



MINUTES OF THE MEETING OF THE CABINET

**TUESDAY 14 NOVEMBER 2023
VIA A DIGITAL MEETING FACILITY**

Cabinet Members Present:

Councillor S Akhtar	Councillor F Dugdale
Councillor A Forrest	Councillor N Hampshire (Convener)
Councillor C McGinn	Councillor J McMillan

Other Councillors Present:

Councillor J Findlay	Councillor C McFarlane
Councillor G McGuire	

Council Officials Present:

Mrs M Patterson, Chief Executive
Ms L Brown, Executive Director for Education and Children's Services
Ms S Fortune, Executive Director for Council Resources
Ms E Dunnet, Head of Finance
Ms M Ferguson, Head of Corporate Support
Mr T Reid, Head of Infrastructure
M S Saunders, Head of Communities
Mr S Cooper, Service Manager - Communications
Ms M Coyle, Service Manager for Procurement, Transformation & Digital Portfolio
Mr C Grilli, Service Manager – Governance
Ms C Rodgers, Service Manager – Customer Services
Mr E John, Service Manager – Sport, Countryside & Leisure

Clerk:

Ms F Currie

Apologies:

None

Declarations of Interest:

None

1. MINUTES FOR APPROVAL: CABINET, 12 SEPTEMBER 2023

The minutes of the meeting of the Cabinet on 12th September 2023 were approved.

2. ALIGNMENT OF ELC PROCUREMENT STRATEGY 2023-2028 WITH THE NEW PROCUREMENT STRATEGY FOR SCOTLAND 2023-2028

A report was submitted by the Executive Director for Council Resources to inform and seek approval from Cabinet for an update to the East Lothian Council Procurement Strategy 2023-2028, to align with the new Procurement Strategy for Scotland.

The Service Manager for Procurement, Transformation & Digital Portfolio, Michelle Coyle, presented the report. She outlined the background to the current Strategy and the proposed update to align with the new Procurement Strategy for Scotland. The changes related to the sections on strategic objectives, on monitoring, reviewing, transparency and reporting, and on supporting suppliers and third sector. There was also a simplified action plan in appendix 1 to the Strategy. The first annual report will be brought forward to a future Cabinet meeting in autumn 2024 and performance against the action plan would be regularly monitored and updates provided to the Council Management Team.

Ms Coyle responded to questions from Councillor Akhtar and Councillor McGinn. She advised that there was no additional support available from Scottish Government to support the implementation of these additional elements to the Strategy. However, the Council would be able to benchmark itself against peers by participating in a self-assessment exercise which would be running until the end of March 2024.

She explained the revised community benefits process which would allow communities to propose projects they would like to see supported. If these projects met the criteria, when a contract was let by the Council, the supplier could choose which project it wanted to support or make a more general contribution to support other projects, such as the foodbank.

Ms Coyle replied to a question from the Convener regarding the impact of procurement on climate targets. She advised that, as part of the tendering process, the Council asked suppliers for their carbon reduction plans and these were monitored as part of the wider contract management. In addition, there were some actions within Strategy relating to the climate crisis and the environment and these would be monitored during the reporting period and included as part of the annual report.

Councillor McMillan welcomed and congratulated officers on the report. He welcomed the inclusion of statements on global reach and sustainability and the emphasis on supporting local businesses and encouraging suppliers to use them. He referred to a business conference held in October as an example of this work. He commended the continuing development of opportunities to maximise value for money and to promote community wealth building, and how this related to the Council's work through East Lothian Investments Ltd and East Lothian Land Ltd.

Councillor Akhtar said that procurement was a huge enabler for the Council with around £140M per year being spent on goods, services and works. She too emphasised the importance of support for local businesses to help them compete with larger firms in bidding for contracts, and in making the most of community benefits. She welcomed the process whereby local communities were asked about projects that would make the biggest difference to their areas.

The Convener concurred with his colleagues' remarks. He said that as the Council continued to face significant financial challenges, it was more important than ever to ensure that every

contract represented the maximum benefit for the Council and for local communities. He added that with this new Strategy would help to deliver the best possible procurement processes, and he looked forward to the annual report in 2024.

Decision

The Cabinet agreed, by roll call vote, to approve the updated East Lothian Council Procurement Strategy 2023-2028.

3. CUSTOMER STRATEGY 2023-2028

A report was submitted by the Executive Director for Place presenting the Customer Strategy 2023 – 2028 for approval.

The Service Manager – Customer Services, Caroline Rodgers, presented the report. She outlined the background to the development of the Strategy which had been based on the results of a customer survey in March 2023, and public consultation on a draft Strategy in September and October 2023. She advised that feedback on the draft had been positive and had indicated a desire for it to be implemented with clear measures and timescales, a range of ways to contact the Council, and being mindful of digital exclusion. The Strategy had been revised accordingly, while also reflecting the Council's own commitments and the very challenging financial situation. The language within the Strategy reflected a trauma-informed approach: the term 'customers' had been expanded at times to include 'people we work with' recognising that not all people the Council work with choose to do so, and therefore did not consider themselves customers in the traditional sense. She drew attention to the action plan to support delivery of the Strategy and confirmed that progress would be monitored and reported annually to the Council Management Team.

Ms Rodgers responded to questions from Councillor Dugdale and Councillor Akhtar. She confirmed that many of the principles within the Strategy applied to children and young people. During the consultation representations were received from the Education service who were part of the working group, and helpful feedback was received on the draft Strategy from primary and secondary pupils in Tranent.

She advised that the main principle of the Strategy was to make it as easy as possible for those who could get online to do so, and to use online services. This would then free up staff time and capacity to support those for whom digital contact was not the right option, either in area offices, libraries, and other community spaces, or through the Contact Centre.

Councillor Forrest commended staff for their efforts to work with individuals who contacted the Council to help resolve their issues. He referred to frontline staff in the Brunton Hall and in the Contact Centre, adding that he was very impressed with the work being done.

Councillor McGinn said the report highlighted the Council's interactions with people across the county and he was delighted to see a trauma-informed approach highlighted within the Strategy. He thanked staff who, he said, worked diligently to make sure those who contacted the Council always got a response. He noted that the number of contacts would be likely to increase in future years and that the Council's digital strategy would help staff to become even more effective in managing higher volumes of enquiries.

Councillor Akhtar echoed her colleagues' remarks. She stated that public services provided vital social infrastructure and local councils were often the first point of contact for individuals seeking help. She referenced statistics relating to the number of contacts, care home hours and community alarms calls, acknowledging the efforts of staff within a very challenging

environment. She added that when talking about the principles of dignity, respect, and inclusion, these should apply equally to people using services, and to Council staff.

Councillor Dugdale said that trauma-informed practice could be seen in action in this Strategy, and she also welcomed the inclusion of children and young people in the consultation process. She said it was important not to underestimate the pressure on staff when responding to people in distress, and she commended staff for how well they managed these situations.

Councillor McMillan welcomed the Strategy which, he said, reflected the Council's values of enabling, leading and caring. He said the staff across the county were welcoming and knowledgeable and were able to help people connect with other services to resolve their issues. He emphasised the importance of being customer focussed and he welcomed the One Council approach within the Strategy and the commitment to continuous improvement.

The Convener said that this was an excellent report which gave a snapshot of the breadth of enquiries the Council had to deal with across a range of services. He noted that the population of the county was now above 112,000 and that this continuing growth was putting huge pressure on all services. He said that the Council must continue to deliver services as effectively as possible and digital technology would be a key aspect of this, along with frontline staff continuing to support departments to provide the best possible services.

Decision

The Cabinet agreed, by roll call vote, to approve the Customer Strategy 2023 – 2028 noting that this was a live document which would be monitored by the Service Manager – Customer Services and would be reported annually to the Council Management Team.

4. NORTH BERWICK HARBOUR – BUDGET TRANSFER OF COSTS FOR NORTH BERWICK HARBOUR MASTER TO NORTH BERWICK HARBOUR TRUST ASSOCIATION LTD

A report was submitted by the Executive Director for Place to advise Cabinet on partnership work between ELC and North Berwick Harbour Trust Association Ltd (NBHTA); and to seek approval for the transfer of Harbour Master costs to NBHTA on an annual basis through the form of grant payment.

The Service Manager – Sport, Countryside & Leisure, Eamon John, presented the report which advised Members on the ongoing partnership work with NBHTA and proposed taking the opportunity presented by the current vacancy for Harbour Master to transfer responsibility for employment of this role to NBHTA. He drew Members' attention to the background and specifics of the new arrangements set out in the report, including the annual grant payment to support NBHTA in this process. He also confirmed that the proposals aligned with the Council's policy intentions around growing communities, growing capacity, and growing the economy.

At the request of the Convener, the Head of Infrastructure, Tom Reid, provided an update on the recent storm damage to North Berwick harbour. He explained that the serious structural damage to the sea wall had resulted from the combination of the significant tidal surge and wave action. The Council's structural engineer had been deployed to work with NBHTA to assess the damage, ensure safety could be maintained and determine whether the harbour could continue to function meantime. He had also appointed contractors through the Council's procurement processes who would be on site later this week to work with Council and NBHTA staff. They would consider the scope of assessment and options appraisal to determine the best option to repair the damage and reinforce sea wall to make it stronger in future. The costs would be assessed, along with the permissions required and arrangements for supervision of

works on site. This work would continue to involve a multi-agency approach, including the Scottish Government, Marine Scotland and Historic Environment Scotland, along with NBHTA and North Berwick Trust. He advised that some grant funding may be available from Marine Scotland, and North Berwick Trust had provided some funding to NBHTA for this work.

Mr Reid also informed Members that there had been significant damage elsewhere along the coast, including to roads, sea walls, coastal paths and access points. Grant funding would be available from the Scottish Government in April 2024 to support a risk-based approach to assessing the coastal infrastructure most at risk of future damage, and how best to mitigate this. This work was likely to be multi-generational and would involve prioritising works over a number of years. In the meantime, Mr Reid confirmed that he would attend a public meeting in North Berwick that evening to discuss the recent damage to the harbour and the options for repair work.

The Convener thanked Mr Reid for his update.

Mr John responded to questions from Councillor Findlay. He advised that any savings made from unfilled staff posts would usually be returned to a central budget, but he was willing to discuss whether it might be possible for any savings to be returned to the NBHTA. He said that while the intention was to continue with annual grant funding, at present figures had only been provided up to 2027, and with the future move to a Harbour Empowerment Order it may be appropriate to review this arrangement. He also advised that the 2% annual uplift was a figure provided by colleagues in the Finance Team.

The Executive Director for Council Resources, Sarah Fortune, explained that the 2% uplift was aligned to the local government pay award. She said that the 2023/24 national pay award had only recently been agreed and she didn't yet have clarification on the amount of future pay awards, as a result, the 2% figure remained indicative at present. She reminded Members that the Council received the majority of its funding from the Scottish Government, and approximately one quarter from council tax. While the Council tried to provide some degree of forward planning to give partners some level of certainty, the grant from Scottish Government was provided on an annual basis and any variance in this amount would result in the Council having to review its initial figures.

Mr John replied to a question from Councillor Akhtar confirming that the Council had had a long-standing relationship with NBHTA, going back to its inception in 2007. The transformation of the harbour during this period through investment, and enhancement and improvement works, had come about from partnership working with a range of organisations, including NBHTA, and he hoped that this relationship would continue in future years.

The Convener referred to the work of the Dunbar Harbour Trust and said that this demonstrated that local communities were best placed to decide how to develop and improve their harbours. The discussions currently taking place on how best to repair the damage to the sea wall in North Berwick harbour also showed the strength of organisations working in partnership to resolve issues. Moving the role of Harbour Master to the NBHTA would result in a better working relationship, and better outcomes for the local community, and he fully supported the recommendations in the report.

Councillor McMillan echoed these remarks.

Decision

The Cabinet agreed, by roll call vote, to:

- i. Note the partnership working that had taken place in the running of North Berwick Harbour;

- ii. Approve the transfer of Harbour Master costs to NBHTA on an annual basis through the form of grant payment; and
- iii. Note the key achievements and improvements that NBHTA had undertaken over the years for the benefit of commercial and pleasure boat users and to locals and tourists alike; and the contribution that the harbour had to the local economy as a tourist destination.

Signed

Councillor Norman Hampshire
Council Leader and Convener of Cabinet