of the reinforcement within the concrete to prevent their further deterioration. Provides up to 15 years of protection.	Safeguarding the steel currently used within the structure, preventing its replacement reduces the carbon footprint of the project. Save on increased carbon footprint which would occur from deteriorated patchwork repairs in the short term and alternative solution being required. The additional solution required in the medium to long term may have environmental implications.	Minimal disruption during construction of scheme. Would be seen to be providing fairly low impact but proactive repairs.	Access to the front face would require installation of formwork to enable safe access.		Reduces risk of structural breach of the structure in a storm event. Additional work required to maintain this in medium to long term. Does not increase the standard of flood protection for flood defence.	CONSIDER	Would not provide increased level of flood protection. Success of solution is dependent on the success of other elements being refurbished successfully. Future capital would likely be required to achieve scheme design life.	
B.5	Protective system of Impressed Current Cathodic Protection (ICCP) [in conjunction with concrete repairs in Option B.3].	This would require the structure to be electrically continuous (which the reinforcement is not as it is split into panels) and localised patch repairs to be undertaken.	Very high capital cost and design life of approximately 30 years. Ongoing operational cost of energy which may continue to rise.	Concrete repair techniques similar to Option B.3. The panel reinforcement is not connected within the structure making the feasibility of the option reliant of the connection of reinforcement. The accessibility of a power source to the seawall is impractical and the volume of power that would be required is high. Even individual panels may not be electrically continuous and it may be difficult to determine.	This system would require an external power source to be continuously connected to the reinforcement and would require extensive repairs prior to installation. Detailed testing (destructive testing) would be required prior to installation that would also require repair.	Significant works would be required to create electrical continuity between segments causing disruption. Permanent cabling would be required to be connected from the reinforcement to the power source which would be visible to public may impact on rights of way.	Access to install the ICCP limited and logistically difficult. It is not considered feasible on the seaward face due to access.		Reduces risk of structural breach of the structure in a storm event. Additional work required to maintain this in long term. Does not increase the standard of flood protection for flood defence.	REJECT	Not considered feasible due to high associated costs of the installation due to the unlinked reinforcement along the 2.7km of seawall, as well as the permanent cabling required.	
B.6	Protective system of corrosion inhibitor [in conjunction with concrete repairs in Option B.3].	This option would involve concrete patch and repair where corrosion inhibitors are added to the structure. A corrosion inhibitor (a chemical solvent) can be added as an admixture to concrete patch repairs and on the remaining existing structure it will be applied on the hardened concrete.	Capital cost relatively low. Corrosion inhibiting application can significantly reduce maintenance costs	Initial trials would be required to determine the depth of penetration of the corrosion inhibitor to ensure the solution is suitable. Whilst corrosion inhibitors have been used since the 1950's, there is conflicting information regarding the effectiveness of corrosion inhibitors on chloride saturated concrete. Medium design life (depending on product chosen)	Corrosion inhibitors reduce the consumption of concrete within the design life of the structure, reducing the carbon footprint. The disturbance to existing species within the vicinity is relatively low and of short duration. Risk of chemicals being released into the environment during construction.	Would be seen to be providing proactive repairs and flood protection. Minimal disruption during construction of scheme.	One gravel path could be used for construction access, will require closure to public.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CANT DECIDE YET	Additional trials will be required to determine the depth of penetration and suitability of option	
B.7	Electrochemical chloride extraction [in conjunction with concrete repairs in Option B.3].	This option would involve removal of chloride from the concrete. It would not address existing defects within the wall	Very high capital cost compared to other concrete protection systems	This technique is rarely used as it is time consuming and complex. It also does not prevent chlorides from re-entering the structure or address existing defects concrete repair techniques see option B.3.	No applicable comments	Would be seen to be providing proactive repairs and flood protection. Significant disruption during construction of scheme.	Works may be undertaken from the gravel path that would require the path to be closed during construction.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Not considered feasible due to high associated costs, time required for installation and complexity of option.	
B.8	Application of protective coating [in conjunction with concrete repairs in Option B.3].	This option would involve applying protective coating.	Moderate capital cost. Additional capital costs are likely in the future to achieve medium to long structure life.	Standard repair technique. Through application of a coating, moisture ingress through the structure would reduce until such a time that corrosion is unable to continue. The expected design life of this repair is 20 years.	No applicable comments	Would be seen to be providing proactive repairs and flood protection. Minimal construction period.	Access to apply the coating may be an issue due to the steep revetment slope.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CONSIDER	This approach would require ongoing repairs to the structure.	
B.9	Removal of damaged wall aspects and repaired with spray concrete to existing top level	This option would involve concrete patch and repair.	Moderate capital cost with ongoing Operation and Maintenance cost.	This would require removal of defective concrete with removal depths to extend beyond the depth of the reinforcement. For areas at the top of the wall, this option would not be feasible and would be most appropriate for repairs beyond the depth of the reinforcement or for full thickness repairs. Galvanic anodes would be required within the repair area to avoid incipient anode effect. May not solve the reason for deterioration noted in the condition report i.e. lack of expansion joints	Concrete mixes may be developed to reduce the carbon footprint of placed concrete.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall.	Repairs to the seaward face of the wall would have limited access opportunities. Full depth repairs may be undertaken from the gravel path that would require the path to be closed during construction. Protection from concrete alkaline burns ensuring trained workforce utilised.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CONSIDER	This approach would require ongoing repairs to the structure.	

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B.10	Remove top portion (500mm) of the headwall and replace.	The top 500mm of the parapet wall with large deterioration will be removed and will be replaced, the existing structure will undergo proactive maintenance and repairs to prolong the life of the asset.	Moderately high capital cost relative to the repair options. Maintenance of the existing structure and repairs will still be required.	Previous inspection report Amey (2015) noted the greatest number of defects are in the upper portion of the parapet wall. A reduction factor needs to be applied if the re-casting is to be taken forward to reflect the number of defects within this section of wall. Tying into previous wall might be challenging and may introduce weakness at joint. May not solve the reason for deterioration noted in the condition report i.e. lack of expansion joints.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete. The disturbance to species in the area is moderate due to volume of construction noise and duration but likely justifiable for maintaining PFA containment.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound and reduced amenity use in the short term.	Comprehensive formwork needed to reduce health and safety risks. Site compound required. Protection from concrete alkaline burns ensuring trained workforce utilised.		Opportunity to increase seawall height, increasing flood protection, protecting flood defence for longer.	REJECT	Option does not address the expansion joint issue and high level of cost compared to other patch and repair approaches or complete replacement.	
B.11	Remove the damaged panels of the headwall and replace	Complete removal of damaged panels within headwall and proactive repair work.	Moderately high capital costs compared with full replacement. Reduced maintenance required although non-replaced panels will still require maintenance.	Removing some panels and then tying the new panels into the existing panel structures may be difficult. May not solve the reason for deterioration noted in the condition report i.e. lack of expansion joints.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete. The disturbance to species in the area is moderate due to volume of construction noise and duration but likely justifiable for maintaining PFA containment.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Comprehensive formwork needed to reduce health and safety risks. Protection from concrete alkaline burns ensuring trained workforce utilised.		Protection against breach in weakest panels. But, without additional crest raising no additional flood protection will be provided.	REJECT	Option does not address the expansion joint issue and high level of cost compared to other patch and repair approaches or complete replacement.	
B.12	Full replacement of the fixed headwall.	Complete removal of the headwall and replacement.	High capital costs, low maintenance required.	Long design life. Need to analyse the wall height suitable for the design life.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete. The disturbance to species in the area is high due to volume of construction noise and duration but likely justifiable for maintaining PFA containment.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound. Raised crest level visual impact. Option to increase amenity use of seawall, i.e. active travel route.	Comprehensive formwork needed to reduce health and safety risks. Protection from concrete alkaline burns ensuring trained workforce utilised.		Crest level can be raised to tolerable level for any determined level of protection, increasing flood protection.	CONSIDER	Highest capital cost, longest design life. Options to include changes to area behind for improved amenity use.	Works could be undertaken in conjunction with the creation of an active travel route.
B.13	In combination with another option, the installation of retro fit expansion joints	This would involve retrofitting of joints through saw-cutting to enable the structure to account for thermal cycles. This would prevent future cracking caused by restraint	Low capital cost (considering only installation of joints)	This option should also consider the simultaneous repair of existing defects. The repairs cannot be considered a permanent solution as the concrete will remain contaminated with chloride. Therefore, the design life will not be achievable.	Carbon cost of making concrete is high as well as the disposal of existing concrete.	Would be seen to be providing proactive repairs and flood protection. Medium construction period when compared to partial or full replacement options and would mean reduced access to seawall.	Joints may be installed from the gravel road however, access to the seaward face would be required to undertake repairs.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Reject due to potential to further damage the wall through the retrofitting of the joints - allowing further routes for chloride ingress and potential loss of strength in the reinforcement.	
C. Facing Blocks/Upper Revetment												
C.1	Do nothing on facing slope at the upper revetment.	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change. At the upper slope damage currently shows fairly sporadic defects, namely spalling, cracking and some surface voids with good interlock still present between units, the toe beam and the headwall. There is block displacement on panel 13 (whinstone underlayer visible). The panels adjacent to panel 13 - panels 11 and 12 - appear to have been replaced by a concrete surface revetment.	Emergency repairs not likely to be the most sustainable solutions, likely to lead to a more carbon heavy use of materials. Eventually (medium term) repair may not be feasible and failure may occur. Facing slope supports the seawall. Failure of the sloping face would inundate the rock core of the structure and the ash pits potentially leading to liquefaction. This is coupled with the lack of support for the headwall which will cause failure and greater overtopping. As the structure fails it may release pollutants and material into the protected areas. No disturbance to species initially but drastic impact once breach of the headwall occurs.	Reduced levels of flood protection as structure deteriorates in Musselburgh. Lack of action may not be seen favourably. Amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events.	Would need to reduce access to structure as deteriorates for public safety. Ongoing frequent intervention increases health and safety risks. Possible reduction of access in the medium term. Liquefaction of the ash lagoon due to water inundation would be a risk to safety.		In the short term flood protection would be provided. Similar defects will continue and worsen. In the medium to long term: acceleration of deterioration, and acceleration of failure. Breach eventually inevitable.	CONSIDER	Taken forward as required baseline option	
C.2	Do minimum - Patch up works over existing hexagonal units	This option would consist of reactive patch and repair maintenance works, to the existing facing blocks, to prolong the life of the asset.	Low capital cost. Structure difficult to maintain without removal of the patchwork provided in this option, increasing costs of maintenance.	This approach only provides short term relief for the deteriorating structure which is difficult to address later in the structure's design life. It may not be possible to undertake maintenance into the medium term due to structure deterioration.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete.	Minimal disruption during scheme construction period. Lack of more substantial/long-lasting action may not be seen favourably. Amenity use of the ash lagoons and promenade would be lost over time if they are eroded during flood events.	Structure will continue to deteriorate, unless maintenance keeps pace with deterioration. Concrete can be slippery it is important that public do not climb on the structure to fish etc.		In the short term flood protection would be retained. In the medium to long term: risk of flooding is a consequence of the blocks failing and washout/scour of material putting wall above at risk.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.	
C.3	Remove displaced/damaged hexagonal units and relay units which are repaired or replaced.	This option would consist of removing the displaced or damaged hexagonal units on the structure, ensure fill material is regraded, repair good condition units and replace damaged units before replacing them on the structure.	Relatively low cost. These revetments require ongoing maintenance and may not address best the problem observed in panel 13 with blocks lifting therefore, a solution may still be required into the medium term considering the effects of climate change and the increased storminess.	In some locations, blocks have displaced exposing underlying material and this failure mechanism is likely to continue to be observed with increase storminess. The condition of the hexagonal units is fair but only limited displacement has been observed therefore, removing all blocks may be considerable work for little gain.	Limited scope for plant colonisation. Best use of materials from sustainability perspective.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Difficult to replace individual units, require skilled labour. Difficult access for plant to access construction of sloping face, long reach required. The hexagonal units can be slippery it is important that public do not climb on the structure to fish etc.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	H&S grounds - heavy units and access restrictions. Majority of the units are soundly in place if removed could unsettle/ reduce their existing integrity.	

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REF	OPTION	Description	G R A D I ECONOMIC COMMENTS	G R A D I TECHNICAL COMMENTS	G R A D I ENVIRONMENT / ECOLOGY COMMENTS	G R A D I SOCIAL & STAKEHOLDER COMMENTS	G R A D I HEALTH & SAFETY COMMENTS	FLOODING GRADING	FLOODING COMMENTS	PROPOSAL	COMMENTS	OPPORTUNITY / MULTIPLE BENEFIT
C.4	Remove all hexagonal units and fill bays with in situ concrete revetment.	This option would consist of removing the hexagonal units on the structure, ensure fill material is regraded and cover the slope face in concrete layer.	Moderately high capital cost option, long residual life, maintenance will be required in the medium term.	The failure mechanism of the hexagonal units would need to be understood in order to understand if this is a suitable solution, however it has been implemented in two panels prior to 1999 and the condition of these could be used to validate the option. Concrete creates an erosion resistant barrier. However, wave reflection from this structure is high. It does not prevent the erosion of the foreshore. This option can increase overtopping potential in moderate wave environments. Rockfill (with likely void space) shown behind existing pre-cast hexagonal panels. In situ concrete pour would need to consider the interface with the fill behind it to avoid concrete migrating through fill.	In situ concrete works within the SSSI and SPA. Reduced opportunities for plant colonisation. Low carbon concrete options may be considered.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Commonly used successfully and can be used in exposed environments. Protection from concrete alkaline burns ensuring trained workforce utilised. Concrete can be slippery it is important that public do not climb on the structure to fish etc. Protection from concrete alkaline burns ensuring trained workforce utilised.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CONSIDER	Wave protection in moderate to high wave energy environments and would hold the line of the upper beach. Smoother surface finish may increase overtopping, does not offer any additional benefit other than encasing the existing structure - significant concrete usage. Has been adopted on panels 11 and 12 prior to 1999, no significant defects observed. Therefore, has been used at this site with some success although achieving scheme design life may be difficult without significant maintenance in the medium to long term.	
C.5	Cover the facing blocking with a concrete mattress layer	This option would consist of removing the hexagonal units on the structure, ensure fill material is regraded and cover the slope face in concrete mattress layer.	For long design life may need to consider replacing within life of scheme. High maintenance costs.	This type of revetment cannot be patched and fixed, so maintenance is more difficult.	Reduced opportunities for plant colonization. Low carbon options may be considered. Moderate disturbance to species during construction.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Installation requires relatively large, long-reach plant to install requiring good landside access. Protection from concrete alkaline burns ensuring trained workforce utilised. Concrete mattresses can be slippery it is important that public do not climb on the structure to fish etc.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	High cost, access restrictions for construction and maintenance difficulties	
C.6	Cover the facing blocking with an Open Stone Asphalt Layer	This option would consist of covering the face blocking with an Open Stone Asphalt Layer	Medium capital cost, long residual life and low maintenance requirement.	Open stone asphalt is a flexible revetment material constructed from crushed rock and asphalt in a mix that retains some porosity whilst providing a continuous revetment that is resistant to light and moderate wave attack. Residual design life is 25 years, however a revision of this is being considered as schemes have shown that this may be longer. Important that the correct mix is adopted and reliant on proprietor to ensure it is suitable. May be difficult to terminate at toe beam and most susceptible to failure at transitions or where material meets other structures.	Opportunity for marine growth. Moderate disturbance to species during construction. Temporary adverse visual impact from new material.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound. Visual impact improves as OSA discolours and marine growth occurs.	Bitumen based OSA is poured hot onto the surface ensure site staff are trained and have correct equipment. Operatives on the seaward side to guide the plant movements.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Not suitable in the short lengths required between the bookends, introduces weaknesses into the structure. May not be suitable for scheme design life or wave climate.	
C.7	Cover the facing blocks with sprayed concrete	This option would include spraying concrete a layer onto the facing blocks.	Low capital cost but likely to require long term maintenance. Longevity issues with solution.	Sprayed concrete is sprayed into place rather than using framework or pouring. The thickness can be varied to suit wave exposure but limited wave energy dissipation. Requires a concrete toe beam or sheet pile.	In situ concrete works within the SSSI and SPA. Pollution risk from concrete in marine environment. Reduced opportunities for plant colonisation. Low carbon concrete options may be considered.	Would be seen to be providing proactive repairs and maintaining flood protection but frequent maintenance unlikely to be favoured. May be difficult to achieve a consistent finish.	Protection from concrete alkaline burns ensuring trained workforce utilised. Concrete can be slippery it is important that public do not climb on the structure to fish etc.		Reduces short term risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	May be difficult to get required thickness to ensure integrity of the concrete surface with existing blocks in place.	
C.8	Localised repairs to the hexagonal units	This option would consist of proactive inspection and repair of units depending on level of deterioration. Namely reinforcement exposure recovering.	Low capital cost. Periodic inspection and maintenance required but simple in nature. The ultimate design life continuation with this approach is limited.	The units are believed to be lightly reinforced, special attention should be made to any exposed reinforcement.	Effective use of materials in terms of carbon footprint, localised short term disturbance to species	Would be seen to be providing a low amount of repairs and maintaining flood protection.	Maybe difficult to access sloping face. Protection from concrete alkaline burns ensuring trained workforce utilised.		Increases structural longevity of the defence but no additional flood protection to flood defence.	CONSIDER	Condition assessment noted blocks are in generally fair condition. This could extend life of structure marginally and delay requirement for significant capital expenditure.	
C.9	3D Printing of Revetment Blocks	Replace existing concrete revetment blocks with 3D printed alternatives	Not likely to be any cheaper than traditional precast concrete techniques.	Could be effective if concrete printing can match a typical marine specification but uncertain if a true concrete material or alternative could be used and whether there would be sufficient weight. Even if a marine spec is achievable. If blocks are 3D printed then the same failure mechanism may still be present. Wave environment likely to high unless a marine spec concrete or alternative can be printed.	Likely high carbon if concrete printing is possible. Could explore the use of more environmentally beneficial materials	Use of modern technology would give project prestige and a unique solution.	Difficult to replace individual units, require skilled labour. Difficult access for plant to access construction of sloping face, long reach required. The hexagonal units can be slippery. The required mass of the concrete or alternative would likely mean risk of musculoskeletal injury.		May not adequately reduce the risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Likely to be little benefit over more traditional forming techniques. Condition of blocks would mean there may be more benefit to more localised repairs. Wave climate likely too high if material is light.	
D. Upper Revetment/ Stepped Beams												
D.1	Do nothing at stepped beams	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	At stepped beams damage currently includes defects and around the water line the steps have eroded or spalled to an extreme amount. The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change.	If the steps were to fail in the short term, this would increase the onset of the general failure of the upper revetment and the ash dumping pits protected by the current seawall would be exposed to pollute the sea and land in flood event.	Reduced levels of flood protection in Musselburgh as structure deteriorates. Lack of action may not be seen favourably.	Would need to reduce access to structure as it deteriorates for public safety. Deteriorating structure		In the medium to long term flood protection would be provided. Similar defects will continue and worsen. In the long term failure of vertical beams causing failure of upper panels.	CONSIDER	Taken forward as required baseline option	

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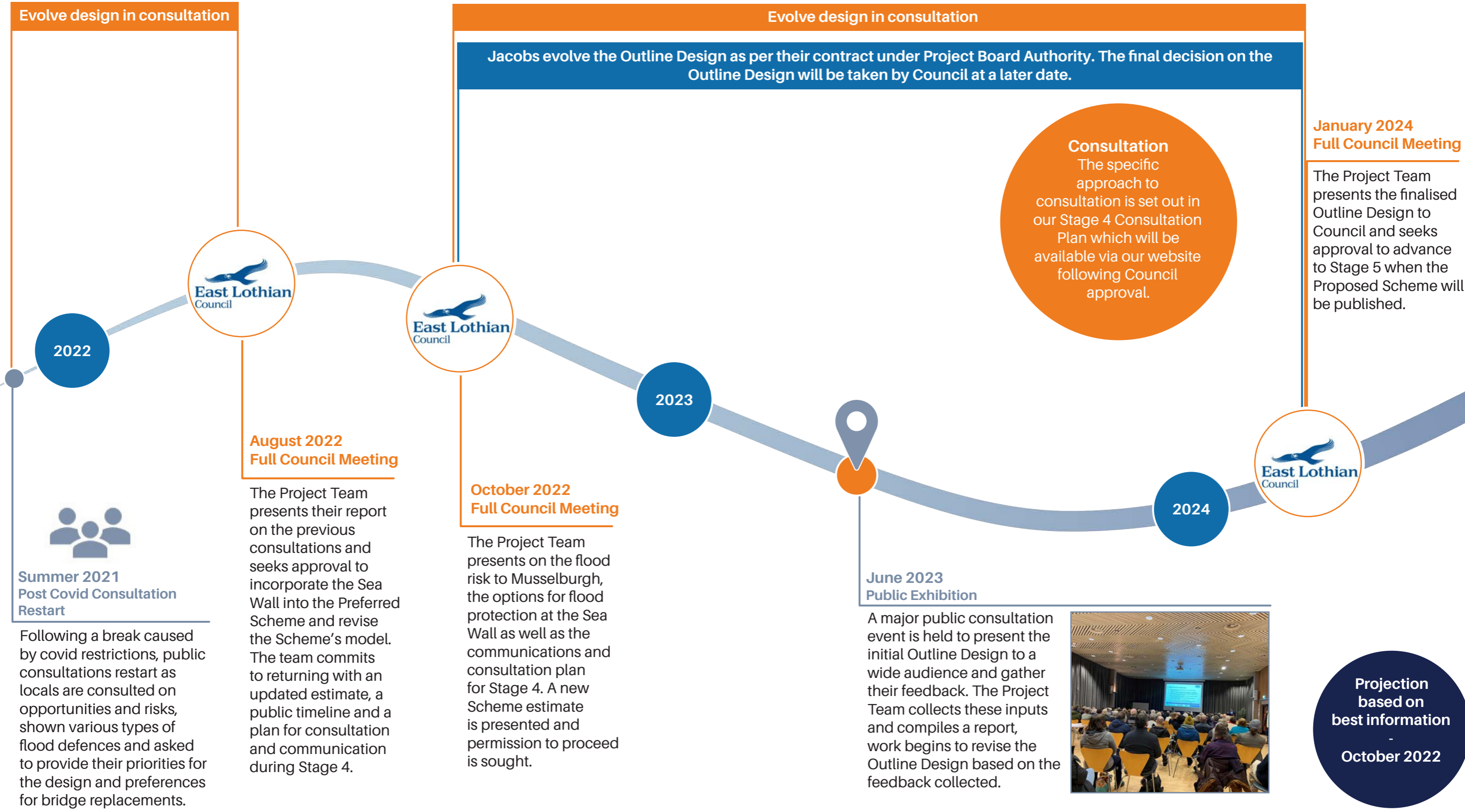
REF	OPTION	Description	G R A D I ECONOMIC COMMENTS	G R A D I TECHNICAL COMMENTS	G R A D I ENVIRONMENT / ECOLOGY COMMENTS	G R A D I SOCIAL & STAKEHOLDER COMMENTS	G R A D I HEALTH & SAFETY COMMENTS	FLOODING GRADING	FLOODING COMMENTS	PROPOSAL	COMMENTS	OPPORTUNITY / MULTIPLE BENEFIT
D.2	Do minimum- General surface level repairs	This option would consist of reactive patch and repair maintenance works to the existing stepped beams, to prolong the life.	Patchwork repairs are low capital cost with ongoing frequent maintenance required increasing in severity as structure life continues. This element failure also depends on investment to the other aspects of the structure.	Does not address inadequate cover for the reinforcement and lack of reinforcement in the protruding step element. Patch repairing is not usually adequate to stop further deterioration in the presence of chloride attack, patched areas caused "incipient anode effect" accelerating corrosion elsewhere. Patching is not considered an appropriate stand alone option.	If the steps were to fail in the short to medium term, this would increase the onset of the general failure of the upper revetment and the ash dumping pits protected by the current seawall would be exposed to pollute the sea and land in flood event.	Minimal disruption during scheme construction period.	Structure will continue to deteriorate, unless maintenance keeps pace with deterioration.		Does not increase the standard of flood protection for flood defence.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.	
D.3	Concrete repairs	This option would consist of proactive patch and repair maintenance works to the existing stepped beam	Low capital Cost with ongoing Operation and Maintenance cost.	No technical challenges to proactive repair work but would require frequent maintenance.	The additional solution required in the medium to long term may have environmental implications. Concrete patch repair products are CE marked to BS EN 1540-3 which limits the ability to reduce the carbon footprint of the repair material.	Little disruption during construction of scheme.	Access for the repairs may be an issue due to the steep revetment slope.		Additional work required to maintain this in medium to long term. Does not increase the standard of flood protection for flood defence.	CONSIDER	Would not provide increased level of flood protection, would likely require an additional capital expenditure in the medium term	
D.4	Extensive repairs to slow deterioration and add sacrificial anodes to the structure.	This option would provide protection against chloride attack of exposed reinforcement in vertical beam using sacrificial anodes, to prolong the life.	Medium capital cost solution for longevity of the stepped beam, maintenance of the sacrificial anodes are important for the success of the option. Additional capital costs are likely in the future to achieve medium to long structure life.	May not be possible to achieve medium to long term design life. Sacrificial anodes are tied to exposed reinforcement at the boundary of each concrete repair prevents the corrosion of the reinforcement within the concrete to prevent their further deterioration. Where repairs are not yet required, half-cell potential testing is undertaken to identify critical areas for future deterioration. Cylindrical anodes are attached to the reinforcement in these areas in a grid configuration. Provides up to 15 years of protection for the repaired areas but will not slow deterioration along the length of the structure.	Safeguarding the steel currently used within the structure, preventing its replacement reduces the carbon footprint of the project. Save on increased carbon footprint which would occur from deteriorated patchwork repairs in the short term and alternative solution being required. No provision for vegetation or colonisation within the structural repair solution.	Little disruption during construction of scheme. Would be seen to be providing proactive repairs.	Installation would require the reinforcement to be exposed which may not be feasible due to access. Access is difficult due to the steep revetment slope and tides combined.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CONSIDER	Would not provide increased level of flood protection, would likely require an additional capital expenditure in the medium term	
D.5	Replace stepped beams	Replace stepped beams, which would include the need to remove hexagonal blocks and then reform vertical and replace.	Logistically and technically difficult therefore very high capital cost.	Not possible to remove the stepped beam without impacting the stability of the sloping face, could lead to catastrophic failure.	Risk of catastrophic failure means risk of contamination by PFA and environmental disaster.	Risk of catastrophic failure for only minor longevity gain will not be favourable.	Steps can cause allurements attracting public to sit and walk on them. The steps become slippery and hazardous unless regularly cleaned		If successful medium to long term the structural breach of the structure would be low. No additional flood protection is provided. If unsuccessful flood event could occur during construction due to structural failure.	REJECT	Not feasible due to the scale of disruptions, cost and difficulty of removing entire structure.	
D.6	Encase the stepped beam in mass concrete	Provide concrete cover to existing stepped beam.	Moderate to high capital cost compared with patch and repair option.	Interface with existing stepped beam and hexagonal units would be challenging and success of option would depend on these. Option may need to consider methods of slowing deterioration of stepped beam. Encasing the structure can only increase the design life of the structure up to a limit. This creates a short to medium term solution but one which is much harder to address in the long term. A significant depth of concrete may be required.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete but low carbon mixes could be considered. The disturbance to species in the area is moderate due to volume of construction noise and duration.	Would be seen to be providing proactive repairs. Areas would be needed for a site compound and reduced amenity use in the short term.	Comprehensive formwork needed to reduce health and safety risks. Site compound required. Protection from concrete alkaline burns ensuring trained workforce utilised.		If successful medium to long term the structural breach of the structure would be low. No additional flood protection is provided.	CONSIDER	Corrosion may be expected to continue until such a time that oxygen is reduced at the surface of the reinforcement. To ensure reflective cracking does not occur within the overlay concrete, a significant thickness of concrete may be required.	
D.7	Apply waterproof coating to the stepped beam after repairs	In this option whichever option is used, a waterproof coating would be applied in order to slow down the corrosion process on the repairs.	Capital cost relatively low. Ongoing maintenance required however, waterproof coating application can significantly reduce maintenance costs.	Applying a waterproof coating after repairs can help to slow down chloride attack and increase the design life of the structure.	Moderate disturbance to species. May be possible to adapt coating to not disturb species i.e. pore blocking coating. A pore blocker coating is a waterproof coating that penetrates into the concrete to seal the micropores at the surface. There are coatings that are suitable for potable water that we could propose to ensure minimal environmental effects.	Fairly low impact.	Logistically difficult due to tidal conditions and access		Reduces risk of structural breach of the structure in a storm event. Stepped beam supports provides bookends to the upper revetment, so failure of beam increases failure of upper revetment which in turn could lead to failure of headwall. This option does not increase the standard of flood protection for flood defence.	CONSIDER	Enhances the maintenance free life of the structure. Similar applications to that intended here may not be common place so would need further appraisal.	
E. Toe Beam												
E.1	Do nothing at toe beam	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	At the toe beam damage currently includes a rounding/weathering with cracks in joints between panels. In rare cases the reinforcement is exposed. The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change.	No provision for vegetation or colonisation. Failure of this toe beam would lead to successive failure of the structure leading to flood risk and potential pollution into the sea from ash pits. Break up of toe beam would also lead to an increase in building waste in front of the defence.	Reduced levels of flood protection in Musselburgh as structure deteriorates. Lack of action may not be seen favourably.	Difficult to access in intertidal range.		In the short term flood protection would be provided via support to the upper revetment elements. Similar defects will continue and worsen. In the medium to long term: reduced support to upper defence elements.	CONSIDER	Taken forward as required baseline option	
E.2	Do minimum - General surface level repairs	This option would consist of reactive patch and repair maintenance works to the existing toe beam, to prolong the life.	Patchwork repairs are low capital cost with ongoing frequent maintenance required increasing in severity as structure life continues. This element failure also depends on investment to the other aspects of the structure.	Does not address inadequate cover for the reinforcement. Patch repairing is not usually adequate to stop further deterioration in the presence of chloride attack, patched areas caused "incipient anode effect" accelerating corrosion elsewhere. Patching is not considered an appropriate stand alone option.	No provision for vegetation or colonisation.	Minimal disruption during scheme construction period.	Difficult to access in intertidal range. Structure will continue to deteriorate, unless maintenance keeps pace with deterioration.		In the short term flood protection would be provided. Similar defects will continue and worsen. In the medium to long term: reduced support to upper defence elements.	REJECT	Surface level repairs are unlikely to be sufficient in the medium to long term at which point another option of damage repair will be required.	
E.3	Extensive repairs to slow deterioration and add sacrificial anodes to the structure.	This option would consist of proactive patch and repair maintenance works to the existing toe beam and provide protection against chloride attack of exposed reinforcement using sacrificial anodes, to prolong the life.	Medium capital cost solution for longevity of the toe beam, maintenance of the sacrificial anodes are important for the success of the option.	No technical challenges to proactive repair work. May not be possible to achieve medium to long term design life. Sacrificial anodes are tied to exposed reinforcement at the boundary of each concrete repair prevents the corrosion of the reinforcement within the concrete to prevent their further deterioration. Provides up to 15 years of protection.	Safeguarding the steel currently used within the structure, preventing its replacement reduces the carbon footprint of the project. Save on increased carbon footprint which would occur from deteriorated patchwork repairs in the short term and alternative solution being required. No provision for vegetation or colonisation within the structural repair solution.	Little disruption during construction of scheme. Would be seen to be providing proactive repairs and maintaining flood protection.	Difficult to access in intertidal range.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	CONSIDER	Repairs to toe beam need to ensure stability to the revetment above.	

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E.4	Replace toe beam with Rock Toe	In this option the existing toe beam would be removed and replaced with a rock toe, where the armour is sized to stabilise the upper slope and against hydraulic action.	Medium capital cost option, additional rock and fill refurbishment of lower revetment (dependent on rock availability). Periodic maintenance required. Minimum ongoing intervention expected	Would likely require the full refurbishment of the lower revetment to design standards. Existing revetment facing would be at risk of sliding/failure on removal of the toe beam as it is designed to be supported by the toe beam. May need to remove and replace concrete revetment to ensure good placement.	Moderate disturbance to species. Rock can provide habitat but already in place so no additional benefit from this.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Placement of rock is generally straightforward but in this case there may be challenged with the upper revetment. Suitable plant would be required. Demolition of the toe beam could cause failure of other structural elements including collapse of upper revetment.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing.	
E.5	Replace toe beam with gabion mattress	In this option the existing toe beam would be removed and replaced with a gabion mattress, with the function to stabilise the upper slope against hydraulic action.	Overall low to medium capital cost option. Periodic maintenance required.	A cage or box filled with rocks or concrete. Used as erosion protection in low to moderate wave environments and as retaining walls. Limited design life, not feasible in high wave energy environments. Gabions are permeable due to the voids between the rock fill and may require suitable geotextile to retain and prevent washout of material beneath and behind which could be prone to puncture on placement. Interlock with revetment facing blocks and lower rock revetment could be an issue.	Moderate disturbance to species. Gabions can provide habitat but no additional benefit due to rock already in place.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Placement of gabions are straightforward, suitable plant would be required. Demolition of the toe beam could cause failure of other structural elements including collapse of upper revetment. Placement of gabions would be difficult as they normally require some kind of manual input to place rock, lace baskets together etc, which may be difficult in the intertidal zone due to time constraints.		Reduces risk of structural breach of the structure in a storm event. Toe beam supports the upper revetment, so failure of toe beam increases failure of upper revetment which in turn could lead to failure of headwall. This option does not increase the standard of flood protection for flood defence.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing. Design life of gabions may not achieve scheme objectives.	
E.6	Replace Toe Beam with Grouted Rock Toe	In this option the existing toe beam would be removed and replaced with a grouted rock toe, with the function to stabilise the upper slope and against hydraulic action.	Overall low capital cost option. Where the availability of rock is low, and therefore expensive, its more economical to use a grouted rock toe where the size of material needed is lower. Periodic maintenance required.	The stability of loose granular materials (gravel or crushed stone) or open blockwork elements in new or existing rock structures can be improved by grouting. The grouting binds smaller grains, stones and elements together. Stone or element sizes may therefore be reduced, making more economic use of available granular materials. This option can be applied to withstand large hydraulic loadings in situations where the vertical construction space is too small for placing larger armourstone or in situations where armourstone or rip-rap of the mass required for stability is not available. Due to voids in the existing rock and gravity a significant quantity of grout may be required before it will set around toe beam area.	No provision for vegetation or colonisation. Moderate disturbance to species. Risk of contamination when pouring grout or bitumen	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Careful control procedures are needed during construction.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Extensive temporary works required to support hexagonal units, H&S issues with structural integrity of the remaining structure while works ongoing.	
E.7	Apply waterproof coating to the toe beam after repairs	In this option whichever option is used, a waterproof coating would be applied in order to slow down the corrosion process on the repairs.	Capital cost relatively low. Ongoing maintenance required however, waterproof coating application can significantly reduce maintenance costs.	Applying a waterproof coating after repairs can help to slow down chloride attack and increase the design life of the structure.	Moderate disturbance to species. May be possible to adapt coating to not disturb species i.e. pore blocking coating. A pore blocker coating is a waterproof coating that penetrates into the concrete to seal the micropores at the surface. There are coatings that are suitable for potable water that we could propose to ensure minimal environmental effects.	Fairly low impact.	Logistically difficult due to tidal conditions and access		Reduces risk of structural breach of the structure in a storm event. Toe beam supports the upper revetment, so failure of toe beam increases failure of upper revetment which in turn could lead to failure of headwall. This option does not increase the standard of flood protection for flood defence.	CONSIDER	Enhances the maintenance free life of the structure. Similar applications to that intended here may not be common place so would need further appraisal.	
E.8	Overlay the existing toe beam with mass concrete	In this option, the toe beam is covered with mass concrete and the existing toe beam is encased	Low capital cost option with limited design life. Periodic but complex maintenance may be required.	Encasing the structure can only increase the design life of the structure up to a limit. This creates a short to medium term solution but one which is much harder to address in the long term.	Concrete pouring risk of contamination. Carbon cost of making concrete is high as well as the disposal of existing concrete. The disturbance to species in the area is low.	Visually may not look uniform and draw criticism.	Logistically difficult due to tidal conditions and access		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for flood defence.	REJECT	Access issues and ongoing complicated maintenance.	
F. Rock Armour/ Lower Revetment												
F.1	Do nothing at lower revetment rock armour	No repairs or maintenance will be undertaken. Only immediate health and safety critical works.	No capital investment required, only costs required are for immediate health and safety concerns. Adhoc maintenance unpredictable and difficult for funding.	The deterioration of the structure would continue to increase in rate, exacerbated by the impacts of climate change. At the lower revetment damage currently includes large stones missing from gradings and toe beam exposed. The condition is generally poor, and patchwork repairs are evident already with concrete having been used to stabilise the rock with limited success.	Rock has some environmental benefits and can provide habitat for species and would continue to do so even with no active intervention. Failure of this rock armour would lead to successive failure of the toe beam and subsequent structure leading to flood risk and potential contamination from ash pits.	Support for the upper elements would continue in the short term but further loss of the rock revetment will lead to reduced stability for the upper revetment sections. Therefore, lack of action may not be seen favourably.	Would need to reduce access to structure as deteriorates for public safety.		In the short term, the toe beam has significantly reduced support- risking localised collapse. Similar defects will continue and worsen, accelerating with scour of further material. In the medium term: acceleration of damage due to increase in storminess/climate change. Failure of the lower revetment could lead to failure of the undermined toe beam and therefore failure of the upper revetment and headwall. It is the failure of this lower revetment, causing failure of elements above that risks the flood protection.	CONSIDER	Taken forward as required baseline option	
F.2	Do minimum- reactive maintenance, moving the rock armour back to the toe beam.	This option would consist of reactive patch and repair maintenance works to the existing lower revetment armour, to prolong the life of the toe beam from scour.	Low capital cost re-using existing materials. High cost of maintenance work from mobilised rock and repetition of this solution.	Maintenance of the structure will need to keep up with deterioration otherwise approach ineffective. It is likely that the structure lower revetment will fail in the same way again as the rock sizing does not seem adequate for stability in the wave conditions. May not be adequate quantities of rock on site to rebuild lower revetment.	Rock can provide habitat to species but no improvement to the existing provisions. Minimal disruption to species in construction. Low carbon footprint.	Little disruption during construction of scheme.	Placement of rock is straightforward, suitable plant would be required.		No additional flood protection to Musselburgh. Short term structural breach risk removed. Only delays onset of 'Do nothing'.	REJECT	With no import of material there is no benefit in moving material. Will not halt ongoing undercutting.	

Appendix A - Musselburgh Flood Protection Scheme - Ash Lagoons Seawall Options Study - Long List RAG Analysis

REF	OPTION	Description	G R A D I ECONOMIC COMMENTS	G R A D I TECHNICAL COMMENTS	G R A D I ENVIRONMENT / ECOLOGY COMMENTS	G R A D I SOCIAL & STAKEHOLDER COMMENTS	G R A D I HEALTH & SAFETY COMMENTS	FLOODING GRADING	FLOODING COMMENTS	PROPOSAL	COMMENTS	OPPORTUNITY / MULTIPLE BENEFIT
F.3	Patch and repair works utilising suitably sized rock armour where required	This option would consist of proactive patch and repair maintenance works to the lower revetment utilising appropriate rock sizing for stability within the design life.	Moderately high capital cost compared to utilising existing rock due to source and transport of new materials. Likely ongoing maintenance cost as further deterioration of the rock continues.	Larger rock grading and thickness may be implemented for the structure design life. Unrepaired or replaced rock would likely not achieve scheme design life/standard of protection.	Rock can provide habitat to species but no improvement to the existing provisions. Minimal disruption to species in construction. Low carbon footprint.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Site compound required to store rock. Can be installed relatively easily. Placement of rock is straightforward, suitable plant would be required.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	CONSIDER	Broadly in keeping with what is there already.	
F.4	Patch and repair by concrete cover to stabilise rock armour	This option consists of moving rock which had moved from the toe beam and then applying concrete to secure all rock armour.	Patchwork repairs are low capital cost with ongoing frequent maintenance required increasing in severity as structure life continues. This element failure also depends on investment to the other aspects of the structure.	Repairs are unlikely to last into the medium term. Potential for greater displacement if undermining continues as failure would be in a block rather than individual rock displacements.	The disturbance to existing species within the vicinity is relatively low and of moderate duration. Concrete has a high carbon footprint cost. Where rock is secured with concrete some biodiversity may be lost.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound. Visually obtrusive.	Straightforward installation. Protection from concrete alkaline burns ensuring trained workforce utilised.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	REJECT	Unfeasible due to technical and environmental reasoning	
F.5	Enhance rock armour to suitable size and form to protect from further scour and support toe beam	This option involves enhancing the current armour, filling any voids and sizing and sourcing (or reusing) rock armour of a suitable size for its stability at the toe beam.	Moderate to high capital cost depending on rock source but cheaper than full revetment, periodic maintenance thereafter.	Reinstating rock at the toe of the structure of suitable sizing for a defined design period, extends the longevity of the structure. Try to reuse rock where possible within the grading or as underlayer. Rock revetment could move seaward of existing defence line and provide additional protection to toe beam. Could be adapted in future to whole structure rock revetment.	The disturbance to existing species within the vicinity is relatively low and of moderate duration. Rock has some environmental benefits and can provide habitat for species but this is not additional to the existing rock.	Would be seen to be providing proactive repairs and flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Site compound required to store rock. Placement of rock is generally straightforward but ensuring voids are filled may be challenging; suitable plant would be required. May be difficult to ensure good interlock with new rock and existing toe beam reducing stability and risk of rocks moving or becoming displaced.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	CONSIDER	Rock could be sized to achieve the scheme design life and standard of protection. Rock is a sustainable material that could be reused as part of a future solution or could be adapted or added to form a whole structure rock revetment. Ensuring existing voids are filled may be difficult.	
F.6	Remove and replace rock armour, the new lower slope revetment could consist of OSA/concrete lower revetment.	This option involves removing any remaining armour and then, sizing and sourcing OSA or concrete of a suitable size for its stability at the toe beam	Moderate capital cost depending on source of materials, periodic maintenance thereafter.	No support to the toe beam during construction and may not provide support to upper revetment. The existing revetment toe is below MLWS which would make pouring of OSA difficult and perhaps not feasible.	The disturbance to existing species within the vicinity is moderate with moderate duration. Any species that have colonised lower rock would be effected.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Technically challenging to retrofit revetment below toe beam. Could risk collapse of upper elements. Parts of structure are submerged at low water and may make installation of OSA challenging in intertidal zone increasing risk to operatives.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	REJECT	OSA only suitable in low to moderate wave climates and difficult to justify scheme design life. Difficult to remove the rock armour and replace lower revetment with OSA or concrete. Would likely need to be a whole structure solution to adopt these materials.	
F.7	Replacement with vertical toe (sheet piles)	This option involves removing any remaining armour or piling through armour and core and then sheet piling a toe	Capital cost of sheet piling can be expensive, depends on source of materials, periodic maintenance thereafter.	Difficult to pile through rock. The toe beam is higher than the ground level, in order to install the sheet piles the rock would likely need to be removed which will be difficult due to embedment as well as part of the core which will impact whole structure stability. An anchored sheet pile requires half of the length of the pile below existing ground level which is considerably large making the structure expensive.	The disturbance to existing species within the vicinity is moderate from construction noise and duration.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound.	Difficult installation due to lower rock revetment and length of sheet piling required.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	REJECT	Unfeasible due to the difficulties in access, noise and increase in the potential scouring processes against a vertical toe.	
F.8	Create Beach fronting existing structure	Create a new beach in front of the existing seawall along with the associated beach control structures	Very high capital costs. There would be a significant volume of sand. This would either need to be replaced frequently or held in place with groyne structures which could be made from rock or timber.	It would be possible to create a stable beach if the correct size and number of groynes are also installed. Beach maintenance will still likely be required periodically. A significant number of studies would be required to first model the hydrodynamic processes and then to design stable beaches. Also the risk of downdrift effects would need to be fully understood or it could impact the feed of material to the adjacent coastline (Fisherrow frontage). Beach may draw down significantly after storm meaning structure is again exposed. This beach can be corrected with maintenance recycling or nourishment regime. However, it would not fix areas where toe has started to be undermined and because of this some remedial works to the existing structure would still be advised	Difficult to source, covering a bigger footprint than structure impacting the intertidal habitat. Source of material issues/ large footprint may smother existing marine biodiversity. Knock on effects to wider frontage would need to be understood.	Would be seen to be providing proactive repairs and maintaining flood protection. Longer construction period would mean reduced access to seawall. Areas would be needed for a site compound, to store material and a logistical plan of beach nourishment deliveries. Beach may provide amenity benefits (assuming access is created) which would be good for the local community.	If beach is provided public would likely try to access the beach and therefore adequate access would be required. If beach is drawn down during storm structure may be at risk of failure.		Reduces risk of structural breach of the structure in a storm event. Does not increase the standard of flood protection for Musselburgh.	REJECT	It may smother existing biodiversity. Would be difficult to maintain sufficient beach levels to ensure structure remains covered therefore impacting stability without providing significant beach control structures. Introduction of new beach control structures likely to impact adjacent frontages, interrupt sediment supply.	There would be opportunities for increased amenity use of the foreshore area.



October 2022

Report

Strategic Communications Plan

Musselburgh Flood Protection Scheme



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1 Document Information

1.1 Preparation

ACTION	NAME	DATE
Prepared By	Gregor Moodie	05/10/2022
Reviewed By	Rachael Warrington	11/10/2022
Reviewed By	Conor Price	14/10/2022

1.2 Configuration Management

ISSUE STATUS	REVISION	DATE
Draft	Revs 0.1 – 0.6	05/10/2022 – 14/10/2022
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2 Introduction

2.1 General

The Musselburgh Flood Protection Scheme (the Scheme) is being progressed by East Lothian Council to reduce the very significant levels of flood risk to the town of Musselburgh.

This project is being managed under the PRINCE2 Project Management System. This report is therefore further to the detail provided on the project's approach to communications in the Project Brief. This document is a separate, stand-alone, report and supersedes that reports: the detail contained within this report defines the project approach to communications for the Scheme.

The following text from the Project Brief is reproduced for ease of reference only:

The project will be required to interface with many external individuals and organisations through its whole life-cycle. The main criteria for interface will be:

1. *Scheme establishment and collection of available external information;*
2. *Consultation on the Scheme design;*
3. *Consultation on the Statutory Approvals Processes; and*
4. *Consultation on Scheme delivery (i.e. construction).*

These interfaces will require to be considered alongside the requirements to engage with the Project Users (as highlighted in Section 7 of this report) and in some instances there will be an overlap. There will however be many more consultation interfaces compared with Project Users.

The following interfaces are listed such that they can be further considered within the Business Case, Stakeholder Management Plan and Communications Plan:

1. *The Scottish Government – Flood Protection and Planning Teams;*
2. *SEPA (Scottish Environment Protection Agency) – many sections;*
3. *SNH (Scottish Natural Heritage);*
4. *Historic Environment Scotland;*
5. *Transport Scotland;*
6. *All appropriate locally elected officials from Musselburgh and East Lothian Council;*
7. *The appropriate Musselburgh area Community Councils and the Local Area Partnership;*
8. *The appropriate Housing Associations in the Musselburgh area;*
9. *All relevant public utility providers (i.e. Scottish Water (Water and Wastewater), Scottish Gas Networks (SGN), Scottish Power and Energy Services (SPEN), British Telecom (BT), ELC Street Lighting, cable providers etc.);*
10. *All appropriate ELC Sections and Officers to ensure ELC discharges all of its statutory responsibilities e.g. Planning, Tree Protection, Environmental Protection, Adopted Road Network, Core Path Network etc.*
11. *The Musselburgh business community in general and many businesses individually;*
12. *Many organisations in Musselburgh;*
13. *The schools in Musselburgh;*
14. *The people of Musselburgh.*

The Project Team have so far been developing the Scheme through a consultative framework, and over the years since the project's inception have met with many individuals to get their views on what is important for the Scheme. These individuals include local residents, statutory stakeholders, landowners, and business owners. This engagement has been invaluable in helping to shape the Scheme thus far and the Project Team

are eager to continue building upon the relationships established and the momentum within the town as the Scheme develops.

The Project Team have been advancing their approach to communications under the oversight and direction of the Project Board since 2016. In spring 2021 the Project Board recognised the changed external landscape (relating to ability to consult) in existence at that point in time due to the COVID-19 Pandemic, and requested that the Project Team develop a Strategic Communications Plan. The Strategic Communications Plan that emerged from this instruction has developed into this plan. At the highest levels it is worth noting that this involved the acceleration of intended major communication activities from their use at the construction stages of this project, to this earlier design stage. This resulted in a significant increase in the workload obligations of the Project Team within Project Stage 4 (the Outline Design) with the resultant increases in stage cost and project team resource requirement. The Strategic Communications Plan was primarily intended to establish the architecture for a communications plan that was reactive and capable to continuing to evolve as appropriate within the context of the pandemic and desire from the community. It was to coordinate between other plans such as the Stakeholder Management Plan and also the many communication tools that were already being used, to some extent, by the team.

The key Communication tools are:

1. The development of a Scheme Logo and Brand;
2. A stand-alone Scheme Website;
3. A Scheme Newsletter;
4. The establishment of Local Area Consultation Groups;
5. A process for holding digital public meetings;
6. Public Information Boards across the town;
7. A Stakeholder Email database for update emails;
8. Processes for the publication of information to the local papers; and
9. The design of Scheme 'Infographics' for capturing the essence of key aspects of the project.

This list is not considered to be exhaustive, and it is assumed that new communication tools will be identified and developed as the project advances.

This Strategic Communication Plan is to be regarded as a 'live' document and as such will be updated as necessary at appropriate points during the project duration.

2.2 Definitions

Communication means the exchange of all project information, both formal and informal and may include (but is not restricted to) letters, e-mails, press releases, telephone / conference calls, or face-to-face meeting, use of social media, public exhibitions, etc.

2.3 Objectives

The objectives of this plan are:

- To define the project's approach to communication;
- To manage the individual communication plans for individual communication tools of the Strategic Communications Plan;
- To provide an overarching strategic approach to management of all aspects of the Scheme's approach to communication;
- To provide connectivity between the different Scheme requirements of communication, consultation and stakeholder management;
- To facilitate engagement with stakeholders at all levels throughout the project lifecycle;
- To aspire to achieving appropriate transfer of information to those who need to know - to keep them up to date with project progress; and
- To establish processes for receipt of communications from the public, including the processes of response.

2.4 Target Audience

The Scheme is being advanced to deliver flood risk reduction to the town of Musselburgh from flood events that could derive from the Firth of Forth (i.e. the sea), the River Esk or the Pinkie Burn. It is currently estimated that there are in the order of 2,900 properties at risk of flooding in Musselburgh. This includes almost the whole of the town centre, all of the Eskmills Business Park area, and many critical infrastructural assets including all road bridges in the town and the wastewater and gas distribution networks.

It may therefore be reasonably identified that flood risk affects the whole of Musselburgh, either directly or indirectly. The Scheme is therefore likely to be of interest to everyone in the town, including both those who reside there and those who use the town for business, shopping or school etc.

The Scheme is being advanced under the Flood Risk Management (Scotland) Act 2009, and it must also take into consideration many other pieces of legislation. The Scheme will require an Environmental Impact Assessment. The Scheme is therefore to be of interest to many regulatory organisations.

Any construction project that delivers new flood defences in the town of Musselburgh is likely to interface with the existing built environment of what is a historic town. This will include the existing road and foot bridges, the road network itself, the street-lights, the public utilities such as water, sewer, telecoms, power etc. The Scheme is therefore to be of interest to those who manage these public assets on behalf of the state.

The following key categories of interested parties are identified to broadly group the possible interested parties:

1. The Elected Representatives for the area;
2. The town's Community Council;
3. The Statutory / Regulatory Organisations;

4. The many officers within East Lothian Council who hold have responsibilities for the management of assets and services in Musselburgh (e.g. Education, Housing, Planning, Roads, Waste, Street-Lighting, Flood Protection etc.);
5. Local businesses and users of those businesses;
6. The schools and the pupils at those schools;
7. Community groups;
8. The owners and residents of property in Musselburgh;
9. Those who use the town's services, and / or its environment;
10. Members of the general pub with an interest in flood protection, including those in proximity to Musselburgh who rely on the critical infrastructure in Musselburgh (or which passes through).

2.5 Project Governance

This project is being advanced under the PRINCE2 Project Management System so that East Lothian Council can apply a clear, logical, step-by-step process for advancing the project.

The project sits under the authority of a Project Board made up of senior representatives from across East Lothian Council with delegated decision-making authority from Council.

The specific management of communication activities is to be managed by a project 'Communications Working Group' further to instruction from the Scheme's Project Board.

3 Context

This document is one of a suite that define: the overall approach to communications in the project (Communications Plan); a matrix of stakeholders and communications methods to be used (Strategic Communications Matrix); an analysis of Stakeholders (Stakeholder Management Plan); and the approach to consultation in Stage 4 Outline Design (Stage 4 Outline Design Consultation Plan).

This document should be read and understood in conjunction with these other productions which can be provided to you by the Project Management Team.

4 The Strategic Communications Tools

4.1 Scheme Logo and Brand

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a unique project logo and brand. This logo will then be available for use thereafter for the rest of the project duration, and the use of the brand will allow for consistency of presentation.

4.2 Scheme Website

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops, and thereafter manages a Scheme Website.

This Scheme Website is to be a stand-alone Project Website with its own url for ease of control and management. This website will act as a depository for information relating to the Scheme, including background information and latest news update. It will also act as a public store for reports, technical notes, drawings etc. from current and previous stages. The website will be open to all and be capable of having a global reach.

4.3 Scheme Newsletter

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a Scheme Newsletter and thereafter manages a system of production for its periodic issue. It is assumed that such a newsletter will be issued on a quarterly basis, however it is understood that this may be too frequent or indeed infrequent depending on the volume of work and thus information requiring to be communicated – the Project Board shall be the ultimate overseer of the issue dates.

The Scheme Newsletter will be issued to all postcodes in the EH21 Postcode area. It will be delivered by the Royal Mail Door-to-Door Delivery service.

The newsletters content will be determined, and its design and production managed by the Communications Working Group.

At the time of writing, the Project Team are working to a first issue being received by the public in November 2022.

4.4 Public Notice Boards

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project installs and thereafter maintains a network of public notice boards throughout Musselburgh.

These Public Notice Boards will be located in key pedestrian footfall locations to provide information and notify of events.

The Scheme currently has seven public notice boards located throughout Musselburgh, three along the coast and four along the urban length of the river. At the time of writing, two more boards are being organised at both ends of the Sea Wall path to bring the total to nine.

The Public Notice Boards are A1 information boards which are designed in-house by the Project Team and provide concise, simple, and artistically engaging updates about the Scheme's progress. The boards reach local residents who may not use the internet or have registered for updates, whilst also being relevant to visitors. For those that do use the internet, the boards also feature a QR code to link people onwards to the website where they can access more detailed information.

4.5 East Lothian Council Press Releases

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a process for issuing Press Releases.

The Scheme is a major project and has a Project Team, however it is a project by East Lothian Council, and therefore all press communications travel through East Lothian Council's communications team.

The Project Team have developed a schedule of intended Press Releases through the Communications Working Group, however in the event of an AD-HOC requirement of a press release this will be confirmed through a meeting of the Communications Working Group.

All Press Releases are generated by the East Lothian Council's Communications Team, working in partnership with the Project Team.

4.6 Newspaper Advertisement

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a process for periodically placing key Scheme information into the local papers via a paid newspaper AD.

Throughout the project duration the Project Team will make use the Musselburgh Courier, a locally circulated newspaper. When East Lothian Council issue a Press Release the Project Team do not have control over the newspapers use of text and / or images. There are however occasions when the Project Team will require a specific message or image to be presented to the public through the newspaper – on such occasions it is appropriate to use a paid AD to place the required content.

4.7 Letter Management

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a process for management of formal letters – both letters received and letters issued.

The Scheme will on occasion receive a letter. The use of letters as a means of communications is less frequent in this era of emails and digital communication, however it is still in existence. Such letters require to be logged and filed, and as appropriate, responded to.

The Project Team require to issue letters on occasions. Through the period of the design this will most likely be to issue invitation to an event being organised by the Project Team. During the project's Stage 5 (the Approvals Processes) it will be required to issue formal letters of notification of the Scheme's Publication as required by the Flood Risk Management (Scotland) Act 2009.

4.8 Public Meetings

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops an approach to holding and managing public meetings.

During the COVID-19 Pandemic it was assumed that this would be required to be through online digital meetings, and through the autumn of 2021 the Project Team undertook initial Local Area Consultation Meetings through (online) MS Teams meetings to develop and establish such a process.

Since spring 2022 with the return to normal in the post-COVID-19 period, the Project Team are again using in-person public meetings. This is the preferred approach to engagement with the public, however the Project Team now have the capacity to undertake either in-person or digital meetings and will make a judgement call on which is the most appropriate to use for all meetings moving forward.

4.9 Public Exhibitions

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops an approach to hosting Public Exhibitions at key points in the Scheme's development to formally present update on the Scheme.

The use of Public Exhibitions by projects is not unique to this project. Indeed it is an approach common to almost all flood protection schemes. This project has always planned to use Public Exhibitions, and the verification of this within this Strategic Communications Plan is considered only a formality of record.

4.10 Stakeholder Management

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a Stakeholder Management Plan to define and manage to overall coordination of project stakeholders.

The Stakeholder Email Register and update emails as defined in Section 4.11 of this report is one part of that management process, however given its importance under data protection and in relation to communication in general it is given its own section in this report.

4.11 Stakeholder Email Register & Update Emails

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a register of all stakeholder emails and a process for updating those emails via a periodic update email.

The Stakeholder Email Register is to be fully compliant with GDPR and all relevant data management regulations.

It is recognised that whilst some use email as their primary form of communication there are others that may not have access to email at all. The use of this process is therefore within the context of that understanding and thus the Project Team are to use both digital and non-digital means of communication together.

4.12 Consultation

The Scheme's development is being advanced through a consultative design approach. This was first formally recorded through the report to Cabinet in January 2020, however it was ongoing prior to that point in time and has been ongoing since. It is considered that this approach offers the greatest likelihood of evolving a bespoke flood protection scheme for the town of Musselburgh that the people of the town will accept.

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a specific consultation plan for the rest of Project Stage 4 (the Outline Design). This requirement is further to the recommendation of Council at its meeting in August 2022.

For further details on the Outline Design Consultation Plan please reference the individual report that defines that plan – which is Appendix L.

October 2022

Report

Consultation Plan for the Outline Design

Musselburgh Flood Protection Scheme



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Appendix A – Form of Defence Determination – Design Section Tracker
Example

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1 Document Information

1.1 Preparation

ACTION	NAME	DATE
Prepared By	Gregor Moodie	29/09/2022
Reviewed By	Conor Price	14/10/2022

1.2 Configuration Management

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Draft	Revs 0.1 – 0.4	29/09/2022 - 14/10/2022
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2 Introduction

The Musselburgh Flood Protection Scheme (the Scheme) is being progressed by East Lothian Council to reduce the very significant levels of flood risk to the town of Musselburgh.

This project is being managed under the PRINCE2 Project Management System. This report is therefore further to the detail provided on consultation in the project's Strategic Communications Plan. This document is a separate, stand-alone, report and supersedes that report: the detail contained within this report defines the project approach to consultation for the Outline Design stage of the Scheme.

The following text from the Strategic Communications Plan is reproduced for ease of reference only:

The Scheme's development is being advanced through a consultative design approach. This was first formally recorded through the report to Cabinet in January 2020, however it was ongoing prior to that point in time and has been ongoing since. It is considered that this approach offers the greatest likelihood of evolving a bespoke flood protection scheme for the town of Musselburgh that the people of the town will accept.

It is required of this Strategic Communications Plan, further to direct instruction from the Scheme's Project Board, that the project develops a specific consultation plan for the rest of Project Stage 4 (the Outline Design). This requirement is further to the recommendation of Council at its meeting in August 2022.

For further details on the Outline Design Consultation Plan please reference the individual report that defines that plan – which is Appendix L.

The Project Team have so far been developing the Scheme through a consultative framework, and over the years since the project's inception have met with many individuals to get their views on what is important for the Scheme. These individuals include local residents, statutory stakeholders, landowners, and business owners. This engagement has been invaluable in helping to shape the Scheme thus far and the Project Team are eager to continue building upon the relationships established and the momentum within the town as the Scheme develops.

The purpose of this report is to set out the approach to consultation for the rest of the Outline Design (i.e. the rest of the time during Project Stage 4 (the Outline Design)).

It is considered that the processes identified in this plan were the intention of the Scheme, through its commitment to continue with its design consultation approach as defined in the Strategic Communications Plan, however at this point in time this plan is also, specifically, in response to a recommendation from Council in August 2022. This amendment to the Council recommendations is provided here for ease of reference:

Instructs that the consultation process throughout the outline design must allow for public participation into a discussion of what form/s of defence are deemed acceptable; must present indicative options to show how altering the height of defences might change the standard of protection; and must gather feedback on public preference between these options. Council further instructs the Project Team to present their proposals in relation to this instruction to the October 2022 meeting of Council. This will ensure that Councillors are better informed about the wishes of their constituents before progressing to the approvals process as defined in the Flood Risk Management Act (2009).

3 Consultation and Communication

3.1 Definitions

The Project Team understand consultation and communication to be two distinct methods of community engagement. It is understood that various definitions of these two terms exist, and the extent to which communication can be considered consultation is a matter for debate. For clarity and ease of understanding, for the purposes of the Scheme the following definitions are used by the Scheme:

1. 'Communication' is to be thought of as a one-way process in which information about the Scheme, such as updates on key milestones, are communicated out. Although unsolicited, individuals may respond to communications with thoughts, opinions, or concerns and these will always be noted by the Project Team, and if appropriate will be considered within the approach taken by 'consultation'.
2. 'Consultation' entails a direct form of engagement with individuals or groups (whether public, statutory, business etc.) whereby information is provided on one or multiple aspects of the Scheme and an opportunity is provided to give thoughts, opinions, concerns etc. (collectively, 'inputs') on those aspects. Consultation is therefore a two-way process, however it is clearly highlighted that 'consultation' does not empower the external parties with decision-making powers or rights. Their thoughts are being collected by the Project Team so the Project Team is better informed in determining the form of the Scheme under the contractual obligations that exist for the Project Team. Ultimately the decision-making will be made by the parties empowered through the Project Governance structure and the final decisions will be made by East Lothian Council as defined by the Flood Risk Management (Scotland) Act 2009.

The key difference therefore lies in the objective, where the objective of consultation is to collect inputs on one or more aspects of the Scheme, and the objective of communication is to provide information.

3.2 Why differentiate between the two?

The development of the Scheme will involve many individuals, however not everyone will need to be involved to the same extent. Likewise, involvement by a group or individual might by necessity be much greater at one stage than another. Consultation must be targeted appropriately to make efficient use of the Project Team's time and resources. For example, someone who occasionally visits Musselburgh for a daytrip is unlikely to be as invested in the development of the Scheme as someone who lives beside the River Esk or on the Coastal Foreshore and has a flood risk. In this instance, it would not be appropriate or a good use of resources to treat the two the same.

By communicating widely through our communication tools (e.g. the stakeholder email, our website, our public notice boards and newsletters etc.) we aim to empower individuals to make their own decision on the extent to which they want to be involved in consultation.

4 Objectives and limitations of consultation

4.1 What is the objective of consultation for the Scheme?

There are several reasons why consultation is important to the Scheme. Firstly, consultation with statutory and regulatory bodies is essential to ensure that the Scheme is aware of any laws and regulations that it will interact with or need to abide by. Consultation with the public and organisations allows the Project Team to shape a Scheme that works for local people. Local residents are the ones who are at risk from flooding, but are also the ones who use the spatial environment of Musselburgh on a daily basis. Therefore, they are best placed to offer thoughts on how the Scheme’s design can be evolved to minimise negative impacts and improve the local area.

As well as with the public, consultation with businesses, organisations, and local interest groups can be helpful in identifying local issues that may not relate to flooding but through the vehicle of the Scheme could be directly or indirectly improved. In certain cases, these are significant enough to become defined multiple-benefit opportunities, such as the provision of Active Travel and restoration of the river environment.

4.2 Form of Defence Determination during the Outline Design (Project Stage 4)

Within the Outline Design stage of the Scheme, the primary objective of consultation is to allow the Design Consultant, Jacobs, become sufficiently informed such that they can determine the proposed ‘Form of Defences’ to be used throughout the town and their alignment. A high-level overview of the pathway to determining the Form of Defences is set out in Figure 1 below.

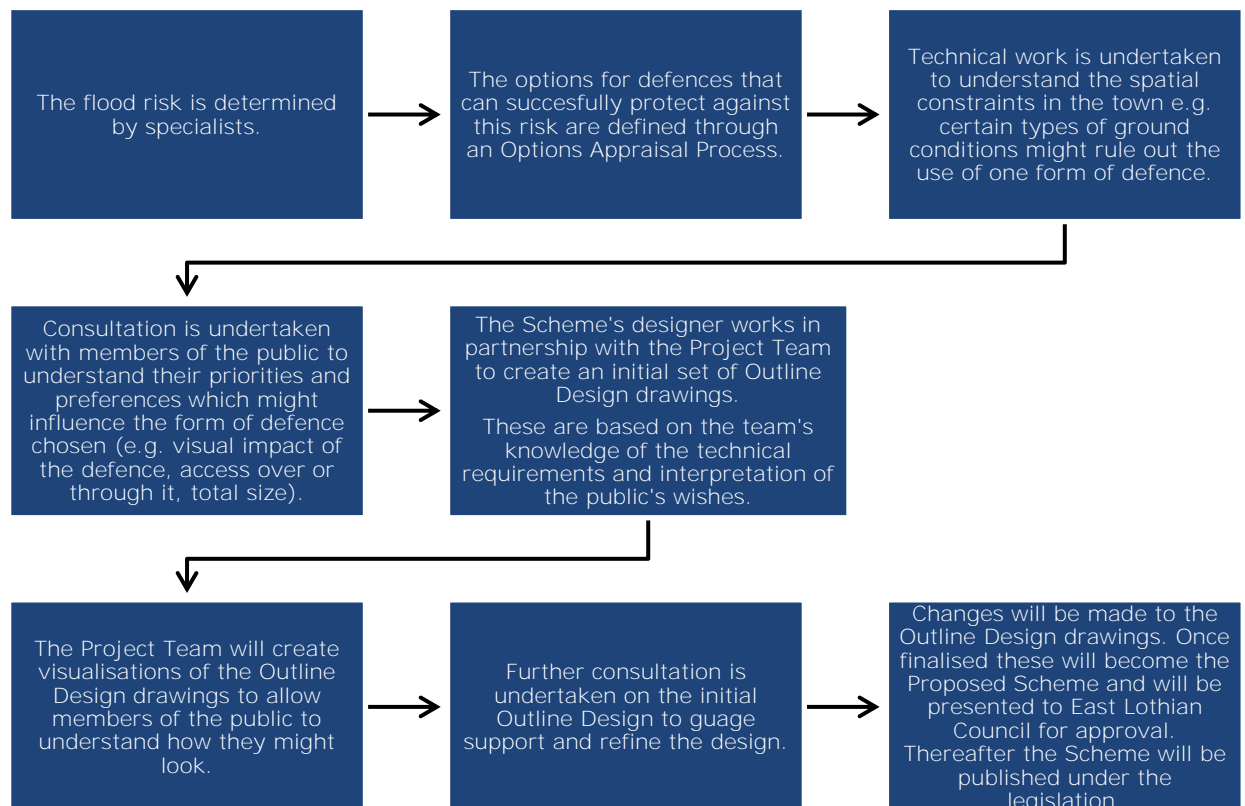


Figure 1: High-level overview of the pathway for the Form of Defence Determination

Whilst Figure 1 provides a generalised overview for the purposes of simplicity, it does not fully capture the nuanced approach to determining the Form of Defences throughout the entire flood scheme. There are two reasons for this: firstly, the length of the defences will be such that they will cross through areas of different ownership (e.g. on public land or on private land), and secondly, the pursuit of multiple-benefits means that some sections may be subject to additional decision making inputs, such as those of the Musselburgh Active Toun (MAT) project or Historic Environment Scotland.

In areas where the defences sit entirely on private land, it is fair and reasonable that the first consultation is with the private land owner and / or occupier. Only thereafter is it appropriate for the proposed defences at this location to be considered by the wider public consultation.

Similarly, where two different design logics exist for a single section (e.g. that of the Flood Protection Scheme and the Active Travel Network) it is important that the Project Team establish who should be involved in the decision-making and which, if any, logic must take precedence. A specific example of this scenario is as follows: both projects are proposing to replace the Shorthope Street Footbridge – the Scheme to remove its in-stream piers and to raise it further above river level: the Active Toun project to widen it make it more usable for pedestrians and cyclists etc.

To achieve this, the Project Board have established a process under their authority and management that defines the approach to the Form of Defence Determination. This was approved by Project Board in early October 2022. This process subdivides the entire flood protection scheme into 'Design Sections' to allow more accurate and detailed discussion, and logs the decision making parties involved in each section. Inputs to the design thinking are captured within a tracker maintained by the Project Team, a snippet of which is provided as an example in Appendix A.

4.3 Limitations of Consultation

As with any process there are limitations, and for clarity the limitations to Outline Design Consultation that will be undertaken by this project are defined in this section.

1. It is not possible for the Project Team to engage with everyone in Musselburgh, the time and resources required would make this a disproportionate use of public money. Simultaneously there are members of the public who simply do not want to engage / be consulted. The Scheme's mass communication effort, as defined in the Strategic Communications Plan, ensure that those who do want to engage have every opportunity to do so, and those that do not are nonetheless kept informed.
2. Consultation can also be limited in terms of who it reaches, for example younger people and those who have additional needs are generally underrepresented in public consultations on most subjects. Through discussion with East Lothian Council's equalities officer, the Project Team have taken appropriate steps to ensure that our consultations are accessible, and will continue to work with Council partners to reach more young people as a matter of priority. The approach to consulting with young people is outlined further in Section 5.3 of this report.
3. The outcome of the consultation is another major limitation where it results in the 'consultee' determining that they have not been listened to and / or that the Scheme has done its own thing and 'ignored' their representation. This is a huge risk for the Scheme, as ultimately such a disenfranchised consultee may become a Scheme Objector under the legislation. The project team are aware of this risk and working to mitigating this risk by, for example, producing reports after key public meetings including sections focused on highlighting the concept 'You Said – We Did'. The major limitation here however is that some consultees may not like the action that is taken in response to their representation, but this is not a consultation risk – it is a different risk and the Project Team cannot be held responsible for those who choose to 'Object' to the Scheme – that is their right under the legislation.

5 Consultees

5.1 Who is being consulted?

The Project Team are consulting widely on the Scheme with various different categories of stakeholders. These include the following categories (as defined by the Scheme):

1. Regulatory Stakeholders (i.e. those who have to make a decision-making input in relation to the Scheme relative to their regulatory / legislative working responsibilities);
2. Key Stakeholders (i.e. Scottish Water relating to the proposed use of their reservoirs in Mid-Lothian, and Buccleuch Estates / Dalkeith County Park relating to the proposed Upstream Debris Trap by Whitecraig);
3. The Multiple-Benefit partners (i.e. Fisherrow Harbour & Seafront Association, Scottish Power, ELC re the Musselburgh Traffic Management Plan, the Musselburgh Active Toun project, and organisations not yet determined re the emerging Musselburgh River Restoration project);
4. Public Stakeholders (i.e. businesses, the general public, local interest groups etc.),
5. Private Land Owners and Occupiers on whose land the proposed new flood defences may be located and / or on which the construction works may need temporary access.

For reference, each of these categories is broken down below.

Musselburgh Flood Protection Scheme

5.1.1 Regulatory Stakeholders

CATEGORY	FORUM	SUB-DIVISION	MEMBERSHIP		FREQUENCY
REGULATORY	Scheme Working Groups	Roads, Structures & Access Working Group	<ul style="list-style-type: none"> • ELC Access & Pathways • ELC Amenity & Countryside • ELC Archaeology • ELC Flooding • ELC Green Networks • ELC Planning 	<ul style="list-style-type: none"> • ELC Roads Services • ELC Structures • ELC Transport Planning • Jacobs Engineering • Jacobs Landscape Architecture 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.
		Watercourse & Coastal Impact Working Group	<ul style="list-style-type: none"> • ELC Amenity & Countryside • ELC Biodiversity • ELC Rangers Service • ELC Flooding • Fisherrow Harbour Harbourmaster • Forth District Salmon Fisheries Board 	<ul style="list-style-type: none"> • Jacobs Engineering • Jacobs Ecology • Jacobs Landscape Architecture • Marine Scotland • NatureScot • SEPA 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.
		Planning, Heritage & Landscape Working Group	<ul style="list-style-type: none"> • ELC Planning • ELC Heritage • ELC Archaeology 	<ul style="list-style-type: none"> • ELC Amenity & Countryside • ELC Biodiversity • NatureScot 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.

Musselburgh Flood Protection Scheme

			<ul style="list-style-type: none"> • ELC Flooding • Historic Environment Scotland • ELC Green Networks 	<ul style="list-style-type: none"> • Jacobs Engineering • Jacobs Ecology • Jacobs Landscape Architecture 	
		Land & Legal Working Group	<ul style="list-style-type: none"> • ELC Legal • ELC Assets 	<ul style="list-style-type: none"> • ELC Estates • ELC Flooding 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.
		Financial Working Group	<ul style="list-style-type: none"> • ELC Finance 		<p>This group meets monthly to review project finances and provide financial assurance and oversight.</p> <p>This group also meets on an additional ad-hoc basis as required.</p>
		Environmental Consenting Working Group	<ul style="list-style-type: none"> • ELC Planning • ELC Environmental Protection • ELC Archaeology • SEPA • NatureScot • Forth Rivers Trust • Jacobs Engineering • Jacobs Ecology 	<ul style="list-style-type: none"> • ELC Heritage • ELC Biodiversity • ELC Amenity & Countryside • Historic Environment Scotland • Forth District Salmon Fisheries Board 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.

Musselburgh Flood Protection Scheme

5.1.2 Key Stakeholders

CATEGORY	ENTITY	FORUM	FREQUENCY	SIGNIFICANCE
KEY STAKEHOLDERS	Buccleuch Estates / Dalkeith Country Park	Direct Consultation	Ad Hoc	Substantial land holdings in the catchment and the Preferred Scheme proposes a Debris Trap intervention within the river as it passes through Dalkeith Country Park.
	Scottish Power	Direct Consultation	Ad Hoc	Scottish Power owns significant assets within Musselburgh that will be integral to the Scheme's development.

5.1.3 Multiple-Benefit Partners

CATEGORY	ENTITY / PROJECT	FORUM	FREQUENCY	SIGNIFICANCE
MULTIPLE- BENEFIT PARTNERS	Fisherrow Harbour & Seafront Association	Direct Consultation	Ad Hoc	FH&SA hold a management agreement with ELC to manage the historic Fisherrow Harbour. The association is an umbrella group for harbour users and is represented in consultation by elected trustees.
	Musselburgh Active Toun Project (ELC Roads)	Direct Consultation	Ad Hoc	ELC is in parallel delivering a project to introduce Active Travel Networks and placemaking to Musselburgh. Significant sections of this will sit within the Scheme's footprint and therefore co-design and delivery is essential to achieve an acceptable product, maximum benefit and overall capital investment savings.

Musselburgh Flood Protection Scheme

	Musselburgh Traffic Management (ELC Roads)	Direct Consultation	Ad Hoc	ELC has ambitions to improve the efficient flow of traffic within Musselburgh to create a safer environment for pedestrians and road users and to reduce congestion and associated pollution. As the Scheme will interface with key roads and reshape the spatial environment it is appropriate to consult on opportunities to achieve multiple-benefits.
	Musselburgh River Restoration	TBC	TBC	This is an emerging multiple-benefit based on feedback from public consultation which strongly advocated for river restoration to improve habitats and reduce localised flood risk. In addition, the Project Team feel that there are wider opportunities to work with NatureScot, SEPA and FDSFB to achieve wider benefits in the urban river environment and upstream.
	Invasive and Non-Native Species Steering Group	Working Group	Biannual	This steering group, instigated by the MFPS Project Team, brings together local authorities, volunteer groups, and landowners to take a joined up approach to managing INNS (notably Giant Hogweed and Japanese Knotweed) in the town and catchment.

Musselburgh Flood Protection Scheme

5.1.4 Public Stakeholders

CATEGORY	SUB-DIVISION	FORUM	MEMBERSHIP	FREQUENCY
PUBLIC STAKEHOLDERS	Local Businesses	Direct Consultation	<ul style="list-style-type: none"> More than 100 local businesses 	This group meets as required for a length of time determined by the complexity of the subject(s) under discussion.
	General Public	Major Public Events (e.g. The Musselburgh Area Consultation / Public Exhibitions 1 and 2) & via Local Area Consultation (LAC) Groups	<ul style="list-style-type: none"> Local residents Non-locals with an interest in the Scheme 	<p>The Scheme hosts major public events at key points in the project. Three major events (i.e. those open to the whole town) have been held since the Scheme's initiation.</p> <p>A cycle of LAC Group consultations were held from September 2021 to February 2022.</p> <p>The Scheme also meets with individual groups or defined residents if their area or property requires special attention or further consideration.</p>
	Organisations / Local Interest Groups	Direct Consultation	<ul style="list-style-type: none"> Various throughout the town and catchment 	Ad Hoc / By Invitation

Musselburgh Flood Protection Scheme

5.1.5 Local Area Consultation Groups

CATEGORY	LOCAL AREA	FORUM	MEMBERSHIP	FREQUENCY
LOCAL AREA CONSULTATION GROUPS	Edinburgh Road	Direct Consultation	Local residents and business owners of the Edinburgh Road Area	Ad Hoc
	Fisherrow	Direct Consultation	Local residents and business owners of the Fisherrow Area	Ad Hoc
	Mountjoy	Direct Consultation	Local residents and business owners of the Mountjoy Area	Ad Hoc
	Goosegreen	Direct Consultation	Local residents and business owners of the Goosegreen Area	Ad Hoc
	Esksidies	Direct Consultation	Local residents and business owners of the Esksidies Area	Ad Hoc
	Eskmills	Direct Consultation	Local residents and business owners of the Eskmills Area	Ad Hoc
	Inveresk	Direct Consultation	Local residents and business owners of the Inveresk Area	Ad Hoc

5.1.6 Landowners & Occupiers

CATEGORY	SUB-DIVISION	FORUM	FREQUENCY	SIGNIFICANCE
LANDOWNERS & OCCUPIERS	Landowners	Direct Consultation	Ad Hoc	Individuals who privately own land over or upon which operations will need to take place to construct the Scheme OR that will be the location of elements of the Scheme.
	Occupiers	Direct Consultation	Ad Hoc	Those who hold a lease agreement for land over or upon which operations will need to take place to construct the Scheme OR that will be the location of elements of the Scheme.

6 Consultation during the Outline Design

6.1 When will the Outline Design take place?

The Project Team have developed a Timeline that defines the duration of the Outline Design and highlights the key dates within this time. The Outline Design is intended to start after the Council's October 2022 meeting and to conclude when the Scheme presents a report back to Council in January 2024. The Timeline for the Outline Design is being presented to Council in October 2022, and will be published on the Scheme Website during that week.

6.2 What are the specific timings for the consultation?

At the time of writing this report the specific timings for each of the consultations that are required of this Consultation Plan, and within the timescales defined by the Timeline for the Outline Design, have not yet been determined. It is considered appropriate for Council to approve this proposed Consultation Plan and the proposed Timeline, before the Project Team undertake the significant activity of programme all works activities for the stage, including the individual consultations, under the contractual process for revising the contract programmes.

6.3 Public Exhibition Number Two (PE No. 2)

The largest and most significant consultation activity is a public exhibition. One will definitely take place within the Outline Design, and this will be known as Public Exhibition No. 2.

So far the Scheme has held three major consultation events that were open to the whole of Musselburgh: the Public Open Day & Call for Information in February 2019; Public Exhibition No. 1 in July 2019; and the Musselburgh Area Consultation in March 2022.

The specifics for this event are not yet confirmed, however the preliminary expectations are that: it will be held in Summer 2023 to allow time for the Outline Design to be developed; it will be held at The Brunton Theatre which is local, fully accessible, and capable of holding a large volume of people; it will be held over several days to allow as many people as possible to attend. These expectations are all subject to change and are the Project Team's assumptions only at this stage.

Full details of the event will be shared via the Scheme's communications tools well in advance to enable as many interested members of the public to be involved as possible.

6.4 Who will be consulted?

As detailed in earlier sections of this report, there are many consultees for the Scheme. As detailed in Section 6.2 of this Report the specific timetables / programme for those consultations still needs to be developed. It is expected that all identified consultees will be consulted within this process. The scale of the consultation required for each consultee will be a function of the design challenges at any given location – however please note that at all points in time the Project Team will be working to achieve the objectives, and within an understanding of the limitations, as defined in Section 4 of this Report.

6.5 Highlighting some key consultations

There is no hierarchy to the consultation process, however it is felt appropriate to acknowledge that the design of a Form of Defence will be more challenging in some locations compared with others. The following consultations are highlighted, as examples of specific consultations that present challenges,

6.5.1 Young People

Younger people have so far been underrepresented in our consultations that have been ongoing since 2018. This applies especially to the 16 to 25 age bracket and perhaps the whole age group below 35. Not only do we recognise this but during our public consultations in February and March 2022 this has been raised by

members of the public as well. The Project Team feel that as this age group will be the ones to eventually 'inherit' the town and its flood scheme, that it is important we also collect their views on the Scheme.

Over the past five years the Project Team have on several occasions tried to engage with the town's schools. We achieved significant connection to Pinkie Primary School in 2019. We have had a number of discussions with Musselburgh Grammar about both contractual Community Benefits being delivered through the school and consultation with the school's public, perhaps linked to the Curriculum for Excellence. All of this has, however, not evolved into a continuous and / or meaningful connectivity that would be preferable.

Under the Scheme's contracts, the Scheme's designer Jacobs have an obligation for delivering Community Benefits, including school consultations and work experience placements. Community Benefits will also be a significant part of any works contracts in the Scheme's latter stages. We assume that these obligations can be linked to existing frameworks for engagement such as the Developing the Young Workforce (DYW) programme.

The Scheme is a generational investment, and will reshape Musselburgh. The Project Team feel strongly that the Scheme would benefit from the input of young people whilst simultaneously the young people and schools could benefit from their proximity to such a major project and all of the learning potential and life experience that it offers to them in their town, as well as sparking a passion for engagement with the process of local governance.

Within the Scheme there is now an emerging approach to engaging with school children and Young People. This is being achieved through connectivity with East Lothian Council's education and children's services directorate as well as other bodies. Specific details are not available at this early stage, however these will be developed as the project progresses and this consultation route will be managed under the authority of the Scheme's Project Board.

6.5.2 Landowners

Interventions upstream of the town will primarily occur on private land. The Project Team have already begun building working relationships with the various landowners upon whose land the Scheme might undertake operations. Throughout the Outline Design, this direct consultation will continue to allow the outline design to be developed as appropriate in line with the landowners' inputs.

6.5.3 Local Businesses

Local businesses are key drivers of a local economy and contribute towards employment, tourism, and sustainability by providing access to services and amenities within walking/cycling distance. The impact of reducing the significant flood risk to Musselburgh that will result from the Scheme delivering its proposed flood risk management interventions could be significant in encouraging investment and business confidence. It is likely to also substantially reduce insurance premiums which can boost growth and confidence.

The needs of local businesses will be distinct to those of local residents and priorities are also expected to be different. Through the Musselburgh & Inveresk Community Council and the Musselburgh Business Partnership as well as directly the Project Team have already begun to connect to local businesses to gather their inputs. As of summer 2022, hundreds of local businesses have been issued questionnaires to help identify their knowledge of flooding, the flood scheme, and what their priorities are for the future. Throughout the Outline Design, the Project Team will be looking to expand this engagement and build a clearer picture about what is most important for local businesses with regards to the Scheme.

6.5.4 Residents of the Inveresk Estate

Residents of the Inveresk Estate were first approached by the Scheme with regards to their flood risk in 2021. This was because prior to this, the Scheme's modelling showed that interventions in the catchment would be sufficient to ensure they obtained the same levels of flood risk reduction as that intended for the rest of the

town of Musselburgh. Because of this it was not considered necessary to provide direct defences at this location when the Preferred Scheme was presented to Cabinet in January 2020. However, updates to the hydraulic model (within 'Model B' and now in 'Model C') confirm greater river flows due to Climate Change, and thus food risk, at this location. The intended interventions in the catchment are no longer sufficient to completely neutralise the flood risk at this location.

The Project Team have met with the appropriate residents at this location and explained this changed flood risk situation. A residents' meeting was held and residents' requested that they be provided with equivalent flood protection to that provided to others in Musselburgh.

A formal decision on whether to incorporate the Inveresk Estate into the Scheme remains to be taken by the Project Board under the authority of Council. The Project Team intends to keep the channels of consultation with residents open, and if they are formally included within the Scheme, they will be consulted as a group, of private Land Owners, to determine their preferences for providing flood protection at this location.

6.5.5 Fisherrow Harbour & Seafront Association

Fisherrow Harbour & Seafront Association is a multiple-benefit partner and a strategic partner of East Lothian Council. Consultation with this organisation has been ongoing since the Scheme's early stages.

The harbour is one of the most challenging environments in which to determine a Form of Defence. The Project Team must consider the operational requirements of the harbour itself, the historic and listed nature of the structure, the buried utilities, as well as the SPA designation of part of the beach and the whole Forth estuary. In addition to this, we must consider how the Musselburgh Active Toun project can incorporate an active travel network in proximity to the defences / harbour. Despite these challenges, there is significant opportunity to develop a solution that revitalises the harbour and creates a thriving destination for locals and visitors.

The Project Team will continue to consult with the FH&SA throughout the Outline to determine the best way to proceed, with

6.5.6 The Local Area Consultation Groups

During the consultation process undertaken between summer 2021 and spring 2022 the Project Team set-up a number of local area consultation groups. The use of these groups – which are formed in the areas that it is assumed will be in closest proximity to any defences proposed for the town – is considered essential to the Project Team evolving an Outline Design.

The following are considered to be the key areas where this process will be required:

1. The coastal foreshore – from Fisherrow Harbour to the mouth of the River Esk; and
2. The River Esk corridor – from the Station Road Bridge to the Goosegreen Footbridge.

It is assumed that the next meetings with these groups will take place in late November and notice of such events will be provided as soon as possible after the Council Meeting in October 2022.

7 Strategic Communications Plan

7.1 Signposting

The Project Team have developed a suite of communications tools to effectively reach a wide audience and deliver information severally and in a targeted way. These tools are detailed in the Scheme's Strategic Communications Plan, which is a standalone document available separately.

Appendix A – Form of Defence Determination – Design Section Tracker Example

MUSSELBURGH FLOOD PROTECTION SCHEME																	
PROJECT STAGE 4 - OUTLINE DESIGN																	
DESIGN SECTION TRACKER - FoD DETERMINATION																	
Revision No.		Revision 1.0															
Revision Date:		15/09/2022															
Author:		Conor Price															
Count	Design Section - Information						SUMMARY OF FORM OF DEFENCE				DECISION MAKING CONTRACTUAL INPUTS				OTHER		
	Number	Name of Section	Y/P/N	Type	Date	Details	Scheme		MAT		Combined Decision		Land Owner		Roman Bridge		FH
5							Y/N	Taken	Y/N	Taken	Y/N	Taken	Y/N	Taken	Y/N	Taken	Y/N
1	DS-CF-02	Edinburgh Road - Along Road to SW PS	N	TBC	TBC	TBC	Y	N	N	N/A	N	N/A	Y	N	N	N/A	N
1	DS-CF-03	Edinburgh Road - SW PS Road to Green	N	TBC	TBC	TBC	Y	N	N	N/A	N	N/A	Y	N	N	N/A	N
1	DS-CF-04	Edinburgh Road - Murdoch's Green	N	TBC	TBC	TBC	Y	N	Y	N	Y	N	N	N/A	N	N/A	N
1	DS-CF-05	Edinburgh Road - Green to Beach	N	TBC	TBC	TBC	Y	N	Y	N	Y	N	Y	N	N	N/A	N
1	DS-CF-06	The Backsands Public Beach	N	TBC	TBC	TBC	Y	N	Y	N	Y	N	N	N/A	N	N/A	Y

REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Chief Social Work Officer

SUBJECT: Chief Social Work Officer Annual Report 2021-22

6

1 PURPOSE

- 1.1 This report presents to members the Chief Social Work Officer Annual Report for 2021-22. The report is attached at Appendix 1.

2 RECOMMENDATIONS

- 2.1 The Council is asked to note the content of the 2021-22 Annual Report of the Chief Social Work Officer and its implications for the provision of social work services in East Lothian and their role in assuring the safety and welfare of vulnerable children and adults across the county.

3 BACKGROUND

- 3.1 The requirement that every local authority should have a professionally qualified CSWO is contained within Section 45 of the Local Government (Scotland) Act, 1994. This report is prepared in line with the national guidance - The Role of the Chief Social Work Officer - published by the Scottish Government in 2016. Further, this report fulfils a statutory requirement for the CSWO to produce an annual report on the activities and performance of social work services within East Lothian including those delivered within the Health and Social Care Partnership.
- 3.2 The format for the report follows the template as set out by the government's Chief Social Work Advisor:
- Governance and accountability arrangements
 - Service quality and performance
 - Resources
 - Workforce
- 3.3 The report reflects the strategic and operational delivery of services across children's (social work) services, justice social work, mental health social and adult social work services. It provides an overview of the professional activity for social work in East Lothian through the delivery of the statutory functions and responsibilities held by the Chief Social Work Officer.

- 3.4 The timeframe of this report broadly aligns to the second year of the COVID-19 pandemic. It highlights the continued and continuing impact of the pandemic on East Lothian citizens with whom our services work to help them live safely and as independently as possible. The report illustrates some of the significant challenges ahead for services with the changing landscape of social care services and the increase in vulnerability for children and young people and families that will inevitably be compounded by the current cost of living crisis.
- 3.5 I am proud to have the opportunity to share some of the many achievements from 2021-22, that are firmly aimed at improving the experiences and outcomes of those who are being supported or cared for by social work services. This is testament to the commitment and resilience of the social work workforce and the support of managers and leaders.

4 POLICY IMPLICATIONS

There are no direct policy implications of this report. However, the report highlights the areas of practice, service delivery and policy that will require further review as the full impact of the pandemic on services becomes clearer.

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 direct financial implications arising from the report, however it does refer to the financial challenges facing the delivery of social work and social care services.
- 6.2 Personnel - None
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Chief Social Work Officer Report 2021-22 attached at Appendix 1

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DATE	17 October 2022

**East Lothian Council Chief Social Work Officer
Annual Report 2021-22**

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1. Introduction and Key Achievements

I am very pleased to introduce the chief social work officer report for 2021-22. The report details the performance and experience of delivering social work services during the second year of the COVID pandemic. It highlights the continued and continuing impact of the pandemic on East Lothian citizens with whom our services work to help them live safely and as independently as possible. The report illustrates some of the significant challenges ahead for services with the changing landscape of social care services and the increase in vulnerability for children and young people and families that will inevitably be compounded by the current cost of living crisis.

I am proud to share some of the many achievements aimed at improving the experiences and outcomes of those who are being supported or cared for by social work services. This is testament to the commitment and resilience of the social work workforce and the support of managers and leaders.

The report will provide more detail in the sections below but some of the highlights include:

- Whole-service redesign of children's services – aimed at ensuring a high quality response in assessing and planning to meet risk and need, deploying the staff with the right skills and experience to help families effect change and protecting positive relationships with young people as they move towards adulthood.
- Reducing the number of children who needed to become looked after, and reducing those who needed to become looked after away from home within the context of rising numbers of referrals
- In partnership with education, launch of the integrated Early Intervention Support Team combining education and family support to provide short-term additional support to children (aged 5-12 years) struggling in school, to prevent the need for targeted interventions
- Upward trend of children with disabilities being supported and continued rise in those receiving direct payments.
- Successful approaches to support and settle young people seeking asylum who arrived via the national transfer scheme.
- Restructuring in adult social work services resulting in improved performance with a significant reduction in waiting times for a service
- Implementation of the learning disability social work team and new services benefitting young people, adults and carers developed within the community transformation programme.
- Service innovation and partnership developments in response to crisis in the care at home social care crisis
- Delivery of an enhanced programme of reviews of East Lothian care home residents
- Restructuring in the mental health officer team leading to significant reduction in waiting times for guardianship applications

- Outcome and future focused service and workforce planning in justice social work
- Implementation of a systematic approach to quality assurance in justice services

2. Governance and Accountability

Social work and social care services play a vital role in championing and addressing the impact of poverty and inequality in the lives of vulnerable people and are well placed to inform the prevention and early intervention agenda that is embedded in the key strategic plans for East Lothian. Most social work functions take place within the context of joint operational working with colleagues within the health and social care partnership and council services and across key partner agencies including the third sector. The CSWO is a member of the council management team, a non-voting member of the IJB and a member of the key strategic partnerships that lead and direct the work to protect and improve the lives of vulnerable people:

- East and Midlothian Public Protection Committee
- East Lothian Partnership Governance Group
- East Lothian Children’s Strategic Partnership
- East Lothian Community Justice Partnership
- Mid and East Lothian Drug and Alcohol Partnership

As CSWO I regularly meet and report to the council’s chief executive. I attend East and Midlothian Critical Services Oversight Group (chief officer group) for public protection in an advisory capacity; I am a member of the public protection committee and sub-groups for performance and quality improvement and learning reviews and chair the East and Midlothian MAPPA Group. The CSWO is a non-voting member of the IJB and a member of the clinical and care governance committee. The latter provides an important opportunity for oversight and assurance of key service and practice achievements and risks across adult and justice social work services. As CSWO I chair the Lothian and Borders MAPPA strategic oversight group.

Role of the CSWO in social work practice

As head of children’s services and CSWO, it is important to balance the challenge of maintaining sufficient objectivity in line management and strategic decision-making alongside accountability for professional practice standards and the safety of service users. The human and financial impact of the pandemic on council and IJB services continues to test this balance further. It is essential for the CSWO to have opportunities to have a “window into practice” in order to remain connected to the core business and standards of assessing and responding to risk and need for vulnerable people. This is achieved through:

- the role of agency decision maker endorsing decisions of the fostering and adoption panels;
- authorising decisions about secure care placements and monitoring assessments and plans of young people whose liberty has been removed;
- chairing senior officer resource panels and reviewing plans of children placed in external resources;
- Implementation of the performance and care governance framework in children’s services;
- Membership of the East Lothian care home and care at home oversight groups
- Core member of multi-agency meetings (Large Scale Investigations and strategy meetings) to consider risks to service users in regulated care services.
- Strengthening the arrangements for oversight of local authority welfare guardianship applications;
- Single Point of Contact for Contest: Prevent and Prevent Multi-Agency Panel (PMAP) chair
- Monitoring of MAPPA business and co-chair of MAPPA 3 meetings;
- Member of learning review sub-group for public protection
- Principal counter-signatory for SSSC endorsements

The IJB chief officer supports the role of the CSWO in providing professional accountability for social work practice in the services delegated to the IJB. Senior social work managers in adult services consult with the CSWO about practice issues. Regular meetings for social work managers across children’s, justice and adult services with the CSWO provide important opportunities to discuss cross-cutting themes, feedback from national meetings such as Social Work Scotland CSWO network and standing committees and an opportunity to reflect on practice challenges and dilemmas. During 2021-22, these meetings continued to provide a supportive “space” for managers to discuss cross-cutting and thematic issues and in recognition of the impact of the COVID restrictions on social work practice and the increased risks to vulnerable people of a reduced face to face service offer.

3. Service Quality and Performance

3.1 Children’s Services

During 2021-22, the focus for managers and staff was firmly on the whole-service redesign of children’s services as a key work stream of the Council’s Transforming Services for Children Programme. To summarise the findings of detailed self-

evaluation, the rationale for change was clear within the context of rising service demand;

- There was insufficient staffing resource at the front door and there was a high number of families who repeatedly presented to social work with concerns continuing to increase and issues remaining unresolved.
- The service was not well-placed to consistently complete full assessments and future focussed plans within the duty service, leading to delay and unnecessary changes of worker.
- Throughcare and aftercare needed to be considered at a much earlier stage, with a move away from age-related and time limited model of support.
- Family support workers were not organised in a way to deliver support in line with The Promise. A large number of families were receiving support without a high quality plan or sufficiently clear end-goal. There were no services in place for families to “step-down” to.
- A lack of intensive outreach for children and young people who were at risk of being accommodated or whose placements were at risk of disruption.

Led by Lindsey Byrne, General Manager for Children’s Services, the underpinning work to support the redesign was carried out during 2021 and the implementation was launched in early 2022. The service was re-shaped to strengthen the quality and experience of children and young people at the entry and exit points from the service. Alongside this, teams were reconfigured to facilitate outcome-focused work through statutory interventions to help children achieve a permanent destination in a timely manner. Specialist skills and capacity in kinship care and those working with young people in or on the edges of offending were bolstered.

Whilst good early progress was made in matching staff to preferred roles, current recruitment challenges meant the service has been unable to fully complete and deliver all the desired changes. This risks the stability of the service and the success of the re-design work to date. Two other service areas; developing an outreach team hosted within the residential service; and redesigning Olivebank Child and Family Centre are on-stream for delivery in 2022-23.

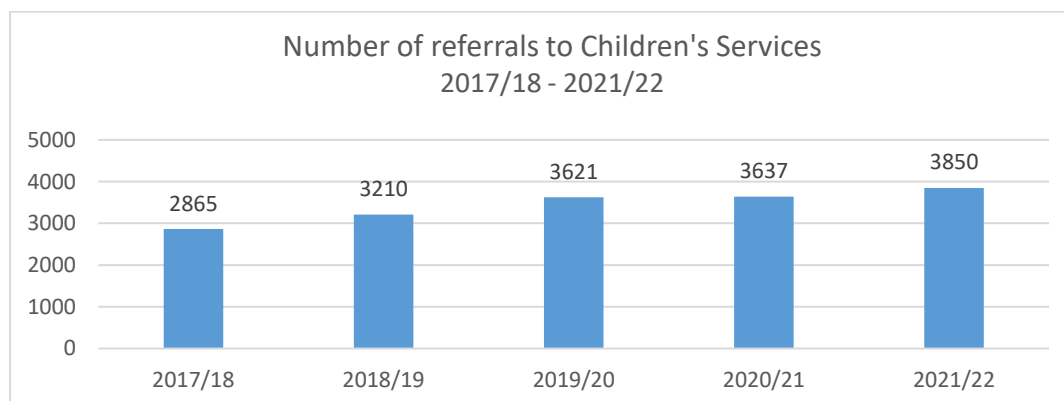
Developing the workforce to ensure professional social work practice is of the highest standard and is focused on helping to deliver the Promise was recognised as an essential part of the redesign. The service renewed its commitment and investment to the Signs of Safety practice model with a comprehensive learning and development programme to ensure this underpins the whole-service approach to working with children, young people and families. This includes our colleagues in education and child health. Within the model, staff strive to build effective relationships and use a strength-based, family first approach to keep children living safely within their own families wherever possible. Signs of safety is being adopted across many local authority areas and when implemented well, is recognised as an important lever for improving outcomes and empowering families to engage in making positive changes.

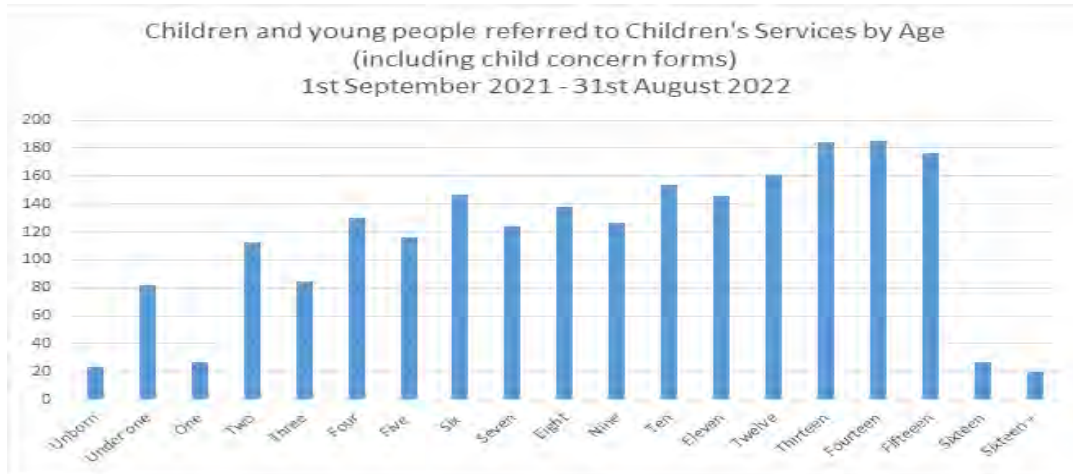
The workforce development programme accompanying this is well underway and will continue during 2022-23.

Intake and assessment and child protection - the front door into the service

Within the context of strengthening the duty arrangements, as the data below highlights, referrals to children’s services continued to rise. This was driven in part by the impact of COVID on children and young people and family functioning and will increasingly be further impacted by the cost of living crisis. It reinforces the importance of a relentless focus on Getting It Right For Every Child – providing effective early help and support for families within universal services to prevent difficulties escalating to the stage where targeted interventions are needed. Of note, referral numbers have risen faster within the first quarter of 2022-23 than at any other time and are forecasted to reach 4500 by March 2023.

As part of the Transforming Services for Children programme, education and children’s services launched the integrated **Early Intervention Support Team** in October 2021. A combined approach with teachers and family support workers the team provides short-term additional support to children in upper primary and early secondary school, who are experiencing difficulties engaging in or remaining engaged in school but before they reach the tariff of requiring social work intervention. Feedback indicates that many of the children referred require significant support to reach the stage of being “ready to learn”.

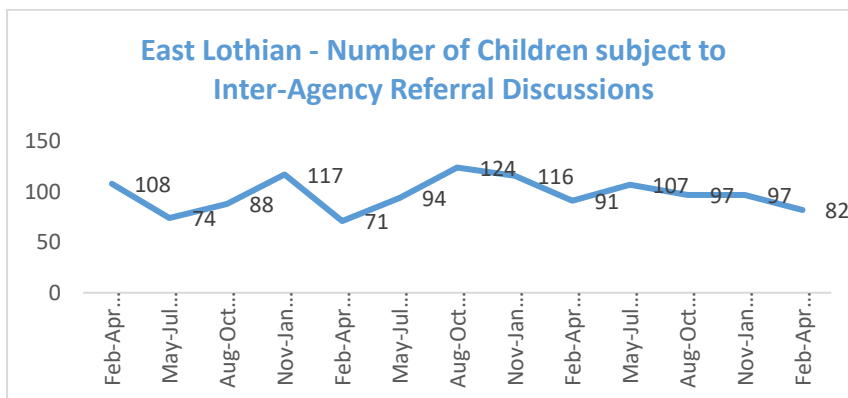




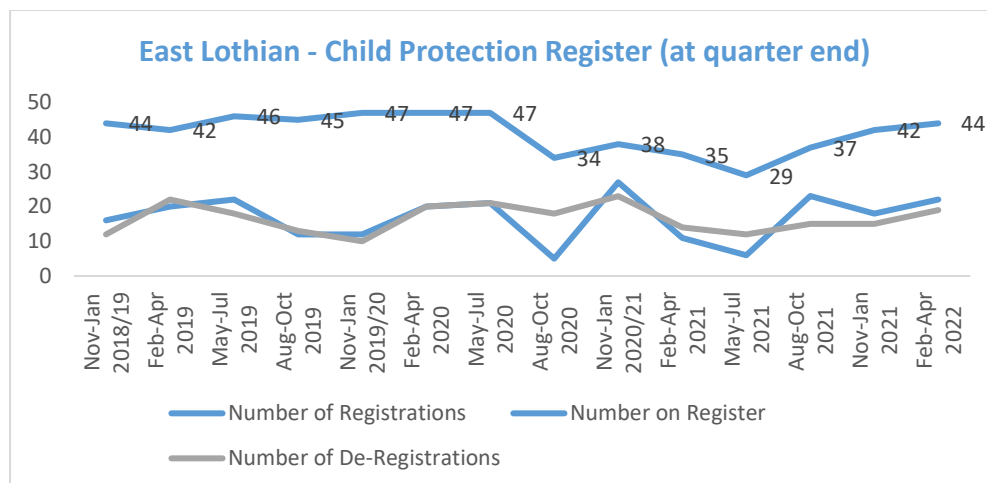
The **Intake and Assessment Teams** were redesigned to provide effective interventions to support families to reach a place of safety and stability to avoid longer term or statutory social work involvement. We needed them to work alongside and understand a family’s long-term support needs and help identify suitable community options. However, the current challenges in recruiting and retaining experienced staff mean these teams are not fully staffed therefore the anticipated improvements in workflow cannot yet be realised.

The duty service was reconfigured to create a dedicated **Child Protection Team** to strengthen existing practice and provide a high quality and strengths based child protection response for newly referred children and young people at risk of significant harm. It provided a team base for the dedicated Video Recorded Interview (VRI) and Scottish Child Interview Model (SCIM) coordinator. This is the new approach to joint investigative interviewing with the police which is trauma informed, child focused and aims to achieve the best evidence through improved planning and interview techniques. It will be fully rolled-out by 2024. Whilst the aspirations of the approach are fully supported, the resource impact of the extensive training and evaluation programme on busy teams in small local authority areas has not been recognised or provided for by Scottish Government.

Child protection activity data



Numbers of Inter-Agency Referral Discussions in 2021-22 reduced slightly from the previous year. The biggest age category was 11 to 15 year olds for three quarters out of the year, highlighting the increased challenges and vulnerabilities for this age group. The EMPPC Vulnerable Young Persons Protocol gives a helpful framework for supporting and protecting this age group, and was been used more during the past year.

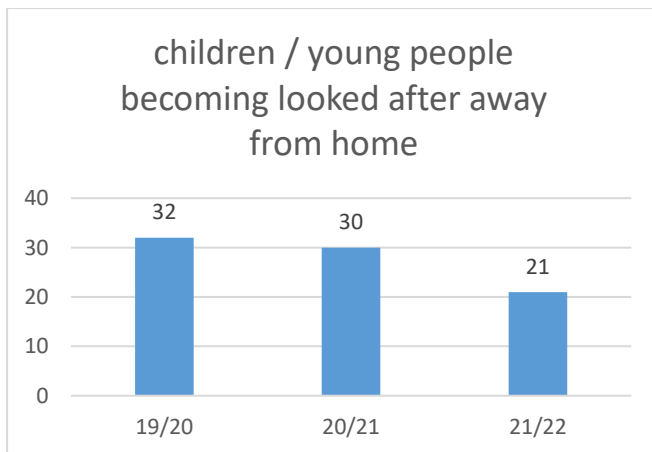
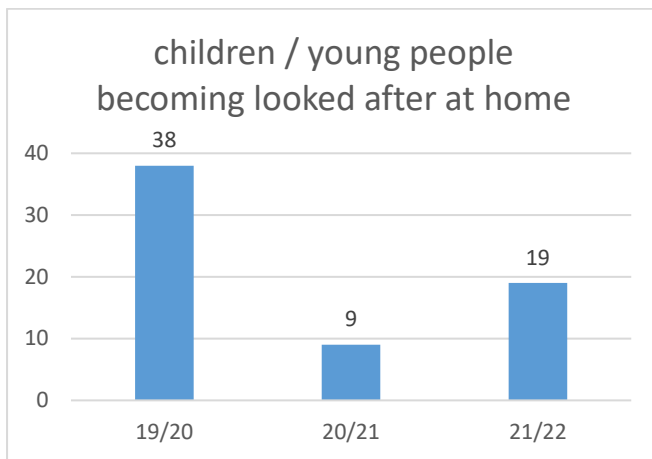
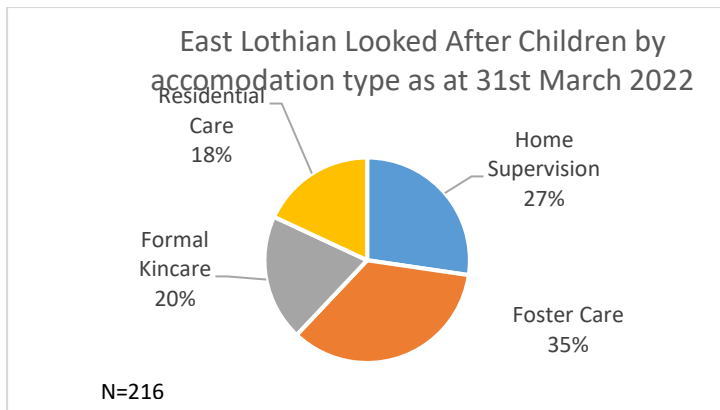


The number of Child Protection registrations remained fairly consistent with a slight increase from last year. The average number of children on the Child Protection Register over 13 quarters has been 41, with no identifiable trend. The most common concerns raised at registration over the year were parental drug misuse and domestic abuse followed by emotional abuse and issues associated with poor parental mental health. Despite the disruption in light of COVID, parental/carer attendance at Initial Child Protection Case Conferences (ICPCC) and Initial Core Group meetings has remained at 100% (blended approach of virtual and face-to-face meetings have been used).

The performance and quality assurance sub-group of the public protection committee closely monitors child protection data and quality audits to provide assurance to chief officers about multi-agency practice. Improvement priorities include adopting City of Edinburgh’s Neglect Toolkit to promote a consistent approach across Edinburgh and the Lothians. East Lothian will be taking part in a Harmful Sexual Behaviour Framework Audit which will be facilitated by the NSPCC. East Lothian has seen an increase in incidences involving Harmful Sexual Behaviour and it is hoped the audit will be helpful in developing and improving multi-agency responses to children displaying harmful sexual behaviour.

Looked after Children

Despite the increase in service demand, the overall number of East Lothian children who are looked (at home and away from home) after fell during the year from 231 (rate of 10.8 per 1,000) to 216 (rate of 10.1 per 1,000). Both these rates were below the national average of 14.0 per 1,000.



In addition, there has been an overall downward trend in the number of children *becoming looked after at home and becoming looked after away from home*. Around 50% of children who became looked after in 2021-22 were the subject of home supervision requirements. The dip in 2020-21 reflects the lack of children’s hearings due to the COVID restrictions.

Support and Intervention Service

Previously known as the long-term social work teams, the newly configured Support and Intervention Service comprises three teams that carry the bulk of the work with children who are subject to statutory orders and / or child protection registration. In addition, the teams work with families whose children are on the edges of care through section 22, who are not subject to formal orders. Large-scale audits were undertaken to review this area of practice to ensure a proportionate level of assessment, intervention, plan and review stage is in place. All children subject to legal orders or who have a child protection plan have an allocated social worker. The service managed to maintain this position throughout 2021-22 despite recruitment difficulties and staff sickness due to stress and or COVID. Since April this has become increasingly difficult to sustain.

A key function of the Support and Intervention service is to progress permanence plans – to establish whether children can either safely stay at home or be rehabilitated to parents or family or require long-term care. There are clear structures, support and oversight in place to minimise drift for children but to also ensure family first is the culture. The delay in courts post pandemic continued to impact in this area of work and with the move nationally to independent expert reports being requested in any contested Permanence order lodged builds in additional delays for the child and additional financial pressure for the local authority.

Court delays also impacted on some Kinship care families applying for legal orders to secure a child in their family without the need for social work intervention. We have seen an increase in families applying for an order and not requiring statutory social work intervention but continuing to be able to access different levels of support, depending on need through our partnership working with Children 1st.

The **family support function** was realigned into a separate dedicated team, to provide targeted practical and emotional support to families on the basis of a clear and mutual agreement set out in an outcome-focused care plan. The team also supports permanence planning through coordinating and delivering family time (family contact) arrangements.

The service re-design presented challenge in terms of minimising the amount of change to families through our movement of staff from one area of service to another. There is more work to do but wherever possible, all decisions about the transfer of cases have been children and family focused. It has been clear through our engagement with staff that practitioners working in the area of long term social work with families were feeling emotionally exhausted and as well as giving new opportunities to those practitioners through the re-design managers are working on how to best support social workers in this practice area to ensure they feel valued.

In the year to March 22 the **Independent Reviewing Officer** team became responsible for chairing reviews for children looked after at home as part of the commitment to ensuring children's care plans are maximising the opportunities for improving outcomes. The first review is now three months after the hearing and then

again three months before an annual children's hearing review to assess whether progress has been sufficient to recommend the order can be terminated. Unfortunately the impact of COVID on the hearing system has delayed hearings and we have yet to see the full benefit of these developments.

The IROs developed a survey of care experienced young people on improving participation in meetings and having their voice heard, this also looked at the format and settings of meetings and this work will be taken forward over coming months.

Viewpoint was used as a way of hearing the views of a record number of children and young people during the year, and has been developed for use with young carers.

Of those who responded and who are accommodated (8 to 17 years):

- 90% report that they feel safe 'all or most of the time' where they are living
- 92% enjoy where they are living 'all or most of the time'
- 91% feel settled 'all or most of the time'

For those who responded and are living at home (8 to 17 years)

- 76% feel safe 'all the time' where they are living
- 85% say that 'things are good right now'
- 71% feel 'okay' where they live now

A significant minority of young people who were accommodated reported feeling angry and having problems with sleeping, perhaps reflecting the trauma they have experienced and requiring attention in their care plan.

- 38% 'felt angry or frustrated' during the last month 'all the time or a lot'
- 29% report sleeping difficulties 'often or a lot'.

For young people living at home with parent(s)

- 25% report that they do not take part in 'clubs, activities or events' in their local area.

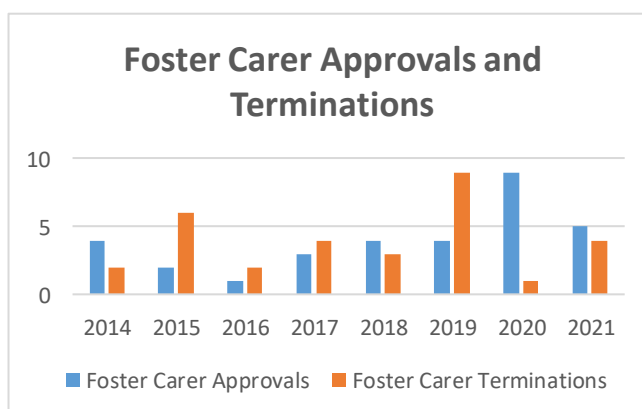
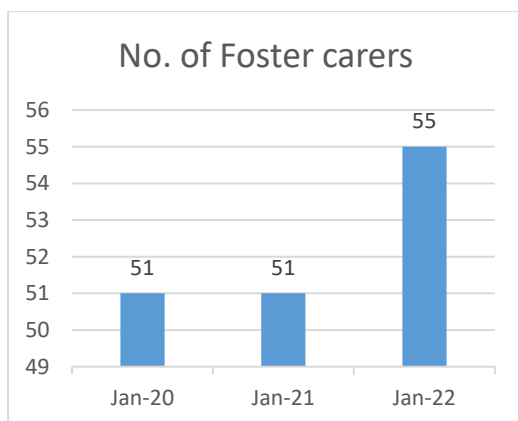
Specialist Social Work Services

As part of the service re-design, the fostering and adoption team separated into the **fostering, and adoption and kinship care team** in recognition of the need to increase capacity to support family members taking on kinship care responsibilities; the increasing challenge of developing and resourcing a fostering service in line with the Promise and the complexity of adoption and post adoption support work.

In the fostering team COVID restrictions meant staff were unable to maintain the previous levels of face to face contact between supervising social workers and foster

carers. This impacted on relationships, the team’s ability to identify early signs of placement fragility and carer stress, and carers’ willingness to seek help. The impact of this became apparent during 2021-22 with the team providing high levels of support, and a reduction in placements available. At March 2022, we had 50 foster carers, who at full capacity could provide 76 placements.

Fostering panel business Jan 21-March 2022	5 new carers approved	38 formal carer reviews	7 de-registrations	5 carers approved as continuing carers
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Foster care recruitment is a national challenge with low levels of interest. While some areas fare better than others it is not helped by “competition” between neighbouring authorities and independent agencies to reach out to the public to recruit. There continues to be variability across the country in the level of allowances paid to foster carers. The long-anticipated minimum allowances is likely to be implemented in 2022-23 but there is concern that the financial settlement predicted will fall short of meeting demand. This will also impact on kinship care as there is an expectation of financial parity.

In 2021-22 the Scottish Child Abuse Inquiry’s focus was the experiences of children living in foster care. Meeting the requirements of the inquiry and the redress scheme continue to present a staffing resource challenge for the council and children’s services in particular.

Children’s services has a strong track record in supporting young people to remain within their placement until they are ready to leave “home” in line with the policy and legislative framework of **Continuing Care**. During 2021-22, five foster carers were approved to provide continuing care to enable the young person in placement to remain with them. Whilst this was very positive for our care experienced young people, it reduced the number of placements available for children.

Adoption & Kinship Care Team

Adoption panel business was reduced in 2021-22 due to the impact of the pandemic on adoption assessments and preparation, and on the pace of permanence planning for children. During the previous year assessments of parenting capacity were halted, family contact arrangements were reduced, and children’s hearings were reduced.

The service has a steady stream of people applying to adopt and it is a challenge for the team to keep up with demand for assessments. The service needs families who are willing to consider permanent fostering to support the Promise and reflect the decrease in children requiring adoptive families. The need for post-adoption support continues to grow, reflecting the challenges for adoptive families who are struggling to cope with and meet the complex needs of children. It is likely that the profile of the county, as a good place for children to grow up, may well attract adoptive parents to move to East Lothian.

Adoption panel business	8 children registered for permanency	3 children matched with forever family	1 adopter approval	1 long-term fostering approval
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Children’s services remains committed to strengthening family networks and finding family solutions to enable children to remain within their families and communities wherever possible. In partnership with Children 1st, the kinship care assessment service received 32 requests for a kinship care assessment in 2021-22. This figure was up from 12 requests in the year ending 31 March 2021. The driver behind this significant increase is Children Services work to implement The Promise, where family and kinship carers should be the first choice when children cannot live with birth parents.

The assessment process for formal kinship carers provides a service that offers practitioners the information needed to safeguard children whilst aiming to be least intrusive for families. The assessment process helps to identify support needs to work alongside families and provide support for as long as they need it.

Alongside Children 1st the service provides a range of supports to kinship carers

- Three support groups across East Lothian
- School holiday activities
- Proactive support provided when the carer needs it most; this varies from an intensive support service and regular home visits to less formal support at intermittent intervals and information sharing via social media.
- Financial Advice
- Parentline – 24-hour on-call support service

Children’s Disability Team

The impact of the pandemic on families with children who have complex needs has been particularly acute. Those who were coping with low levels of support previously are now seeking more help. The transition back to school has been particularly problematic for some children. Families have used all of their emotional reserves and many are at breaking point. During the lockdown periods staff worked creatively to provide support to families, for example using schools staff who already had strong relationships with children.

Ninety children received Direct Payments in 2021-22 allowing them to make decisions about how their care is delivered. However the impact of COVID has reduced the choices available to them, with the recruitment of personal assistants (PAs) remaining very challenging. The service provided Share the Care to 12 children. As with fostering, responses to a recent very-well profiled share the care recruitment campaign were limited.

The reduction in social care provider staffing capacity due to COVID within the children’s sector has been largely overlooked at a national level, with additional financial support firmly focused on adult services. Whilst the quantum of the social care crisis was clearly more significant in adult services, the impact on children and young people with highly complex needs and the reduction of respite and support available to their parents has put many families under intolerable pressures.

Table : Number of children receiving support options					
	2017	2018	2019	2020	2021
Direct Payment	45	47	57	70	89
Care at Home	30	35	33	36 (pre pandemic)	16
Share the Care	24	21	20	16	12
Residential Respite in ELC	10	9	8	11	9
Residential Respite out with ELC	4	3	3	5	4
Funded out with funding table Living at home	Table not in place	17	14	15	18
Children supported at home	113	132	135	117	148
Looked after away from home	10	8	5	4	4
Total number of children supported by Disability Team	108	122	129	121	152

Throughcare and Aftercare

The evidence underpinning the service redesign highlighted the need to be considering what outcomes and support young people need in the statutory through care and aftercare phase at a much earlier stage. Changes to the team were aimed at protecting relationships between the young person and their worker and that transition

to the team should be on the basis of need rather than age. There is a much stronger focus on ensuring long-term destinations are considered from the beginning of a young person's care journey and that the work has a stronger focus on creating, protecting and nurturing lifelong connections to support each young person into adulthood and beyond.

At 31 March 2022, the Throughcare and Aftercare team supported 107 care leavers aged between 18 and 25 years in a combination of allocated worker and a duty service provision. Twenty-eight young people have been supported to remain in fostering, residential or formal kinship care placements. Of the 107, 55% are either in education, employment or training. Performance in maintaining contact with care leavers is strong.

The reality of life post-COVID for this group of already vulnerable young people was and continues to be characterised by very poor mental health. Formal mental health services struggled to make meaningful engagement or "fit" the needs and lifestyle of this group of young people. Increasing numbers are involved in high-risk behaviours and using substances. Young people struggled to return to their routine prior to COVID, with many now in unemployment and the cost of living adding additional pressures. A partnership with Financial Inclusion Team offered dedicated financial advice one day a week to maximise income. A monthly Education Training and Employment meeting with our partners helped by offering appropriate activities and highlighted gaps in services.

Having a secure and stable home-base is essential if we expect our care leavers to make the successful transition into adulthood. All our young people have a plan for leaving care that includes accommodation and support. The service works closely with housing colleagues to plan for appropriate housing options and to forecast future needs but East Lothian's housing challenges impact on this particular group more than many. The level of trauma that some young people leaving care have experienced throughout their lives means that managing to sustain their care and support plan is not possible and they find themselves struggling to maintain relationships which can lead to homelessness. Whilst all services acknowledge the national policy expectation that care leavers should not be considered within the homeless processes, they still require a safe and appropriate place to stay. Emergency accommodation for this group includes the use of bed and breakfast, with an average stay of 28 weeks.

Young People Seeking Asylum

In October 2021 the UK Government moved from a voluntary to a mandatory national transfer scheme for young people seeking asylum who arrive in the UK who unaccompanied. This is aimed at relieving the pressure on the English local authorities at the main points of arrival into the UK. We made strong representation to the government that our accommodation and placement options were insufficient to meet needs appropriately but this was not accepted.

Since November 2021, four young people have arrived and remained in East Lothian and the TAC team has worked hard in partnership with other council and partner services to provide accommodation and support the young people to settle and begin to plan for their lives. These young people have looked after status until age 18 then are eligible for aftercare until they reach 26. Their age is not always clear which presents a potential risk if placing within residential or fostering settings. The UK government has failed to understand the Scottish legal position, whereby the aftercare responsibilities remain in place beyond the (usual) five year asylum status (unlike in England and Wales). At this point the young person must start further legal processes to remain but have no recourse to public funds therefore the legal fees and living costs will fall to local authorities.

It has become increasingly clear that many young people want to live in cities rather than rural areas and often in the large English cities. The risks of exploitation for this group are very real.

Wellbeing and Justice

2021-22 saw the development of a more focused youth justice offer within children's services. The number of young people struggling after lockdown and displaying challenging behaviour and on the fringes of antisocial and offending behaviour was increasing. A small dedicated wellbeing and justice team was created to provide support to children, young people and their families with the aim of preventing offending and to avoid children becoming involved in statutory youth or adult justice services and to reduce the likelihood of offending and / or anti-social behaviour.

The latter part of the reporting year saw a number of Problem Solving Partnerships stood up in some localities. These highlighted the importance of early intervention services within localities and the value of both group work approaches and effective individual relationship-based interventions. Recruitment of experienced workers to the new team has proved problematic and as a result progress has been slower than hoped for.

In terms of the statutory youth justice service in 2021-22, no court reports resulted in community payback orders for young people, a reduction from previous years and in line with the government's commitment to divert young people from the adult justice system. That said, there was a clear increase throughout 2021-22 in specialist care and risk planning meetings required for vulnerable older young people whose behaviours present a risk to themselves or others. Implementing the Promise within this field of work means developing different approaches to managing risks young people pose within the community in order to prevent the use of secure care placements wherever possible.

Children’s Residential Service – Lothian Villa: Ravensheugh and Meadowmill

Maintaining our residential services during the pandemic was a significant challenge and impacted on staff resilience, capacity and health.

The service redesign developed a new management structure for the residential services with a service manager and a team leader in each of the residential houses. The team leaders are responsible for developing and formalising two new service developments; the Intensive Outreach Service and a Lothian Villa Through-Care and After-Care Service. These projects seek to capitalise on both the continuity of the care and caring beyond staying at Lothian Villa and utilising the specialist skills of the staff in the provision of relational practices to intensively work with young people and their families in the community. The intended outcomes include protecting fragile fostering and family placements evenings and weekends and preventing accommodation. In addition, we are seeking to increase the pace of movement of young people through the service and provide a vital step-down facility that provides support with reduced “care” element as a transition to independence.

Providing a safe and secure base that encourages a sense of belonging for young people, their families and staff has always been a feature of Lothian Villa. All ex-residents have access to ongoing aftercare support and guidance. This aftercare support has been provided for over 27 years with the oldest ex-resident still in contact now in their 40’s. This support ranges from regularly weekly contact through to a call or card for any significant events. The Lothian Villa aftercare community also provide support to each other via our social media platform. Over the years it has had a significant impact on the ability for young people to manage their lives without the need for ongoing statutory social work involvement.

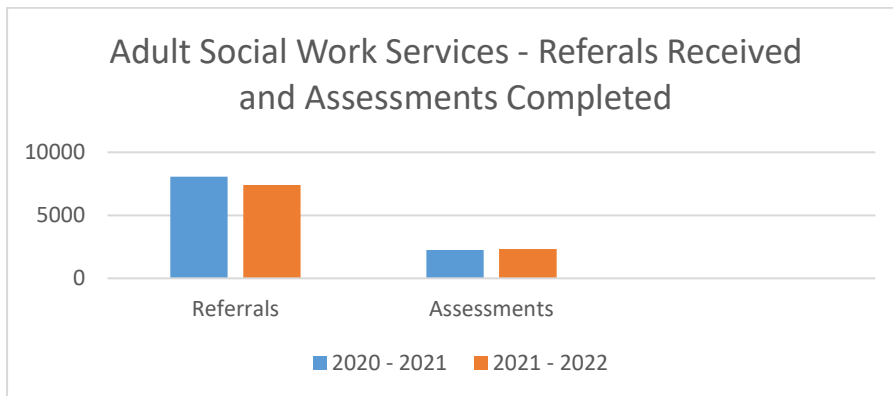
Lothian Villa currently have 13 young people in residence. All of the young people have been resident at Lothian Villa for over a year, with 25% of the group having been in a safe and stable placement for 3.5 years. Most of the young people arrived on an emergency basis after family/placement breakdown.

The coming year will see the development of a new-build replacement for the Lothian Villa Meadowmill house currently on the St Joseph’s campus. Extensive consultation work has been undertaken by Social Work, Housing and Community colleagues with young people, families and staff in the planning of the new residential house. The house has been designed to meet the specific needs of care experienced young people.

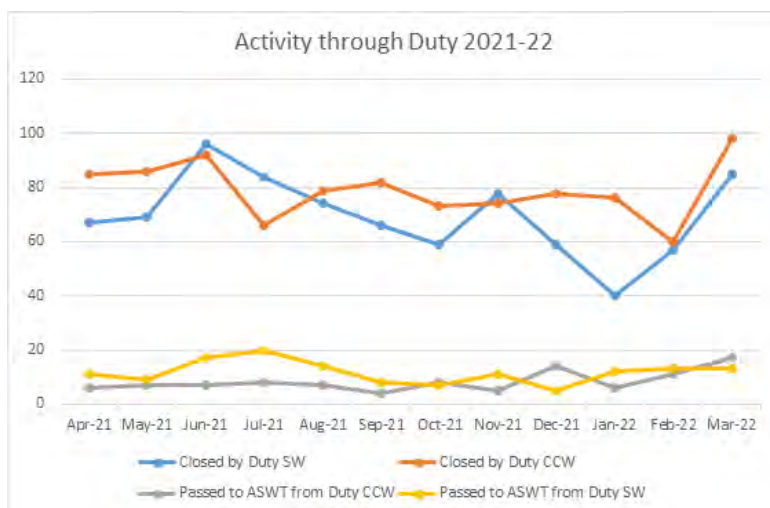
3.2 Adult Services

Adult Social Work Duty and Assessment

Adult social work services were restructured during 2021 - 2022 with rehabilitation services consolidated into their own team and care at home services moving to be managed by NHS partners to bring internal and external providers together and strengthen integration with the hospital discharge process. Overall, services performed well with clear evidence of improvement as a result of the developments to service design and delivery.

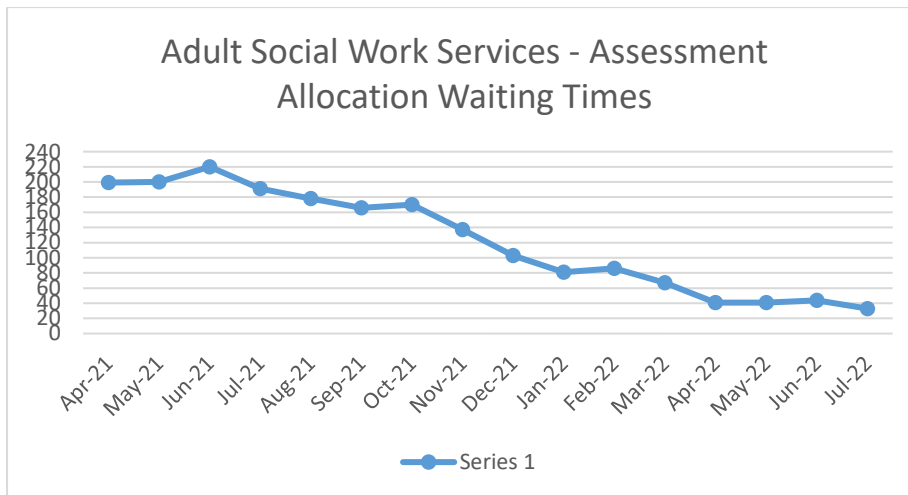


The above details that although there were around 500 fewer referrals counted in the past year this was just below the average over the past five years. Assessments show a steady increase which reflects a new improved screening process at the point of referrals and proactive allocation process which will be covered later in the report.



The table above shows a steady increase in cases being concluded at the point of duty, avoiding cases being progressed to waiting lists unnecessarily (orange and blue lines). A new focus on stronger decision making within duty has resulted in this. A

number of cases have some input from duty workers but still require to be progressed to our waiting list for allocation (grey and yellow lines). As detailed earlier as consequence of new ways of working we have seen significant improvements in assessment allocation waiting times. Although the data stretches beyond the end of the 2021-22 reporting period it demonstrates important successes.



The new operating model aimed to improve outcomes for service users, carers and families. Since October 2021 wait times for assessment have reduced significantly and managers are working towards allocating at the point of referral following screening thereby promoting intervention at the earliest opportunity to prevent problems deteriorating. As well as improving experiences and outcomes for service users, this has increased service efficiency avoiding more costly crisis intervention caused by lengthy wait times.

These improvements have been achieved by integrating the duty system and long term team into one team and harmonising skills. This has led to improvements in practice as practitioners now practice across all areas of professional activity from crisis intervention to long term work and it has strengthened worker resilience.

There is a range of internal mechanisms to monitor the quality of provision and any improvement activity required. Managers have made improvements in the following areas: direct supervision of front-line practice by senior practitioners via an enhanced supervision policy; individual reviews of care plans, packages of care and risk by case managers through a new “self-assessment evaluation” tool; and a new caseload management system that highlights when caseloads have capacity or do not maximising the amount of case that can be allocated across the team.

Care at Home

Care at home (CAH) services were under very significant pressures during 2021-22, reducing existing care packages and restricting the availability of new ones. Care

providers could only support people at highest risk and with the greatest need. There has been a change in the nature and complexity of care packages, with a consequent impact on the health and social care system in East Lothian. The levels of urgency and risk have risen. The number of people awaiting hospital discharge is rising and the situation has worsened in the last year due to challenges in recruiting and retaining staff.

Between May and December 2021 over 2,000 hours of care per week were lost from the system - mainly due to recruitment and retention issues. This had a serious impact on people waiting for care in their own home, or waiting to be discharged from hospital. The situation stabilised in January 2022 and since then the service has been providing just under 7,000 hours of CAH a week, from commissioned care providers.

A number of initiatives were developed in 2021-22 to support CAH within the community and facilitate hospital discharge:

- A red-amber-green (RAG) system identified people at highest risk with multi-agency consideration of prioritisation for provision
- Integrated Care Allocation Team (iCAT), a central point for prioritising services, taking account of delayed discharge and high risk community pressures.
- In the period 2021/22 an increased internal CAH and hospital to home provision. This is beginning to have an impact, giving more resilience and allowing flexible deployment of staff to cover shortages elsewhere.
- Between June and October 2021 a Dedicated Response Team worked with providers unable to manage their contracted hours. Partnership staff delivered care during the initial response to this emergency.
- The Support Plan Broker Team was increased to three full-time members of staff with a senior and a senior business support worker and clustered care packages to make more efficient use of our resources. From September 2021, managers held a daily care-at-home huddle to monitor and respond to situations where providers were in difficulty.

In October 2021 a weekly CAH Oversight Group was established, bringing together a multi-disciplinary team including key clinical leads and chief social work officer to oversee quality assurance of in-house and commissioned CAH service provision and the care and treatment of adults in the community. Services refined the use of eligibility criteria for assessments, assessing service provision against critical and substantial risk and accelerated efforts to reduce reliance on providers by supporting alternative community provision.

In 2022 the focus will be on restoring provider capacity and assuring the quality of provision. The CAH Oversight Group will transition to a CAH Quality Assurance Group, meeting quarterly to oversee monitoring of commissioned and internal CAH service provision.

Looking ahead services will be developing alternative approaches to commissioning and contracting to reshape the market, ensure greater flexibility of service delivery models and reduce pressure on CAH services. There will be a greater focus on early intervention and a strengths-based social work model that focuses on assets and support networks around the service-user. An ethical commissioning strategy will ensure that services best reflect the NCS principles. Re-procurement of CAH contracts will prepare for service redesign that expands models of support, working with third sector community providers to increase community capacity and broaden community outreach services.

Integrated Care Allocation Team (ICAT) was established in late 2021 to ensure the cases that are most in need are allocated Care at Home support. The aim is to provide one point of daily contact for the Support Plan Brokers to receive instruction regarding cases to be allocated support and also for geographical areas of Care at Home provision to be clustered allowing for more efficient service delivery in areas often rural in nature. This brings NHS and Social Work partners together to ensure the equitable distribution of services and to maximise efficiency in the deployment of these services.

Partnership with the third sector - VCEL

During 2021-22 adult social work services engaged in the development of closer more formal joint working with VCEL. Recognised and evaluated by Health Improvement Scotland, this project aims to strengthen the role of communities in the provision of early support and challenge some more traditional expectations of service provision. Consideration of the potential for volunteer input is given to every referral at the front door. Referrals are passed to the duty community care worker for discussion about the potential for VCEL involvement meeting the referred need.

With consent the Duty CCW makes the referral directly to VCEL to engage with the referrer/client. In some instances further assessment is required, consideration if VCEL can meet any of the assessed need can be made at any stage in the assessment process. By making referrals into the service and developing relationships it is anticipated that this will inform the future development of volunteer services and increase community capacity and resilience.

The shortage of resources in care, care homes and short breaks remains the most challenging part of social work. With limited services to reduce risk for the individuals and their carers our staff hold responsibility to assess the risk, escalate concerns and communicate this to service users and relatives when services are falling short of their needs and expectations. This will likely remain a challenge into 2023 and beyond.

Care Homes

East Lothian care home managers continued to implement Public Health and Scottish Government guidance requiring greater emphasis on infection prevention and control during 2021-22. Compliance with this has been overseen through ongoing monitoring

via the care home huddle chaired by the Chief Nurse and attended by the chief social work officer. Care homes received considerable support, advice and guidance from the East Lothian NHS Care Home Team, Care Home Assessment and Review Team (CHART) and the NHS Quality Improvement Manager. The rolling programme of supportive visits to homes has also continued and results were fed back into the twice weekly huddle meetings.

The continued rollout of the vaccination booster programme over 2021, including a number of mop-up vaccination sessions for new residents and staff meant East Lothian care homes have achieved a high degree of vaccination coverage which has assisted greatly in reducing the impact of COVID on both staff and residents. Outbreaks towards the start of 2021 remained at relatively low numbers with lower levels of transmission than previously seen in 2020. However, the rise of Omicron towards the end of November 2021 saw infection rates rise again significantly until late March 2022.

The number of outbreaks across homes and subsequent suspension of admissions to these providers meant that significant work was required over the winter period to support hospital flow down from the acute sector. The Partnership put in place two block contracts with Haddington Care Home and Harbour House to guarantee 10 care home beds that could be used flexibly to support ongoing discharges through the use of interim placements.

A new business support role was also put in place, initially using CSWO monies, to enable both greater tracking of available vacancies across care homes to support hospital discharge, but also to support the increased reporting requirements by NHS Gold during this period. Although transmission rates were falling by the end of March 2022, the impact on delayed discharges continued to be felt.

The continuation of the care home huddle proved invaluable in dealing with two significant events over 2021, namely the closure of Adamwood Nursing Home in Musselburgh, and the (enforced) closure of Hillend View Care Home in North Lanarkshire where alternative placements had to be found for seven East Lothian residents.

Care Home Assessment and Review Team (CHART)

Due to the pandemic there were restrictions on the number of professional visitors to care homes and restrictions on family visiting. This meant that many people living in care homes had not been seen by anyone other than care home staff for nine months. In some care homes, oversight visits highlighted deficiencies in physical care and as a result in March 2021 the Scottish Government provided additional resources for local authorities to undertake an enhanced programme of reviews of care home residents whose plans had not been reviewed within the preceding 6 months.

This social work team prioritised reviews in East Lothian homes and then moved on to those placed elsewhere. Wherever possible these were carried out face to face.

The work was completed by September 2021. In terms of key findings, a number of incidents including potential adult protection concerns, had not been reported to social work and further work is needed to reinforce the need for care homes to report incidents when they occur.

However overall the findings were positive:

- Good care planning, including evidence of monitoring and following up issues, corresponded to good care being provided.
- In the care homes where life story work was good, other elements of the care plan such as stress and distress care plans tend to be better written.
- It was notable that regardless of the quality of life story work, good personal presentation did seem to be a theme across all care homes and social workers reported seeing residents looking well groomed, and evidence of personalisation in care plans regarding how residents liked to present themselves.
- Residents generally reported feeling safe and happy in their placements. The most important things to residents were the relationships between themselves, the staff and friendships with other residents, and having enjoyable activities they could choose to do.
- Similarly most families reported feeling that their relative was safe and well cared for. Where issues did arise, it tended to be problems in being able to communicate with care home staff.

This work provided an important benchmark to build and maintain a system of annual reviews for all residents. Additional funding has been now secured for a 0.5 WTE social worker post in the Care Home Assessment and Review Team to increase the teams capacity to maintain 12 week initial reviews and annual reviews from 2022-23 onwards.

Services to Carers

Carers have felt the effects of the COVID-19 pandemic disproportionately and been placed under huge pressure, carer numbers are estimated to have increased and many existing carers took on more intensive caring roles, while also losing access to breaks from their caring roles. Carers made and continue to make an invaluable contribution and deserve recognition for that.

The Carers Change Board met throughout 2021 to oversee carer services and distribute additional Carers Act funding to meet the East Lothian Carers Strategy outcomes. With continuing constraints on delivery of services due to COVID-19 restrictions and impact some projects were unable to be delivered, for example the block booking for respite, therefore remaining Carers Act monies were distributed to local organisations and projects to offer micro-grants to give Carers easier access to funds intended to provide alternative and preventative support where typical support was not available.

As our commissioned service, Carers of East Lothian made good progress in identifying and supporting carers. Adult Carer Support Plans were offered to all newly registered carers although numbers being completed remain low. This will constitute one of the target areas for improvement this year. CoEL have successfully met internal targets of; 90% of referrals to the service having initial acknowledgement within 5 days and initial engagement within 3 weeks and through Carer feedback 85% of people reported an improvement in confidence, ability to cope and a better balance as a result of the service.

The decision was taken in 2021 to develop an in-house service for Young Carers, closely aligned with the inclusion and well-being service in Education and Children's services. The new co-ordinator was in post by Oct 2021 and has engaged schools in discussions with the aim of increasing numbers of Young Carers identifying as Carers and accessing appropriate support. Early work observed a significant gap in understanding of young carers needs among staff but also among pupils so input initially focused on raising awareness as well as recruitment of team members, two full time youth workers are now in post and recruitment of a 3rd is underway.

An increasing number of Young Carers now asking for Young Carer Statements and within the last 6 months they have surpassed the number of statements being completed above any previous year to date. The service also implemented use of the Viewpoint screening tool which allows the Young Carer Statements to be completed online and links outcomes to the SHANNARI indicators.

In terms of workforce planning, a dedicated carers strategy officer was recruited in recognition of the need to deliver the national commitments to value, recognise and support carers. Furthermore, the role of a Community Care Worker was established within adult social work to focus on developing Carers Support plans in recognition that the needs of the Carer and the Cared for person are distinct. A dedicated Mental Health Officer was also recruited with use of carer's funds to support private guardianship applications.

East Lothian Council received its 'Carer Positive' – engaged - status in June 2021 and has an action plan in place to widen support under this initiative and move forward through the Carer Positive accreditation system.

Learning Disability Services

Services for adults with a learning disability include the Learning Disability Social Work Team; Adult Community Resources (Shared Lives, day and respite services) and the Community Learning Disability Team.

East Lothian has the fourth highest percentage in Scotland of adults with a learning disability at 7.3% per 1,000. The Learning Disability Social Work Team was established in April 2021 in recognition of the specialist skills and support services required. The team works closely with adult social work team and the Community Learning Disability (health) Team. There are further plans to co-locate these teams as part of a wider asset review and to further develop an integrated, enhanced Learning

Disability Service. This will help to ensure that East Lothian residents with a learning disability and their carers / guardians have access to an efficient, specialist and outcomes focused service. The team will focus on all statutory work including reviews, guardianships and coordination of all transitions of young people to adult services.

The Learning Disability Social Work team lead the transition arrangements for older young people as they move between children's to adult services. This involves coordinating and screening all transition referrals, ensuring consistency of approach and one point of contact. Colleagues from children's and adult services meet quarterly to; co-ordinate, share and update information on all young people due to transition to adult services, both prior to and following referrals being made; to maintain a transition spreadsheet, which helps with forecasting and planning; and confirm school leavers and proposed dates for allocation to adult services.

A draft transitions policy has been developed to help ensure best practice by promoting young people's rights, highlighting clear duties, clarifying areas of responsibility and setting timescales. The aim of the policy is to enhance young people's experience of moving to adult services and to support the identification and achievement of their individual outcomes.

The **Community transformation programme** focuses on developing community support for older adults, adults with disabilities and adults with mental health support needs. Excellent progress was made in 2021-22 with the following highlights:

- Piloting of a new Community Outreach and Coordination Service with Volunteer Centre East Lothian
- Expansion of the 'Resource Coordinator' Service (see below).
- New outreach support from all nine Older People's Day Centres, proving support and respite for carers as well as practical help and support and providing a blended model of outreach and centre-based support.
- An innovative approach to dementia support by funding the development of a Dementia Meeting Centre in Musselburgh to be run by Dementia Friendly East Lothian (to commence in late summer 2022).
- Investment in additional 'Neighbourhood Networks' – one in Dunbar and one for people who are moving from young people's services (a 'transition' network). Each individual is supported to establish a life in which they are safe and more independent in their local community.
- A new Development worker for Headway, the brain injury association.
- Working with East Lothian Works to support the development of employability support for adults with complex needs. A pilot service has started, run by Enable Works and funded through the Scottish Government's 'No One Left Behind' fund. This is a specialist employability provision for people who have complex barriers to work including disabilities and long-term health conditions.
- Teens+ provides a day service based in Musselburgh with an educational experience to support young adults with a learning disability and or autism to develop life skills.

During 2021-22 a **respite/ short break service** was developed for those with profound and multiple learning disabilities (PMLD) who often have complex medical needs. This enhanced respite and short break service allows these individuals to receive a local service and avoids out of area placements. This service development has reduced admissions to A&E and hospital and as this facility is used as part of the overall package of care, this contributes to a reduction in delayed discharges and reduction in carer stress. An adjoining single person flat/safe space which has also been utilised in crisis situations over the pandemic, due to care breakdown, carer's stress, which has successfully prevented unnecessary admission to hospital where a period of assessment or treatment would have been required.

A **resource coordinator service** was established in April 2021 to develop community-based sessions for people with learning disabilities who do not require a resource centre based service. An independent evaluation of the service confirmed it was meeting servicers' needs well. It currently supports 100 people with plans for augmenting the service to reach those who have not previously used day services.

Appropriate Adult Service

The Criminal Justice (Scotland) Act 2016 established a duty to provide support for vulnerable persons in police custody or involved in investigations as a suspect or witness. This is known as the Appropriate Adults (AA) Service. Police Scotland (and other law enforcement agencies) have a duty to request and appropriate adult and councils have a statutory duty to provide Appropriate Adult Services. In East Lothian the AA service is delivered through Adult Social Work Services with funding comes from annual recurring monies from the Scottish Government. The data indicates that there was a decrease in referrals from the police over the last two years, likely to be as a result of the pandemic.

Mental Health and Substance Misuse

Social work provides an important role within the mental health and substance use services. Both services have been under review with some structural changes proposed which will be agreed later in 2022 with the aim of improving the resilience of both services. There have been a number of staffing challenges in the past 12 months resulting in the use of agency staffing. Recent recruitment should see stabilisation of the roles within the teams and service delivery with wait times for

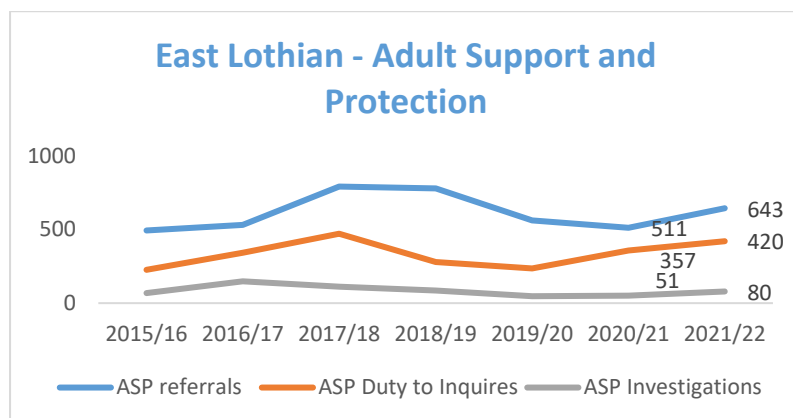
Adult Support and Protection

The assessment and management of risk posed to adults at risk of harm and the wider community are core functions of social work. The operational response to adult protection concerns span adult social work, learning disability and the care home assessment and review team. However during 2021-22 the adult social work service manager took over the coordination and oversight of ASP, working closely with peer

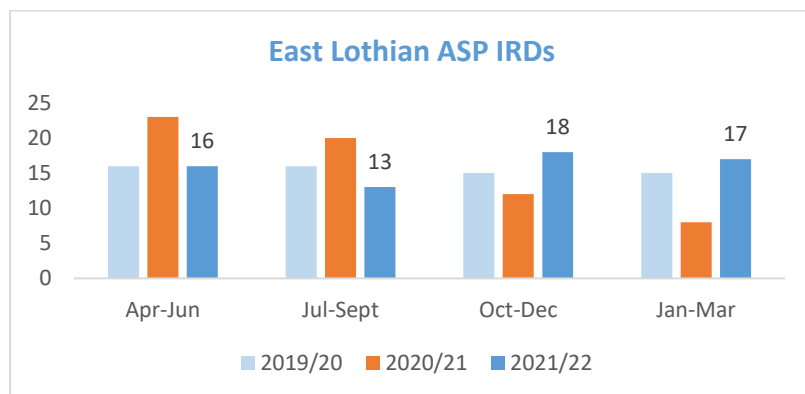
managers across these teams to strengthen operational consistency, governance and assurance, reporting to the general manager for adult social work.

The safe assessment and management of risk depends on effective practice, key processes and policy. In partnership with the EMPPC lead officer for ASP, quality assurance and governance arrangements have been reviewed and strengthened:

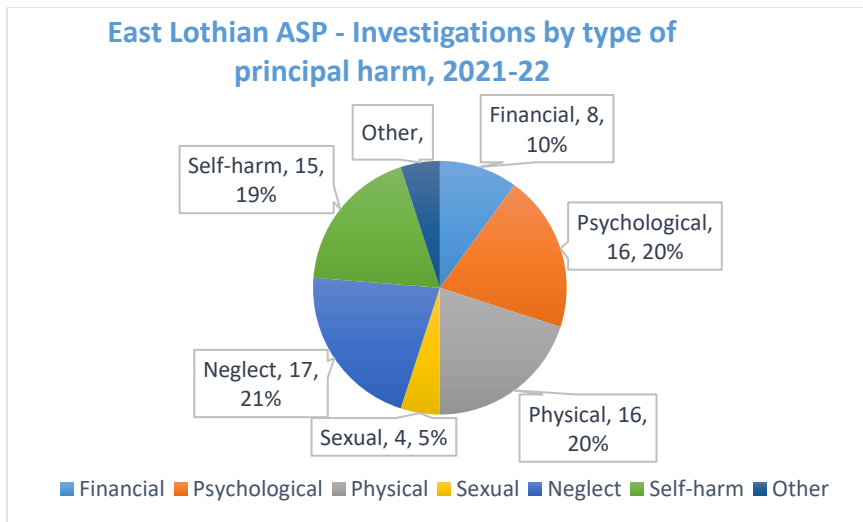
Performance



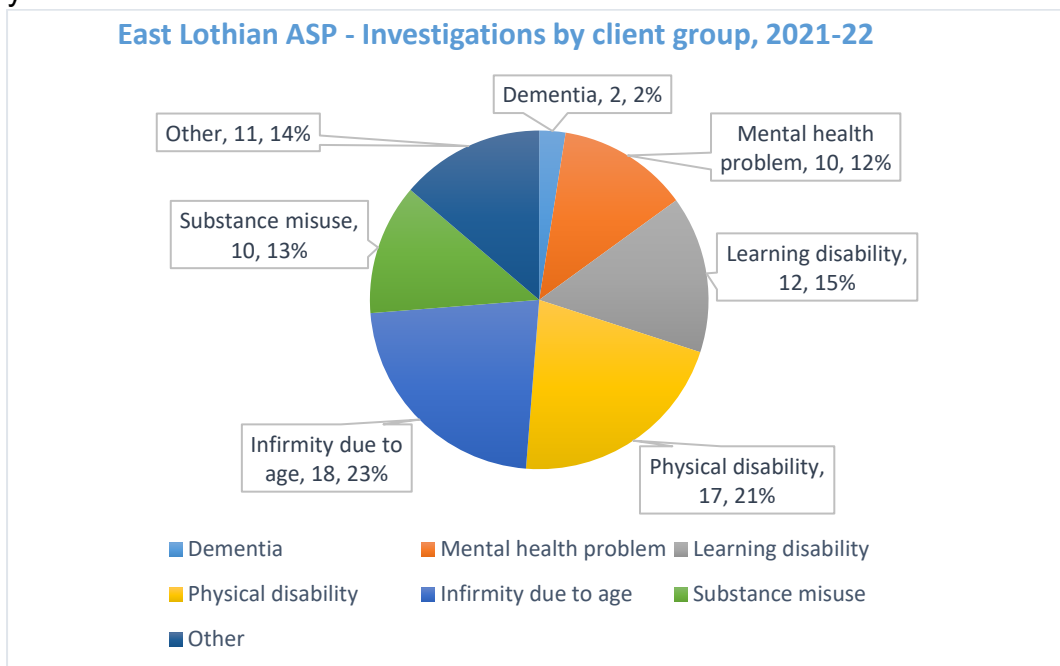
There were 643 referrals categorised as Adult Protection in the year, an increase of 25.8% (132) from the previous year with the Police remaining the main referral source.



An Inter-agency Referral Discussion (IRD) may be initiated by any of the statutory agencies in line with the local Adult Support and Protection Procedures. They are a vital stage in the process of joint information sharing, assessment and decision making about adults at risk of harm. In the year, there were 64 Inter-agency Referral Discussions (IRDs) for Adult Protection. East Lothian, operates an IRD Oversight Group, consisting of the core agencies who undertake IRDs (Police, NHS and Social Work) and chaired by the Adult Protection Lead Officer. The Group meets every four weeks to review all IRDs that have taken place during the period, or remain open, authorise closure of the IRD and undertake quality assurance activity.



The most common type of harm investigated was neglect (including self-neglect), followed by psychological and physical harm. This pattern is reflected elsewhere, and is understood as the impact of restrictions and lockdown with vulnerable adults' circumstances becoming more visible once these eased. This was a shift from the previous year, where the most common type of harm investigated was financial harm, which has been the most common type of harm investigated in four of the last six years.



In East Lothian, there were 51 ASP Case Conferences in the year, of which 26 were Initial Case Conferences and 25 Review Case Conferences. The standard is to hold these within 21 days from the date of the IRD to the Initial Case Conference, and within three months for the Review Case Conference. 66.7% of Case Conferences were held within our timescale standards. The timescale standard for completion of the

report by the Council Officer no later than three days before the Initial Case Conference was met in 80.8% of cases (21 of 26 cases).

A Senior Manager and the ASP Lead Officer undertook an audit of the quality of risk assessments and chronologies and reported this to the East Lothian and Midlothian Public Protection Committee. We have strengthened the approach to risk management in ASP by developing and implementing a risk management framework.

There was a significant challenge in meeting the demand for care at home services in the second half of 2021. In response to the reality of reduced service and the subsequent increase in risk to people in the community, the ASP Lead Officer led the implementation of the 'T.I.L.S.' risk assessment framework that looks at the interaction between types of harm; imminence of harm; likelihood of harm and the severity of impact of harm. This provided more granular detail in risk assessing the allocation of scarce care at home resources and enabled managers to make more accurate and safe decisions about where to direct scarce resources.

During 2021-22 work continued on developing the new in-house **corporate appointeeship service** which supports service users who lack capacity or ability to manage their welfare benefits. Transfers of the service users began in June 2021 and have continued on a phased basis. At the start of the project, ICMS held around 135 service users, by end of March 2021 the team had transferred 67 clients and closed a further 28 cases (due to client death or where the client/next of kin opted not to transfer). The project works in partnership with a number of other council departments including Corporate Banking, IT, Legal, Data Protection, Internal Audit, the Welfare Rights Team and the Financial Assessment Team.

Mental Health Officer (MHO) - Function and Team

The East Lothian mental health officer team fulfils the local authority's duty to provide and manage a service for those who experience mental disorder that require statutory intervention.

The statutory functions of an MHO are:

- The provision of reports for guardianship applications, guardianship renewal applications, and intervention order applications under the Adult with Incapacity (Scotland) Act 2000, where orders relate to the personal welfare of Adults.
- The provision of consultation, assessments, investigations and other legal duties under the Mental Health (Care & Treatment) (Scotland) 2003 Act, in relation to detentions, namely Emergency and Short Term Detentions and Compulsory Treatment Order applications, the provision of Social Circumstances Reports and applications for removal orders and warrants.
- Public protection in relation to mentally disordered offenders under the Criminal Procedures (Scotland) Act 1995 and 2003 Act, for example in relation to Compulsion Orders and Restriction Orders.

The service faced significant changes in 2021-22 yet continued to develop to meet the challenges of the changing East Lothian demographic and impact of COVID on mental health. Key changes included:

- The MHO team is office based at least 60% of their working week to ensure peer engagement that is critical to the role, leading to opportunities for improved practice and service developments
- Given the projected demographic changes across East Lothian, a lead MHO post to focus on Guardianship work was recruited, to allow for a more streamlined and dedicated provision to the county
- Capacity Building – a programme of training for suitably experienced social workers and plans to progress a recruitment drive in summer 2022. This will allow for a more cohesive team to meet the complexities of the statutory duties and reduce reliance on agency and temporary staff
- Referral processes were streamlined to improve clarity for recording and allocating tasks that are responsive to risk.

As a result of the restructuring, increased capacity and enhanced oversight arrangements, performance has improved. The adults with incapacity (Guardianship Orders) waiting list was halved and by March 2022, no service user was waiting more than six months for their application to be progressed. The response to Local Authority Guardianship Order applications has improved with 80% now being allocated within appropriate timescales.

Mental Health Team	2019/20	2020/21	2021/22	Change
LA welfare guardianship	7	12	17	+5
Private guardianship	12	18	47	+29
Emergency detention	37	39	37	-2
Short term detention	81	92	89	-3
Supervised guardianships private	139-166	139-161	148-172	N/A
MHO waiting list	22-34	26-34	11	N/A

Risks and Challenges

Despite the developments and progress made, the following challenges remain as areas for further improvement:

- An appropriate dataset is needed in order to establish baselines and improvement planning for the timely completion of Social Circumstance Reports, Private Guardianship Reviews and immediacy of Local Authority Guardianship Orders across Adult Social Work Services.

- Duty service capacity; although there is legal provision for emergency detention without an MHO being present this is always a last resort. An increase in staffing and an updated system of back-up will alleviate this challenge as we progress into 2023.
- Forthcoming review of mental health and guardianship legislation

3.3 Justice Social Work

Justice Social Work (JSW) across Scotland has experienced significant change and development since the publication of the revised National Outcomes and Standards for Social Work Services in the Criminal Justice System (NOS) in 2011. As a reminder, the core outcomes are; community safety and public protection; the reduction of reoffending; and social inclusion to support desistance from crime. Justice Social Work services provide all statutory and associated functions identified in S.27 Social Work (Scotland) Act 1968. Over the last five decades this Act has been updated by supporting legislation relating to pre-conviction, court/sentencing developments, community disposals, post-release supervision and associated tasks relating to 'offender' and offence types, for example domestic abuse, sexual offending and hate crime.

There have been developments in the understanding of 'what works' with an emphasis on engaging meaningfully with people who offend to better understand their offending pathways and the impact of, for example, deprivation, inequality, mental ill-health, educational inequity, trauma, adverse childhood experiences (ACEs) etc. on an individual's decision-making and agency.

The service predates its service user interventions, partnerships and public protection responsibilities on:

- Proportionality – interventions should meet the risks and needs identified with the aim of being least restrictive wherever possible
- The use of non-custodial interventions is most likely to reduce reoffending, except where the risk of harm is so great that there is an identifiable public protection concern (restrictions)
- Early intervention and prevention is appropriate at different stages throughout the life cycle – it is not the preserve of young people or women who offend
- Where possible an individual subject to a Community Payback Order requirement of 'unpaid work/other activity' should be integrated into community activities and hubs so that their efforts (reparation) are 'visible'
- Our group and individual interventions should give each service user the best chance of effecting lifestyle change (rehabilitation) so they can engage more meaningfully with family, friends, neighbours and local communities (reintegration)
- The voices of those with lived experience - we know that this is an area requiring improvement and development

Activity and performance (at 31.03.22)

Service	2019/20	2020/21	2021/22	Change
Community Payback Order (supervision)	82	78	95	+17
Statutory Throughcare (community)	18	19	20	+1
Statutory Throughcare (custody)	46	39	35	-4
Voluntary Throughcare (custody, eligible)	14	16	12	-4
Voluntary Throughcare (community, receiving/offered)	10	8	34	+26
Registered Sex Offenders (in the community)	14	11	19	+8
MAPPA Category 3 (violent offences)	2	2	0	-2
Caledonian Orders (domestic abuse)	9	16	23	+7

Year	2019/20	2020/21	2021/22	Change
CPOs (imposed – all requirements)	141	92	126	+34
CPOs – total number of months for supervision	1,287	1,142	1466	+324
CPOs – number of unpaid work hours imposed	13,123	7,226	11,371	+4145
CJSWRs – number of reports submitted	218	128	170	+42
DTTOs – number of Orders imposed	15	2	7	+5
Diversion – Completed Reports	35	43	34	-9

The confirmation of additional funding to support COVID recovery activities promoted significant change and development within the JSW team. Increased provision of social work assistant support for welfare and advocacy interventions allowed for a more nuanced provision that utilises the different skills within the staff team. Joint work with VCEL to increase capacity for those subject to unpaid work orders. Individualised placements (as opposed to group activities) offer a greater degree of community engagement and, it is hoped, will reduce the stigma around those on the justice pathway. A review of team roles led to a decision to increase senior practitioner capacity.

During 2021-22 there was a specific emphasis on training and staff development. Community Justice Scotland undertook projection modelling to address the backlog of court cases and identified a likely 30%+ increase in business over the coming years. It has been noted that there has been an increase in domestic abuse offending and colleagues in Police Scotland have identified that there will likely be an increase in online sexual offending. As a result the JSW Team has placed an emphasis on training and staff development to meet these potential needs:

In June 2021 Justice Social Work finalised an evaluation timetable 2021-23 to formalise quality assurance arrangements and provide senior management assurance of key activities that will be undertaken to identify areas of good practice and those that require improvement – the inaugural report is due in August 2022. The key elements are:

- Case File Audits – using the Care Inspectorate templates and guidance.
- Report Assurance Template – this allows for review of both Criminal Justice Social Work Reports and Home Background Reports.
- Every CJSWR that results in a custodial sentence being imposed is reviewed to confirm that the report provided appropriate and adequate assessment and sentencing options to allow for the consideration of a community disposal
- Practice Evaluations – these are designed to support the more complex work that is undertaken in relation to both our interventions for those convicted of sexual offences or subject to a Caledonian System requirement.

Evaluation findings identified good practice and the value of the work undertaken by the Children's Worker, which has resulted in a rethink of how we support children who are affected by parental involvement in the justice system. Areas for improvement included case management plans along with frequency of home visits and verification of information. Arrangements were in place throughout the reporting year to provide more generic assurance relating to the *impact of COVID* on service provision in relation to MAPPA and Recovery and Renewal.

In the last year there were a number of **practice consultations** focusing on how best to deliver appropriate, risk-led services that meet the varying needs of individuals on the justice pathway. The service manager engages fully with national professional networks to raise the profile of the service and ensure that the direction of new policy is underpinned by sound professional practice and evidence.

Service Developments

Early intervention and prevention: as the JSW service opened up in summer 2021 Justice Social Work tasked SACRO with undertaking a Strategic Needs and Strengths Assessment focused on early intervention and prevention. A new coordinator post will lead the implementation of work to progress this agenda.

'An Opportunity to Think' provides guided learning around positive outcomes, the cycle of change, self-calming techniques and support to better understand the impact of thoughts and feelings on behaviour, including self-talk. In August 2021 the team introduced a dedicated intervention pack for individuals made subject to Diversion from Prosecution where there was evidence of outstanding need.

Throughout the year the service has been developing modules that can be delivered as part of statutory supervision or other activity as well as, where appropriate, for those engaging in voluntary service. The focus has been on personal development and responsibility including:

- Citizenship – we intend that this module should be delivered to everyone on any Order or Licence in East Lothian. The aim is to support an understanding of social responsibility to and from your community, increase local engagement and place the individual in context.
- Scottish Fire and Rescue Service – this optional module will be delivered to increase fire and safety awareness, especially with service users that are more vulnerable or present with self-management challenges.
- Third Sector – service users were given the opportunity to meet with key agencies that offer support for employment, education, training and volunteering.
- Learning Pack – this has been agreed and rolled out for anyone with other activity hours available and supports the individual to reflect on their attitudes and behaviours to support improved decision-making.

Criminal Justice Social Work Reports assess, manage and address risk in men convicted of domestic abuse offences remained essential. A revised approach to strengthen the response to domestic abuse was implemented with a review of each Criminal Justice Social Work Report (CJSWR) request and if a man has been convicted of a previous domestic offence or the index offence involves physical violence, a Caledonian assessment is automatically undertaken.

Community Payback Orders: two social workers have been developing a guide to CPO inductions, which will focus on the necessary tasks to meet KPIs (such as first appointments), information gathering to update the risk assessment and develop a Case Management Plan, and incorporate the use of the Justice Outcome Star. Case Management Plans are an area for development, as identified through the Quality Assurance exercises.

Risks/Challenges

The post-pandemic recovery of JSW continued throughout the reporting year, but by summer 2021 the service was at full provision for all statutory requirements. There were however limitations for the service due to our partnership arrangements with City of Edinburgh Council JSW in relation to court services, drug treatment and testing provision and group provision for sexual and domestic abuse interventions.

MAPPA Information sharing and use of ViSOR: Police Scotland sought to alter the current information sharing arrangements under MAPPA, with the focus being transferred to the ViSOR database as the *only* information sharing method other than during a MAPPA L2/3 Board OR where there was an imminent risk to life. These changes have significant repercussions for the Council and H&SCP with partners across Scotland seeking to find a resolution. Access to ViSOR requires Non-Police Personnel Vetting L2 or L3 and this is a highly intrusive process and colleagues in legal, Information Governance and HR have advised that JSW staff cannot be instructed to undertake this vetting and have confirmed that JSW need access to the information that ViSOR holds only, not the system itself, to fulfil their duties under the Management of Offenders (Scotland) Act 2005 on which MAPPA is based.

LSCMI: an error was found in February 2022 in the core risk assessment and management tool (LSCMI) used by JSW nationally to manage risk and need of general offenders. We have identified a dedicated Team Leader to engage with the Scottish Government and Risk Management Authority to undertake the checks and updates required.

Domestic Abuse and Sexual Offending: throughout 2021-22, JSW prioritised the provision of interventions and risk management for those convicted of domestic abuse and sexual offences. There has been a steady increase in domestic abuse across the County and there is no indication that this is slowing – in many ways the increase will relate to improved reporting and confidence from survivors that perpetrators will be held to account. There is also anecdotal evidence from Police Scotland that there has been an increase in online sexual offending and that there are ongoing investigations which may see an upturn as we progress into 2022-23.

4. Resources

Children’s Services

The CSWO annual reports for 2019-20 and 2020-21 provided the context and drivers for the budget pressures that emerged in 2018-19 from the use of external residential placements, secure care and external fostering resources. A wide range of strategic developments and operational improvements have been underway over the full time period, and the impact of these has been subject to close scrutiny. Recognition of the need to reduce vulnerability and demand for targeted social work interventions through preventive actions and effective early intervention in universal and community services underpins the council’s Transformation of Services to Children improvement programme.

	Budget	Expenditure	Surplus/(deficit)
Children's 2021-22	£'000s	£'000s	£'000s
Total	17,571	18,435	(-864)

Additional investment was made in 2021-22 and 2021-22 to support the pressures and in 2022-23 growth to provide ongoing impact of support packages required during the pandemic.

Additional investment	£
2020-21	950,000
2021-22	1,500,000
2022-23	23,000

The year-end position in 21-22 was a deficit of £864,000. The most significant pressures remained in external residential care, secure placements and external fostering. However, there are signs that targeted interventions are working and this has resulted in a positive impact on controlling demand for external placements supported the young with packages at a lower cost. As detailed above the downward trend in children becoming looked after and looked after away from home evidences the success to date.

External placements spend is coming down in 21-22 compared to 20/21 by £199,000

	21-22			20/21		
	budget £	actual £	overspend £	budget £	actual £	overspend £
residential	3,137,070	3,947,941	810,871	2,287,070	4,070,050	1,782,980
foster	535,000	783,638	248,638	250,000	813,393	563,393
secure	300,000	448,494	148,494	150,000	495,505	345,505
Total	3,972,070	5,180,073	1,208,003	2,687,070	5,378,948	2,691,878

The deficit in 21/22 included covid related spend of £796,000 largely related to staff absence, additional external fostering, kinship care placements and supporting young people in temporary accommodation. COVID funding of £93,000 (including £23,000 carried forward from 20/21) was also allocated to support families and young people through section 22 and section 29 social work payments.

Transformation agenda

As detailed earlier in the report, the redesign of children's services is aimed at improving the outcomes and experiences of those children at risk of harm and enabling more children to live safely within their own family networks. Other developments include:

- Early Intervention Support Team – creation of this team jointly with education with temporary funding provided. Outcome to reduce referrals into Social Work and the Education resource group, demonstrate cost effectiveness through

measuring the cost of interventions against potential costs of more intensive or statutory interventions (cost avoidance)

- Integrated approaches to tier 2 mental health supports and services are demonstrating a reduction in demand for CAMHS and reduced delays for children experiencing distress. This should help children remain included and engaged in education and reduce the risk of requiring targeted services (cost avoidance).
- Developments in Whole Family Support – providing early and targeted intervention aimed at reducing need and vulnerability. The 2022-23 CSWO report will provide more detail on this work (cost avoidance)
- Provision of flexible outreach and specialist intensive supports for high tariff young people with the aim of reducing the number of children and young people requiring secure and residential care in crisis
- “Promise officer” post holder appointed for 1 year to drive the change demanded by the findings of the independent care review. To keep the promise to young people that every child grows up loved, safe and respected, able to realise their full potential. The programme will develop, test and roll out of new approaches to service delivery.

Financial risks

The pace of progress is being impacted by the restrictions the pandemic had on the experiences of children and young people and the capacity and resilience of families to manage and cope:

- Continued rising demands for the services will impact on the ability to manage expenditure
- Foster care availability – continued lack of capacity in the foster care sector means a lack of local and experienced foster families resulting in use of external fostering and residential care.
- Ability to recruit – lack of resources will affect the dealing with referrals/caseloads and ultimately will affect the progress of the transformation agenda

Adult Services

Adult Services 2021/22	Budget	Expenditure	Surplus/(deficit)
	£'000s	£'000s	£'000s
Total	59,986	59,039	947

The 947,000 surplus was transferred as follows:

£30,000 to General Reserve and a total of £917,000 to earmarked reserves which was attributable to £79,000 for Carers, £419,000 for care at home and £420,000 for interim care beds.

Pressures and demand

Pressures in commissioned costs continue throughout the Service. In addition;

- COVID costs totalled £2,066,000 and comprised of sustainability payments of £914,000, £322,000 to care at home providers to recover from pandemic,;
- £319,000 loss of Income in Resource Centres, 3 Resource Co-ordinators totalling £150,000.
- Loss of beds in Eskgreen care home due to COVID outbreak resulted in a loss of £150,000 and a £75,000 loss in respite beds as the service ceased.
- Increase of £76,000 in transport costs to safely and individually transfer client to comply with Social distancing.
- £60,000 additional costs for PPE equipment

2022/23 sees an additional £7.8m added to Health and Social Care IJB which takes the services budget to £66,294,000. This is an increase of 13% on 2021/22 %. New Monies are mainly targeted at Living Wage, Carers Act and Care At Home Capacity

Future Issues

The Scottish Government sustainability payment scheme has been extended to the end of September 2022. However there are ongoing financial risks for some residential providers which would create additional budget pressures if these businesses failed.

Care at home costs are expected to increase due to demand from new service users and increased need in current service users' demand as well as an increase in costs. The Scottish Government has committed to funding the Living Wage to £10.50 per hour in 2022-23.

As the services seeks to increase internal capacity in care at home, the risk of further recruitment challenges and impact on private providers will need to be monitored closely.

ELC's day care services offer needs to be reviewed to consider the best method of service delivery and sustainability.

5. Workforce

National messaging for social work

Social Work Scotland published *Setting the Bar for Social Work in Scotland* [Setting-the-Bar-Full-Report.pdf \(socialworkscotland.org\)](#) in May 2022, but the evidence and material for the report was gathered during the 2021-22 reporting timeframe.

Key headlines

- Scottish policy ambitions include the formation of a National Care Service, the embedding of human rights and delivery of “The Promise” to Scotland’s children. For social work, the vision requires ‘a skilled and valued workforce’ with ‘a focus on prevention, early intervention and enablement.
- The size of the social work workforce in Scotland has remained relatively unchanged in recent years, and now faces retention and recruitment challenges. In contrast, the policy landscape is characterised by increasing volume and complexity. Pre-COVID, within six years of qualifying, one in four social workers had left the profession.
- These and many other factors influence social work caseloads and their manageability, including case complexity, geography, economy, poverty, and available support services, plus social work staffing and organisational considerations. Over time these interconnected factors have left much of the social work workforce with larger, more administratively demanding and less balanced caseloads comprising individuals with more challenging lives, often presenting higher levels of risk. At the same time there are fewer services available to connect people to. Consideration of caseload limits must keep sight of the bigger picture.

Adult and Justice Services

The review and restructure of staffing and management arrangements within “adult wellbeing” into adult social work and statutory services enabled more efficient deployment of staff with the right skills in the right place. The impact on improved performance as detailed earlier in the report demonstrates the success of these changes. It also allowed managers to better identify where there was a shortfall and what additionality was needed.

The Adult Social Work Service has been working closely with IRISS, the Institute for Research and Innovation in Social Services, on a project to re-imagine the approach to Social Work services for Adults in East Lothian. This has included engaging with staff, prioritising areas for improvement and creating a coherent framework for multiple changes and developments to ensure that our social work service is effective, responsive and fit for the future. This has included work to reduce the time people are on waiting lists for assessments and move towards a more preventative and early intervention approach. The ambition is to take a more outcome focussed approach to supporting individuals in a range of different ways most suitable to their needs at that

time. This work will continue in 2022 as tangible changes to systems and processes are introduced.

The Criminal Justice (Scotland) Act 2016 (Support for Vulnerable Persons) Regulations 2019 confer on Local Authorities the duties to deliver Appropriate Adult services. The services were placed on a statutory footing in January 2020 with work now underway to support Local Authorities transitioning to statutory arrangements. Funding for an Appropriate Adult Coordinator was provided Scottish Government for this statutory service.

The funding to support the delivery of adult social work has allowed the service to create other frontline and support roles. This includes Scottish Government funding to sponsor a community care worker to undertake social work qualification through the Open University whilst remaining at work. This, alongside hosting student placements from local universities, will increase prospective future social workers' knowledge of East Lothian and encourage them to apply for our vacancies. The upcoming Graduate Apprenticeship in Social Work will create more opportunities as there will be less budget implications in this scheme.

The service will continue to accept placements from universities but there are only four active practice educators across adult social work which will limit capacity. Interest in undertaking the post-graduate course is low, reflecting the commitment required to study alongside their current caseloads. Joint work with children's services includes regular development sessions with all students, and including sessions with Midlothian and Borders Social Work students. There are also separate development support sessions offered to social workers who are either practice educators or link workers.

Staff retention remained stable and turnover low in all areas during 2021-22. However, within adult social work there is a need to strengthen retention by improving career progression. The extended period of high risk, high intensity work during the crux of the care at home crisis impacted on the wellbeing, resilience and capacity of the workforce. Senior managers worked hard to support the operational response and "hold" the risk on behalf of the frontline staff.

There has been significant work carried out to increase and strengthen capacity in the Justice Social Work team. This has addressed the expectations of the employees, employers and service users to ensure that the team are maintaining the required standards. A number of the staff have been on temporary contracts funded by COVID recovery grants. This allowed the team to progress initiatives and it is hoped that with natural attrition and restructuring of the team, these temporary staff will be afforded the opportunity to move onto permanent contracts. There is collaboration with the third sector in securing funding for prevention and early intervention with offenders and also to support structured deferred sentencing and bail support. It is now important to identify the sustainability of these temporary arrangements and whether we will maintain them or agree an exit strategy.

The PRD appraisal form was updated for the HSCP to a more user-friendly format. This will also allow the sharing of certain information with Workforce Development to ensure that development needs are considered. Already a number of development requests from PRDs have been actioned.

Children’s Services

Children’s social work has had to respond to more legislative changes than any other part of the profession over the past 15 years. This along with the aspirations of the Independent Care Review and other policy changes have added additional pressure to the ever changing landscape of children and families social work. These changes come at a time when there is a significant pressure on council budgets, demographic change and the ongoing impact of COVID on children, young people and families.

Recruitment

The re-design of children’s services has seen the movement of staff into evolving positions and development roles, leaving a number of vacancies within the frontline teams. The service review team and team leaders held and attended recruitment events to share information about the benefits of working for East Lothian. The situation has deteriorated during 2022-23 with the service returning to business continuity mode. Sickness absences in key managerial roles and repeated unsuccessful recruitment campaigns risks the aspiration of the service re-design and is impacting on staff morale.

Children’s vacancies between	Services advertised	Number
01/04/2018-31/03/2019		48
01/04/2019-31/03/2020		44
01/04/2020-31/03/2021		18
01/04/2021-31/03/2022		60

As discussed above, sustaining a workforce for the future requires offering high quality student experiences. One staff member completed the Post Graduate Practice Education Course in 2021-22, one has deferred completion and a further one person is due to complete the course in December 2022. Practice educators and link workers were consulted around the barriers to taking on students in response to the National struggle in identifying student placements. Workload pressures and reduced resilience to go “above and beyond” which is required for those undertaking the role.

Respondents in the Setting the bar (2022) research suggested 45% stated that poor physical and mental health would likely be one of the reasons they would leave the profession. East Lothian’s numbers below highlight the challenges faced following the re-design and COVID.

Reasons for absence	2018-2019	2019-2020	2020-2021	2021-2022
Stress, anxiety, depression	558	841	787	569
Total days lost	1036	2202.5	2019.6	1676

2018-2019 and 2021-2022 show a similar level of sickness caused by stress, anxiety and depression. We may assume that this is due to the level of stress, risk and vicarious trauma which is caused due to working with vulnerable children and families as well as personal stressors that people experience. There was a significant increase in sickness during 2019 and 2020 which may have, in the latter months been related to anxieties around COVID 19 and the lockdown in March 2020. The lockdown caused additional financial, caring and mental health stressors for everyone.

In 2020-2021, it was expected that the numbers would increase; however COVID may have mis-represented the extent of sickness during this time. A number of people were shielding, meaning they were unable to do visits or work in the office and home working was introduced with a clear message from management that people need to attend to priority business, but with the understanding that everyone was juggling additional pressures. This flexibility/ shielding may have masked sickness levels. In contrast this also led to frustrations between workers and teams regarding the level of commitment of some compared to others and the completion of work.

In response to the recognition that staff wellbeing has been impacted by COVID, restructuring and a profession which experiences vicarious trauma on a regular basis, the service has made a strong commitment to engaging with the frontline staff around their wellbeing and supporting long term solutions to maintain a strong and passionate workforce.

“Supporting the workforce to care must be at the heart of Scotland’s service planning” The Promise (2020). “All of the workforce should access, at a level appropriate to their role, initial and lifelong learning that is grounded in attachment theory, trauma responsive care and the clear understanding and application of children’s Rights” The Promise (2020).

Despite the challenges, Children’s Services continues to prioritise the professional development and wellbeing of staff to influence the safety and wellbeing of the families they support.

Safe and together	Safe and Together training has been impacted by COVID and a reduced completion rate with the training becoming largely self-directed via online material. 49 current staff
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	<p>members have completed the training and the training is being offered to our partner agencies including health. Consideration is underway by the Public Protection Office regarding how this training is delivered in the future.</p> <p>10 members of the Leadership Team have completed the Supervisory Course.</p> <p>The implementation group is well established and meets regularly to review the continued progress of embedding the approach into practice.</p> <p>Joint Practice Forums have been re-established with Midlothian and the first session was very well received and allowed positive practice to be shared and work case studies to be explored.</p>
Signs of safety	<p>Leigh Taylor has provided refresher and beginner training to the majority of frontline Children's Services Staff (with the exception of those off sickness and new staff).</p> <p>The next stage of the implementation is to provide bespoke training sessions to specific areas to gather the nuances of Signs of Safety. This will align our paperwork to ensure it promotes a relationship approach where we work alongside children and their families.</p> <p>The next steps will be to establish an implementation group to disseminate this approach with our partner agencies and continue to embed within practice.</p>
Foster Carers, Lothian Villa and Olivebank	<p>Planning is underway to ensure we update and maintain our training requirements in terms of first aid, moving and handling etc.</p>
Induction	<p>1-2-1 induction meetings continue to be offered by the Service Review Team.</p> <p>CSWO has allocated time throughout 2022 to meet all new staff members.</p> <p>Induction Pack continues to be developed as changes occur nationally and locally. Feedback so far has been positive.</p>
Coaching for business planning	<p>With the re-design being underway and higher movement between teams than normal, business plans have been delayed through a trauma informed lens to allow people to embed.</p> <p>These will be revisited and teams supported by the Service Review and Development Team to develop their plans.</p>

PRDs	<p>The re-design has seen a significant number of staff move teams/ take on new roles. This has generated exciting opportunities for people to consider their skill set and where they would like to progress.</p> <p>Due to changes continuing to take place and people needing to build relationships with new managers the PRD's have been delayed and will aim to be launched in August/ September 2022. This is to ensure staff feel able to have open and transparent conversations with their line manager.</p>
Leadership and Supervision Programme	<p>The CMI programme is no longer supported by East Lothian Council. Alternative courses have been considered however a consistent approach which provides Leaders with the skills they need (specifically within social work) remains to be identified.</p>

6. Summary and Key Challenges

I hope this report does justice to the breadth and depth of the professional social work functions and services in East Lothian, and the commitment of our workforce to improving the lives of people who use services, vulnerable children young people and adults and to protecting the public.

A range of challenges have been detailed throughout the report that demonstrate the differing risks faced across the various professional and specialist areas. What unites these is the need for a resilient, well-supported and resourced and connected social work workforce in order to deliver effective and efficient and importantly safe practice. The current recruitment challenges within children's social work are being experienced in other areas and will require longer-term planning in the context of budget considerations.

The need for adequate resourcing from Westminster and Scottish government to accompany the plethora of new policy and legislative "asks" must be supported. Reducing demand and vulnerability by early intervention, up-stream investment, maximising community and universal assets and determined strategic prioritisation is at the heart of solutions across all domains of social work. We have seen the positive impact of additional resourcing that has been made to some parts of social work to help achieve this, but not others despite the public concern about vulnerability and risk.

Achieving the aspirations of the Promise and transforming all services that work with children and their parents to ensure that more children can safely remain within a loving family setting will take significant and sustained investment and commitment from all services whatever the structural arrangements.

Partnership working remains at the heart of almost all social work practice and creating and sustaining strong relationships across all and any structural boundaries will be essential – none more so in the world of public protection.

Continued impacts of COVID on mental health, family stability and functioning, poverty, domestic abuse will continue to emerge and require a regular review of the resources required to meet need.

Whilst the criticality of the social care crisis experienced in 2021-22 may have receded, there is and will be a sustained and significant reduction in care services, and in particular those for older adults. There is a need to re-shape and challenge expectations about what is possible and achievable. Returning to pre-COVID service levels will not happen.

The NCS brings opportunities as well as risks. Whatever the final shape this settles into, we must ensure that the commitment to protecting the services and the staff working in the services that protect our most vulnerable citizens don't become a casualty of the political, structural and financial debates that lie ahead.

Judith Tait

Chief Social Work Officer

10 October 2022

REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Executive Director for Place

SUBJECT: Edinburgh and South East Scotland City Region Deal
– Annual Report and Innovation Hub

7

1 PURPOSE

- 1.1 This report summarises the key findings on the appended City Region Deal Annual Report (available in the Members' Library, Ref: 132/22, October 2022 Bulletin) (approved by the City Region Deal Joint Committee on 2 September 2022).
- 1.2 To update on the date for the next Annual Conversation.
- 1.3 To provide a summary on progress to date on the delivery of the Innovation Hub and the wider Edinburgh Innovation Hub.
- 1.4 To update on the delivery of the Grade Separated Junction at the A1/Queen Margaret University road junction.

2 RECOMMENDATIONS

- 2.1 To note the summary findings of the fourth Annual Report.
- 2.2 To note the date for the next Annual Conversation.
- 2.3 To note the summary of progress on the delivery of the Innovation Hub and the wider Edinburgh Innovation Park.
- 2.4 To note the update on the delivery of the Grade Separated Junction at the A1/Queen Margaret University road junction.

3 BACKGROUND

Annual Report

3.1 The Edinburgh and South East Scotland City Region Deal was signed by the First Minister, Prime Minister and City Region Leaders on 7 August 2018.

3.2 Each year the City Region Deal partners are required to produce an Annual Report to assess how well the City Region Deal is aligning towards the overall vision and inclusive growth outcomes for the city region. The first Annual Report was approved by the City Region Deal Joint Committee on 3 September 2019, with subsequent reports approved in 2020 and 2021.

3.3 This report provides an update on the fourth Annual Report for 2021/22, approved by the City Region Deal Joint Committee on 2 September 2022.

3.6 Annual Report – Overview

3.7 The Annual Report for 2021/22 is an overall progress report for the City Region Deal programme between 1 August 2021 and 31 July 2022, with the exception of the Financial Statement which contains financial information for the financial year 2021/22.

3.8 It contains a City Region Deal overview, Financial Statement, a short summary of progress on each project and programme and expected milestones to be achieved in the next year. This year, as more projects move into delivery, a series of case study videos are embedded in the report to demonstrate how the Deal's projects and programmes are benefiting people.

3.9 Annual Report – Summary of Progress

3.10 The report demonstrates significant progress across the 20 projects and programmes within the City Region Deal. While cost inflation has affected the budget of some of the projects which are in delivery, at the financial year end 2021/22, all were considered to be within acceptable time and budget parameters:

- 2 projects were in Stage 1: Define, which means that the project's business case is yet to be completed (6 in 2021),
- 15 are were Stage 2: Implement, which means that the project's business case has been approved by Joint Committee and is in the process of being implemented (13 in 2021)
- 6 are were Stage 3: Deliver, which means that the project has been implemented and is working towards delivering its objectives (5 in 2021)
- 14 projects were considered to be on target to be completed on time (green score) or have been completed on time (14 in 2021)

- 9 projects were delayed, but considered to be within an acceptable range, with management action in place to address the issue (amber score). (10 in 2021)
- 19 projects were considered to be on target to be completed within the specified budget (green score) or have been completed within the specified budget (19 in 2021)
- 2 projects were projected to cost more than the specified budget, but considered to be within an acceptable range, with management action in place to address the issue (amber score). (2 in 2020)
- £58.09 million of Government money was drawn down in the 2021/22, with £54.02 million spent on on Capital projects and £4.07 million on the Revenue programme.

As well as delivering on the projects in the Deal, the Annual Report demonstrates that the Governance structure, established to manage City Region Deal activity, has also enabled effective and strong regional partnership working on important cross-regional activities, including:

- Developing and publishing a Regional Prosperity Framework for Delivery which will be a catalyst for Regional Prosperity (led by a cross-regional officers' team, steered by the Regional Enterprise Council and overseen by the Elected Member Oversight Committee);
- Establishing a series of regional propositions for the region's six local authorities to bid into together to the UK Government's Shared Prosperity Fund, over the next three years;
- Launching the ESESCommunities portal to assist with delivering community benefits across the programme;
- Contributing the City Deal regional perspective to key consultations including National Planning Framework 4; the National Strategy for Economic Transformation; and the Strategic Transport Projects Review 2;
- Joint Committee endorsing the Forth Green Freeport bid to boost innovation and inclusive growth within our communities; and
- Establishing a regional Bus Service Improvement Partnership to deliver £3.03m of regional bus improvements from the Scottish Government's Bus Partnership Fund.

3.11 Annual Report – Benefits Realisation

Each City Region Deal theme lead has examined how best to monitor and evaluate future impacts. Individually, a range of approaches (including bespoke surveys, refining existing data and customer relationship management monitoring systems, creating new data sets and adopting the measures used in the Scottish Government's National Performance

Framework and other similar indices) are being adopted. Last year, the Programme Management Office (PMO) commissioned the Smart Data Foundry to recommend measures to be put in place so that outputs and impacts can be captured, measured and reported on by 2023 and thereafter. Page 58 of the Annual Report sets out 3 main questions which were explored and the subsequent responses and recommendations.

3.12 Annual Report – Financial Statement

A summary of the City Region Deal total over a fifteen-year period is shown at Page 14, 15 and 16 of the Annual Report

3.13 Annual Report – the Year Ahead

Key milestones that are expected in the next 12 months:

Date	Milestone
<i>Summer 22</i>	Opening of First building at Borders Innovation park
<i>Sep 22</i>	<i>Joint Committee meeting where the following items will be considered:</i> <ul style="list-style-type: none"> • City Region Deal Annual Report 2021/22 • Regional Prosperity Framework Implementation Plan • City Region Deal Transport Programme Update
<i>Sep 22</i>	First cohort of postgraduate taught students to be welcomed at the Edinburgh Futures Institute
<i>Sep 22</i>	National Robotarium fully operational and official launch
<i>Sep 22</i>	Completion of Business Units at Hillend & Donibristle Industrial Estate, Dalgety Bay
<i>Dec 22</i>	<i>Joint Committee meeting where the following items will be considered:</i> <ul style="list-style-type: none"> • A720 Sheriffhall roundabout progress update • Integrated Regional Employability and Skills Programme Update (presentation)
<i>Late 22/early 23</i>	Public Local Inquiry for A720 Sheriffhall to be held
<i>Mar 23</i>	<i>Joint Committee meeting where the following items will be considered:</i> <ul style="list-style-type: none"> • Data-Driven Innovation Programme Update (presentation) • Benefits Realisation six-monthly update.
<i>Mar 23</i>	Outline Business Case for West Edinburgh Transport Improvement Programme to be complete
<i>Jul 23</i>	Usher building construction complete

Jul 23	<p><i>Through the Agritech Hub at Easter Bush, the following will have been achieved:</i></p> <ul style="list-style-type: none"> • <i>Established a Centre for Aquaculture Genetics and Health, developing a business plan to enable a step change in the aquaculture genetics activity.</i> • <i>Established a Centre for Data-Driven Breeding, developing a business plan to enable a step change in the genetic livestock breeding activity.</i> • <i>Developed Agri and Aqua accelerator schemes, to enable the next stage of company formation on campus</i>
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3.14 Annual Conversation – Update

The Annual reports are followed up in a conversation between the Scottish City Region Deal Delivery Board and UK and Scottish Government. The Annual Conversation for this year has not yet taken place at the time of writing of this report. Council shall be updated on the Annual Conversation in due course.

3.15 Update on the Delivery of the Grade Separated Junction

- Reopening of the Northbound Carriageway – October 2022
- Underpass Completion including wing walls/backfill – December 2022
- Completion of main works – March 2023

3.16 Summary of Progress – Delivery of the Innovation Hub and the Wider Edinburgh Innovation Park

Headline achievements in the past year

- January 2022 – Commencement of the Junction Works
- April 2022 – Completion of the Joint Venture structure between ELC and QMU
- May 2022 – Appointment of the Design Team
- June 2022 – Approval from the ESESCRD Joint Committee of the reinvestment of the recovered VAT monies into the delivery of the Hub.

Next milestones (2022/23)

- November 2022 – RIBA Stage 3 –Next step in the design of the Edinburgh Innovation Hub
- January 2023 – Procurement of the Contractor for the Hub commences

- February 2023 – Completion of construction of the Junction Works
- February 2023 – Submit MSIC application for the Hub
- June 2021 – Planning consent granted
- June 2023 – Appointment of the Contractor for the Hub
- October 2023 – Commencement of construction of the Hub.

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 - There is no financial impact relating to the Annual Report and Annual Conversation for East Lothian Council.

6.2 Personnel - None

6.3 Other – None

7 BACKGROUND PAPERS

7.1 Edinburgh and South East Scotland City Region Deal – Report to East Lothian Council 11 August 2017

7.2 Heads of Terms Agreement signed by UK/Scottish Governments and Partner Authorities on 20 July 2017

7.3 East Lothian Council Summer Recess Arrangements – Standing Order 15.5 Members Library Report – Edinburgh and South East Scotland Region - City Deal Proposition 19 July 2017

7.4 Edinburgh and South East Scotland City Region Deal – Report to East Lothian Council 28 June 2016

7.5 City Region Deal Document (August 2018)

7.6 Edinburgh and South East Scotland City Region Deal (ESES CRD) – Annual Report, Annual Conversation and Regional Growth Framework Update - 29 October 2019.

- 7.7 - Edinburgh and South East Scotland City Region Deal – Annual Report, Benefits Realisation Plan, and Food and Drink Innovation Update 27 October 2020.
- 7.8 Ratification of City Deal Governance Arrangements 27 October 2020
- 7.9 Edinburgh and South East Scotland City Region Deal – Annual Report and Queen Margaret University Update 27th October 2021
- 7.9 City Region Deal Annual Report – 2021/2022, available in the Members’ Library (Ref: 132/22, October 2022 Bulletin)

https://www.eastlothian.gov.uk/meetings/meeting/17033/members_library_service

AUTHOR’S NAME	Catherine Molloy
DESIGNATION	Project Manager, Growth and Delivery
CONTACT INFO	01620827222
DATE	6 October 2022

REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Executive Director for Council Resources

SUBJECT: Amendment to East Lothian Council's Polling Place Scheme

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1 PURPOSE

- 1.1 To seek Council support to formally amend East Lothian Council's Polling Place Scheme in respect of EL3A polling district.

2 RECOMMENDATIONS

- 2.1 Members are asked to approve the permanent amendment to the polling scheme for the East Lothian Constituency for polling district EL3A.

3 BACKGROUND

- 3.1 As a result of Tranent Town Hall currently being leased to The Bronx Boxing Club and no longer available for use as a polling place, a new polling place must be found to serve the electorate in this polling district.
- 3.2 It is proposed that the Fraser Centre, Tranent be used as the permanent polling place. The property is in the same area of Tranent and has good facilities and voter access.
- 3.3 Local Councillors have been advised in relation to the proposal and none expressed any reservation.

4 POLICY IMPLICATIONS

- 4.1 There are no direct policy obligations associated with this report.

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

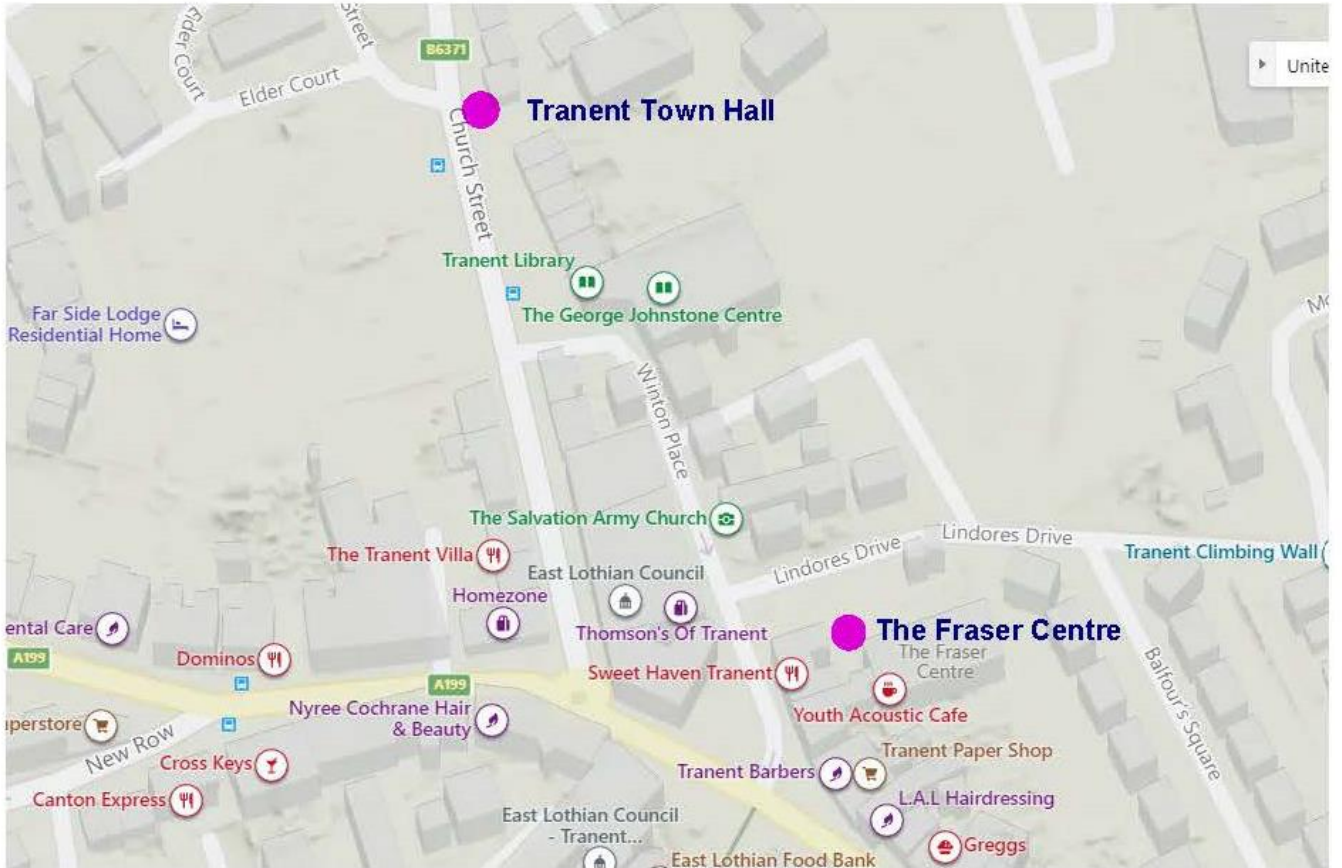
- 6.1 Financial - None
6.2 Personnel - None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 The existing Polling Scheme was approved at Council meeting on 11 December 2018 following the Statutory Review of Polling Districts and Polling Places.
7.2 Appendix 1 – Tranent street map showing current and proposed polling place.

AUTHOR'S NAME	Morag Ferguson
DESIGNATION	Head of Corporate Support
CONTACT INFO	01620 827274
DATE	28 September 2022

Appendix 1 – Tranent Street Map



REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Executive Director for Council Resources

SUBJECT: Lothian Pension Fund: Voluntary Scheme Pays 2021/22

9

1 PURPOSE

- 1.1 For the Council to determine whether East Lothian Council should exercise its annual discretion to adopt the Lothian Pension Fund Voluntary Scheme Pays mechanism in respect of the tax year 2021/22.

2 RECOMMENDATIONS

- 2.1 That Council considers the options at Paragraphs 3.3 and 3.4, decides which of these to adopt, and authorise offices to communicate that decision to Lothian Pension Fund.

3 BACKGROUND

Lothian Pension Fund Voluntary Scheme Pays

- 3.1 Lothian Pension Fund requires the Council to make an annual decision with regard to whether “Voluntary Scheme Pays” (VSP), should be allowed. The annual bulletin from Lothian Pension Fund explains the impact of VSP and the potential risk to the Council were it to agree to the option. This is a potential benefit that is only of relevance to the most highly paid members of public sector staff. A copy of the bulletin is attached as Appendix 1.
- 3.2 The Local Government Pension Scheme obliges employers to pay an employer’s pension contribution of circa 20% of salary in addition to an employee’s own pension contribution from salary. The current annual tax-free allowance for pension savings is £40,000. Employees who exceed this standard allowance can opt for the Pension Fund to pay the tax due by way of a “Mandatory Scheme Pays” election, with a consequential reduction in their annual pension to cover this sum. However, those earning in excess of £200,000 could be subject to a tapered annual allowance and therefore can face considerable personal tax liability in respect of their pension savings. This liability can be alleviated by the Fund meeting the tax due and later recouping that by making a reduction in the amount of the annual pension paid to the individual once they retire. This is only

possible if Council were to agree to VSP. Agreement is now sought annually by the Lothian Pension Fund relating to the past tax year. For tax years 2019/20 and 2020/21, Committee agreed to participate in the Scheme. This report relates to the tax year 2021/22. The threshold income for the tapered allowance rose from £110,000 to £200,000 in the tax year 2020/21. East Lothian Council has no employees earning more than £200,000. The Pension Fund nevertheless requires an annual election from each of its member employers.

3.3 Option One – Agree to Voluntary Scheme Pays

This will mean that affected individuals can elect not to pay the tax due themselves and have the Fund pay it for them, agreeing to receive a reduced pension when it is due. This would have the benefit of assisting any members of staff who might find themselves experiencing financial difficulty in meeting their tax obligations.

If the Council were to agree to this option and should a member of staff who utilised it die before drawing down their pension or before the whole tax is recouped, the Pension Fund would require the Council to bear the cost of the tax paid on behalf of that member of staff. East Lothian Council currently has no members of staff that might seek to access VSP. Of course, we have no control over changes to limits and the resultant impact on risk, therefore the decision as to whether to participate in VSP will be revisited annually.

3.4 Option Two – Do Not participate in Voluntary Scheme Pays

This would remove all financial risk to the Council but it could create personal financial difficulty in the future for some of our most senior members of staff leading to lowered morale and even disaffection that could affect staff retention at the most senior level.

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 Human Resources - None

6.3 Other - none

7 BACKGROUND PAPERS

7.1 None

AUTHOR'S NAME	Paul Ritchie
DESIGNATION	Service Manager – People & Council Support
CONTACT INFO	01620 827767 pritchie@eastlothian .gov.uk
DATE	28 September 2022

Voluntary Scheme Pays

Lothian Pension Fund checks members' pension savings against the annual allowance limits every year. If pension savings exceeds the annual allowance and there is no carry-forward allowance from the previous three years, then the member will be liable to pay tax on the excess savings over the annual allowance. We must inform members who have exceeded the annual allowance by 6 October each year in line with HMRC legislation.

If a member has a tax charge because they have exceeded the standard allowance they can make a 'Mandatory Scheme Pays Election'. The Fund and the employer have no discretion over this, i.e. we must accept the member's election and pay the tax charge in exchange for a debit to the member's pension. The debit is applied when the member retires or leaves the Fund.

However, members who earn more than £200,000 ('threshold income') have to assess their tax liability to see if they are also affected by the additional tapered annual allowance – Lothian Pension do not carry out these calculations. The 'taper' reduces the Standard Annual Allowance to a minimum of £4,000.

There is discretion for administering authorities to pay some or all of an annual allowance charge on a member's behalf in circumstances where their pension savings are not in excess of the standard Annual Allowance but are in excess of the tapered Annual Allowance. This is known as 'Voluntary Scheme Pays'. Pensions Committee has previously agreed that 'Voluntary Scheme Pays' can be an option for members, on the condition that the member's employer agrees to this.

Use of the voluntary scheme pays option does present some risk to both the employer and the Fund. This is because the tax charge payable is paid in full by the Fund and a debit is applied to the member's pension. This means that the member's pension will be permanently reduced. The risk arises if the member dies before the tax charge paid is recouped - the debit would not be applied to any survivor's pension payable in the event of the member's death.

Under the current regime, given the scheme has no discretion over the mandatory scheme pays, for any member who is affected by the taper the maximum annual risk for an employer would be a member's additional tax charge of £16,560 based on someone in the 46% tax bracket.

For example, if a member has a pension input of £100,000 (and assuming they have no carry forward to offset this), they are over the standard annual allowance by £60,000 and this is the taxable amount. Say they were on a 46% tax rate they would have a tax charge of £27,600.

If they were subject to the Tapered Allowance, and their allowance has been reduced by the maximum to £4,000, their chargeable amount would be £96,000. The tax charge at 46% would be £44,160. As we would have to accept a mandatory scheme pays for the £27,600 charge, the amount relating to the taper is an additional £16,560 (£27,600 + £16,560 = £44,160).

If the election goes ahead, the scheme would pay the £44,160 and the member's annual pension would have a debit applied. The debit amount is calculated based on factors by the Government Actuary's Department and depends on how far away the member is from State Pension Age. For example, for a member aged 50 whose normal pension age is 67, the current actuarial factor to be used would be 10.96.

Using the above example, the scheme debit would be £44,160 / 10.96 which is £4029.20. This would be deducted from the member's annual pension amount when they retire. The reduced pension amount is

payable for life. The member could decide however to settle the tax charge directly with HMRC and it would not affect their pension.

Next steps

If you agree to the 'Voluntary Scheme Pays' option to be allowed in respect of your members, please confirm this to us in writing.

The time limit for the Fund to pay the voluntary scheme pays charge is 31 January 2023. Therefore, we need you to reply by no later than **27 November 2022** to allow us confirm to carry out the required calculations and advise members. Your response should be on headed paper and signed by a Director/other authorised signatory. Your decision on voluntary scheme pays can be amended at any time and as an employer you can decide whether to apply this to some or all members affected. Please send your response to employer.pensions@edinburgh.gov.uk.

MOTION TO EAST LoTHIAN COUNCIL
25 October 2022

Divestment of Lothian Pension Fund from Fossil Fuel Companies

It is noted that East Lothian Council unanimously approved the declaration of a Climate Emergency in 2019, and that following this declaration, the then-leader of the Council, Cllr Willie Innes, wrote to the Lothian Pension Fund on behalf of the Labour administration, making clear that ‘as a group, we are of the view that it is time for Lothian Pension Fund to divest from fossil fuel shares’. A copy of that letter is annexed to this Motion.

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This motion is intended to build on the good work done under Cllr Innes’ leadership and asks the Council to state to Lothian Pension Fund our collective view that public pensions should not be invested in fossil fuel firms. This is in line with the wishes expressed by members through one major trade union, although it is noted that the Pension Fund does not currently have any mechanism for consultation with all members.

Motion

The Council therefore instructs the Council Leader Norman Hampshire to write to the Lothian Pension Fund

- a) to advise of East Lothian Council’s position that LPF should act immediately to divest in Fossil Fuels to meet the aims of the Paris Agreement and keep the extent of global temperature rise to under 1.5C;
- b) to request that LPF, starting in 2023, produce an annual report on the extent and value of fossil fuel investment holdings, together with a clear strategy to divest from the same and annual updates on the progress of this divestment;
- c) to request that Lothian Pension Fund develop, in conjunction with the trade unions, a meaningful consultation mechanism with Fund members and that employers, such as East Lothian Council, are consulted on the Fund’s investment strategies and divestment policy.

Proposed by: Councillor Shona McIntosh
Date: 13 October 2022

Seconded by: Councillor Brooke Ritchie
Date: 13 October 2022

Received by (officer): Jill Totney, Team Manager, Democratic & Licensing
Date: 13 October 2022

WI/WG

2 September 2019

For the attention of -

Bruce Miller, Chief Investment Officer, Lothian Pension Fund

David Hickey, Portfolio Manager, Lothian Pension Fund

Dear Mr Miller and Mr Hickey

Re: Climate Change Risk and Carbon Foot-printing

I am writing on behalf of the Labour Group administration of East Lothian Council.

At our full meeting of Council on 27 August 2019 there was unanimous support for a motion from our Labour administration as set out below.

CLIMATE EMERGENCY MOTION

There is a global climate emergency. The evidence is irrefutable and the science is clear. Warnings have been issued about the damage human beings are causing to the planet and how that damage has accelerated over the last 50 years.

The impacts of climate change are having a serious effect on our communities.

We believe that it is not too late for us to begin to turn things around but to do so requires transformative change and action now.

East Lothian Council therefore resolves to:

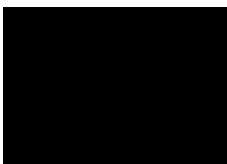
Declare a Climate Emergency that requires urgent action to make all our Council Services net Zero Carbon as soon as is reasonably practicable and in any case by 2045 and to lobby , support and work with all relevant agencies, partners and communities to fulfil this commitment. East Lothian Council will also commit to work with our communities and partners towards making East Lothian a carbon neutral county as well as enabling the county to deliver its part of wider national and international commitments.

We are also developing our Climate Change Strategy which in the consultation phase has seen a positive and ambitious response.

I am aware that a report on Climate Change Risk and Carbon Footprinting was discussed at a Responsible Investment event in October 2018. As a group, we are of the view that it is time for the Lothians Investment Fund to disinvest from fossil fuels shares. We appreciate that the Fund Managers have a fiduciary duty to its members for the sustainability of our pension schemes, but we do not believe that this should be to the detriment of our communities who are concerned about and experiencing the impacts of climate change. We also feel a duty to the poorest developing countries who are disproportionately impacted by climate change.

We, the members of East Lothian Council Labour Administration therefore ask that Lothian Pension Fund disinvest from, and cease any future investment in, fossil fuels.

Yours sincerely



Councillor Willie Innes

Leader East Lothian Council

REPORT TO: East Lothian Council

MEETING DATE: 25 October 2022

BY: Executive Director for Council Resources

SUBJECT: Submissions to the Members' Library Service,
9 August – 9 October 2022

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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 9 August and 9 October 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	10 October 2022

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
9 August to 9 October 2022**

Reference	Originator	Document Title	Access
107/22	Executive Director for Place	Strategic Asset & Capital Plan Management – Property Asset Review	Private
108/22	Executive Director for Place	2021 East Lothian Residents Survey - Ward Summaries	Public
109/22	Head of Infrastructure	Building Warrants Issued under Delegated Powers – July 2022	Public
110/22	Head of Development	Cockenzie Levelling Up Fund Bid Update	Public
111/22	Head of Corporate Support	Quarterly Customer Feedback Reporting	Public
112/22	Executive Director for Place	Creation of a Housing Assets & Compliance Team	Private
113/22	Executive Director for Council Resources	Establishment of a New Post – Education Support Officer (Early Learning and Childcare)	Private
114/22	Executive Director for Council Resources	Service Review – Customer Services Part 2b	Private
115/22	Head of Corporate Support	Establishment Changes for August 2022	Private
116/22	Head of Infrastructure	Proposed Office Rationalisation at Penston House, Macmerry	Private
117/22	Executive Director for Council Resources	Service Review – Customer Services Part 2c	Private
118/22	Chief Executive	East Lothian Council response to call for views from Scottish Parliament Health, Social Care and Sport Committee on the National Care Service (Scotland) Bill	Public
119/22	Head of Infrastructure	Land Excambion and Grant of Servitude Rights at the playing field, Sandersons Wynd Primary School	Private
120/22	Head of Infrastructure	Sale of Alderston House, Haddington	Private
121/22	Head of Infrastructure	Building Warrants Issued under Delegated Powers between 01.08.2022 to 31.08.2022	Public
122/22	Executive Director for Council Resources	SRR: Creation of Post for Delivery Driver – Waste Services	Private
123/22	Executive Director for Council Resources	Staffing Report for the Creation of a Performance and Improvement Manager - within the Performance Team	Private
124/22	Executive Director for Council Resources	Staffing Report for the Creation of an Economic Officer Post within Economic Development	Private
125/22	Head of Communities	Museum Collection Disposal	Private
126/22	Head of Corporate Support	Establishment Changes for August 2022	Private
127/22	Executive Director for Council Resources	Service Review – Procurement Service	Private