



**MINUTES OF THE MEETING OF
EAST LoTHIAN COUNCIL**

**TUESDAY 12 DECEMBER 2023
VIA DIGITAL MEETING FACILITY**

1a

Committee Members Present:

Provost J McMillan (Convener)
Councillor S Akhtar
Councillor E Allan
Councillor R Bennett
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 G McGuire
Councillor S McIntosh
Councillor K McLeod
Councillor L-A Menzies
Councillor B Ritchie
Councillor T Trotter
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
Ms L Byrne, Head of Children's Services
Ms E Dunnet, Head of Finance
Ms M Ferguson, Head of Corporate Support
Ms N McDowell, Head of Education
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
Mr S Cooper, Team Manager – Communications
Ms R Crichton, Committees Officer
Ms A-M Glancy, Service Manager – Corporate Accounting
Mr S Kennedy, Team Manager – Emergency Planning and Resilience
Ms M Scott, Committees Officer
Mr P Vestri, Service Manager – Policy, Improvement and Partnerships

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

None

Declarations of Interest:

Councillor Yorkston declared an interest in Item 6, on the grounds that he is a branch representative for the EIS.

For transparency purposes, the following Members advised of the following, in relation to Item 6:

Councillors Akhtar, Bennett, Dugdale, Hampshire, McGinn and McIntosh – members of a trade union

Councillor Cassini – member of a church

Councillors Forrest, McMillan and Ritchie – members of a church and a trade union

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 clerk recorded attendance by roll call.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved: East Lothian Council, 31 October 2023.

2. FINANCE UPDATE

A report was submitted by the Executive Director for Council Resources, providing an update on the financial situation facing the Council, including an update on the in-year financial position at the end of September 2023, agreed mitigations and capital programme review, as well as the future financial outlook.

The Head of Finance, Ellie Dunnet, presented the report, informing Members that the overspend situation had improved by £2m since period 5, and that as at the end of period 6, the forecast overspend for the year was £20.2m. She declared that this overspend was unacceptably high and unsustainable. She confirmed that the previously approved mitigation measures remained in place but stressed that these were designed to be temporary measures, and that longer-term change was required to be sustainable. She drew attention to the report appendices and highlighted the key points contained therein. Ms Dunnet reported that Audit Scotland would complete their audit work in the coming weeks.

On the funding shortfall regarding foster care allowances, Councillor Dugdale asked what the impact of this would mean for the Council. Ms Dunnet confirmed that the new rates would not be fully funded and that the Council would need to meet the shortfall, c. £260,000. She advised that this would need to be factored into the 2024/25 budget.

Councillor Bruce asked about the long-term financial risks to the Council. Ms Dunnet reported that it was unlikely that the Council would be insolvent by the end of the current financial year, but if the overspend could not be reduced, then the Council would face insolvency within the next 12-18 months.

With reference to the level of overspend within the Integration Joint Board (IJB) budget, Councillor Hampshire asked if there were sufficient IJB reserves to meet this overspend. Ms

Dunnet expected that the IJB would continue to mitigate the overspend and that any remaining overspend at the end of the financial year could be met through the use of IJB reserves. However, if the overspend could not be mitigated by the use of reserves, then the liability would fall to the IJB partners – the Council and NHS Lothian – to meet.

Councillor Menzies asked if data had been collected on applicants to the Scottish Welfare Fund. Ms Dunnet advised that data was available for successful applicants, but that she would have to look at other data available and the resulting impact on other services. She noted that demand for services across the Council had increased, which would need to be reflected in the budget.

In response to questions from Councillor Jardine regarding assumptions, Ms Dunnet provided an explanation as to how decisions were taken, and of the ‘lessons learned’ approach to planning efficiency savings. She was confident that some of the unmet savings would be realised in the new financial year. Councillor Jardine also sought access to documentation from Local Development Plan 1 (LDP1) relating to the impact on revenue. Sarah Fortune, Executive Director for Council Resources, advised that detailed modelling on capital and revenue had been carried out for LDP1, and that it had been assumed that the revenue implications would be reflected through the national settlement. However, since the adoption of LDP1, there had been continued pressure on funding settlements, as well as a number of external factors, which had impacted the Council, and this had been raised over recent years. She undertook to provide Members with further detail on this.

Councillor Ritchie asked how ongoing reductions in capital funding over many years would impact the Council’s ability to invest in schools and other assets going forward. Ms Dunnet advised that this may result in additional borrowing. She assured Members that this issue had been raised at CoSLA and with the Scottish Government and other agencies. Ms Fortune added that the local government settlement was unlikely to increase in the medium term, but that the Council would continue making its case for additional funding to meet growth.

Councillor Akhtar made reference to pressures on health and social care services, and she advised that representation had been made to the Scottish Government as regards the Scottish Welfare Fund. She asked if there was any update on this. Ms Dunnet advised that a response had now been received as regards Councillor Hampshire’s letter to the Deputy First Minister, which acknowledged the challenges being faced by the Council but stating that there was no additional funding available. She stressed that it was important to continue to make representation and highlight these challenges. Ellie to provide letter to Members

Opening the debate, Councillor Hampshire welcomed the reduction in the overspend. He pointed out that the pressures on services were largely due to growth, and that Council Tax only covered around 25% of the Council’s running costs. He thanked staff for their efforts to operate within budget and reduce the cost of providing services, but warned that the challenges facing the Council were significant. With reference to the opening of the new train station at East Linton, he indicated that this would make the village a more desirable place to live, which would drive up house prices and make it difficult for local people to purchase a home there. He also reminded Members that the Council had failed in its bid for funding to build a new primary school in East Linton, stressing that it was vital for the Scottish Government to provide funding for this facility in light of projected growth. He advised that he had discussed the pressures of growth with the First Minister during the Scottish Government’s visit to East Lothian on 11 December.

Councillor Menzies agreed that continued growth was a concern. However, she was critical of the development of large houses throughout East Lothian without new services being provided. She suggested that the threshold for the provision of social housing should be raised, noting that 35% of properties in the county were in Council Tax bands E-H, compared with a national average of 25%. She called on Members to stop blaming the Scottish Government for the situation and to focus on finding solutions.

Noting that the mitigation measures in place were only temporary, Councillor McIntosh stressed the need to make urgent policy decisions to deliver services differently and raise additional revenue, noting that the Council had not implemented workplace parking charges or pavement parking charges, which could provide additional funding for education and health and social care.

Councillor Jardine welcomed the opportunity to be included in the discussions with the First Minister and Deputy First Minister. She argued that the Council's financial challenges were as a result of thirteen years of austerity. She referenced the emphasis on the wellbeing economy in the Economic Development Strategy, adding that the Council should focus more on the potential economic development opportunities presented by growth. On the pressures on services, she looked forward to scrutinising the relevant documentation from LDP1 as regards the financial impact of new housing developments.

Councillor Akhtar indicated that East Lothian Council was among the worst-funded local authorities in Scotland in terms of both revenue and capital funding, at a time when it was also one of the fastest growing authorities. She commented that the CoSLA 'floor' parameters had been set by the Scottish Government, and that East Lothian lost out on funding through this mechanism – she noted that this had been discussed with the First Minister. She added that the Council had also lost out on funding for homelessness, 1140 hours [early learning and childcare] and clothing grants. She reiterated that the Scottish Government had to recognise the Council's position in relation to the impact of growth. Responding to comments made by other Members, Councillor Akhtar remarked that, in the past, the Council had refused planning permission for developments containing large houses, but these had been appealed and overturned by the Scottish Government. On the Council Tax consultation, she pointed out that additional tax raised in East Lothian would not all come back to East Lothian, which she argued was not acceptable. She concluded her contribution by stating that the Council could not continue to grow without full funding from the Scottish Government.

Councillor Akhtar's comments were supported by Councillor Dugdale, who added that there was also a shortfall in the funding for fostering. She welcomed the new allowance rates for foster and kinship carers, and stated that the Council was committed to delivering The Promise, but she was disheartened that this would not be fully funded.

Councillor McGuire warned that there were challenging times ahead for the Council, remarking that 'passing the buck' would not provide a solution. He called on the Council to work together and to be more innovative and proactive. He shared comments made by others regarding demanding additional funding from developers.

Decision

The Council agreed:

- i. to note the outcome of the Period 6 review of financial performance against approved budgets and the significant underlying financial pressures faced by the Council;
- ii. to note the impact on the Council reserves if the projected revenue overspend materialises;
- iii. to note the severity of the financial risks set out in the report that may impact on the position;
- iv. to note the performance against prudential indicators, as set out in Appendix 5 to the report.

3. FINANCIAL AND CAPITAL STRATEGIES 2024-29

A report was submitted by the Executive Director for Council Resources providing an update on the financial outlook facing the Council; providing an update on the budget development process, which would inform the setting of budgets for 2024/25; and seeking approval for the 2024/25 to 2028/29 Financial and Capital Strategies.

The Head of Finance, Ellie Dunnet, presented the report, advising that the strategies had been updated to reflect the national context, including the Autumn Statement. She reiterated the challenges facing the Council, but noted that the principles outlined in the strategies remained appropriate to responding to these challenges. She drew attention to a number of key aspects of the strategies, including risk, assumptions, and the anticipated funding gap. She also highlighted the proposed budget development process, noting that this was subject to change due to the parliamentary timetable and proposed that authority be delegated to the Chief Finance Officer and Monitoring Officer, in consultation with Group Leaders, to make alterations to the process, if required.

Councillor McLeod questioned the value of preparing five-year budget plans when the grant settlement only covered one year. Ms Dunnet accepted that it was difficult to plan ahead with only single-year settlements being provided but advised that the Council had to make medium-term assumptions, as well as setting a longer-term plan to deliver savings, deliver priorities, and ensure balanced budgets going forward. She felt it was appropriate to plan ahead in this way.

Councillor Hampshire asked about the level of savings achieved over the past ten years. He also asked about the impact of growth, noting that only 25% of the Council's income came from council tax revenue. Sarah Fortune, Executive Director for Council Resources, reported that the Council had made savings of £81.7m since 2015. Ms Dunnet confirmed that there were significant pressures on the Council as a result of growth, but that there were also other factors such as rising inflation, increased demand on services, and pay awards. She added that the Council had lobbied for additional funding to meet the impact of growth.

In response to a question from Councillor Menzies on the public consultation on the budget, Ms Dunnet advised that this was a key part of the Council's budget planning process, and that efforts were made to engage as widely as possible. This work was accompanied by impact assessments. Councillor Menzies also asked for an update on the review of rent levels. Wendy McGuire, Head of Housing, pointed out that the annual rent consultation exercise was underway (closing date 15 December). She noted that East Lothian rents remained among the lowest in Scotland. She anticipated that a consultation on a revised rent model would take place in mid-2024.

Councillor Bruce sought further information on progress regarding the five categories outlined for the General Services Financial Strategy (section 7 of the Financial Strategy). Ms Dunnet referred him to the report to Council in June, which had set out £14-15m of investment to support critical enablers. She advised that some of this funding had been used to support the ongoing asset review and energy transformation projects. Officers were currently working on a refresh of the Transformation Programme, and further details on this, and progress achieved, would be included in future finance update reports. She stressed that change would not happen quickly.

On a question regarding rent arrears from Councillor Forrest, Ms Dunnet reported that work was ongoing to address this, noting that officers were always happy to look at how other authorities were tackling such issues.

Responding to questions from Councillor Jardine on key assumptions, Ms Dunnet provided an explanation as to the impact of increased employer contributions for pensions, noting that it was still unclear if this would be fully funded. She noted that there were mixed approaches

across the various pension schemes, but she emphasised the importance of ensuring that the pension fund would be able to meet future liabilities.

Councillor Akhtar asked how much of the additional spending consequentials provided to the Scottish Government would be passed on to local government. Ms Dunnet advised that it should not be assumed that additional funding would come to local authorities. She indicated that the pay award would not be fully funded, with only 3% being earmarked for this in the current year. She added that clarity was being sought on meeting future pressures on a recurring basis – this would be reported back to Council in due course.

Councillor Bruce expressed his concern about the Council's ability to deliver the proposed Financial Strategy, given the extent of the projected funding gap. In particular, he questioned the delivery and impact of the Transformation Programme, and how long it would be before the benefits of this programme were realised. He noted that he was unable to support a Financial Strategy that placed so much emphasis on the assumptions made around the Transformation Programme, and he called for significant reform of services to be undertaken. On the Asset Review, he felt that the targets were too ambitious, and that on the reduction of workforce costs, which accounted for c.60% of the Council's budget, he recognised that the current mitigation measures in place were only temporary, and that further action would be required. On those grounds, he declared that he would not be supporting the Financial Strategy.

Councillor McIntosh also voiced her concerns about the strategies, as she felt they contained assumptions that more growth would resolve the Council's financial problems. She argued that delivering economic growth did not mean that there would be a trickle-down effect, and that there was no recognition in the strategies that this would only happen through wealth redistribution. She advised that she had been shocked to discover that other local authorities were receiving more funding than East Lothian, noting that the funding issues stemmed from austerity and the Scottish Government not being properly funded. She stated that she would abstain on this item.

Remarking that he was not seeking to be political on this issue, Councillor Hampshire stressed that the Council was in a very difficult position and that help from both the UK and Scottish Governments was required to deal with the impact of growth. With reference to comments made by Councillor Bruce, he noted that the Head of Finance had reported savings of £80m through transformation projects, and that officers continued to look at ways to reduce costs. In addition, services were being delivered by fewer staff. He called on other political groups to put forward ideas for future savings. On Scottish Government funding, he pointed out that East Lothian was the third-lowest funded council despite the population growing by c.25% in recent years. He referred to the work done on LDP1, and of the significant developer contributions generated by that growth, but claimed that revenue funding had not kept pace with that growth. He stated that the Planning Service would do all it could to work with developers during the LDP2 process regarding the housing mix but anticipated that developers would argue that the demand was there for larger houses. He maintained that the Council's financial situation was not of its own making, but that the proposed Financial Strategy would help improve the Council's position.

Councillor Menzies indicated that the Council's financial situation was a result of 13 years of austerity, which had affected every local authority in the UK. She recognised that staffing costs were high, but reminded Members that these costs related to people's lives and the local economy, and that cutting staff could be catastrophic. She suggested that the Council should focus instead on maximising income, as central funding was unlikely to be increased.

Councillor Jardine was critical of the current UK-wide political situation. While she accepted that the SNP Group did not have the answers to solve the Council's problems, she did not think that the Administration would be able to deliver solutions. She called on the Council Leader to have an honest dialogue with communities rather than 'passing the buck'.

Councillor McGinn responded to these comments, arguing that the blame for the Council's financial situation lay with the UK and Scottish Governments. He believed that all Members wanted the best outcomes for constituents.

Concluding the debate, the Provost spoke of the importance of collaborative working. He paid tribute to Councillor Hampshire for leading on cross-party working as regards the budget process.

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

For (17):	Councillors Akhtar, Allan, Bennett, Cassini, Dugdale, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston
Against (4):	Councillors Bruce, Collins, Findlay, McGuire
Abstentions (1):	Councillor McIntosh

Decision

The Council agreed:

- i. to note the update on the financial outlook facing the Council;
- ii. to note the changes to the current approved strategy and approve the updated Financial Strategy for 2024/25 to 2028/29, as set out in Appendix 1 to the report;
- iii. to note the changes to the current approved strategy and approve the updated Capital Strategy for 2024/25 to 2028/29, as set out in Appendix 2 to the report;
- iv. to approve the budget development framework, set out in Section 3.23 of the report, which would inform the development 2024/25 and future years' budget proposals; and
- v. to approve the proposed changes to the timescales set out in Standing Orders for the purposes of the budget development process and, as set out in Section 3.23 of the report, to delegate authority to the Chief Financial Officer and Monitoring Officer, in discussion with Political Group Leaders, to make any further changes necessary due to external factors.

4. CORPORATE RISK REGISTER

A report was submitted by the Executive Director for Place advising of the continued substantial levels of heightened risk.

The Team Manager for Emergency Planning and Risk, Scott Kennedy, presented the report, drawing attention to the current position regarding risk, noting that there were currently 7 Very High, 7 High, 6 Medium and 1 Low Risk. He referred to a new risk, relating to power outages, advising that a framework for this was under development. He also provided a summary of services where business continuity measures were in place.

The Provost asked about the sources of information relating to international pressures. Mr Kennedy advised that information was gathered from a number of sources, including the UK National Risk Register and the Global Risk Report produced by the WEF.

Councillor Bruce sought further information on the risks around power outages and the Space X Starlink Satellite system. Mr Kennedy advised that the two Starlink units had cost c.£5,000

and reported that one had already been used in a live situation. These devices could be used in the event of a power outage. He wasn't aware of existing national grants for such devices.

On the impact of business continuity plans being invoked by a number of services, Mr Kennedy undertook to provide further details to Members.

The Provost asked about the Council's External Auditor's role in the Council's Risk Register. Sarah Fortune, Executive Director for Council Resources, confirmed that the External Auditor reviewed the Council's internal controls as part of the audit process and that, in relation to their Annual Audit Report (due to be presented to the Audit & Governance Committee meeting on 19 December), it would state that the Council's internal controls are effective.

Noting that a building surveyor, who would be working on asset condition information, was now in place, Councillor McLeod asked if Members could have access to those reports. Tom Reid, Head of Infrastructure, advised that this project, which would look at all community buildings, would run until March, with data being analysed in April/May. A report would be prepared during the summer, which would be aligned to capital and revenue plans.

With reference to the housing, in particular the changes to the 'local connection' aspect, Councillor Forrest asked about the impact on the Council. Wendy McGuire, Head of Housing, reported that the costs associated with this were difficult to quantify because their systems did not allow for logging homeless presentations from other local authority areas. However, there had been an increase in homeless presentations, which had impacted on staff time and accommodation requirements and she expected this to continue. She hoped to have further information to share with Members in January.

Councillor Menzies asked questions relating to recruitment, and questioned if the Council was making it too difficult to fill vacancies. Mr Reid explained that for many posts in Facilities, statutory standards had to be met, and that there was an attempt to provide career structures. He also spoke about the need to be flexible to attract applicants. On the cost of PVG checks, Morag Ferguson, Head of Corporate Support, advised that staff were required to pay for these personally, but that the cost could be spread over several months.

Responding to a question from Councillor Dugdale on the risk matrix, Sharon Saunders, Head of Communities, pointed out that the 5 x 5 matrix was the standard model used across the risk marketplace and that she would not be minded to adjust it. Mr Kennedy offered to provide further contextual information on this and on risk appetite to Members.

Councillor Trotter asked if Members could be given updates on plans regarding flooding. Mr Reid advised that weekly inspections were carried out by the Roads Team, and that a business case was being developed to update digital information which would provide early warnings. He offered to discuss specific local issues with Councillor Trotter outwith the meeting.

With reference to the Very High risk for 'Managing the Financial Environment', Councillor Akhtar stressed the need for this matter to be raised at every opportunity with appropriate decision-makers. She welcomed the update on the proposed National Care Service, particularly that responsibility for providing social care services would remain with local authorities; however, clarity on some areas of the National Care Service Bill was required. On recent adverse weather, she paid tribute to the Head of Infrastructure and his staff for their response, but noted that it was important that all partner agencies played their part during such events.

Councillor Hampshire pointed out the breadth of services provided by the Council, as demonstrated in the Risk Register. He noted that the financial risks facing the Council were significant, and he looked forward to hearing the ideas of his Conservative colleagues regarding the Financial and Capital Strategies.

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

Decision

The Council agreed to approve the Corporate Risk Register, and in doing so to approve that:

- i. the Corporate Risk Register would be maintained as a 'live' document which would be reviewed by the Council Management Team (CMT), the CMT sub-group on Risk Management, Service Management Teams (SMT), risk owners and the Corporate Risk Management Group on a regular basis and reported back to Council as and when required;
- ii. the relevant risks had been identified; and
- iii. the significance of each risk was appropriate to the current nature of the risk;
- iv. the total profile of corporate risk could be borne by the Council at this time in relation to the Council's appetite for risk but in the context of the planned mitigations; and
- v. although while the corporate risks require close monitoring and scrutiny over the next year, many are long-term risks for the Council that are likely to be a feature of the risk register over a number of years.

5. CHIEF SOCIAL WORK OFFICER ANNUAL REPORT 2022/23

A report was submitted by the Chief Social Work Officer presenting Chief Social Work Officer's Annual Report to Members.

The Chief Social Work Officer, Lindsey Byrne, presented the report, drawing attention to a number of key aspects, such as: the recruitment and retention of social work staff, ensuring sufficient resources to meet the needs of service users, the complexity of needs, and increased demand on services. She also highlighted the priorities for the service, including: attracting more foster and kinship carers, increasing capacity, improvements in early intervention and prevention, making use of community and universal supports, and strengthening governance. She stated the Council's commitment to providing high quality care for users of social work and social care services.

Councillor Menzies asked if there were any plans to support informal kinship carers. Ms Byrne accepted that improvements were needed to the support currently offered, and that she could provide further information to Members on this.

In response to questions from Councillor Jardine, Ms Byrne stressed the importance of hearing the views of service users to inform service improvements. However, she noted that some service users were hard to reach or less keen to engage. She offered to share response data with Members. She added that social work staff were keen to hear the views of people with experience of the care system, and that these views were used as part of the service planning process. She noted that social work staff were very motivated, despite working in challenging circumstances.

Councillor Dugdale raised a number of questions about staffing and fostering. Ms Byrne advised that the service now had a full complement of team leaders, and that staff morale was good. She encouraged Members to share fostering adverts via social media. By attracting local foster carers, children could remain within their own communities. Ms Byrne also explained, in relation to care at home for children and young people, that this area had been

challenging since the pandemic and that innovative methods to support children with disabilities had been adopted.

On working in partnership with the Third Sector, Ms Byrne pointed out that the Council already did this, but she was keen to review and improve these relationships, especially relating to services for children.

On the change of policy concerning community payback orders, Councillor Bruce asked if there had been any transfer of resources from the Prison Service to local authorities to address the increased workload. Ms Byrne explained that this policy change was focused on moving away from short-term prison sentences. The situation had been exacerbated by the COVID-19 backlog. She noted that Justice funding was ring-fenced and that she would need to look at this in the context of the move to community sentencing.

Councillor Hampshire asked if the number of referrals to social work services were relative to the increase in population, and he also sought an explanation on the numbers on the Child Protection Register. Ms Byrne advised that the numbers on the Child Protection Register fluctuated frequently and that the majority of referrals did not need to be included on the register. She added that increased early intervention and preventative work had made a big difference in this area. She would provide further detail on this at the forthcoming Members' briefing.

Councillor Akhtar asked for details on the transformation work being undertaken within the Social Work service. Ms Byrne advised that a service redesign meant that risk was being managed more effectively and that a better service was being provided to service users, e.g. through the creation of a dedicated kinship care and adoption team, and also a wellbeing and justice team to help support young people at risk of residential or secure care. She accepted that recruitment of staff had been difficult but that the service was now attracting high-quality applicants.

Councillor McFarlane welcomed the report, particular the multi-agency approach to helping children and young people.

Councillor Menzies commended Ms Byrne's approach to 'facing things head-on' and trying to reach those who were 'easy to ignore'.

Councillor McLeod spoke of the importance of working in partnership with the Third Sector, and he also made reference to a recent inspection of the Tranent Care Home, which had scored 'green' in all areas.

With reference to increasing demands on services and the growing population, Councillor Dugdale commended staff for their efforts to meet these challenges, especially those working in early intervention and prevention services, noting that the difference made to the lives of young people was significant.

Councillor Akhtar also spoke of the pressures on staff to meet increasing demand, pointing out that there had been an 11% increase in demand on adult wellbeing services. She praised the partnership working with Volunteer Centre East Lothian (VCEL) and welcomed the community-based preventative work undertaken. She paid tribute to the contribution of foster and kinship carers. She also believed that bringing Education and Children's Services together had made a positive difference.

Decision

The Council agreed to note the content of the 2022/23 Chief Social Work Officer's Annual Report 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.

6. VOTING RIGHTS OF EXTERNAL REPRESENTATIVES ON THE EDUCATION AND CHILDREN'S SERVICES COMMITTEE

A report was submitted by the Executive Director for Council Resources seeking determination of the future voting rights of the external representatives (3 x religious representatives, 1 x trade union representative) on the Council's Education and Children's Services Committee, following a consultation on this matter.

Declaration of Interest: Having declared an interest, Councillor Yorkston left the meeting for the duration of this item.

Prior to the officer presentation, the Provost set out how the proposed voting arrangements for this item, namely that Members would be asked to vote on the future voting rights of the religious representatives and then on the future voting rights of the trade union representative. Councillor Gilbert questioned why the voting would be split. The Clerk advised that this reflected the questions in the consultation.

Councillor McGinn asked if Councillor Yorkston, having declared an interest as a branch representative for the EIS, would have to leave the meeting for the entire item. Morag Ferguson, Head of Corporate Support and Monitoring Officer, advised that, in accordance with the Councillors' Code of Conduct, if a Member declares an interest in an item of business they have to leave the meeting for the entire item.

Mrs Ferguson then went on to present the report, advising that although councils were required to appoint religious representatives to their education committees, and could appoint other external representatives, it was not a requirement to give those external representatives full voting rights. It had always been the Council's practice to allow external representatives to vote, but as part of the recent review of Standing Orders it had been agreed to consult with the public on this matter. She stated that the Council was not being asked to remove the external representatives from the Education and Children's Services Committee, but that it was only their voting rights that was being considered. She noted that a number of other local authorities had now removed voting rights of external representatives. She made reference to detailed information on the consultation which was available in the Members' Library, adding that she had only just been made aware that the Catholic Church had written to all Members on this matter.

In response to a question from Councillor Gilbert, Mrs Ferguson provided details of a number of councils who had taken action to remove voting rights from external representatives.

Councillor Bruce questioned the process regarding the appointment of the third religious representative, specifically why that representative was from the Scottish Episcopal Church. The Clerk advised that the third position had been advertised some years ago when it fallen vacant, and that no religious community at that time had put forward a representative. Subsequently, the Episcopal Church nominated a representative who was then appointed to the Committee.

Mrs Ferguson also clarified that since the addition of Children's Services to the Education Committee, the external representatives were only eligible to vote on matters relating to education.

Councillor Trotter indicated that he was uncomfortable with the proposed split on the voting on this item and proposed an amendment to combine the two recommendations, that is:

‘To determine if the voting rights of the external representatives on the Education and Children’s Services Committee should be retained or removed and, if removed, to agree the consequential amendment to the Scheme of Administration’.

Councillor Menzies seconded this amendment.

The Provost then moved to the debate.

Councillor Menzies opened the debate by highlighting the wealth of experience and backgrounds of those on the Education and Children’s Services Committee. She stressed that the Council was not debating the removal of the external representatives from the Committee, and that those representatives would continue to have a strong voice, with the ability to challenge and contribute to the work of the Committee, which she welcomed. However, as the external representatives were not elected by the public and not accountable to the public, she believed that to achieve democratic balance, they should not have voting rights. On the proposal to split to the vote to allow Members to consider the religious representatives and trade union representative separately, she felt that this would look as though the Council was giving one group preference over another, which she was not comfortable with. She would therefore support Councillor Trotter’s amendment.

Councillor Hampshire reported that since 1996, the external representatives had served the Committee well, and that there had been no disagreements between the external representatives and the Councillor representatives. He questioned the value of their place on the Committee if they had no right to vote on matters under consideration. He held the view that removing their voting rights for no good reason was wrong, and he called on Member to support retaining their right to vote.

Speaking in support of Councillor Menzies’s comments, Councillor McGuire made reference to a number of community groups he attended without having voting rights, arguing that he could still put forward views and provide help where possible.

Councillor McIntosh assured Members that there was no proposal to remove voices from the Committee; indeed, she welcomed the participation of external representatives and believed that this could be extended to include young people. However, she was supportive of voting rights being restricted to democratically elected Members.

Councillor Bruce welcomed the contributions made by the external representatives on the Committee. With reference to the consultation responses, he noted that the majority were not in favour of external representatives having a vote. He agreed with other contributors that this matter was one of accountability and that the voting rights of external representatives should be removed.

Although not a current member of the Education and Children’s Services Committee, Councillor Forrest advised that he had found the contributions made by external representatives helpful and supportive, and therefore he would be voting to retain their voting rights.

Councillor Gilbert spoke of the importance of achieving a balance between elected and non-elected members of the Committee. He argued that Scottish society had changed significantly since religious representatives had been appointed to education committees in 1918, with 58% of Scots now indicating they did not follow a religion.

Councillor McGinn echoed the comments made by Councillor Hampshire, voicing his concern about removing the external representatives’ voting rights without good reason. He appreciated the contributions that had been made as part of the online consultation. His comments were shared by Councillor Akhtar, who confirmed that in her time as Convener of the Committee, no concerns had ever been raised about the external representatives.

Councillor Cassini acknowledged the contribution made to the work of the Committee by the external representatives, but felt that as they were unelected they should not be able to vote.

Councillor Collins voiced her concern that the removal of voting rights of religious representatives on education committees could affect the 'moral compass' of the committees.

The Provost concluded the debate by pointing out that the religious representatives were accountable within their own organisations and that they were also active within their communities. He valued their voices and that of the trade union representative. On balance, he felt that there was no need to change the composition of the Education and Children's Services Committee and that he would therefore vote to retain the status quo.

The Provost moved to the roll call vote on the amendment to combine Recommendations 2.1 and 2.2:

For (11): Councillors Allan, Bruce, Cassini, Findlay, Gilbert, Jardine, McGuire, McIntosh, McLeod, Menzies, Trotter
Against (10): Councillors Akhtar, Bennett, Collins, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McMillan, Ritchie
Abstain (0)

The Provost then moved to the roll call vote on the recommendations, as amended:

Retain voting rights (10): Councillors Akhtar, Bennett, Collins, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McMillan, Ritchie
Remove voting rights (11): Councillors Allan, Bruce, Cassini, Findlay, Gilbert, Jardine, McGuire, McIntosh, McLeod, Menzies, Trotter
Abstain (0)

Decision

The Council agreed to remove the voting rights of the three religious representatives and the trade union representative on the Education and Children's Services Committee, and to approve the consequential amendment to the Scheme of Administration.

Sederunt: Councillor Bruce left the meeting; Councillor Yorkston returned to the meeting.

7. RESPONSE TO BOUNDARY COMMISSION REVIEW

A report was submitted by the Executive Director for Council Resources seeking ratification of an alternative proposal for constituency alignment, submitted to the local inquiry held by the Boundary Commission for Scotland.

The Head of Corporate Support, Morag Ferguson, presented the report, reminding Members that at its meeting on 27 June, the Council had agreed to submit an objection to the proposals as they affected East Lothian. She advised that at that stage there had been no time to develop an alternative proposal as this would have affected neighbouring authorities, so the Council had submitted an objection to the proposals and requested more time to consider an alternative. Councillor Hampshire had then prepared an alternative proposal in collaboration with colleagues from neighbouring authorities. The Council was then informed that the local inquiry would be held in December. Mrs Ferguson advised that Councillor Hampshire had consulted with Group Leaders on the alternative proposal, the majority of whom were supportive of it. He had attended the local inquiry on 7 December and presented this as the Council's alternative proposal. She advised that if approved by the Council, she would confirm

that this alternative proposal represents the view of the Council; if not approved, she would report that this proposal was submitted on the basis that it would be ratified by the Council but was not approved.

Responding to a question from Councillor Forrest, Mrs Ferguson clarified that bullet point 2 of Section 3.3 of the report should read: 'Midlothian North and Musselburgh would include the areas of Midlothian that Boundaries Scotland was proposing to move into Midlothian South'.

Councillor Hampshire advised that he had discussed alternative proposals with the Leader of Midlothian Council, who was also unhappy with the Boundaries Scotland proposal. The alternative proposal would see Prestonpans remaining in East Lothian, East Edinburgh remaining within the City of Edinburgh, and Midlothian North and Musselburgh staying in Midlothian. He highlighted a number of issues that would result from the Boundaries Scotland proposal, including the number of council areas that MPs/MSPs would have to deal with and the number of MPs/MSPs that councils would have to deal with, which he felt would be unmanageable and would cause difficulties in having issues resolved. This aspect had been raised by Colin Beattie MSP during the local inquiry. He pointed out that under the alternative proposal the electorate figure would be at the higher end of the criteria, at 57,300. He hoped that the Sheriff would agree with the alternative proposal and recommend it to Boundaries Scotland.

Councillor McGuire stated that the Conservative Group agreed that the link between Prestonpans and Cockenzie/Port Seton should not be broken. However, he accepted that the status quo was not an option, given that there were 65,000 electors in East Lothian with population growth predicted to continue. He advised that the Conservative representative at the local inquiry had rejected the alternative proposal, and suggested instead that Tranent and Elphinstone could become part of the Midlothian North and Musselburgh constituency. He claimed that this proposal would result in a smaller East Lothian, but that it could accommodate the population growth at Blindwells. He called on Members to embrace change and build the best constituency possible within the range of electors criteria, requesting that Boundaries Scotland revise the proposals for East Lothian and consider the two alternative proposals, or to look at creating three constituencies within East Lothian and Midlothian and redrawing the Edinburgh boundary.

The Provost remarked that it would have been helpful to have Councillor McGuire's proposal at an earlier stage in order that it could be considered. However, it could not be considered at this stage given that the Council was being asked to consider the position already put forward at the local inquiry.

Councillor Gilbert observed that if the original proposal was to be implemented, Members in the Preston, Seton and Gosford ward would be dealing with 13 or 14 MPs/MSPs on a regular basis.

Councillor Menzies commented that the current situation in her ward, with so many politicians involved, was confusing for people and created barriers to democracy for vulnerable people.

Councillor McIntosh spoke in support of Councillor Hampshire's alternative proposal, noting that it was a sensible compromise.

Concluding the debate, Councillor Ritchie highlighted the importance of retaining local ties and community relationships and was supportive of the views of constituents who wished to remain within the East Lothian constituency.

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

For (18): Councillors Akhtar, Allan, Bennett, Cassini, Dugdale, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGinn, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston
Against (3): Councillors Collins, Findlay, McGuire
Abstentions (0)

Decision

The Council agreed:

- i. to note that the Boundary Commission for Scotland consultation on the proposed new Scottish Parliamentary Constituencies is ongoing and that a local inquiry session was held in Musselburgh on 7 December 2023; and
- ii. to ratify the alternative proposal for constituency alignment that was submitted to that local inquiry, as detailed in Section 3.3 of the report, noting that this could not be approved in advance as a consequence of the timing of the local inquiry.

8. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 17 OCTOBER TO 26 NOVEMBER 2023

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 October 2023.

With reference to 113/23, Councillor Ritchie welcomed the progress made at Preston Lodge High School, noting that the S1 pupils were now returning to the campus. She thanked the Heads of Education and Infrastructure, and other officers involved, for their efforts to resolve the RAAC issues.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 17 October and 26 November 2023, as listed in Appendix 1 to the report.

Signed

Provost John McMillan
Convener of the Council



**MINUTES OF THE SPECIAL MEETING OF
EAST LoTHIAN COUNCIL**

**TUESDAY 23 JANUARY 2024
VIA DIGITAL MEETING FACILITY**

1b

Committee Members Present:

Provost J McMillan (Convener)
Councillor S Akhtar
Councillor E Allan
Councillor R Bennett
Councillor L Bruce
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 G McGuire
Councillor S McIntosh
Councillor K McLeod
Councillor L-A Menzies
Councillor B Ritchie
Councillor T Trotter
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
Ms F Wilson, Director of Health and Social Care
Ms L Byrne, Head of Children's Services
Ms E Dunnet, Head of Finance
Ms M Ferguson, Head of Corporate Support
Ms W McGuire, Head of Housing
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
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 C Price, Project Manager – Musselburgh Flood Protection Scheme
Ms M Scott, Committees Officer
Mr A Stubbs, Service Manager – Roads
Mr P Vestri, Service Manager – Policy, Improvement and Partnerships

Visitors Present:

Mr J Baxter, Jacobs
Dr A Rennie, Dynamic Coast

Clerk:

Mrs L Gillingwater

Apologies:

Councillor C Cassini

Declarations of Interest:

None.

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.

On behalf of the Council, the Provost thanked all those involved in the preparation of the reports for the meeting.

The Provost welcomed Dr Alistair Rennie of Dynamic Coast and Mr Jim Baxter of Jacobs to the meeting.

The clerk recorded attendance by roll call.

1. UPDATE ON DYNAMIMC COAST ASSESSMENT

A report was submitted by the Executive Director for Place, presenting an update on the Musselburgh Coastal Change Assessment (2024) report prepared by Dynamic Coast and the University of Glasgow.

Alan Stubbs, Service Manager for Roads, presented the report, advising of the work undertaken by Dynamic Coast and the University of Glasgow in relation to coastal change in the Musselburgh area and the future risks posed by climate change. He pointed out that coastal erosion featured on the Council's Corporate Risk Register for the whole county and that an update based on this new report from Dynamic Coast would be added with a recommendation that a monitoring programme is put in place so that action could be considered, as required.

Dr Alistair Rennie of Dynamic Coast explained that the work had been commissioned to support the Flood Protection Scheme, but that even without the Scheme there was merit in looking into coastal erosion, advising that all councils on the coast should undertake coastal change adaptation planning. He noted that 39% of the coastline in the Musselburgh area had experienced erosion between 2019 and 2023, and that it was essential to adapt and mitigate against further damage and to protect flood management structures. He drew Members' attention to the Executive Summary of the Musselburgh Coastal Change Assessment, attached as Appendix 1 to the report.

Councillor Dugdale asked a question in relation to the modelling used for the study. Dr Rennie explained that the research focused on how the Musselburgh beaches have changed, and this evidence was then used to inform potential future changes. This, together with the monitoring programme, would inform the Council on any action required. He added that the various parts of the coastline would experience different changes.

Councillor Jardine asked for information on the options available to the Council to tackle coastal erosion, and also what the potential impact coastal erosion would have on homes and businesses in Musselburgh. Mr Stubbs indicated that further investigation was required as regards understanding and mitigating the risks, which would be reported back to Council in

due course. Dr Rennie suggested that there were several approaches that could be taken, including building seawalls, although these would only protect the land behind the walls and could result in problems in front of the defences and further along the coast. He proposed, therefore, that adaptive approaches had to be considered alongside mitigation – the Coastal Change Adaptation Plan (CCAP) would take this into account to ensure that the community was protected.

Councillor Menzies asked if the Flood Risk Management Plan would align with the Council's Local Development Plan. Mr Stubbs assured her that it was vital to align these plans, and that his team would engage with other relevant Council services as required. Tom Reid, Head of Infrastructure, added that a team involving officers from various Council services would be mapping the coastline from Musselburgh to Cockburnspath, and that this work would feed into the emerging Local Development Plan. Dr Rennie also provided Councillor Menzies with more detailed information on the dynamic adaptive approach option, which would allow the Council to plan for various scenarios as well as monitoring and responding to issues as they arise.

Responding to a series of questions from Councillor Forrest, Mr Stubbs assured him that the full Dynamic Coast report would be shared with Members and publicly, once it had been reviewed/considered by the Project Team and other relevant Council services. In relation to the beach surveys taken since 2018, the data on this would be provided in the full report; however, he indicated that changes to the upper area of the beach were noticeable and that it was clear that parts of the dunes were being lost. As regards the movement of sediment, Dr Rennie confirmed that, as informed by surveys and the use of drone technology, 4,000m³ of sediment had moved to adjacent areas, with a lot of sediment from the east beach being moved towards the west which has been held up by the harbour. He cautioned that the risks of this eroded sediment choking up adjacent river mouths was not currently a matter of great concern, but that there was a need to ensure that this did not cause the river to back up. He added that monitoring would identify where the sediment was and where it would need to be moved to.

With reference to the building of seawall defences and the potential increased risk of erosion, Councillor McIntosh asked how the Council could be sure that the problem of erosion was not being exacerbated by the building of such defences. Dr Rennie informed her that the broad 'anatomy' of Musselburgh had not changed in 150 years, and that lessons could therefore be learned from decisions made in the past. He advised that seawalls were necessary and appropriate in certain places, e.g. where there were buildings and communities situated close to the coast and, as it was predicted that by the end of this century the sea level would be 90cm higher than at present, decisions would have to be taken as to how to address this challenge. Councillor McIntosh also highlighted the importance of involving the community in the development of the CCAP and asked if it was intended to discuss this plan with the public. Dr Rennie referred her to the Dynamic Coast website, which provided information on CCAPs in other areas and stated that community involvement was a key component of the CCAP. Mr Reid added that a public consultation would be carried out on conclusion of the survey work and identification of the risks. Referring specifically to the point raised by Councillor McIntosh on the impact of coastal erosion on flood defences, Conor Price, Project Manager, advised that this could be covered in detail at Item 3. He also noted that this item included a recommendation on undertaking further investigation into the risk of coastal erosion in Musselburgh in order to assess new risks. He pointed out that existing coastal structures would be repaired or replaced and that the only new proposed coastal structure would be constructed between Fisherrow and the mouth of the River Esk, which would be set back from the beach, where it was assumed there would be no coastal erosion risk – this aspect would be the subject of further investigatory work undertaken by Dynamic Coast.

In response to questions from Councillor Hampshire in relation to scenario planning, Dr Rennie explained that Dynamic Coast had looked at how the coast had changed and the evidence to support that, which was covered in the full report. However, it only looked at the current risks and how these could worsen at various parts of the beach, hence the need for the CCAP

(described in Section 5 of the Executive Summary), which would be linked to the Local Development Plan. Dr Rennie also pointed out that, due to climate change, it was likely that there would be an increase in storms, and that the Council would need to plan for this. He suggested that a staged approach based on risks would be appropriate, and that monitoring was important. As regards a suggestion made by Councillor Hampshire to construct off-shore reefs, Dr Rennie proposed that the full range of options should be considered, including off-shore constructions.

Councillor Akhtar sought assurance on the robustness and independence of the project. Dr Rennie explained that the report contained evidence which had been presented in an open and transparent way, and therefore much of the surveyed changes were not open to interpretation. He expected the Council to ensure that options were considered properly using the available evidence, and that the CCAP approach would allow for opportunities to consult with the community at various stages.

Councillor Menzies welcomed the information provided by Dr Rennie and thanked all officers and others involved in the public consultations. She highlighted the importance of community engagement and listening to the views of the public.

Councillor Hampshire echoed Councillor Menzies's comments. He also thanked the Scottish Government for bringing forward this initiative, noting that the Council could not have dealt with this issue without financial support from the government. He also suggested that SEPA and the Crown Estate should have a greater involvement, and that the Crown Estate should have a responsibility for investing in coastline protection.

Councillor McIntosh looked forward to the publication of the full report, remarking that the best nature-based solution would be to stop extracting oil and gas.

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

Decision

The Council agreed:

- i. to note the content of the Executive Summary report by Dynamic Coast and the University of Glasgow (Dynamic Coast), attached as Appendix A to the report;
- ii. to note the risk of coastal erosion to Musselburgh outlined by Dynamic Coast, deriving from the future impacts of climate change, and that East Lothian Council updates this risk within the Council's Corporate Risk Register;
- iii. that further investigation would be undertaken into the risk of coastal erosion to Musselburgh due to the impact of rising sea levels/climate change. This further investigation should continue the partnership working between the Musselburgh Flood Protection Scheme and Dynamic Coast such that this risk, to both the town of Musselburgh and the proposed Scheme, and appropriate mitigations are fully understood; and
- iv. that a report would be brought back to Council to fully update on the coastal erosion risk to Musselburgh and that this would include developed proposals on how this risk might be mitigated. It was currently assumed that such mitigation may be through the proposed Scheme or the proposed Coastal Change Adaptation Plan, or a combination of the two.

2. PETITION CALLING ON EAST LOTHIAN COUNCIL TO PAUSE AND REVIEW THE MUSSELBURGH FLOOD PROTECTION SCHEME

A report was submitted by the Executive Director for Council Resources, seeking determination of a petition calling on the Council to pause and review the Musselburgh Flood Protection Scheme.

The Head of Corporate Support, Morag Ferguson, presented the report, explaining the petition had been heard by the Petitions and Community Empowerment Review Committee on 20 December, and that the Committee had heard from the lead petitioner, Dr Jeffrey Wright, Alan Stubbs, Service Manager for Roads, and Jim Baxter from Jacobs. The Committee had decided to refer the petition to this Council meeting so that it could be determined alongside the report on the proposed Flood Protection Scheme. The petition and the minute of the Committee meeting were attached as Appendix 1 to the Council report.

Councillor Menzies, who had participated in the meeting of the Petitions and Community Empowerment Review Committee, advised that she had proposed at the Committee meeting that all Members should be given the opportunity to consider the petition. She proposed a motion as follows: Council notes the terms of the petition but considers it to be premature to make a decision on the progress of the Scheme before considering the report at Item 3 [on this Council meeting agenda].

Councillor Gilbert seconded the motion.

Speaking in support of the motion, Councillor Hampshire noted that it was sensible to consider the petition at the same time as the officer recommendations for Item 3.

In response to questions from Members, Mrs Ferguson advised that it was for Members to decide to debate the terms of the petition at this point in the meeting or to vote in favour of the motion, which, if carried, would allow the Council to move to Item 3 on the agenda. Should the terms of the petition be supported, then this could be raised during Item 3 by way of an amendment [to the recommendations].

Councillor McIntosh agreed with the views of other Members on considering the petition at the same time as Item 3. She thanked all those who participated in the Petitions and Community Empowerment Review Committee meeting for their contributions. She pointed out, however, that there was no real option to pause the Scheme, due to the funding arrangements, and also that there were no additional resources, or provision in legislation, to look at co-producing a scheme with the community.

The Provost moved to the roll call vote on the motion, as proposed by Councillor Menzies and seconded by Councillor Gilbert, which was approved unanimously.

Decision

The Council agreed:

- i. to note that, at its meeting of 20 December 2023, the Petitions and Community Empowerment Review Committee considered a petition submitted by Dr Jeffrey Wright, on behalf of the Musselburgh Flood Protection Action Group, requesting that the Council should pause and review the Musselburgh Flood Protection Scheme, and that the Committee agreed that this matter should be referred to Council for determination; and
- ii. to note the terms of the petition but considered it to be premature to make a decision on the progress of the Scheme before considering the report at Item 3.

3. MUSSELBURGH FLOOD PROTECTION SCHEME – PRESENTATION OF THE OUTLINE DESIGN

A report was submitted by the Executive Director for Place, presenting the updated Outline Design of the Musselburgh Flood Protection Scheme (the Scheme) to Council, and seeking Council approval of the commencement of Project Stage 5 ('Statutory Approvals') to allow the Scheme's design to advance.

The Service Manager for Roads, Alan Stubbs, presented the report, providing a summary of progress made to date on the Scheme (as outlined in Sections 3.1 and 3.2 of the report). He set out in detail the Scheme's design (set out in Sections 3.3 and 3.4 of the report) and the consultation undertaken to date. He advised that the cost of the Flood Protection Scheme was currently £53.9m, the cost of the work on the seawall was estimated to be £52.1m, and the cost of the Musselburgh Active Toun project was £26.5m: a combined cost of £132.5m. Mr Stubbs stressed that the Council was not being asked to make a final decision on the Scheme at this meeting, but by approving this report, the Council could proceed to the next stage of the process – the Statutory Approvals stage. He added that there would be further opportunities for the modifications to be made to the Scheme and for the Council to consider the financial viability of the Scheme.

Councillor Forrest asked a series of questions on a number of issues. On 'pinch points' on the River Esk, Jim Baxter of Jacobs explained that there were various areas that would flood sooner than others, and that the flood risk related to the Esk, Pinkie Burn and along the coast. Some areas were at risk of a 1 in 25-year flood event, others at risk of a 1 in 200-year event. As regards the incorporation of drainage into the Scheme, Mr Baxter advised that most of the drainage in the town was part of a combined system, with the Council being responsible for the gullies and Scottish Water being responsible for the sewers. He noted that during storms, the sewers become overwhelmed and can't take all the water from the drains, which causes the water to back up and go into the river or the out at the coast. He stated that this could not be addressed as part of the Scheme. However, it was proposed that surface water pumping stations would be included in the Scheme to prevent the sewers being overwhelmed.

On discussions with Midlothian Council concerning nature-based solutions within their area, Mr Stubbs confirmed that the Project Team had engaged with Midlothian Council and other stakeholders in the upper Esk catchment. Conor Price, Project Manager, assured Councillor Forrest that regular engagement with officers at Midlothian Council had taken place since 2019, and that, should the Council agree to proceed to the next stage, the relevant documentation would be made available to Midlothian Council. Regarding the use of reservoirs, Mr Baxter provided a detailed explanation on how reservoirs cope with excess water. He noted that the Edgelaw and Rosebery reservoirs are owned and operated by Scottish Water, and that the Project Team were proposing to change the overflow structure of the reservoirs and create a new weir.

Sederunt: Councillor Collins left the meeting.

Councillor Forrest asked for details of any other flood prevention work undertaken outwith the Scheme. Mr Stubbs advised that there was ongoing work on flood protection, particularly in relation to the maintenance of gullies. Tom Reid, Head of Infrastructure, added that temporary pumps were being installed at the new development in Craighall to tackle flooding there. Mr Price also made reference to the maintenance of weirs around Musselburgh, as well as the monitoring of other structures, such as bridges and training walls. As regards the town's bridges, Mr Stubbs informed him that the Electric Bridge would be for active travel pedestrian/cycle use only. Mr Baxter advised that the Roman, Rennie and Olivebank bridges would not be altered as part of the Scheme. He provided a detailed explanation on the consideration given to the impact of debris on the bridges, and of the inclusion of a debris trap

to mitigate against damage to bridges. Further information on this was included in the Environmental Impact Assessment (EIA).

Councillor Bennett asked questions in relation to project costs, potential loss of trees, and the heights of barriers. Mr Stubbs and Mr Price advised that it was not possible at this stage to confirm the final cost of the Scheme, but that further reports on this would come back to Council. Mr Stubbs noted that the Project Team had taken account of feedback on potential loss of trees and have changed the Outline Design based on this. For example, at Eskside West there would now be fewer trees lost given a change to the alignment of the defences and locating these further back from the river and closer to the road. On the height of walls, Mr Baxter explained that the proposals had previously assumed a sea level rise of 1.24m, but that this had now been reduced to 0.86m. He suggested that the walls could be designed in such a way that would allow them to be raised in height at a later date. However, the risks associated with this approach, including the cost, would have to be considered.

Councillor McIntosh voiced her concern about the potential impact of the Scheme on neighbouring beaches. After providing an explanation on different types of coastal defence, Mr Baxter advised that sea levels were not currently a risk, but that there was a flood risk to properties close to the coastline caused by wave overtopping and debris; an incremental approach would not address the risk of wave overtopping. He pointed out that coastal erosion had to be considered alongside the flood risk. He also noted that the drainage system along the coastline would be upgraded as part of the Scheme. Councillor McIntosh also asked about the feedback on the scenarios consulted on during the development of the Scheme. Mr Baxter reported that the public had objected to the height of defences along the riverside, so the Project Team had revisited this, taking account of the various climate change scenarios, and reduced the heights of the defences in the Outline Design. He noted that with a height of 1m, people would still be able to see over the walls.

Sederunt: Councillor Collins returned to the meeting during Councillor McIntosh's questions.

Councillor McLeod asked about the future of the project should the Council not approve the Outline Design at this meeting. Ms Stubbs stated that if the report was not approved, then the Council could not notify the project and therefore the Council would not be eligible for cycle 1 funding and would no longer be included in the flood protection programme. Officers' current understanding was that schemes which left cycle 1 would have the opportunity to become part of cycle 2, but Mr Stubbs advised that there were currently no plans for how cycle 2 would be funded. He advised that should the scheme drop out of cycle 1, it would effectively cease to exist, and no further work would be carried out until such time as the Scottish Government established how cycle 2 would be funded. Mr Baxter reiterated that at this point the Council was not being asked to approve the Scheme, only to progress it to the next stage. He outlined the future stages of the process. Mr Price noted that the legislation and process was complex but assured Members that the Council's legal team would provide guidance at each point in the process.

The Provost asked about the funding of future modifications to flood defences should an adaptive approach be adopted. Mr Baxter confirmed that funding would be provided for the initial part of the Scheme, but if the Council decided at a later date to raise the height of the defences then it would have to meet the associated costs.

Responding to questions from Councillor Bruce, Mr Baxter provided an explanation of the options appraisals undertaken during the previous stage in the process, noting that consideration had been given to using demountable barriers, but that it would not be viable to use this type of barrier over large areas of land and it would require significant time and manpower to erect and dismantle the barriers. However, such barriers could be used on a smaller scale in certain areas. The design life and maintenance of such structures would also need to be taken into account. On Councillor Bruce's concerns about the cost of the Scheme, Mr Baxter advised that the capital costs would be funded by the Scottish Government (80%)

and the Council (20%), but that ongoing maintenance costs would be met by the Council. He suggested that a less expensive capital cost may result in greater ongoing maintenance costs to the Council, so it was in the Council's interest to invest in a more robust scheme. He added that future funding opportunities were unclear, and the Council should therefore make a decision based on current data. Mr Stubbs indicated that the cost of the Scheme was an important factor, and that the Council's contribution was agreed within the Council's capital budget. He also highlighted additional confirmed funding from Sustrans relating to the active travel scheme. Sarah Fortune, Executive Director for Council Resources, reassured Members that the Scheme would be progressed in accordance with Best Value and she was confident that it could be delivered within the agreed financial parameters. On potential increases in cost to the Council, Mr Baxter pointed out that no further design work would be carried out until the Scheme had been confirmed. Mr Price added that he expected Stage 5 to cost c.£500,000-750,000. Any further changes to the Scheme would then be reported back to Council.

Councillor Jardine asked about the impact of the Scheme on Midlothian's infrastructure, particularly in relation to reservoirs. Mr Stubbs confirmed that the Project Team had engaged with Midlothian Council, Scottish Water and relevant landowners, and that he had not been aware of any concerns, although discussions to date had been high-level. Mr Price added that both Edgelaw and Rosebery were man-made reservoirs and were the responsibility of Scottish Water. He provided detail on the operational range of the reservoirs, and proposed that under the Scheme a new operational regime would be imposed on them, with a lowering of the level of the reservoirs by 2m; further detail on this was included in the EIA. Councillor Jardine also asked for further detail on how the Scheme would fit with managing flood risk at a national level. Mr Stubbs explained that Musselburgh was included in the Forth Estuary Flood Risk Plan, developed by SEPA and other agencies. He further reported that the flood risk for Musselburgh had been identified by SEPA and that the Council had a duty to take action in this regard. He noted that the Scheme was one of 42 schemes eligible for cycle 1 funding, and that the Council had a legal obligation to take this forward.

Councillor McFarlane asked about the views of local businesses and if any notes in support of the Scheme had been received by the Council. Mr Stubbs drew attention to a letter of support from the Asset Manager at Eskmills Business Campus that had been issued to Members, which stated that occupiers of that campus were in favour of the Scheme being progressed in order to safeguard the future of businesses and employment in the area. Mr Stubbs mentioned that the Project Team had also engaged with businesses within Musselburgh town centre, and that this engagement would continue. Mr Price added that no specific concerns had been raised to date by the Musselburgh Business Partnership.

In response to questions from Councillor Gilbert on the impact of flooding, particularly on the local economy and employment, Mr Baxter indicated that he would have to get more information on the direct impacts; however, the indirect costs associated with the wider economy had not been assessed during the development of the Scheme. He anticipated that the Scheme would be beneficial as it would protect businesses.

Councillor Collins commented that the community had concerns about the same company carrying out the consultation and providing the solution. She was also concerned about the cost of the Scheme rising further and asked for a financial guarantee to be put in place to reassure the community. Mr Stubbs stated that officers had gone through the Council's procurement process to appoint the consultant to work on behalf of the Council, and that this process was fully transparent. He reiterated that the Council's contribution to the Scheme could be met, and that as the design was refined, the financial element of it would be reviewed, with any changes being presented to Council for determination. Ms Fortune stressed that strong governance arrangements were in place and that the Council would be kept informed of any changes as regards cost implications. Mr Reid added that it may be 2-3 years before the final cost of the Scheme is confirmed, and that the Project Team would seek to minimise expense and to maximise other funding streams.

On a question from the Provost regarding best practice, Mr Price assured him that the experiences of similar projects undertaken in the past 20 years had been taken into account. He made reference to the commitment of additional external funding to reflect the expanded scope of the project and stressed that the original scope of the project should not be compared to the Outline Design presented to Council at this meeting.

Councillor Trotter asked about the implications for Musselburgh should the Scheme not go ahead. Mr Baxter predicted that a larger flood event than the one experienced in 1948 would see Eskside West and Eskside East flooded. He noted that although the height of the seawall was adequate to withstand a coastal flood event, he believed that its condition was such that it may only survive another 10-50 years, depending on the nature of the flood event. To the west of the Esk, there were no defences other than natural topography, which meant that it was at risk of wave overtopping. He noted that some of the existing defences, particularly at Goose Green Crescent and Loretto Newfield, were in very poor condition and would not withstand a significant flood event, and that further upstream the lower walls had been designed to resist erosion of the riverbank and would therefore not provide any degree of flood protection.

Responding to a number of questions from Councillor McGinn on the various types of flood defences available, Mr Stubbs confirmed that the use and extent of demountable flood barriers had been looked into during the development of the Outline Design of the Scheme, noting that the use of such defences had to be considered in tandem with available resources. Mr Price advised that the Project Team had engaged with the City of Edinburgh Council, particularly as regards Joppa and the Brunstane Burn, and that the natural stop point for flood defences was at the Magdalen Bridge. Anything beyond that point was within the City of Edinburgh's jurisdiction, and so there would be no overlap between the two council areas. On hybrid defences, Mr Baxter explained that this type of defence required a bigger footprint due to the earthworks involved, so it would only be appropriate in certain areas; for example, it could be used at Fisherrow where there was sufficient space, but not further west, where there were local amenities and gardens to take into consideration. Furthermore, the location of sewers had to be taken into account when constructing hybrid defences. He offered to provide further information on the potential impact of walls on neighbouring gardens on Edinburgh Road. Mr Baxter also covered proposals to increase biodiversity in various locations.

Councillor Menzies commented that there were concerns within the community about active travel plans and river restoration being included within the Scheme, and she asked about the benefits of including these aspects. Mr Stubbs reminded her that the Council had given the Project Team a mandate to look at multiple benefits, and that through the public consultation there had been favourable feedback regarding active travel and the proposed river restoration. If these aspects were not included in the Scheme, they would need to be considered at a later date, which would cause further disruption. He also noted that the active travel plans could be accommodated within the footprint of the Scheme and the Council would benefit from significant external capital funding by including it as part of the Scheme. He claimed that there was a lot of support for this project within the community. Mr Price added that although these projects did not have to be delivered together, it was beneficial to have all the components included within a single design, delivered through one procurement exercise and one contractor at the same time. He made reference to Hawick, where a number of components had been successfully brought together as part of the development of their flood protection scheme. He added that the benefits for the Musselburgh Scheme would be set out in a future report to Council. On the structure of the Project Board, Mr Price explained that this had been established by the Council in accordance with the principles of PRINCE2, and that this method provided a clear, stage-by-stage structure, with the Council only being exposed to the costs associated with the live stage.

Councillor Yorkston asked for further details about the funding mechanism for the Scheme. Mr Price drew his attention to the Scheme programme, attached at Appendix 5 to the report,

which outlined how the funding would be delivered. Ms Fortune added that the funding would be paid by the Scottish Government to the Council on a monthly basis as part of the general capital grant, and that no short-term borrowing would be required for the project. On a question about the inclusion of reservoirs in the Scheme, Mr Baxter advised that Edgelaw and Rosebery reservoirs had never been used to supply homes; they had not had a useful function since the closure of the mills in Musselburgh, but had to be kept in perpetuity. Through discussions with Scottish Water, he confirmed that they would not allow Gladhouse Reservoir (which supplied water to homes) to be transferred to Council ownership, but that Edgelaw and Rosebery could be transferred.

In response to a series of questions from Councillor Hampshire, Mr Baxter drew attention to the design drawings, which covered all areas of the river and coastline; these drawings included amenity space and showed how the active travel routes would integrate with the flood defence structures. Mr Stubbs assured Councillor Hampshire that Council officers would work with the contractor to ensure that grassed areas were reinstated and improved. As regards protecting wildlife around the river, Mr Baxter noted that the structures would be designed in such a way that animals could climb up the sides, i.e. no vertical walls. Mr Price added that the Scheme provided an opportunity for river restoration and that there could be opportunities to do further work on the river corridor should additional external funding be secured. On the active travel proposals, Mr Stubbs spoke of the plans to develop strategic active travel networks, with the Musselburgh plans being key to this as external funding was available; it was the intention that the active travel routes would all be linked. Councillor Hampshire remarked that he hoped the two reservoirs would remain within the ownership and responsibility of Scottish Water. Mr Stubbs noted that negotiations with Scottish Water were at an early stage.

Councillor Dugdale asked about the potential impact of a flood event on the wellbeing of users of schools, nurseries and care homes, as well as local residents. Mr Baxter commented that this was difficult to quantify, noting that there were many benefits to reducing the flood risk. Mr Price spoke of increasing insurance costs associated with flood risk. He believed that the delivery of the Scheme would be sufficient to consider that properties were no longer at risk, and that those costs would then decrease. He cited Selkirk as an example, where insurance costs to residents had fallen by c.50% following the delivery of the flood scheme there. He added that the Scottish Flood Forum and Citizens Advice could provide advice to people in flood risk areas.

Sederunt: Councillor Gilbert left the meeting.

Councillor McIntosh expressed her disappointment that the full EIA had not been made available to Members in advance of the meeting, and asked Mr Baxter if he could provide further information on the expected carbon impact of delivering the Scheme. Mr Baxter advised that the EIA had been completed in December 2023 and that Jacobs was now considering the feedback received from Council officers; once the document was finalised it would be made available to Members and the public. He advised that there was a chapter in the EIA dedicated to air quality and climate change, which took account of the carbon impact of construction materials and transportation of those materials but cautioned that assumptions had to be made in this regard as no contractor had been appointed at this stage and it was not known where the materials would come from. However, he anticipated that there would be c.38,000 tonnes of carbon dioxide (or equivalent) emissions in total for the construction of the Scheme. He spoke of potential mitigation measures and the creation of a carbon management plan, stressing the importance of using carbon in a responsible way.

Opening the debate, Councillor McGuire noted that he had listened carefully to both sides of this debate and had welcomed the site visits to Selkirk and Hawick, which he felt provided excellent examples of cycleways, footpaths and sympathetic flood barriers and walls. However, he was concerned about the rising costs of the proposed Scheme and there being no guarantee about further cost increases. He was particularly concerned that the Council's

contribution may increase, which would put further strain on the Council's finances. He also noted that Members had not had an opportunity to assess the full environmental impact of the Scheme. He declared, therefore, that he would be supporting the petition to pause the Scheme to allow for further consultation with the Scottish Government and Sustrans, and with the Musselburgh community, so that a nature-based and financially viable solution could be developed. Councillor McGuire then proposed an amendment, to replace the recommendations as set out in Section 2.1 of the report with the following: It is recommended that East Lothian Council pauses the progress on the Musselburgh Flood Protection Scheme to allow for further engagement and consultation with the residents of Musselburgh and the Flood Protection Action Group, to work to reduce the costs of the project to the tax payer and East Lothian Council, and that a further report be brought back to Council after that engagement.

Councillor Findlay seconded the amendment.

Councillor Hampshire pointed out that the project as presented to Members had never cost £8.6m. He made reference to the extensive consultation and design process, and warned that if the Council did not proceed with the Scheme then the Scottish Government funding would not be available and it was likely that Musselburgh would flood in the future. He accepted that there were some concerns within the community about the Scheme, adding that adjustments could still be made. Councillor Hampshire also spoke about the impact of flooding on people's lives, and the Council's duty to protect communities. He referred to recent storm events and the likelihood that these would get more severe. He urged Members to support the Scheme in order to protect the community and businesses.

Councillor Menzies commented on the importance of all voices being heard, and she highlighted some of the concerns raised within the community, including the potential loss of trees, the introduction of walls, and the heights of walls. She accepted that nature-based solutions alone would not negate the flood risk and that these would have to be supplemented by man-made structures. She remarked that she had visited other places where man-made structures had been erected and which had had a positive impact. She also welcomed the proposals for wider, well-lit paths and better connectivity. Councillor Menzies noted that there were still several stages in the process which would provide further opportunities for concerns to be considered. She was not in agreement with pausing the Scheme.

Councillor McIntosh welcomed the opportunity to consider the petition but declared that she would not be supporting the amendment to pause and review the Scheme. She also welcomed the opportunity to visit other areas where flood protection systems had been implemented. However, she had concerns about the proposals for the Musselburgh coastline and she did not feel comfortable about making a decision without first considering the EIA. She felt, therefore, that she had not had sufficient time to consider the Scheme fully, due to the Scottish Government's funding deadline, and stated that she would not be supporting the report recommendations.

Councillor Ritchie thanked members of the community, particularly young people, for participating in the consultation process. She was of the view that the Council had to approve this phase of the Scheme, noting that there would be further opportunities for the community to comment. She was keen to see nature-based solutions included in the Scheme but accepted that they alone would not be effective.

Councillor Bruce voiced his concern about the scope of the project and about the costs involved. He felt that the Council appeared to be in a rush to get Scottish Government funding now because the future funding situation was uncertain. He advised that he would be supporting the amendment to pause the Scheme.

With reference to recent storm events, Councillor McGinn indicated that he was concerned about the impact of extreme weather on the coastline and communities, and that doing nothing

was not an option for the Council. He welcomed the input of the community on this matter, stressing that there would be further opportunities to work with the Project Team. He was supportive of the officer recommendations.

The Provost reminded Members that the flood risk had been identified by SEPA and the Scottish Government, and that the Scheme would be largely funded by the Scottish Government. He also noted that the Council had agreed to the multiple benefits approach. In response to comments made by Councillor Menzies, the Provost advised that he had considered the approach by the lead petitioner, Dr Wright, to be given an opportunity to address the Council but that he had refused this request given that the minutes and webcast of the Petitions and Community Empowerment Review Committee were available; further, that many other individuals and groups who had views on the matter would not have had that same opportunity. The Provost reiterated that there would be further opportunities to hear views prior to the final Scheme being presented to the Council for approval. He acknowledged the concerns raised about the cost of the Scheme but believed that the proposals would provide real benefits for the Musselburgh community. He would therefore be supporting the officer recommendations.

Councillor Akhtar referred to the considerable public engagement that had already taken place and encouraged the community to continue engaging. She was not in favour of pausing the Scheme, as without the Scottish Government funding the Scheme would not go ahead.

Councillor Allan urged Members to listen to the advice of the experts and to approve the report recommendations.

The Provost moved to the roll call vote on the amendment, as proposed by Councillor McGuire and seconded by Councillor Findlay.

For (4): Councillors Bruce, Collins, Findlay, McGuire
Against (16): Councillors Akhtar, Allan, Bennett, Dugdale, Forrest, Hampshire, Jardine, McFarlane, McGinn, McIntosh, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston

Abstentions (0)

The amendment therefore fell.

The Provost then moved to the roll call vote on the recommendations as set out in the report:

For (15): Councillors Akhtar, Allan, Bennett, Dugdale, Forrest, Hampshire, Jardine, McFarlane, McGinn, McLeod, McMillan, Menzies, Ritchie, Trotter, Yorkston

Against (5): Councillors Bruce, Collins, Findlay, McGuire, McIntosh

Abstentions (0)

Decision

The Council agreed:

- i. to note the considerable work which has been done by the project team to complete the Outline Design and Environmental Impact Assessment (EIA) following the public exhibition in June 2023;
- ii. to note the considerable work done to advance the Outline Design through an extensive consultation process with regulatory organisations, key stakeholders, community groups, businesses and the people of Musselburgh since the Preferred Scheme was approved by a meeting of the Cabinet in January 2020;

- iii. to note that feedback received through the consultation process has been incorporated into the Outline Design, where doing so was considered appropriate for the design and/or compatible with the Council's capacity to operate and maintain the Scheme once constructed;
- iv. to confirm that the Outline Design of the Scheme is now developed sufficiently to allow the current stage of its development to be concluded so the design can be formally presented to the Scheme's stakeholders and the public through the formal consultation processes of the Flood Risk Management (Scotland) Act 2009 (the FRM);
- v. to approve the commencement of the next stage of the project (Project Stage 5, which is named 'Statutory Approvals') in accordance with the Scheme's PRINCE2 Project Management System, including the formal 'notification' of the Scheme under the FRM based on the Outline Design as presented in the Council report;
- vi. to note that approval to undertake formal 'notification' of the Scheme during Project Stage 5 of the project does not constitute legal confirmation of the Scheme itself, which remains subject to conclusion of the statutory process set out in the FRM and its associated regulations;
- vii. to note the revised estimated cost of £53.9 million for the Scheme, which is an updated estimate compared to the £43.5 million reported to Council in October 2022, and that the increase in cost is primarily due to the increased quality of the Scheme further to the consultation process alongside inflation costs in the period, and that this remains an estimate and that this estimate is expected to increase before final delivery is confirmed in the future;
- viii. to note the revised estimated cost of £52.1 million for the works to the Ash Lagoons Seawall to make it part of the Scheme, which is an updated estimate compared to the £52.4 million reported to Council in October 2022, and that this remains an estimate and that this estimate is expected to increase before final delivery is confirmed in the future;
- ix. to note the revised estimated cost of £26.5 million for investment in active travel in Musselburgh, which is an updated estimate compared to the £122,000 reported to Council in October 2022, and that this huge increase in costs is due to only the first part of the 100% Sustrans funding having been presented in that last report, and that this remains an estimate and that this estimate is expected to increase before final delivery is confirmed in the future;
- x. to note that together these three projects achieve the objectives of Council to deliver multiple benefits and that together they comprise a combined capital investment in Musselburgh of £132.5 million, and that this remains an estimate and that this estimate is expected to increase before final delivery is confirmed in the future;
- xi. to note that for the first time, and primarily for the purposes of Scheme approval under the legislation, that the works to the Ash Lagoons Seawall are now being formally designated as flood protection scheme operations;
- xii. to note that these cost estimates are all Net Present Value costs and have been developed in accordance with the appropriate estimation techniques for infrastructural project under the HM Treasury Greenbook and other appropriate guidance. Further that the use of Optimism Bias continues to be used on the construction works estimates and that a rate of 45% has generally been used within the numbers presented in this report;

- xiii. to note that there remain significant risks associated with the delivery of the Scheme and its constituent multiple benefits projects; however, it is highlighted that this report does not constitute a final decision to deliver these projects. An update on these risks will continue to be provided within each future report to Council before Council takes a final decision; and
- xiv. to instruct the project team to return to Council at a future date for either a 'Decision' or a 'Preliminary Decision' on the Scheme, as defined in the FRM, following conclusion of the statutory '28-Day Objections Period' set out in the FRM and referred to in Section 3.2 of the report.

DRAFT

Signed

Provost John McMillan
Convener of the Council

REPORT TO: East Lothian Council

MEETING DATE: 27 February 2024

BY: Chief Executive

SUBJECT: East Lothian Council's 2023 'State of the Council' and Annual Performance Report

2

1 PURPOSE

- 1.1 To provide Council with the 2023 'State of the Council' and Annual Performance Report, and to seek approval for new Council Plan priorities and to sign up to the East Lothian community Wealth Building Charter.

2 RECOMMENDATIONS

Council is asked to:

- 2.1 Approve the 2023 'State of the Council' and Annual Performance Report (Appendix 1)
- 2.2 Approve the proposal to re-prioritise the Council Plan (as set out in paragraphs 3.10–3.14)
- 2.3 Note that a further report recommending a new Council Plan Action Plan based on the new priorities and Council Budget will be presented to June Council
- 2.4 Agree that the Council signs up to, and adopts, the Community Wealth Building Charter (Appendix 2).

3 BACKGROUND

- 3.1 The 2021 'State of the Council' and Annual Performance Report, presented to Council in December 2021 was the last such report. There was no 2022 report as this was a transition year from the previous Council Plan and the new 2022-2027 Council Plan that was adopted in August 2022. The 2023 report was scheduled to be presented to Council in December 2023, but the report has had to be pushed back to February

2024 as the drafts of the Best Value Leadership Audit report and Auditors' 2023/23 Annual Audit Report, which inform the 'State of the Council' report, were not available until mid-December 2024.

- 3.2 As in previous years the 'State of the Council' and Annual Performance Report, will be based largely on reports that have already been considered by the Council, the Audit & Governance Committee and the Policy Performance and Review Committee. It is in three parts:

Part 1: Introduction – setting out the purpose and format of the report.

Part 2: The State of the Council 2023 – providing a general overview of the 'State of the Council' including, an overview of the Council vision, objectives and priorities and how the Council is endeavouring to deliver Best Value and Good Governance, using the findings of the Best Value Leadership Audit. It includes a brief summary of how the Council managed its finances in 2022/23 financial year based on the annual accounts and auditors Annual Audit Report.

Part 3: The 2022/23 Annual Performance Report – shows how the Council is performing partly based on the 'Top 50' and 'Top 10' performance indicators that have been established to show the progress the council is making to deliver the Council Plan.

Part 4: Council Plan Action Plan – summarising progress that has been made across the 67 actions in the Council Plan Action Plan.

Council Plan Re-prioritisation

- 3.3 Since the adoption of the Council Plan in August 2022 the context and key factors that influenced its objectives and priorities have changed.
- 3.4 The Council Plan was adopted whilst the country was still in the throes of the COVID-19 pandemic. Consequently, one of the three over-arching objectives set out in the Plan was Recovery and Renewal from COVID-19. This was based on the Recovery and Renewal Plan adopted by the Council in October 2021. However, in June 2023 the Council agreed to close the Plan as 'Recovery and Renewal' from the pandemic has become 'business as usual' with 'building back better' now embedded with the Council Plan and other key strategies such as the new Local Housing Strategy and the new Economic Strategy and all service plans.
- 3.5 Other factors that influenced the Council Plan also need to be reviewed. The long-term economic impacts of the pandemic and the steep rise in inflation and cost of living in 2023 are having significant impacts on the Council (e.g. wage inflation and rise in costs of procuring services and capital projects) as well as our citizens, with increasing levels of poverty and financial hardship.
- 3.6 The significance of population growth and demographic changes, key issues influencing the 2022-2027 Council Plan has been starkly highlighted by the results of the 2022 Census. East Lothian's population has grown at a faster rate than had been estimated by the National

Records of Scotland. East Lothian's population increased from 90,088 in 2001 to 99,717 in 2011 (10.7%) and then to 112,300 in 2022 (12.6%). East Lothian has had by far the biggest rise in population of any local authority area in Scotland from 2001 to 2022 – 24.6%. Given the rate of new housebuilding and inward migration of families with children East Lothian's population could reach 120,000 by 2028 – over 6,000 more than the last projection made by National Records of Scotland.

- 3.7 The sustained, long-term and continuing growth of East Lothian's population is having unavoidable consequences on the Council's finances. The Council's budgets now include significant sums for building new schools and school extensions and the revenue costs of the growth in the school estate and education provision. Other Council services, including Adult Social Care, Children's Services and Waste Services, also need additional funding to deal with the growth in population and households.
- 3.8 The twin factors of rises in inflation and population, along with inadequate funding from central governments (not keeping pace with cost inflation and population growth) have contributed to the worsening financial outlook for the council. This has been set out in some detail in the Financial and Capital Strategies 2024-2029 report (Council, 12 December 2023), and Budget Development 2024-25 Onwards report (Cabinet, 30 January 2024). The Council's budget funding gap most recently estimated to be almost £60m over the five years, 2024/25–2028/29, necessitates increasingly difficult choices about the level and quality of service that can be provided by the Council. This level of funding gap means that it may not be possible to deliver all that is set out in the Council Plan.
- 3.9 Whilst the Council Plan Vision and Growing our Economy, People, Communities and Capacity objectives remain the Council's long-term aspirations the financial situation and continuing growth in demand for services mean that new short-term priorities need to be established. As was highlighted in the Budget Development 2024-25 Onwards report; *"it is now a critical necessity to review what the Council is able to deliver by using our limited resources to support key priorities.....There remains a need for immediate and urgent focus to prioritise the decisions and discussions to support developing sustainable financial plans and financial resilience."*
- 3.10 In order to respond to the new challenges and the limited resources it has the Council will need to focus on delivering a smaller number of priorities than are currently set out in the Council Plan. The Council will need to ensure its financial sustainability through the delivery of approved savings and transforming the way we deliver services; whilst targeting resources on statutory services and focussing on the highest risks and those most in need; and delivering key infrastructure, economic development and environmentally sustainable projects within available council resources and maximising external funding.

3.11 This translates into three interlinked, complementary priorities which are aligned to the Council Plan's overarching and long-term thematic objectives.

3.12 ***Ensure the financial sustainability of the Council through the delivery of approved savings and transforming the way we deliver services.***

This clearly contributes to the long-term objective: *Grow our Capacity: deliver excellent services as effectively and efficiently as possible within our limited resources.* It means setting a sustainable balanced budget over the next five years and prioritising the delivery of transformation projects that deliver savings and transform the way we deliver services, including digital by default, the redesign of services to generate efficiencies and making the best use of our assets.

3.13 ***Target resources on statutory services and focus on the highest risks and those most in need***

This sits under the long-term objective: *Grow our People: give our children the best start in life and protect vulnerable and older people.* It means prioritising funding and staff resources to deliver statutory services such as education and social care, over non-statutory services, whilst targeting resources to meet the needs of the most vulnerable in our communities. This will also contribute to the Council's overarching objective to: *Reduce Poverty and Inequality* and the Council Plan action to: *Target services and resources, led by data and evidence, to those people and areas most in need.*

3.14 ***Deliver key infrastructure, economic development and environmentally sustainable projects within available Council resources and maximising external funding***

This contributes to the long-term objectives: *Grow our Economy and Grow our Communities.* It means maximising funding from Scottish and UK Government funding streams such as the City Region Deal and Levelling Up funds, to deliver projects such as the QMU Innovation Hub, flood protection schemes, active travel routes, and the development of the former Cockenzie Power Station site that are critical to supporting the sustainable future of East Lothian and responding to the climate emergency.

Council Plan Action Plan

3.15 The Council Plan Action Plan contains 67 specific actions. The 'State of the Council' report provides an update on progress with these actions. The Plan is a four-year plan (2022-2027), so the majority of actions are set to be ongoing over the four years or are scheduled to be completed alongside strategic plans such as the 2021-2023 Poverty Plan or the Climate Change Strategy which runs until 2025. Therefore, whilst a small number of actions have been completed or are still to be started the large majority are in progress/ ongoing. However, as is outlined above, given the financial situation and other pressures the Council will need to focus on

delivering a smaller number of priorities than are currently set out in the Council Plan.

- 3.16 Therefore, Heads of Service and Service Managers will be reviewing the Council Plan actions under the lens of the three new priorities set out above and the Council's approved budget. A further report recommending a new Action Plan based on the new priorities and Council Budget will be presented to June Council.

Community Wealth Building

- 3.17 One of the actions in the Council Plan action plan is to '*support Community Wealth Building through an approach to procurement prioritising local jobs and promoting diversity*'. Community Wealth Building (CWB) "*is an internationally recognised model of economic development designed to tackle long standing systemic challenges facing local, regional and national economies by considering the ways in which wealth is generated, circulated and distributed*."
- 3.18 [CWB is based around] *a defined five pillar model of deliberate and practical action that seeks to direct and retain more wealth in communities by creating new fair work opportunities; helping local businesses and inclusive business models to expand; and placing more assets in the hands of local people and communities, ensuring that our collective wealth works better for people, place and planet.*"¹
- 3.19 Essentially, a CWB approach to economic development seeks to harness more effectively existing wealth and income generation in the local area for the benefit of local residents, the local economy and in addressing social and environmental challenges. Local authorities and other public commercial and third sector organisations with substantial spending power and a significant presence and stake in the local community are termed Anchor Institutions. These Anchor Institutions should work together through a coherent CWB strategy to maximise the impact of their investments, spending power and employment practices to seek fairer, greener and more resilient local economies.
- 3.20 CWB is being embedded as a 'Golden thread' throughout the objectives, projects and actions of the new East Lothian Local Economic Strategy. The Capital City Partnership has already committed to a CWB approach and embedding CWB into Edinburgh and South East Scotland City Region Deal projects and programmes. NHS Lothian has declared itself to be a CWB Anchor Institution embedding a CWB approach within its new strategy.
- 3.21 The East Lothian Partnership has been leading on the development of an East Lothian approach to Community Wealth Building. A partnership working group was established to take forward this work supported by Stantec. The Partnership Governance Group recently agreed to adopt a

¹ 'Implementing Community Wealth Building: A Guide' Economic Development Association Scotland and CLES

Community Wealth Building Charter setting out a CWB mission statement and commitment to delivering CWB through the objectives and pledges based around six pillars (Appendix 2).

- 3.22 The East Lothian Partnership Governance Group has approved an East Lothian Community Wealth Building Charter. It is asking all Anchor Institutions in East Lothian, including East Lothian Council to sign up to the Charter.
- 3.23 An Action Plan to take forward CWB as a key East Lothian Partnership initiative building on existing good practice, such as the Council's Procurement Strategy and commitments to fair employment, and addressing areas that require further development has been adopted by the Partnership.

4 POLICY IMPLICATIONS

- 4.1 The reporting of performance is essential if the Council is to demonstrate continuous improvement and Best Value. Reporting performance also helps the Council to display openness, transparency and accountability. The development of new Council Plan priorities will contribute to the Council developing sustainable financial plans and resilience.

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. However, any policy or service implications of the new priorities recommended by this report and the Community Wealth Building Charter and Action Plan will be subject to Integrated Impact Assessments.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none.
- 6.2 Personnel – none.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 Appendix 1: 2023 'State of the Council' and Annual Performance Report
- 7.2 Appendix 2: East Lothian Community Wealth Building Charter
- 7.3 2022-2027 Council Plan: East Lothian Council 23rd August 2022

- 7.4 Recovery and Renewal Plan Final Update: Members Library Service report 68/23
- 7.5 Financial and Capital Strategies 2024-2029: East Lothian Council, 12th December 2023
- 7.6 Budget Development 2024-2025 Onwards: Cabinet, 23rd January 2024

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HOW GOOD IS YOUR COUNCIL?



2023 Annual Performance
& State of the Council Report

January 2024

2023 Annual Performance and 'State of the Council' Report

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1. Introduction

This is the third 'State of the Council' Report, following publication of the first report in October 2019 and the second report in December 2021. There was no report in 2020 due to the COVID pandemic and no report in 2022 as the new 2022-2027 Council Plan had only been adopted in August of that year. The three years, 2020, 2021 and 2022 were dominated by the Coronavirus/ COVID-19 global pandemic which represented the biggest challenge our society has faced for many generations and created unprecedented challenges for the council. The past year, 2023, was dominated by a 'cost of living crisis' caused by levels of inflation not seen for over three decades. So this report covers the period from when the Council Plan was adopted (August 2022) through to the end of 2023. It includes a summary of the Council's Annual Performance for the 2022/23 year with later updates for indicators where available.

After this brief introduction, **Part 2** provides a review of the 'State of the Council' in 2023. It begins with an overview of the Council vision, objectives and priorities and then outlines how the Council is endeavouring to deliver Best Value and Good Governance. The final section of Part 2 provides a brief summary of how the council managed its finances in the 2022/23 financial year.

Part 3 is the 2022/23 Annual Performance Report, which shows how the council is performing based on the 'Top 50' key, strategic performance indicators that have been established to show the progress the council is making to deliver the Council Plan.

Part 4 provides a review and summary of progress the Council has made in achieving the actions set out on the Council Plan Action Plan.

Since the adoption of the Council Plan in August 2022 the context and key factors that influenced its objectives and priorities have changed. The Council Plan was adopted whilst the country was still in the throes of the COVID-19 pandemic. Consequently, one of the three over-arching objectives set out in the Plan was Recovery and Renewal from COVID. This was based on the Recovery and Renewal Plan adopted by the Council in October 2021. However, in June 2023 the Council agreed to close the Plan as 'Recovery and Renewal' from the pandemic has become 'business as usual' with 'building back better' now embedded within the Council Plan and other key strategies and service plans.

Other factors that influenced the Council Plan also need to be reviewed to take account of the impact of the pandemic and the financial situation facing the Council. The long-term economic impacts of the pandemic and the steep rise in inflation and cost of living in 2023 are having significant impacts on the Council (wage inflation and rise in costs of procuring services and capital projects) as well as our citizens, with increasing levels of poverty and financial hardship.

The significance of population growth and demographic changes, key issues influencing the 2022-2027 Council Plan has been starkly highlighted by the results of the 2022 Census. East Lothian has had by far the biggest rise in population of any local authority area in Scotland from 2001 to 2022 – 24.6%. East Lothian’s population increased from 90,088 in 2001 to 99,717 in 2011 and then to 112,300 in 2022. Given the rate of new housebuilding and inward migration of families with children East Lothian’s population could reach 120,000 by 2028 – over 6,000 more than the 113,400 projection made by National Records of Scotland.

The sustained, long-term and continuing growth of East Lothian’s population is having unavoidable consequences on the Council’s finances. The Council’s budgets now include significant sums for building new schools and school extensions and the revenue costs of the growth in the school estate and education provision. Other council services including Adult Social Care, Children’s Services and Waste Services also need additional funding to deal with the growth in population and households.

The rises in inflation and population have contributed to the worsening financial outlook for the council. This has been set out in some detail in the Financial and Capital Strategies 2024-2029 report (Council, 12th December 2023), and Budget Development 2024-25 Onwards report (Cabinet, 30th January 2024). The Council’s budget funding gap over the next five years, necessitates increasingly difficult choices about the level and quality of service that can be provided by the council. This level of funding gap means that it may not be possible to deliver all that is set out in the Council Plan. As was highlighted in the Budget Development 2024-25 Onwards report; *“it is now a critical necessity to review what the Council is able to deliver by using our limited resources to support key priorities.....There remains a need for immediate and urgent focus to prioritise the decisions and discussions to support developing sustainable financial plans and financial resilience.”*

In order to respond to the new challenges and the limited resources it has the Council will need to focus on delivering a smaller number of priorities than are currently set out in the Council Plan. The Council will need to ensure its financial sustainability through the delivery of approved savings and transforming the way we deliver services; whilst targeting resources on statutory services and focussing on the highest risks and those most in need; and delivering key infrastructure, economic development and environmentally sustainable projects within available council resources and maximising external funding.

2. The 'State of the Council' 2023

Vision, Objectives and Priorities

The Council's objectives and priorities were established in the [2022-2027 Council Plan](#).

The Plan is based around the vision of '***an even more prosperous, safe and sustainable East Lothian with a dynamic and thriving economy that will enable our people and communities to flourish.***' The Plan sets out how the council will strive to achieve this vision with three overarching 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.

And four thematic objectives:

- ***Growing our Economy*** – to increase sustainable and inclusive economic growth as the basis for a more prosperous East Lothian.
- ***Growing our People*** – to give our children the best start in life and protect vulnerable adults and older people.
- ***Growing our Communities*** – to give people a real say in the decisions that matter most and provide communities with the housing, transport links, community facilities and environment that will allow them to flourish.
- ***Growing our Capacity*** – to deliver excellent services as effectively and efficiently as possible within our limited resources.

Alongside the [2022-2027 Council Plan](#), the council has adopted strategic plans that are aligned to the Council Plan objectives, including:

- a 5-year Financial Strategy
- a 5-year Capital Programme that sets out the basis for future investment in infrastructure
- the new Local Economic Strategy to drive sustainable economic growth
- the Local Housing Strategy that will deliver a substantial increase in new affordable housing over the next ten years
- the Local Transport Strategy that aims to create the transport infrastructure required to meet the needs of our growing population as sustainably as possible
- the delivery plan to provide 1140 hours of early learning and childcare for 3 and 4 year olds and vulnerable 2 year olds
- the Education Improvement Plan that aims to drive up school exam results of all pupils
- the Integration Joint Board's Strategic Plan that plans the delivery of the vital services required to meet the ever growing demand for care services for elderly people and the most vulnerable in our society.

The Council Plan contains 67 specific action that will support the delivery of these objectives. Part 4 of this report provides a review and summary of progress the Council has made in achieving these actions.

Delivering Best Value and Good Governance

In preparing the 2023 'State of the Council' report consideration has been given to the results of, and recommendations made in, external and internal evaluations on governance, leadership and strategic policy and practice that were carried out in 2023 by external auditors and the Council Management Team:

- Best Value Leadership Audit (draft presented to Audit & Governance Committee, 19th December 2023)
- 2023 Corporate Governance Self-evaluation (presented to Audit & Governance Committee, 13th June 2023)

Best Value Audit Leadership Audit

Audit Scotland undertook a thematic Best Value Audit of Leadership in all 32 Scottish local authorities. The reviews were carried out as part of the Annual Audit of accounts undertaken by external auditors. In carrying out the work auditors considered the following questions:

- How clear is the new council vision and its priorities?
- How effectively have the views of citizens and communities been reflected in the priorities and decisions taken by the council?
- How effectively do the council priorities reflect the need to reduce inequalities and climate change?
- How good are the delivery plans and is there alignment of financial, workforce, asset and digital plans with the council's priorities?
- Overall, how effective has the leadership been (political and officer) in setting clear priorities and a sustainable approach to delivering them?

The key messages and findings of the East Lothian Council's Best Value Leadership Audit were:

- 1** The council has set clear priorities but recognises that decisions need to be made urgently to ensure a sustainable approach to delivering those priorities.
- 2** The council's leadership have been effective in setting out a clear vision and priorities in the Council Plan 2022-27.
- 3** The council faces unprecedented financial challenges which is likely to require difficult decision making around priority services. The council recognises the need to engage with members and the wider public to ensure that decisions are driven by the needs and priorities of the people of East Lothian. This is reflected through cross party budget working group and acknowledged in the latest financial strategy and plans.

- 4 Community engagement and working with local communities is a key element of the council's vision. The council drew on existing community engagement when developing its vision and priorities rather than consulting separately on its Council Plan.
- 5 The council priorities clearly reflect the need to reduce inequalities and climate change. It is too early to assess if the strategic plans will successfully deliver these objectives.
- 6 The council has set out its Top 50 performance indicators to monitor delivery of its priorities. Not all performance indicators have specific targets set. It is important the council is clear on the level of performance outcomes it aims to achieve. It is important that the indicators monitored continue to reflect strategic priority areas and risks.
- 7 The council is a complex organisation and has a range of plans and strategies which underpin the Council Plan. Its financial, workforce, asset and digital plans are aligned with the council's priorities, but the council is revisiting its delivery plans to address the increasing financial challenges it faces.
- 8 There is evidence of collaborative working between members and with members and officers. However, this is an area for improvement. It is essential for members to work together to make strategic decisions when the council faces increasingly hard choices to ensure financially sustainable service delivery.
- 9 The council has a clear commitment to leadership development to empower officers to make informed decisions.

The audit concluded with three recommendations:

- Performance monitoring targets: The council has not set targets for all of its Top 50 performance indicators (or for all of the performance measures in its delivery plans). This makes it difficult to assess whether the council is on track to deliver its strategic priorities. The council should be clear on the level of performance outcomes it aims to achieve against its priorities. It should also be clear on acceptable reductions in performance in non-priority areas as resources are aligned to priorities.

Council response: This recommendation has been included in the 2024 Council Improvement Plan. A number of the indicators were new this year and take time for the council to embed and set realistic, measurable targets. The Council aim

to have these in place for the Top 50 performance indicators by December 2023. The Service Manager Policy, Performance and Organisational Development will work with Services to have the remainder in place by June 2024.

- Financial planning to address increasing challenges: The council faces uncertainty over future funding and increasing financial pressures. Radical solutions are needed to deliver sustainable services and robust long term financial planning is needed to support strategic decision making. The council should develop its longer-term financial planning including scenario planning using a range of assumptions to identify service delivery options as future funding remains uncertain.

Council response: This recommendation has been taken on board with the report on longer-term financial planning included in the 2024-2029 Financial Strategy. Officers will keep this 'live' during the year and give further consideration to extending this beyond the 5-year period.

- Investment needed to deliver sustainable services: The council has identified the need to invest in digital technology to drive transformation. There are many council systems which are older and identified as due for replacement but the resources to fund this are not available. Difficult decisions are needed to prioritise where investment will have the greatest benefit. The council should review and prioritise the investment needed to support sustainable service delivery into the future. Investment in new technologies needs to be well managed and requires well planned investment as pressures to cut costs could lead to failure and increased costs in the longer term.

Council response: This recommendation has been included in the 2024 Council Improvement Plan. A review of current Transformational Priorities is on-going and includes Digital pipeline and prioritisation work. The Council has agreed an updated Reserves strategy which includes Digital support as a key enabler to support transformational change. The Digital Strategy Board is chaired by the Executive Director for Council Resources and will consider and prioritise critical digital investment and future plans. A digital pipeline prioritisation project remains on-going and will be determined through Digital Transformation Board IT

Corporate Governance Self Evaluation

The Council adopted the principles of Corporate Governance based on the CIPFA / SOLACE guidance in 2010. This was amended in line with the new 'delivering good governance' framework published by CIPFA / SOLACE in 2016. The framework defines seven principles that should underpin the governance of local authorities.

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social and environmental benefits
- Determining the interventions necessary to optimize the achievement of the intended outcomes
- Developing the council's capacity, including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting, and audit, to deliver effective accountability.

These seven principles are supported by 21 sub-principles each of which has a set of behaviours and actions against which good governance in practice can be assessed.

A self-evaluation exercise was undertaken by the Council Management Team in Spring 2023, testing the council's governance arrangements against the Good Governance Framework. The self-evaluation has drawn on extensive evidence from council policies and practices and also from the Best Value Assurance audit undertaken by Audit Scotland in 2018 which is still relevant. Assurance is also provided by the external auditors' reviews of internal controls in financial systems and audits which have not identified any significant governance or control weaknesses.

The 2023 Corporate Governance self-evaluation found that the council continues to comply well with the principles of the framework. Most sub-principles were scored as 5 (Very Good – major strengths) and the remainder as 4 (Good – important strengths with areas for improvement). However, Council Management Team identified four improvement actions which have been included as actions in the 2024 Council Improvement plan:

- Given the scale of the financial challenges it faces the council needs to be open and clear with communities and staff about the recurring savings that will be required to fill budget gaps, and how council resources will need to be targeted to achieve long-term policy and performance priorities, and the impact this will have on services and the priorities set out in the Council Plan.
- In light of the growing financial challenges faced by the council further work is required to make the link between how resources are targeted to achieve the Council's policy and performance priorities more explicit.
- Improve the levels of Annual PRDs that are completed.
- Ensure that Service Plans are updated in line with the revised Service Planning guidance.

Delivering Sound Finance

The council's financial position is set out in the 2022/23 Annual Accounts and reports to council through the year including the Financial and Capital Strategies.

Annual Accounts 2022/23

The Council's [Annual Accounts 2022/23](#) presented to Audit & Governance Committee, 19th December 2023 provide a detailed report on the Council's financial performance through the 2022/23 financial year and a statement of its financial position as at 31st March 2023.

The Accounts reported that the cost of taxpayer and tenant services provided by the Council in 2022/23 was net expenditure of £328.388 million (2021/22 £301.188 million), an increase of £27.200 million (+9%). This increase is related to a number of factors. This is largely attributed to service demand pressures and the emergence of increasing cost inflation, including pay awards, fuel and purchasing costs.

The net deficit on the provision of services, after applying funding to the cost of services, was £4.899 million (2021/22: net deficit of £24.707 million). An increase of £26.180 million (2021/22 increase of £8.348 million) in capital grants and contributions received partly offset the increases in the net cost of services.

The dominant aspect of the 2022/23 financial year affecting the Council relates to changes in the national and global economy. These have created significant inflationary pressures for East Lothian Council, as well as for the people and organisations of East Lothian. For East Lothian Council this contributed to recurring in-year expenditure pressures of some £12.537 million. Key areas of inflationary pressure relate to pay awards, utility costs, and general inflation relating to purchases of supplies and services. Capital projects have also faced cost increases. Cost control measures agreed at a East Lothian Council Annual Accounts 2022/23 Special Council Meeting (22 November 2022) included adherence to revenue and capital budgets, review of future spending plans and projects, reductions in heating use, and a review of Council property assets to optimise usage or determine disposal.

2022/23 Annual Audit report

The draft auditors' [2022/23 Annual Audit Report](#) (presented to Audit & Governance Committee, 19th December 2023) provides a significant level of assurance around the Council's governance arrangements and financial management. The main judgements in the report are:

Financial management

- The Council reported deficit on the provision of services of £16.154 million. The outturn position included planned use of reserves and the underlying overspend for the year was £5.986 million. The Council faces financial challenges through inflationary pressures on pay and non-pay costs, demand on services and supporting a growing population.
- The Council has appropriate budget setting and monitoring arrangement in place but continues to face significant challenges to identify and agree the required future savings to balance its budget.
- The Council should review the underlying reasons for reprofiling of the capital programmes to identify opportunities to improve the project management and budget setting procedures in place. Where the capital programme has been paused as a result of mitigation measures the Council should assess the affordability of delivering the current capital programme.

Financial sustainability

- The Council faces unprecedented financial challenges, many of which are external and demand factors aligned to a growing population. While the Council recognise the scale of the financial pressures further work is required to find comprehensive plans to address these and deliver a financially sustainable operating model. It is important for the Council to focus on financial resilience including key indicators and measures.
- The Council should continue to review the level of earmarked and uncommitted reserves to ensure these provide sufficient contingency and continue to support financial sustainability over the short, medium and long term.
- The Council recognises that to remain financially sustainable and resilient it faces difficult decisions around the services it provides in the future. The Council should continue to identify where it can progress transformational change in how services are delivered to address the longer-term financial pressures it faces.
- The Council needs to prioritise where it can invest in digital services to deliver savings in the longer term. The Council needs to strengthen their digital strategy, cyber security, business continuity management and associated policies to address prior year audit recommendations.

Best Value

- The Council's leadership have been effective in setting out a clear vision and priorities in the Council Plan 2022-27. The Council has set clear priorities but recognises that decisions need to be made urgently to ensure a sustainable approach to delivering those priorities.
- A Best Value Assurance Report on East Lothian Council was published in November 2018, containing nine improvement recommendations. The Council has made good progress in prioritising and implementing what they believe are the key improvement actions. The Council should set a clear timescale for implementing the remaining actions.

Vison, Leadership and Governance

- Governance arrangements are well established and are appropriate.
- The Council demonstrates its commitment to leadership development including ongoing investment in a leadership development programme. However, there are opportunities to enhance the effectiveness of these by reviewing the collaborative working between members and officers.

- Climate emergency is one of the overarching objectives within the Council Plan. It is too early to conclude whether the Council is on track to achieve its Net Zero ambition.

Financial Strategy 2024-2029

The Council's Financial Strategy forms the platform for the Council's stewardship over taxpayer's funds. The strategy is refreshed each year to reflect any changes in the financial planning landscape and to ensure that the strategy remains appropriate. The most recent and current strategy was approved by Council in December 2023 covering the five year period 2024-2029 - [Financial and Capital Strategies 2024-29](#).

The latest Financial Strategy "has been developed in the context of the most challenging financial environment this council has ever faced. As one of the fastest growing councils in Scotland, there are increasing demands for our services which have not been met through real terms funding increases, leading to us becoming the council with the third lowest level of per capita funding in Scotland. Like all public bodies, we have continued to see costs escalate as a result of high inflation and rising interest rates. The local authority sector continues to face significant uncertainty surrounding future funding settlements with economic instability and the prospect of a recession creating significant pressure on public finances. This is compounded by the wide range of concurrent risks including the turbulence within global economies and the cost of living crisis which are creating increasing pressure on council services."

The Strategy highlighted that "The scale of the challenge now facing the Council means that it will not be possible to close the budget gap through efficiencies alone, and it will now be necessary to think differently about how the Council interacts with and supports its residents, ensuring that scarce resources are directed to maximise impact and improve financial sustainability."

"Given the scale of the challenge the Council has committed to developing an approach which combines a range of options to close the gap between available funding and anticipated expenditure, including an enhanced programme of transformation, asset review, income generation, cost reduction and efficiency."

3. 2023 Annual Performance Report

The council monitors how well it delivers its services using a range of performance indicators. These indicators are reported to elected members on a quarterly or annual basis. Where relevant, these indicators have targets that help to provide context and assessment of how well the council is performing. Comparisons with other areas in Scotland are also available for many indicators through the Improvement Service’s Local Government Benchmarking Framework. Accurate, high quality, timely and comprehensive performance data is essential to the effectiveness of the Council’s Improvement to Excellence Framework. Performance data is generated for a range of purposes, which can be shown as a pyramid of indicators.



The council adopted a revised Continuous Improvement Framework ([Improvement to Excellence](#)) in May 2023. A key part of the framework is the adoption of a suite of Top 50 Council Plan Indicators as the key indicators that monitor progress in achieving the council’s strategic goals and key commitments. A sub-set of 10 of these indicators has been identified to show at a glance how the council is performing in achieving the Council Plan.

Previous Annual Performance Reports have included a summary of the results of that year’s Local Government Benchmarking Framework. However, at time of producing

this 2023 annual performance report the latest LGBF report available is the one published in February 2023 which covered the year 2021/22. The latest LGBF report for the year 2022/23 will not be published until late February 2024, after the publication of this report.

This Annual Performance Report provides an overview and summary of how the council performed in 2022/23 reviewing the Top 50 and Annual indicators.

The Top 50 Council Plan Indicators have different reporting timeframes and many rely on national data which are not yet available. In addition, five indicators rely on the results of the residents' survey carried out by the council. The survey that was hoped would be carried out in 2023 has been delayed until 2024 so the latest survey results are from the survey carried out in spring 2021. Therefore, as at end January 2024 only 39 of the Top 50 indicators have up-to-date comparable data that will allow comparison to be made with previous year's results.

The analysis below is based on the report on [Top 50 and Annual Indicators](#) presented to the PPRC in June 2023 and the more recent [update](#) presented to Committee in December 2023.

Table 1 below provides a summary comparison of the 39 Top 50 indicators for which comparable data is available for 2022/23 and 2021/22. This shows that overall, 19 (49%) of these indicators improved in performance over the last year, eight (20.5%) maintained performance and 12 (31%) showed a decline in performance.

Table 2 provides a summary of whether indicators are on or above target (Green), just below of moving towards target (Amber) or below target (Red). Three quarters of the Top 50 indicators for which up-to-date data and targets are available are either Green or Amber whilst a quarter are Red.

Table 1: Top 50 Council Plan Indicators: comparison of 2022/23 performance; overall and by theme

Number and proportion of Top 50 indicators where:		
Performance has improved	Performance has remained unchanged	Performance has declined
Reducing Poverty (3 from 3)		
1	0	2
Respond to Climate Change (2 from 3)		
2	0	0
Growing our Economy (7 from 9)		
4	1	2
Growing our People: Reducing the Attainment Gap (2 from 5)		
1	0	1
Growing our People: Children (4 from 5)		
3	1	0
Growing our People: Adults (6 from 8)		
3	1	2
Growing our Communities (8 from 10)		
2	3	3
Growing our Capacity (7 from 7)		
3	2	2
Overall (39 from 50)		
19	8	12
49%	20.5%	31%

Table 2: Top 50 Council Plan Indicators: Red, Amber, Green status

Number and proportion of Top 50 indicators where:		
Green on or above target	Amber just below or moving towards target	Red below target
Overall (40 from 50)		
17	12	10
44%	31%	26%

We have up-to-date data for nine of the Top 10 Council Plan indicators. As is shown in Table 3 below, the performance of only one of the nine Top 10 indicators declined and was shown at below target, whilst over half of the indicators improved (56%) or were shown as being on or above target (67%).

Table 3: Top 10 Council Plan Indicators

Number and proportion of Top 10 indicators where (reporting 9 of the 10)		
Performance Improved	Performance is unchanged	Performance declined
5 (56%)	3 (33%)	1 (11%)
Green on or above target	Amber just below or moving towards target	Red below target
6 (67%)	2 (22%)	1 (11%)

The one Top 10 indicator which declined and is below target is the indicator of child poverty – *% of children living in households with less than 60% of average income after housing costs*. The data for this indicator comes from End Child Poverty and has a two year lag. So the latest data available is for 2021/22 which is compared to the previous year, 2020/21. This shows that child poverty

in East Lothian increased from 18.8% to 21.1% but is below the Scottish average which increased from 21% to 24%. The increase in child poverty in 2021/22 can be tracked to the impact of COVID and the failure of Universal Credit benefits to keep pace with the cost of living.

Eight Top 10 indicators showed improvement or maintained performance in 2022/23.

- The count of the Council's annual carbon emissions fell from 15,635 tonnes Co2 to 13,990 tonnes and is progressing towards the target of net zero emissions by 2045 at the latest
- The proportion of people of working age (16-64) in employment in East Lothian remained at 62% just above the target of 60%
- The business base – number of businesses in East Lothian – a key indicator of economic activity, has rise to 3,800 at the latest count which is above the target set in the last Economic Strategy of 3,300
- There were no re-registrations of children on the child protection register within 24 months so the percentage fell from 13% to 0
- The percentage of people aged 65 or over with long-term care needs receiving personal care at home fell slightly to around 56% and was only just below the target of 57%
- The number of affordable house completions and Open Market acquisitions increased from 126 to 196 and meant that the five- year target set in the Local housing Strategy had been reached
- The percentage of total household waste that is recycled fell slightly 53.9% to 53.1% but remained well above the Scottish average of 43.3%
- The number of on-line form transactions increased from 32,751 to 41,644.

Other Top 50 indicators that are of particular interest include:

Reduce unemployment

During the COVID-19 pandemic unemployment (the % of working age population seeking work) had reached a high of 5.4% in March 2021. It had fallen to 3.5% by October 2021 and continued to fall during 2022 so that by March 2023 it was at 2.5%, slightly than 2.6% at the start of the pandemic in March 2020. East Lothian's unemployment rate in March 2023 was 0.8% lower than the

Scottish average (3.3%). However, it should be noted that unemployment across Scotland and in East Lothian increased slightly through 2023.

Improve employability

The number of people participating in East Lothian Works employability programmes increased from 467 in 2021/22 to 723 in 2022/23. However, this increase in participants and the fall in unemployment/ job vacancies contributed to the percentage progressing into employment falling from 43% to 30%, though this was higher than the 21.2% in 2020/21 and above the target of 20%.

Town Centre vacancy rates

This measure of town centre vitality fell from 8% in 2021/22 to 9% in 2022/23 and remained below the 5% target. This could be due to the long-term impact of COVID and on-line shopping changing consumer shopping habits as to the actual viability of town centres.

Reducing poverty related attainment gap

Only two of the five indicators used to track progress in reducing the poverty related attainment gap were available for the 2023 exams at the time of producing this report. Both these indicators showed improvement on the 2022 results. The attainment gap between quintiles 1 and 5 for primary 1, 4 and 7 combined in literacy reduced from 30% to 23.2%, below the target of 27.6%; and in numeracy increased slightly from 22.1% to 23.6%, against a target of 24.2%.

Participation rates/ positive destinations for school leavers

The participation rate for 16-19 year olds increased from 93.2% to 96.1%, above the Scottish average of 94.2%. The percentage of young people receiving After Care who were in a positive destination increased slightly from 52% to 54% but was below the target of 60%.

Older people staying cared for at home

The number of days people aged 75+ spent in hospital when they were ready to be discharged (per 1,000 population) increased from 153 to 206 but remained below the target of 245 (average of the previous 3 years) and was well below the Scottish average of 919. Activity aimed at reducing the time people spend in hospital once medically fit to be discharged was a priority for the Health &

Social Care Partnership. This included the work of the Integrated Care allocation Team, delivery of a multi-disciplinary Daily Flow Huddle, and ongoing delivery and development of Intermediate Care services.

Re-letting vacant housing properties

The average number of days taken to re-let vacant houses 65.2 was almost the same as the previous year, 66.2 and remained well above the target of 42 days. Issues causing this below target performance included, staff vacancies in the council property maintenance team and contractors, as well as rises in costs.

Connected Communities Activity & Volunteering

The total number of volunteering hours volunteers engaged in Connected Communities activity also increased from 2,725 to 2,948. Volunteering involves a wide range of activities including Duke of Edinburgh award scheme, Area Partnership meetings and networks, management committees and youth provision.

Staff engagement and attendance management

The 2023 employee engagement survey that was carried out in March 2023, recorded an increase in the percentage of non-school based staff agreeing that the Council is a great place to work from 80.4% in 2021 to 83.8%. The average number of sickness absence days lost per employee, including teachers increased from 8.08 days in 2021/22 to 9.54 days 2022/23.

Council Tax collection and rent arrears

The percentage of income due from Council Tax received by the end of the financial year fell by only 0.1% between 2022 and 2023 from 97.7% to 97.6%. However, the gross rent arrears as at 31st March as a % of rent due for that year increased from 4.9% in 2022 to 5.8% in 2023.

4. Council Plan Action Plan

The Council Plan Action Plan contains 67 specific actions. It should be noted that the Plan is a four-year plan (2022-2027) so the majority of actions are set to be ongoing over the four years or are scheduled to be completed alongside strategic plans such as the 2021-2023 Poverty Plan or the Climate Change Strategy which runs until 2025. Therefore, whilst a small number of actions have been completed or are still to be started the large majority are in progress/ ongoing.

The following provides a summary of progress with some of the key actions in the Action Plan

Recovery and Renewal

Action: Implement the Recovery and Renewal Plan's 36 actions

Implementation of the Recovery and Renewal Plan which was adopted in October 2021 was monitored and reviewed by the East Lothian Partnership Governance Group with updates being provided at each Governance Group meeting in 2022 and 2023. A final report including available data on relevant performance indicators and a progress status update was presented to the Governance Group meeting, 28th June 2023. The report noted that all 36 actions in the Plan either had been completed or were ongoing. As we moved from the recovery phase to long term renewal the Governance Group agreed that the Recovery and Renewal Action Plan should be closed. The actions that are attributed to East Lothian Council have been incorporated within the 2022-2027 Council Plan. All ongoing actions that are attributed to the East Lothian Partnership or its strategic or supporting groups will be reviewed and incorporated in the revised East Lothian Plan which will be brought to the Governance Group in Spring 2024.

Action: 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 including NHS Lothian and other members of the East Lothian Partnership. A multi-agency working group was established by the East Lothian Partnership to develop a partnership approach to Community Wealth Building. This is being aligned to, and incorporated within, the Local Economic Strategy. The working group completed a diagnostic to assess the baseline position across the five pillars of Community

Wealth Building and has prepared a Charter and action plan that will be taken forward by the Council and partners. Further work may be required through the Climate Change strategy to develop the circular economy aspect of this action.

Reduce Poverty and Inequality

Action: Implement the 49 actions detailed in the 2021-2023 East Lothian Poverty Plan

The [review of the 2021-2023 East Lothian Poverty Plan](#) has been completed with an update on progress made on all 49 actions in the plan. Several actions have been completed and the majority are ongoing. Any actions that are not completed will be considered for inclusion in the 2024 Poverty Plan, which is under development and is due to come before Council in June 2024.

Action: Implement the East Lothian Council 2021-2025 Equality Plan

Reporting on progress with implementation of the Equality Plan is carried out through the biennial Equality Outcomes and Mainstreaming Progress report. The 2019-2021 & 2021-2023 Mainstreaming reports have been completed and lodged in the Members Library.

Action: Target services and resources, led by data and evidence, to those people and areas most in need

Services and resources, including Pupil Equity Fund, Children's Services, Benefits and the Scottish Welfare Fund, Financial Inclusion Service, Homelessness Service and Adult Care services are targeted at people and areas most in need.

Respond to the Climate Emergency

Action: Implement the 2020-2025 Climate Strategy

Progress with the Strategy which includes 170 actions under 29 priority areas and seven outcomes is reported through the annual [Public Sector Climate Change Report 2022/23](#).

Action: 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

There are 243 publicly accessible EV charging devices with 386 simultaneously usable connectors. Further progress with expansion of EV charging devices and development of options such as cargo bike schemes is dependent on adoption of electric vehicle strategy and, external funding. Expansion of the council fleet is being reviewed in-line with the capital fleet replacement programme.

Grow our Economy

Action: 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

The new Local Economic Strategy is due to go for approval to the 12th March 2024 Cabinet meeting.

Action: Ensure that our strategic development sites including the Edinburgh Innovation Hub and the former Cockenzie power station site, attract and facilitate significant investment to deliver new employment opportunities for local people

Site preparation works at the Cockenzie site were awarded £11.3M of UK Govt Levelling Up Funding. Consultants have been appointed to progress designs of site preparation works to allow for eventual economic redevelopment of the site. Work is expected to start on site in summer 2024. Separately work is progressing on a technical masterplan for Cockenzie site to identify how site can be developed for economic uses.

The contractor to deliver the Edinburgh Innovation Hub at QMU, funded through the City Region Deal has been appointed and site start began in January 2024. The timeline for completion is July 2025.

Action: Improve the employability of East Lothian's workforce, promoting skills development and training in core sectors and supporting apprenticeship and modern apprenticeship opportunities

During 2022/23 East Lothian Works (ELW) has supported:

- increase in the number of pupils participating in Foundation Apprenticeship;
- employer Recruitment Incentives for those with barriers continue to be offered. Paid Work Experience (PWE) for both adults and targeted parental groups;

- delivery of sector specific training in line with labour market intelligence, i.e. Skills for Work in Early Learning and Childcare in partnership with Edinburgh College; and
- opened a third round of Small Grants for employability partners to deliver services to those at various stages of the strategic skills pipeline.

Grow our People – Give our children the best start in life

Action: 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 Progress and Improvement Plan was approved by Education Committee in November 2023, which details plans for all key priorities. The new Raising Attainment Strategy has been out for consultation, updated and will go to Education Committee for approval in March 2024. It is based on our stretch aims, as per the Scottish Attainment Challenge expectations. Education priorities for Session 2024/25 are already under discussion and consultation, to be provided to Head Teachers by April 2024, in order to inform their improvement planning.

Action: Invest over £136 million in our school estate, including new Primary Schools and extensions or upgrades to schools across the county to meet growing demand in line with the Learning Estate Strategy

Delivered new primary in Letham Mains and Wallyford and the new Wallyford Learning Campus and have appointed contractors to build new primaries in WhiteCraig, Craighall and Blindwells. Progress with the investment in the school estate and infrastructure is reported to Council through the Quarterly financial reviews which take account of decisions on external funding such as the Learning Estate Investment Programme decision not to fund the new East Linton Primary School.

Action: 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

A well-established UNCRC working group is developing approaches to children’s rights across the Council; these includes having a Children’s Rights Champion in every service area.

Action: 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

The Children's Services redesign was underpinned by the principles of The Promise and it also informs all actions on the Children's Services business plan. The Promise is a key driver for all council business as we collectively seek to improve outcomes for children and young people in our communities. The Promise Lead Officer is currently compiling a report for The Promise Scotland about how East Lothian Council is meeting The Promise which can be shared more widely.

Grow our People - Improve the life chances of the most vulnerable in our society

Action: 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

East Lothian has one of the best delayed discharge records in Scotland. Progress is monitored through Care at Home change board and daily activity huddles. This has also involved 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; implementation of software to improve allocation of care; targeted recruitment campaigns; improved retention of care workers in part due to improved working conditions.

Action: Support the establishment of a Dementia Meeting Centre in Musselburgh and satellite bases across the county
Musselburgh Dementia Centre has been established. Further expansion of meeting centres will depend on availability of funding.

Grow our Communities

Action: Develop a place based approach to deliver services designed around our local communities, and devolve powers to local levels wherever possible

Continued support for Area Partnerships and Community Councils through Connected Communities managers and funding. New Area Plans, which take a place based approach to determining priorities, are under development. The Council's Asset Review is taking a place based approach to assessing use of council and community facilities in each area. The Council fulfils its

commitment to 1% Participatory Budgeting through funding devolved to Area Partnerships and Community Councils and the use of Pupil Equity Funding (PEF) with involvement of Parent Councils.

Action: Review the current Local Housing Strategy and complete the development and implementation of the new East Lothian Housing Strategy 2023-2028

The 2023-2028 Local Housing Strategy was approved by Cabinet on 30th January 2024.

Action: 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.

The Council secured £1.1 million of Scottish Government funding for 2023/24 to deliver energy efficiency measures in private homes within fuel poor areas including, Cavity Wall Insulation, External Wall Insulation and Solar PV. A funding application will be submitted to the Scottish Government for 2024/25 to continue to deliver this programme for private home owners.

Action: Take actions that aim to meet out climate change targets to reduce car kilometres travelled and emissions from cars; and support the development and expansion of active travel routes

Work progressing on consultation on and development of active sustainable networks, journey hubs including, including Musselburgh Active Toun proposal.

Action: 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

East Linton Rail Station opened. Further improvements and new stations would require substantial external funding

Action: Prepare, consult on and then adopt Local Development Plan 2, taking account of any Local Place Plans that communities bring forward

The Council is working towards getting the Evidence Report, which is the first stage of the Local Development Plan process, submitted to Scottish Government in Spring 2024, and aims to submit the proposed Plan to Scottish Government in autumn 2025; with the aim to adopt Local Development Plan 2 early in 2026.

Grow our Capacity

Action: Implement the Council's Digital Strategy to enable maximise provision of digital services and digital engagement with customers

A Digital Transformation Board has been established and meets every two months. Progress made on digital projects including:

- Social Care Case Management System and Environmental Protection and Planning Systems both moved to the Cloud.
- Replacement of existing Housing Management System underway; first modules scheduled to go live in Q2 2024.
- Online Customer Platform continues to expand (e.g. enhancement of waste services provision and introduction of charging scheme) and capabilities of the platform increased with the addition of MyBusAccount integration
- Planning underway for replacement of Finance system

Action: Implement the Council's Financial Strategy, ensuring the council continues taking a strategic prudent approach to financial planning, and maintains a rigorous approach to controlling expenditure through a balanced budget; and, keeps Council Tax as low as possible while protecting frontline services

Progress with this action is being reported and monitored through the quarterly financial reviews and the Annual Accounts.

As was reported in the 2022/23 Annual Accounts and the Budget Overview Report (January 2024) the financial challenges and other pressures now facing the Council means that it will not be possible to close the budget gap through efficiencies alone. It will now be necessary to think differently about how the Council interacts with and supports its residents, ensuring that scarce resources are directed to maximise impact and improve financial sustainability. Therefore, the Council has committed to developing an approach which combines a range of options to close the budget gap, including an enhanced programme of transformation, asset review, income generation, cost reduction and efficiency.

Appendix 2: East Lothian Community Wealth Building Charter

East Lothian Community Wealth Building Charter

Community Wealth Building is a people-centred approach to local economic development. It redirects wealth back into the local economy, helps to address inequalities and puts control and benefits in the hands of local people.

Community Wealth Building uses the economic levers available to Anchor Institutions to develop resilient, inclusive local economies with more local spend and fair employment, as well as a larger and more diverse business base, ensuring that wealth is more locally owned and benefits local people.

Anchor Institutions are tied to a particular place by their mission, histories, physical assets and local relationships. They are organisations that have an important presence in a place, usually through a combination of being largescale employers, the largest purchasers of goods and services, controlling large areas of land and/or fixed assets in the locality.

Examples of Anchor Institutions include local authorities, NHS Boards, universities and colleges, large local businesses, the combined activities of the community and voluntary sector and housing associations.

Anchor Charter Mission Statement

To commit to long-term collaboration between East Lothian Anchor Institutions, supporting shared Community Wealth Building goals to improve collective wellbeing and create a strong, resilient and inclusive local and regional economy. This includes a commitment to the embedding of Community Wealth Building principles and reporting on progress to the East Lothian Partnership.

The Partnership will:

- work with, and encourage, wider local and regional Anchor Institutions in Community Wealth Building initiatives
- share highlights, success stories and promote best practice among Anchor Institutions and stakeholders
- monitor the implementation of the East Lothian Community Wealth Building Charter
- review policy and practice to deliver a more inclusive economy.

We commit to this Anchor Charter to deliver Community Wealth Building in East Lothian through these Pillar Purposes, Objectives and Pledges

Pillar Purpose	Pillar Objective	Pledges
Procurement: We commit to using our spend to support a diverse local business base		
Maximise economic, social and environmental benefit for the community through development of effective local supply chains comprising local SMEs, employee-owned businesses, social enterprises, cooperatives and other community owned enterprises.		Commit to undertaking supply chain and spend analysis and work towards increasing local spend where possible.
		Proactively engage with other Anchor Institutions to align procurement strategies and to identify and progress joint procurement opportunities, whilst supporting local businesses to bid and respond to these opportunities.
Fair Employment: We commit to being a fair employer		
Create fair and meaningful employment opportunities by paying the living wage, recruiting from and supporting people from priority groups into fair and sustainable employment, and building progression routes for workers.		Work towards becoming a Scottish Living Wage accredited employer.
		Seek to recruit locally and from priority groups where appropriate e.g. young people, people with long-term health problems, people experiencing poverty, people with caring responsibilities.
		Commit to providing secure, safe employment, addressing wage gaps (gender, racial or ethnic, age, disability) and developing strategies for in-work progression and wellbeing support for all.
		Follow the Fair Work Convention ensuring workers have an Effective Voice, Opportunity, Security, Fulfilment, and Respect.
Land and Assets: We commit to the productive use of our land and assets to support local communities and enterprises		
Support equitable land development and ownership models, including the		Undertake an asset review to identify opportunities for Community Wealth Building.

imaginative use of assets for community and wider social and economic use.	Proactively support communities who wish to use or develop underutilised assets.
Plural Ownership: We commit to supporting plural ownership of the local economy	
Advance inclusive economic ownership models such as local SMEs, employee owned businesses, social enterprises, cooperatives, community enterprises and mutually owned companies and thus enable more wealth generated locally to stay within the community.	Proactively engage with communities to co-produce local services and initiatives.
	Commit to facilitate opportunities for local SMEs, employee-owned businesses, social enterprises, cooperatives and community owned enterprises to participate within local supply chains.
Financial Power: We commit to harnessing and growing local wealth	
Increase flows of investment within local economies by harnessing wealth that exists and is generated locally.	Seek to invest in ethical, environmentally sustainable, local economic development opportunities.
	Support and promote progressive finance initiatives including local credit unions.
	Encourage staff and service providers to shop locally and ethically, supporting 'Keep it Local' campaigns.
Climate Change: We commit to tackling the climate and nature emergency	
Take immediate and sustainable action to reduce carbon and greenhouse gas emissions and tackle the nature emergency.	Commit to a timescale for achieving net zero carbon and greenhouse gas emissions.
	Support and encourage environmentally sustainable supply chains.
	Develop and support strategies to support sustainable communities and our natural environment and bio-diversity through, for example, capital investment projects, active travel, sustainable energy generation.

REPORT TO: East Lothian Council
MEETING DATE: 27 February 2024
BY: Chief Executive
SUBJECT: 2024 Council Improvement Plan

3

1 PURPOSE

- 1.1 To present the 2024 Council Improvement Plan for approval by the Council.

2 RECOMMENDATIONS

- 2.1 That Council approves the 2024 Council Improvement Plan (Appendix 1).

3 BACKGROUND

- 3.1 The Council Improvement Plan 2021-2022 was approved by Council in February 2021. The 16 actions in the Plan included seven actions carried forward from the 2018-2020 Plan and nine new actions identified in the 2020 Corporate Governance Self-evaluation and the auditors' 2019/20 Annual Audit Report (October 2020).
- 3.2 The last update report on the Plan considered by Audit & Governance Committee in February 2023 showed that nine actions in the Plan had been completed, four were ongoing and three were to be carried forward into the 2024 Council Improvement Plan (Actions 1, 2 & 3).
- 3.3 In preparing the 2024 Council Improvement Plan consideration has been given to the results of, and recommendations made in, external and internal evaluations on governance, leadership and strategic policy and practice:
- Best Value Leadership Audit carried out by the Council's external auditors, Audit Scotland (draft presented to Audit & Governance Committee, 19 December 2023)
 - The auditors' 2022/23 Annual Audit Report (draft presented to Audit & Governance Committee, 19 December 2023)

- 2023 Corporate Governance Self-evaluation (presented to Audit & Governance Committee, 13 June 2023)
 - Council Management Team's Public Service Improvement Framework (PSIF) Self-evaluation.
- 3.4 Preparation of the 2024 Improvement Plan was delayed, to allow for consideration of recommendations and actions from the Best Value Leadership Audit and the auditors' 2022/23 Annual Audit Report, drafts of which were presented to Audit & Governance Committee, 19 December 2023.
- 3.5 The Best Value Leadership Audit undertaken by Audit Scotland in 2023 made three recommendations. Two of these have been included in the 2024 Council Improvement Plan (Actions 4 & 5). The other recommendation relating to developing longer-term financial planning has already been acted on, as reported in the 2024-2029 Financial Strategy. Officers will keep this 'live' during the year and give further consideration to extending this beyond the 5-year period.
- 3.6 The 2022/23 Annual Audit Report prepared for the members of the Council and the Controller of Audit by the Council's auditors identified four areas where improvement is required. Three of these have been incorporated into the 2024 Council improvement Plan (Actions 5, 6, & 7). The fourth recommendation relating to reprofiling of the capital programmes has been acted on and completed through the 2024/25 Council Capital programme.
- 3.7 The 2022/23 Annual Audit report found that some recommendations from the 2021/22 Annual Audit report have not been fully completed and/ or are ongoing. Therefore, these recommendations have been included in the 2024 Council Improvement Plan (Actions 8, 9, 10 & 11).
- 3.8 The Council carried out a Corporate Governance Self-evaluation exercise in spring 2023, the results of which were reported to Audit & Governance Committee in June 2023. The self-evaluation found that the Council complies well with the principles of the Corporate Governance framework and identified many strengths and areas of good practice. However, four improvement actions were identified, and these have been included in the 2024 Council Improvement Plan (Actions 4, 12, 13, & 14).
- 3.9 The Council has adopted a new self-evaluation framework, replacing How Good is Our Council Service with the Public Service Improvement Framework (PSIF). This was piloted by the Council Management Team (CMT) in early 2023. The CMT's PSIF exercise resulted in seventeen recommended actions under four objectives:
- Clarify the budget challenges facing the Council in order to develop a cross-service approach to identify savings
 - Delivery and accelerating work around the Council's asset review and rationalisation strategies post-pandemic to ensure they are linking to longer-term plans and the Council's key priorities

- Look at ways to ensure that driving transformational change is embedded across the Council to support the Council priorities and plans
 - Consider how the Council makes better use of staff feedback to drive change and improvement.
- 3.10 As of February 2024, ten of the actions have been completed and five are due to be completed by June 2024 in line with the adoption of the 2024/25 Council budget. Commencement of two actions is dependent on completion of other actions. The 2024 Council Improvement Plan includes an action (Action 15) to continue to monitor and ensure delivery of the CMT's self-evaluation improvement plan.
- 3.11 Progress with the 2024 Council Improvement Plan as set out in Appendix 1 will be monitored regularly by the Council Management Team and updates will be presented to the Audit & Governance Committee.

4 POLICY IMPLICATIONS

- 4.1 The 2024 Council Improvement Plan will assist the Council in demonstrating that it is achieving Best Value. It will provide the necessary focus to improve key areas of the Council at a corporate level, thus aiding delivery of the Council Plan. Moreover, it will support East Lothian Council in its striving for continuous improvement, to continue improving the quality and delivery of its services and to meet Council Plan objectives.

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 directly, although certain actions within the Plan are likely to require the commitment of staff resources.
- 6.3 Other – none.

7 BACKGROUND PAPERS

- 7.1 Appendix 1: 2024 Council Improvement Plan
- 7.2 2021-2022 Council Improvement Plan Update; Audit & Governance Committee, 14 February 2023
- 7.3 2022/23 Annual Audit Report; East Lothian Council, 19 December 2023

7.4 Corporate Governance Self-evaluation 2023; Audit & Governance Committee,
13 June 2023

AUTHOR'S NAME	Paolo Vestri
DESIGNATION	Service Manager Policy, Performance and Organisational Development
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DATE	12 February 2024

Appendix 1: 2024 Council Improvement Plan June 2024

2024 Council Improvement Plan				
	ACTION	OUTCOME/ OBJECTIVE/ IMPACT	LEAD OFFICER / DEADLINE	COMMENT
1	In order to ensure the Council continues to have relevant governance policies, guidance, regulations and internal controls that are reviewed and kept up-to-date, a register of such documentation will be prepared and reviewed annually Source: carried forward from 2021/22 Council Improvement Plan	Grow our Capacity – meet the Council’s commitment to the principles of openness, accountability and transparency	Service Manager Policy, Performance & Organisational Development June 2024	This project was been on hold as this area of work is not deemed critical within Business Continuity Plans. It is now scheduled to be completed by June 2024
2	Establish formal mechanism for evaluating partnership working and the effectiveness of partnerships based on an agreed partnership self-evaluation framework Source: carried forward from 2021/22 Council Improvement Plan	Grow our Capacity – review of the governance arrangements of the East Lothian Partnership	Service Manager Policy, Performance & Organisational Development June 2024	The East Lothian Partnership was to undertake a self-evaluation exercise drawing on frameworks developed by Audit Scotland, the Improvement Service and EFQM in Spring 2020. This project was put on hold as this area of work is not deemed critical within Business Continuity Plans. The self-evaluation of the Partnership will take place in spring 2024
3	The Council will ensure it meets any additional requirements to further develop community participation in decision-	Grow our Communities – extend community engagement and decision	Chief Executive Ongoing	Work on the Local Governance Review was interrupted by the public sector response to COVID-19 and was further postponed as a

	<p>making arising from the Local Governance Review</p> <p>Source: carried forward from 2021/22 Council Improvement Plan</p>	<p>making and increase community and individual resilience</p>		<p>result of Scottish Government and COSLA resources being redeployed to deal with other priorities.</p> <p>The Scottish Government and COSLA have launched the next round of the 'Democracy Matters' conversations to explore community empowerment and decision-making. However, progress with other elements of the review have stalled.</p> <p>The outcome of the Review and its implications will be reported to Council once it is completed.</p>
4	<p>The Council should be clear on the level of performance outcomes it aims to achieve against its priorities. It should also be clear on acceptable reductions in performance in non-priority areas as resources are aligned to priorities.</p> <p>Source: Best Value Leadership Audit 2023</p> <p>In light of the growing financial challenges faced by the Council, further work is required to make the link between how resources are targeted to achieve the Council's policy and performance priorities more explicit.</p> <p>Source: 2023 Corporate Governance Self-Evaluation</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources and demonstrate Best Value</p>	<p>Executive Director for Council Resources / Head of Finance / Service Manager Policy, Improvement & Partnership</p> <p>Target date: June 2024</p>	<p>A number of the indicators were new this year and take time for the council to embed and set realistic, measurable targets. The Council aim to have these in place for the Top 50 performance indicators by December 2023. The Service Manager Policy, Performance and Organisational Development will work with Services to have the remainder in place by June 2024.</p> <p>The Financial Strategy and 2024/25 Council Budget papers will provide further explanation of the Council's financial position and how resources are targeted to achieve policy and performance priorities</p>

	<p>resilience, including the level of reserves to allow the Council to meet unforeseen costs and pressures. The Council should also enhance the level of monitoring around financial resilience indicators and risks.</p> <p>Source: 2022/23 Annual Audit Report</p>		<p>Agreed date: Ongoing</p>	<p>Regular, detailed and comprehensive budget monitoring reports including financial resilience and risk will be presented to Council.</p>
8	<p>The Council and the Dr Bruce Fund Trustees should work together to ensure the Fund is being actively managed and used for the purposes intended.</p> <p>Source: 2022/23 Annual Audit Report Carried forward from 2021/22 Annual Audit Report</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources</p>	<p>Executive Director for Council Resources / Head of Finance</p> <p>Ongoing</p>	<p>The Council considered a Trust Funds Review report in June 2023. Members agreed in principle to explore the transfer of stewardship and administration of the trust funds, including the Dr Bruce Fund, to a specialist third party.</p>
9	<p>Processes for identifying and confirming assets held should be reviewed and amended. The formal valuation cycle itself is insufficient to gain the appropriate assurances that assets are classified correctly. The Council should continue to progress the Common Good review. Having recognised that the Council is using Common Good assets for the provision of Council services, the Council should ensure that suitable financial recharging for use by Council services should be set-up.</p> <p>Source: 2022/23 Annual Audit Report Carried forward from 2021/22 Annual Audit Report</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources</p>	<p>Executive Director for Council Resources / Service Manager – Governance</p> <p>Ongoing</p>	<p>Although limitations due to business continuity arrangements, including specifically Finance and Legal services continued, a report on the progress of the Common Good review was submitted to the Council on 23 August 2022. The Council is currently in the process of appointing a Graduate Intern, on a one-year basis. This post is intended to assist and support the capacity of the Council to achieve progress in relation to the Common Good and Trust Funds audit actions (including Dr Bruce).</p>

10	<p>The Council should progress and conclude on their review of Common Good and trust funds including an exercise to consider whether there is scope to consolidate any/all of the 46 trusts. This should include a review of the method(s) used to promote the Dr Bruce Fund and other charitable trusts to ensure that the potential availability of these funds is known to the wider community.</p> <p>Source: 2022/23 Annual Audit Report Carried forward from 2021/22 Annual Audit Report</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources</p>	<p>Executive Director for Council Resources / Head of Finance</p> <p>Ongoing</p>	<p>The Council considered a Trust Funds Review report in June 2023. Members agreed in principle to explore the transfer of stewardship and administration of the trust funds to a specialist third party. Some funds, particularly those with property assets, may be retained within the Council’s stewardship.</p>
11	<p>The Council’s reporting and monitoring against its improvement plan could be further improved to update Members on what has been achieved through its improvement actions.</p> <p>Source: 2022/23 Annual Audit Report Carried forward from 2021/22 Annual Audit Report</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources and meet the council’s commitment to the principles of openness, accountability and transparency</p>	<p>Council Management Team / Service Manager Policy, Improvement & Partnership</p> <p>Ongoing</p>	<p>The Council considered and approved the East Lothian Council 2021 Annual Performance and ‘State of the Council’ report, How Good Is Your Council in December 2021.</p> <p>The Council approved the 2022-2027 Council Plan in August 2022. A detailed Action Plan supporting implementation of the Council Plan was presented to East Lothian Council on 25 October 2022. Subsequently a new set of Top 50 Council Plan Performance Indicators was approved.</p> <p>The Annual State of the Council report will provide a summary of progress of the Council Plan Action Plan Council Plan Performance Indicators.</p>

12	<p>Given the scale of the financial challenges it faces, the Council needs to be open and clear with communities and staff about the recurring savings that will be required to fill budget gaps, and how Council resources will need to be targeted to achieve long-term policy and performance priorities, and the impact this will have on services and the priorities set out in the Council Plan.</p> <p>Source: 2023 Corporate Governance Self-Evaluation</p>	<p>Grow our Communities - empowering and enabling individuals and communities to have a real say in the decisions that matter most to them.</p>	<p>Executive Director for Council Resources / Head of Finance</p> <p>Ongoing</p>	<p>The consultation on the 2024/25 Council budget conducted in December 2023 provided the public with a detailed explanation of the financial challenges faced by the Council the options being considered to make savings / fill the budget gap</p>
13	<p>Improve the levels of Annual PRDs that are completed.</p> <p>Source: 2023 Corporate Governance Self-Evaluation</p>	<p>Grow our Capacity – sustain a skilled, flexible resilient and motivated workforce</p>	<p>Council Management Team / Service Manager Policy, Improvement & Partnership</p> <p>December 2024</p>	<p>The PRD process and guidance has been reviewed to make it easier to use and relevant to all staff and re-issued to managers.</p> <p>Levels of PRD completion will be monitored through the annual staff engagement survey.</p>
14	<p>Ensure that Service Plans are updated in line with the revised Service Planning guidance.</p> <p>Source: 2023 Corporate Governance Self-Evaluation</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources</p>	<p>Council Management Team / Service Manager Policy, Improvement & Partnership</p> <p>June 2024</p>	<p>Service Planning guidance was reviewed and re-issued to managers in autumn 2023.</p> <p>Further revised guidance will be published in early 2024.</p>
15	<p>Continue to monitor and ensure delivery of the CMT's self-evaluation improvement plan's four objectives</p> <p>Source: CMT Self-evaluation</p>	<p>Grow our Capacity – deliver excellent services as efficiently and effectively as possible within our limited resources</p>	<p>Council Management Team / Service Manager Policy, Improvement & Partnership</p>	<p>The CMT's PSIF self-evaluation identified 17 actions under four themes:</p>

			<p>June 2024</p>	<ul style="list-style-type: none"> • Clarify the budget challenges facing the Council in order to develop a cross-service approach to identify savings • Delivery and accelerating work around the Council's asset review and rationalisation strategies post-pandemic to ensure they are linking to longer term plans and the Council's key priorities. • Look at ways to ensure that driving transformational change is embedded across the Council to support the Council priorities and plans. • Consider how the Council makes better use of staff feedback to drive change and improvement. <p>As of February 2024, ten of the actions have been completed, five are partly completed and due to be completed by June following adoption of the 2024/25 council budget. Commencement of two actions is dependent on completion of other actions.</p> <p>CMT will continue to monitor progress with completion of all actions.</p>
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REPORT TO: East Lothian Council

MEETING DATE: 27 February 2024

BY: Executive Director for Place

SUBJECT: Update Report on Parking Management Traffic Regulation Order for North Berwick

4

1 PURPOSE

- 1.1 The purpose of this report is to update East Lothian Council on the status of the North Berwick Parking Management Traffic Regulation Order, recommend next steps and a proposal to accelerate the programme for delivery.

2 RECOMMENDATIONS

Council is recommended to:

- 2.1 note the responses received to the original Traffic Regulation Order and objections made, and, in light of the misinterpretation of key themes by the public, withdraw the current Order;
- 2.2 approve officers commencing work to promote new Traffic Regulation Orders, to simplify the proposals and to take cognisance of the objections made to further modify the proposed scheme; and
- 2.3 to note the intention to accelerate the parking management review; to consult on the 5 remaining towns concurrently; and to draft and publish Orders introducing parking restrictions in due course.

3 BACKGROUND

- 3.1 The Council published THE EAST LOTHIAN COUNCIL (VARIOUS ROADS – NORTH BERWICK) (PROHIBITION & RESTRICTION ON WAITING, LOADING & UNLOADING ETC), VARIATION ORDER No: 2. on 28 August 2023. The period for objections to this Order closed on 22 October 2023.
- 3.2 The draft Traffic Regulation Order generated 659 recorded responses. A sample of 140 pieces of written correspondence produced 443 individual points of objection and concern covering 73 different themes. Analysis identified the viability of the High Street (12.5%) as the greatest concern. Second was that objectors believed there was no problem with parking in North Berwick (9%) and third, that more parking was needed and should be provided by the Council elsewhere (6%). In addition, concern was raised that the scheme would encourage motorhome parking, would displace parking onto St Baldred’s Road,

that the proposals inconvenienced residents, that specific visitor parking was required, and that vehicle height restrictions were being removed.

- 3.3 The Order, as published, included 43 supporting documents, including the statement of reason, existing orders, Frequently Asked Questions, and maps of the proposals. The volume of information was large and technically challenging, which drew negative feedback from the public, with some expressing the view that the information was incomprehensible. This criticism, albeit somewhat unfair, does raise concerns that throughout all the messaging, explanation and rationale of the scheme, the justification and nuances of the proposals were lost. This is further evidenced from the level of objections and criticism received. In most cases, representations were based on personal perspective of how the proposals will impact the individual objector and did not challenge the proposals against the current parking strategy or the manner in which the Order was presented or progressed.
- 3.4 The process for progressing a traffic order is outlined in the "*The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999*". The procedures require that, where an objection is made, there should be a written statement of grounds for that objection. The procedure also contains a requirement to consider objections which have been made and not withdrawn or, where a hearing has taken place, the authority shall consider the report and recommendation made by the Reporter.
- 3.5 The key point in respect of objections is that they must be properly considered and, in the case of a hearing, the report and recommendations, also need to be considered. There is no specific obligation not to proceed with a scheme if there are unresolved objections, as long as the authority has properly and fully considered the objections.
- 3.6 Key to delivering a successful outcome is the full and thorough consideration of constructive representation with, where appropriate, appropriate mitigation being proposed to address the objectors' concerns. In order to achieve this, the Council must enter into constructive and meaningful dialogue with interested parties. However, there remains a balance between mitigations and diminishing the proposals such that they deliver a poor scheme that does not deliver the target outcome.
- 3.7 In consideration of the very high number of different grounds for objection and the possible mitigations that might be required to address these, there is a significant risk that the changes required to address objectors' concerns would lead to an entirely different solution, or number of solutions, which must be consulted on over and above the original scheme and re-advertised.
- 3.8 Withdrawing the current Order and working to redesign alternative Orders would allow officers to incorporate additional restrictions sought by objectors; to simplify the restrictions and the content with a distinction drawn between on- and off-street parking; and to address motorhome parking provision. Further opportunity will be taken to clarify the statement of reason linking through to parking policies, thus removing invalid objections from the process.
- 3.9 The benefit of publishing new Orders allows us to introduce reasonable modifications but also design a template from the lessons learnt after the North

Berwick consultation and objection process. This can then be used to accelerate delivery of town centre parking schemes across East Lothian. It is anticipated the process can be reduced to 27 months to finalise all necessary Orders, subject to anticipated public hearing process.

4 POLICY IMPLICATIONS

- 4.1 The policy context at a national, regional and local level supports a move to increase existing and to implement new parking demand management processes across the county.
- 4.2 At a national level the development and publication of the National Transport Strategy (NTS), National Planning Framework (NPF4) and the Scottish Transport Projects Review (STPR2) all support moving towards more sustainable town centres. The NTS vision is that ‘we will have a sustainable, inclusive, safe and accessible transport system, helping deliver a healthier, fairer and more prosperous Scotland for communities, businesses and visitors’.
- 4.3 The national strategy outlines how the ‘the benefits of place-making and sustainable and active travel infrastructure/modes will also play an important role in helping to re-vitalise town centres’.
- 4.4 At its meeting on 29 March 2022 Council was asked to approve the outline of the 2022–2027 Council Plan. The 2017–2022 Council Plan set out the vision of ‘an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to flourish’.
- 4.5 New and increased management of parking across the county supports the overarching objective of reducing inequalities within and across our communities, and with the development of the four thematic objectives: Growing our Economy, Growing our People, Growing our Communities and Growing our Capacity.
- 4.6 East Lothian’s Climate Change Strategy was adopted in 2020 in response to the climate emergency. The strategy has a significant emphasis on the need to manage journeys made by the private car across the county.
- 4.7 East Lothian Council – Local Transport Strategy (2018–2024). In 2018, East Lothian Council published a Local Transport Strategy sets out the challenges that town centres within East Lothian, particularly in the town of North Berwick, have been facing in the context of the wider transport network. Accessing town centres and the management of parking is a key challenge articulated throughout the strategy document.
- 4.8 East Lothian Council – Local Parking Strategy (2018–2024). There are a number of actions set out within the strategy to achieve many objectives when it comes to managing parking including that East Lothian Council will implement a parking management hierarchy in towns. The parking management hierarchy model states that ‘in general, on-street parking will be for the purposes of short-stay parking, especially in our town centres, as it is essential that people have easy access to shops and services to maintain the economic vitality of our

towns. Medium and long-stay parking will be accommodated in off-street car parks but these are more likely to be at the edge of the town centre.'

- 4.9 East Lothian Council – Economic Development Strategy covering a tenyear period from 2012 to 2022, was published by East Lothian Council and was refreshed in 2018. One of the main work-streams identified within the strategy is to energise East Lothian's town centres and rural economy. A key action to achieve this includes efforts to 'enhance East Lothian's town centres, improve the retail and visitor experience, and make improvements to street scenes, parking provision, amenities, etc'. The proposals contribute to this key action by providing greater accessibility to shops for visitors which can increase spend within our town centres as, if parking alongside safe active and sustainable travel is made more accessible, shoppers will be more likely to visit rather than go to another retail destination where access including parking may be more readily available.
- 4.10 Further, the proposals contribute to the Economic Development Strategy by offering 'the potential for increasing resident spend by improving town centres in East Lothian'. With short-stay parking freeing up spaces close to shops, residents would be able to quickly access shops and services, thereby supporting local and independent shops within North Berwick.
- 4.11 East Lothian Council – Town Centre Strategies (2017–2022). Town Centre Strategies have been prepared for each of the 6 main settlements in East Lothian. The purpose of the town centre strategies is to adopt a strategic approach to guide the improvement of town centres.
- 4.12 The vision for North Berwick town centre as articulated is 'North Berwick town centre is a vibrant heart of the town with an excellent and well used shopping and café scene. Improvement and enhancement of the town centre seeks to create a greater sense of place for all its users. The town centre is a favourite destination for visitors.
- 4.13 In 2017 a design charrette was held in North Berwick to examine in detail the issues of the town centre. The results provide an informed public view expressed at a point in time. The charrette covered improving walking with wider footpaths and access at the east end of High Street; improvements to help people get around; street and public realm improvements; traffic and parking; character of the town centre; quality and amenities; sustainable and active travel; safer streets that reduced the feeling of threat from moving vehicles; and making the town centre more orientated towards people. North Berwick High Street is busy with vehicles and there is opportunity to provide a new car park to increase capacity and reduce cars circulating the town centre searching for parking.
- 4.14 The Citizen's Panel Survey (2018) identified a need for a wider range of shops, more parking and a more attractive town centre environment.
- 4.15 Action 3 from the North Berwick town centre strategy looks to progress the reorganisation of town centre car parking with the introduction of specific waiting times to off street facilities.

- 4.16 East Lothian Council – Active Travel Improvement Plan (2018–2024). The Active Travel Improvement Plan, published by East Lothian Council in 2018, aims to ‘support and enable people to choose active travel as part of their everyday lives’. It highlights how active travel can be encouraged and facilitated across the local authority area and includes a focus on ‘introducing active and sustainable travel options in our town centres to promote economic growth enabling East Lothian and Scotland to flourish, through increasing sustainable economic activity’.

Climate Change and Road Safety Benefits

- 4.17 Nationally vehicular traffic accounted for 35.6% of emissions in 2018. It remains the largest CO₂ producing sector and presents a singular challenge to mitigate the transport sector to meet net zero targets. Transport is a derived demand, driven by the essential need to move people, goods, and services to drive economic growth. National objectives seeks to promote walking, cycling and public transport over private car use as these present the greatest benefits to communities allowing improved mobility, safety, health and accessibility enhancements to be delivered through place making initiatives. Management of demand for parking provides a push behavioural change approach which can be incentivised with other pull initiatives to enhance the place for all users, over time.
- 4.18 Road collision incidents in East Lothian’s towns are generally low with 21 serious injuries being recorded over the last 5 years (2017–2021). However, within the built environment an unacceptable risk remains due to the high demand of parking space and constant search for parking opportunity close to the driver’s destination. On-street parking contraventions or restricted parking abuse during busy times can place the public at risk. The use of Traffic regulation orders to prohibit waiting and unloading is well understood but regrettably bad practice remains prevalent. Increasing turnover of designated parking spaces and heightened enforcement will help to change driver behaviour and safety concerns.

Legislation

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

5 INTEGRATED IMPACT ASSESSMENT

- 4.1 An Integrated impact report has been undertaken on the original scheme; any further changes will have to be reviewed in the context of IIA reporting.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – the provision of £500,000 from the Council’s Transformational Fund will be used to finance consultancy technical service support to accelerate delivery over financial years 2024/2025 and 2025/26.
- 6.2 Personnel - None
- 6.3 Other – None

7 BACKGROUND PAPERS

- 7.1 Report to Council on 25 April 2023 – Town Centre Parking Management: Introduction of Parking Management Proposals in North Berwick
- 7.2 Report to East Lothian Council on Tuesday 28th June 2022 – Town Centre Parking Management: Consultation
- 7.3 Members’ Library Report – Economic Impact Assessment Report (Ref: 34/23, April 2023 Bulletin)
- 7.4 Members’ Library Report – Consultation Report (Ref: 35/23, April 2023 Bulletin)
- 7.5 Integrated Impact Assessment
- 7.6 Report to East Lothian Council on Tuesday 30th October 2018 – East Lothian Council Proposed Local Transport Strategy
- 7.7 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Parking Strategy, Members’ Library Ref: 142/18 (October 2018 Bulletin)
- 7.8 East Lothian Council Proposed Local Transport Strategy 2018-24 – Draft Active Travel Improvement Plan, Members’ Library Ref: 141/18 (October 2018 Bulletin)
- 7.9 Policy and Performance Review Committee – 04 Roads Asset Management – Annual Status and Options Report

AUTHOR’S NAME	Peter Forsyth
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DATE	12 February 2024

REPORT TO: East Lothian Council
MEETING DATE: 27 February 2024
BY: Executive Director for Council Resources
SUBJECT: Appointment of Chief Social Work Officer

5

1 PURPOSE

- 1.1 To seek formal approval of the appointment of Lindsey Byrne as the Council's Chief Social Work Officer, as set out in Section 3.1 of this report.

2 RECOMMENDATIONS

- 2.1 Council is asked to approve the appointment of Lindsey Byrne to the statutory post of Chief Social Work Officer.

3 BACKGROUND

- 3.1 Lindsey Byrne was appointed as Acting Head of Children's Services following the departure of Judith Tait in April 2023. In May 2023, following an external recruitment campaign, Ms Byrne was confirmed as the preferred candidate for the post of Head of Children's Services and was duly appointed to that role. In taking up her post, Ms Byrne also assumed the role of the Council's Chief Social Work Officer, pending formal Council approval of this appointment. The Council is therefore asked to approve Ms Byrne's appointment to the statutory position of Chief Social Work Officer.

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 are no direct financial implications associated with the recommendations in this report.
- 6.2 Personnel – None other than those set out within this report.
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 None

AUTHOR'S NAME	Morag Ferguson
DESIGNATION	Head of Corporate Support
CONTACT INFO	mferguson@eastlothian.gov.uk
DATE	12 February 2024

REPORT TO: East Lothian Council

MEETING DATE: 27 February 2024

BY: Executive Director for Council Resources

SUBJECT: Amendments to Standing Orders

6

1 PURPOSE

- 1.1 To seek approval for changes to Standing Orders (Scheme of Delegation) to require that proposed consultation responses in respect of applications made under Section 36 of the Electricity Act 1989 are reported on the Council's Committee Expedited List, thereby giving Members the opportunity to call proposed responses off the List, for a decision of Planning Committee; to give the Head of Development further powers in relation to the variation, modification and discharging of planning obligations; and to amend the powers relating to Section 193 (signing powers for notices and orders) of the Local Government (Scotland) Act 1973.

2 RECOMMENDATIONS

- 2.1 That Council approves the proposed new processes and associated changes to the Scheme of Delegation (as set out in Sections 3.7, 3.9 and 3.19).

3 BACKGROUND

- 3.1 In Scotland, any proposal to construct, extend, or operate an onshore electricity generating station with a capacity of 50 megawatts (MW) or over requires the consent of Scottish Ministers under Section 36 of the Electricity Act 1989. Such applications are processed on behalf of the Scottish Ministers by the Energy Consents Unit ("ECU"). Onshore generating stations which will have a capacity of less than 50MW when constructed are not within the scope of the Electricity Act, and such proposals require an application for planning permission to be submitted to the relevant local planning authority.
- 3.2 Electricity generating stations encompass a range of technologies, including wind turbines, thermal generation and solar arrays. In addition,

the Scottish Government considers that a battery energy storage system is to be treated as a generating station. At present, there are a number of proposals for the development of electricity generating stations within East Lothian. Such proposals can sometimes generate significant public interest and/ or concerns.

- 3.3 The ECU consults East Lothian Council on all Section 36 applications within East Lothian. Additionally, the Council may be consulted on applications that are not within East Lothian but where the ECU thinks that it may impact on the authority area. Where the Council objects to the granting of consent for a generating station within its area, a public inquiry must be held.
- 3.4 Standing Orders (Scheme of Delegation, Section 12.5) currently delegates the following specific function – “Providing the Council’s view as planning authority on planning applications and other consultations from neighbouring planning authorities and the Scottish Government”.
- 3.5 The current procedure is that Section 36 consultations are allocated to a planning case officer. They will consult relevant internal services and will undertake a site visit. Scottish Ministers will consult with other relevant bodies and send their responses to the planning case officer for consideration. The case officer will take into account consultation responses, as well as any other representations received, before preparing a consultation response. The response will then be checked over by either the Service Manager for Planning or the Team Manager for Policy and Strategy before it is sent to the ECU. The response will confirm whether or not the Council objects to the proposal.
- 3.6 It is proposed that once the consultation response has been checked over it will be placed on the Committee Expedited List. The List is circulated each week to Members, who would then have seven days in which to request referral to Planning Committee. Otherwise, the consultation response is deemed to be accepted and the Service Manager for Planning shall be authorised to proceed on that basis.
- 3.7 It is proposed that the Scheme of Delegation is amended to reflect this process.

Section 12.5, which relates to one of the specific functions delegated to the Head of Development, should be amended as follows:

Providing the Council’s view as planning authority on planning applications and other consultations from neighbouring planning authorities and the Scottish Government. The only exception to this is consultation responses on applications made under Section 36 of the Electricity Act 1989 (see Section 18.5).

This proposed wording of this new section (Section 18.5) is as follows:

Scheme of Delegation Section 18.5: Consultation requests under Section 36 of the Electricity Act 1989

Consultation responses on applications made under Section 36 of the Electricity Act 1989 shall be circulated on the Committee Expedited List

to Members, who shall have seven days to request referral to the Planning Committee, otherwise the officer consultation response is deemed to be accepted and the Service Manager for Planning shall be authorised to proceed on that basis.

The remit and powers of the Planning Committee (listed under Section A of the Scheme of Administration for the Planning Committee) will be expanded to include:

5. Consultation responses on applications made under Section 36 of the Electricity Act 1989

(a) deciding on consultation responses referred to the Planning Committee under Section 18.5 of the Scheme of Delegation.

3.8 This process will be reviewed in 2025. Any subsequent amendments would need to be the subject of a further report to Council.

3.9 The Council is also being asked to approve an addition to Section 18.4 of the Scheme of Delegation, which, if approved, will come into effect on 1 April 2024. This section currently states:

18.4 Decisions in relation to the variation, modification or discharging of planning obligations

a. The Head of Development shall have authority to determine applications to vary, modify or discharge planning obligations, in terms of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010

b. The Head of Development shall have authority to determine applications to vary, modify or discharge Good Neighbour Agreements, in terms of the Town and Country Planning (Modification and Discharge of Good Neighbour Agreements) (Scotland) Regulations 2010

The proposed addition is as follows:

c. The Head of Development shall have authority to modify or discharge planning obligations through written agreement with all parties providing that there is no reduction in the scale or level of obligation or financial contribution to the Council or any non-applicant.

3.10 A S75 application will be required for any proposed modifications that seek to reduce the scale or level of obligation or financial contribution to the Council or causes additional burden to any non-applicant which they have not been informed of and agreed to in writing.

3.11 This proposed change to Scheme of Delegation is requested as the Planning (Scotland) Act 2019, Section 37 brought amendments to the Town and Country (Scotland) Planning Act 1997 which govern the creation, modification and discharge of planning obligations. These amendments came into force 18 November 2020. Section 37 amends S75A and S75B of the Town and Country Planning (Scotland) Act 1997,

which address the modification and discharge of planning obligations and the appeal regime.

- 3.12 The new legislation provides two ways to modify and discharge S75 planning obligations.
- 1) An agreement in writing among the Planning Authority and all the parties against who the planning obligation is enforceable
 - 2) An application under S75A or following an appeal to Scottish Ministers
- 3.13 The new legislation allows all the parties (against whom the obligation is enforceable) to revisit the terms of a planning obligation. The Council, as the Planning Authority wants to safeguard the S75 as these planning obligations are the principal mechanism that controls the delivery of developer contribution towards necessary infrastructure and affordable housing.
- 3.14 Previously to this new legislation coming into effect the Council could only determine that a planning obligation was to continue without modification, was to be discharged or was to have effect subject to modifications specified in the S75A Application. S75B provided for the right to appeal against a decision to the Scottish Ministers. However, the modification by agreement provides that all the parties (including the Planning Authority) whom the planning obligation is enforceable agree and the Planning Authority can propose an alternative modification which can be accepted providing agreement by all the interested parties. This would allow parties to agree the modifications to changes in dates of contributions being received, affordable housing sites transferred, or payment schedules modified without impact on the actual amount or scale of the contribution.
- 3.15 There is a further safeguard to the process that if a modification or discharge would increase the burden on a non-applicant and the applicants have not sought the non-applicant's agreement, then a formal S75 application would be required.
- 3.16 This subtle change in this legislation provides flexibility and efficiency as formal S75A applications require a selective consultation period and can take weeks or months for the modification or discharge to be determined.
- 3.17 The written agreement option will assist in reducing time and workloads especially where planning obligations are obsolete.
- 3.18 It is critical for the Planning Authority that the wording is correct for the S75 modification(s), and this new written agreement option allows for the Council to propose alternative wording for modification, providing all parties agree.
- 3.19 Section 19 of the Scheme of Delegation, concerning the Local Government (Scotland) Act 1973, Section 193, states that the proper officer for signing notices and orders is 'the relevant Executive Director/Head of Service responsible for the service relating to the notice/order (in consultation with the Service Manager – Governance/designated Principal or Senior Solicitor)'. It is proposed that

this wording is amended to read: ‘the relevant Executive Director/Head of Service responsible for the service relating to the notice/order or the Service Manager – Governance/designated Principal or Senior Solicitor’. This amendment will allow for additional appropriately qualified officers to sign notices and orders.

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

AUTHORS’ NAME	Lel Gillingwater Keith Dingwall
DESIGNATION	Team Manager – Democratic & Licensing Service Manager – Planning
CONTACT INFO	lgillingwater@eastlothian.gov.uk kdingwall@eastlothian.gov.uk
DATE	12 February 2024

MOTION TO EAST LOTHIAN COUNCIL

27 February 2024

Motion to Call for a Ceasefire in Gaza and for the UK Government to Reinststate UNRWA Funding

East Lothian Council notes the ongoing humanitarian catastrophe in Gaza, with 28,000 civilians dead and 2 million people now at risk of starvation as a result of Israeli military action. More than half of the population of Gaza is aged under 18.

East Lothian Council:

- Condemns the Hamas attack of October 7th and calls for the immediate release of all hostages;
- Equally, condemns the indiscriminate bombardment of Gaza by the Israeli Defence Force;
- Stands in solidarity with all victims of this violence and urges an immediate ceasefire to avoid further suffering.

Council notes that the UK is among several major donors to the UNRWA who have unilaterally suspended funding to this agency because of unverified reports that a small number of their staff may have been involved in the Hamas attack. This Council notes that 152 UNRWA staff have been killed while working in Gaza since October 7th 2023, and that a recent statement from 28 aid agencies warns that the withdrawal of funding for UNRWA threatens a complete collapse of the already restricted humanitarian response in Gaza.

Council further notes that the interim verdict of the International Court for Justice in the case brought by South Africa against Israel, places six binding actions on Israel, including to do all it can to prevent genocide, refraining from harming or killing Palestinians, urgently getting basic aid to Gaza, and to punish any incitement to genocide.

This Council condemns genocide and considers that the Court ruling places obligations on UK institutions, including government at all levels, to ensure they are avoiding any action which may directly or indirectly support genocide.

Accordingly, Council:

- asks the Leader of the Council to write to the First Minister, asking him to do everything within devolved powers to stop the supply of weapons and components from Scotland to Israel (and its allies); and to ask the FM for an update on the progress of the commitment he made during First Minister's Questions on November 16th, when he undertook to examine what more could be done to exclude companies who profit from the illegal occupation of the West Bank from public procurement contracts in Scotland

- also asks the Leader of the Council to write to the Foreign Secretary, welcoming his recent indication that he is considering recognising Palestine as a state, but also urging him to immediately reinstate the UK's funding for UNRWA and to join the list of nations supporting South Africa's case against Israel in the International Court of Justice.

Proposed by (name): Shona McIntosh

Date: 15 February 2024

Seconded by (name): Lee-Anne Menzies

Date: 15 February 2024

Received by (name of officer): Linda Gillie and Lel Gillingwater, Team Managers,
Democratic and Licensing

Date: 15 February 2024

REPORT TO: East Lothian Council

MEETING DATE: 27 February 2024

BY: Executive Director for Council Resources

SUBJECT: Submissions to the Members' Library Service,
27 November 2023 – 11 February 2024

8

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 27 November 2023 and 11 February 2024, 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 Services & Licensing
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DATE	12 February 2024

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
27 November 2023 – 11 February 2024**

Reference	Originator	Document Title	Access
117/23	Executive Director for Council Resources	Service Review – Customer Services	Private
118/23	Head of Corporate Support	Voting Rights of External Representatives on the Education & Children's Services Committee: Consultation Responses	Public
119/23	Head of Infrastructure	Response to Scottish Government Consultation on Burial Grounds Management	Public
120/23	Head of Corporate Support	Establishment Changes for November 2023	Private
121/23	Head of Communities and Partnerships	2023-2027 Workforce Plan Update, November 2023	Public
122/23	Head of Infrastructure	Sale of Land, Haddington	Private
123/23	Executive Director for Council Resources	Review of East Lothian Health & Social Care's Finance Unit	Private
124/23	Executive Director for Council Resources	2023-24 Awards Made by Common Good Funds	Public
125/23	Executive Director for Place	Creation of Community Justice Lead Officer	Private
126/23	Executive Director for Place	Public Sector Climate Change Reporting 2022/23	Public
127/23	Head of Infrastructure	Proposed New Whitecraig Primary School	Public
128/23	Head of Communities and Partnerships	Service Review – Connected Communities	Private
129/23	Head of Communities and Partnerships	Insurance Service Update and Policy Renewal Arrangements for 2023/24	Private
01/24	Head of Corporate Support	Establishment Changes for December 2023	Private
02/24	Executive Director for Council Resources	Staffing Report - 3 x Community Librarian Posts within Dunbar, North Berwick and Musselburgh Libraries	Private
03/24	Head of Infrastructure	Ross High School and North Berwick High School Expansions - Variations to Contract	Private
04/25	Executive Director for Council Resources	Staffing Report - Active & Sustainable Travel Assistant within Roads, Assets & Regulatory Team	Public
05/24	Executive Director for Council Resources	Staffing Report - Review of TEC Team	Public
06/24	Head of Infrastructure	Trial of Centre Line Removal at Selected Low Speed Sites	Public
07/24	Head of Finance	Bad Debt & Credit Balance Write Offs	Public
08/24	Head of Infrastructure	Musselburgh Flood Protection Scheme - Appendices	Public

09/24	Executive Director for Council Resources	Staffing Report – Creation of a Democratic Services Assistant within Corporate Support	Private
10/24	Head of Communities	Review of 2021-2023 East Lothian Poverty Plan	Public
11/24	Executive Director for Council Resources	Budget Consultation 2024/25 – Initial Analysis	Public
12/24	Head of Infrastructure	Active Freeway Design and Construction Programme 2024	Public
13/24	Head of Infrastructure	Wallyford Toll Active Travel Scheme	Public
14/24	Head of Housing	Proposals to Increase Council House Rents – Consultation Exercise	Public
15/24	Head of Children’s Services	Payments to Share the Carers and Personal Assistants	Public
16/24	Head of Corporate Support	Establishment Changes for Jan 24	Private
17/24	Executive Director for Council Resources	ELC Procurements for Q3 23/24	Public
18/24	Head of Corporate Support	Q3 Customer Feedback Report	Public
19/24	Head of Corporate Support	Equalities Monitoring Report & Equal Pay Report	Public

12 February 2024