



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 23 APRIL 2024
VIA DIGITAL MEETING FACILITY

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 L-A Menzies
Councillor B Ritchie
Councillor C Yorkston

Council Officials Present:

Ms M Patterson, Chief Executive
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
Mr D Hood, Head of Operations – Health and Social Care Partnership
Ms W McGuire, Head of Housing
Mr R Montgomery, Head of Development
Mr T Reid, Head of Infrastructure
Ms S Saunders, Head of Communities
Mr J Baker, Service Manager – Economic Development
Mr S Cooper, Team Manager – Communications
Ms F Currie, Committees Officer
Mr R Edgar, Team Manager – Policy and Strategy (Planning)
Mr C Grilli, Service Manager – Governance
Mr C Hamm, Sustainability and Climate Change Officer
Mr E John, Service Manager – Sport, Countryside and Leisure
Mr S Kennedy, Team Manager – Emergency Planning
Ms L Kerr, General Manager – Planning and Performance (Adult Wellbeing)
Ms J Lothian, Team Manager – Strategy, Policy & Development
Mr M Mackowiak, Planner
Ms M Scott, Committees Officer

Visitors Present:

Mr John Boyd, Audit Scotland

Clerk:

Mrs L Gillingwater

Apologies:

Councillor K McLeod
Councillor T Trotter

Declarations of Interest:

Councillor Menzies advised that as a Board Member of EnjoyLeisure, she would be declaring an interest in respect of Item 16 on the agenda, and that she would leave the meeting for the duration of that item (despite being advised by the Monitoring Officer that there was no requirement for her to withdraw from the meeting).

Councillor Forrest advised that he also had a conflict of interest in respect of Item 16, in relation to the application for Common Good funding submitted by the Honest Toun Association, and that he would leave the meeting for the duration of that item.

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.

ORDER OF BUSINESS

The Provost announced changes to the order of business. He advised that Councillors McIntosh and Jardine had indicated that they wished to withdraw their motion on the Local Heat and Energy Efficiency Strategy (Item 13 on the agenda). Both Members confirmed the withdrawal of this motion. The Provost noted that an amendment to that item had been submitted by Councillors Hampshire and Akhtar; however, as the motion had now been withdrawn that amendment would not be heard.

The Provost also advised that an emergency motion had been submitted by Councillors Dugdale and Forrest in respect of the proposals by the Boundary Commission (Boundaries Scotland) in relation to the Scottish Parliamentary Constituency boundaries. He noted that the emergency motion had now been issued to Members and that he was prepared to accept it given that the proposals had only recently been received and that the Council only had until 15 May to respond. He proposed that this item be heard following Item 12 on the agenda.

Prior to the commencement of business, the Provost paid tribute to members of the community on their recent achievements: Blair Glynn on his recent success with the Scottish Cerebral Palsy Football Team, and Ellie Moffat on her selection for the Scotland U18 Rugby squad. He also congratulated Councillor Shona McIntosh on participating in the London Marathon.

The Provost also announced that this meeting would be the last Council meeting for Morag Ferguson (Head of Council Support) and Sharon Saunders (Head of Communities). He thanked both officers for the advice and support over many years and wished them well for their retirement.

Councillor Bruce indicated that he wished to submit an amendment to the emergency motion. Morag Ferguson, Head of Council Support, confirmed that she had assessed the amendment and that it was competent. She advised that she would issue it to Members. The Provost noted that he would allow Members time to consider the amendment to the motion.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved:

- a. Special East Lothian Council, 20 February 2024
- b. East Lothian Council, 27 February 2024

2. EAST LOTHIAN COUNCIL 2022/23 ANNUAL AUDIT REPORT

The Provost welcomed Mr John Boyd of Audit Scotland to the meeting and invited him to present the Council's 2022/23 Annual Audit Report.

Mr Boyd presented the report, confirming that the Council had been given an unqualified opinion on the accounts. He advised that the Council had a clear vision and priorities, and that appropriate governance arrangements and performance management arrangements were in place. He recognised the financial challenges and service demands facing the Council, and highlighted the need for the Council to align resources with its priorities. He thanked officers for their assistance during the audit process and hoped that the next annual report would come forward in accordance with normal timescales.

Councillor Hampshire asked if future Annual Audit Reports would recognise the impact of growth on the Council, as well as the need for additional government funding. Mr Boyd advised that he would highlight the specific challenges facing the Council and also mention this in Audit Scotland's overarching report to the Accounts Commission.

Councillor Bruce asked for an explanation as to why all the actions in the 2018 Best Value Assurance Audit had not yet been completed. Mr Boyd indicated that it was not unusual for delays, for example, where a council was unable to prioritise an action or where the issue was a 'slow burner' and would take time to embed. This aspect would be included as part of the report to the Accounts Commission. Councillor Bruce also asked about the capital budget situation and the impact of digital services. Mr Boyd confirmed that the situation with capital funding was reflected across the public sector, exacerbated by the impact of COVID-19, Reinforced Autoclaved Aerated Concrete (RAAC), supply issues and inflationary pressures. However, he stressed that it was necessary to deliver capital programmes in alignment with Council priorities. On digital services, he informed Members of a detailed review of major IT programmes. In order to prevent costs increasing due to delays, he suggested that the Council should seek to 'lock down' costs where possible.

Councillor Jardine questioned the efficacy of the transformation agenda and the prioritisation of digital services. Mr Boyd advised of the Accounts Commission's thematic approach as regards their focus, with workforce and workforce innovation being the focus in 2023/24. He was unable to comment on the specifics of the investment in digital services but did point out that this was a fast-moving area, with more people working remotely and a greater need to focus on cyber security.

In response to a question from Councillor McIntosh regarding the Council's assessment of risk as regards financial sustainability and climate change, Mr Boyd advised that there was a great deal of work underway in this area, including in relation to pension funds. He accepted that there was a challenge for councils in achieving Scottish Government targets. He noted that

the Auditor General and Accounts Commission were developing a programme of work on climate change that councils would need to incorporate into their planning processes, but that the needs of service users would have to be taken into account alongside financial capability.

Councillor Menzies asked about the challenges concerning the housing capital programme. Mr Boyd pointed out that East Lothian's challenges in this area were unique, due to growth. He accepted that there were capital funding pressures and that the Council would need to take difficult decisions as to what could be achieved.

On the progress of the Dr Bruce Fund, as raised by Councillor Cassini, Ellie Dunnet, Head of Finance, advised that some progress had been made regarding the review of Trust Funds, with a view to making better use of these funds, and that a report would be presented to Members in due course.

Opening the debate, Councillor Hampshire welcomed the report and thanked Mr Boyd and his team. He stated that the Council would always consider plans to deliver financial stability, but that growth was putting pressure on all service areas. He reaffirmed the Council's commitment to reaching net zero but cautioned that this had to be considered alongside the financial position.

Councillor Forrest thanked Ms Dunnet and her team for their work on trust funds.

As Convener of the Audit & Governance Committee, Councillor Menzies thanked Mr Boyd and his team for their assistance and advice. She welcomed the unqualified opinion on the accounts but recognised that councils were facing difficult times financially. She called on the Council to be innovative in its quest to be financially sustainable, adding that collaboration and strong leadership were key to achieving this.

Councillor Akhtar spoke of the significant demand on Council services, and the challenges facing all councils. She welcomed Audit Scotland's confirmation that the Council had appropriate governance arrangements, a clear vision and clear priorities. She paid tribute to staff who were working to deliver services whilst making savings.

The Provost thanked Mr Boyd for his report.

Decision

The Council agreed to note the 2022/23 Annual Audit Report.

Sederunt: Councillor McGinn left the meeting.

3. FINANCE UPDATE

A report was submitted by the Executive Director for Council Resources providing an update on the 2024/25 budget, specifically the additional funding allocation announced following the Chancellor's Spring Budget on 6 March; providing an update on budget mitigation measures agreed by the Council in August 2023; providing an update on the work of the external auditor for the financial year 2022/23; and outlining the process for setting the financial strategy and budgets for 2025/26 onwards.

The Head of Finance, Ellie Dunnet, presented the report. She made reference to a recent announcement by the Deputy First Minister in relation to additional unringfenced funding for councils to deal with the impact of the council tax freeze; she anticipated that the Council may receive additional funding of approximately £1.2m. She proposed that this funding should be

used to reduce the planned use of reserves. She also noted that the previously approved mitigation measures, with the exception of the decision to pause capital spending, should remain in place.

Responding to a question from Councillor Jardine on the additional funding, Ms Dunnet reiterated that as the Council was facing significant financial risks, she was proposing to use the additional funding to mitigate these risks, by way of reducing the planned use of reserves in 2024/25.

Councillor Bruce asked for further information as to the rationale of that decision. Ms Dunnet advised that the current level of reserves was very low, and was expected to be further reduced due to decisions made as part of the budget-setting process. By reducing the use of reserves, services would be protected. She accepted that the funding could be used to reduce debt charges, but the current level of risk was such that the Council may not be able to meet all its commitments. On the removal of mitigation measures, Ms Dunnet emphasised that these measures were not designed to be permanent, and it was likely that some would be reduced or amended in June. She accepted that these measures were damaging but reiterated that they were not part of the longer-term strategy.

On the potential closure of buildings, Councillor Gilbert asked if Members would have an opportunity to take such decisions. Ms Dunnet advised of some facilities that were operating on reduced hours and anticipated that a protocol would be put in place to keep Members informed of any significant changes. Tom Reid, Head of Infrastructure, added that decisions to mothball buildings/facilities were taken in line with budget pressures. He assured Members that the asset review was continuing, looking at utilisation and condition of properties; a report on this would be presented to Council in June.

Councillor Menzies asked Ms Dunnet if she was confident of a cross-party budget for 2025/26. Ms Dunnet indicated that this would be the ideal outcome, noting that some changes had come out of the cross-party working group for 2024/25. She proposed that work on the next budget should commence at an early stage and hoped that the measures in place would facilitate a cross-party budget.

With reference to the Scottish Welfare Fund (SWF) and other grant funding, Councillor Akhtar asked what else could be done to support people, and if the Council would be in a position to make a contribution to the Integration Joint Board (IJB) overspend. Ms Dunnet stated that the high threshold for applications to the SWF would continue throughout the year, as it was a limited pot of money. She noted the importance of ensuring that the funding reaches those most in need, and that other ways to support people would need to be explored. On the position of the IJB, she was working on the assumption that any overspend would be met through the use of IJB reserves; further detail on this would be presented to Council in June. However, she anticipated that it was unlikely she would be in a position to recommend an additional contribution to the IJB from the Council if the IJB had sufficient reserves to meet the in-year overspend. She would continue to work with IJB colleagues on this issue.

Councillor Hampshire warned that the savings outlined in the budget would be difficult to deliver. He was in favour of Ms Dunnet's proposals to use the additional funding to reduce the use of reserves in order protect services in future years.

Councillor Jardine welcomed Mr Reid's commitment to bringing forward a report on the asset review to Council in June. She asserted that the Council had to be braver in its decision-making now in view of the challenging financial situation, and that tackling poverty and inequality needed to be prioritised.

Councillor Akhtar remarked that the Council was not looking for special treatment, but that there was recognition of the impact of growth on the Council. She noted that, over the past

ten years, the Council's capital funding had decreased by 22% whilst other areas had seen theirs increase. She called on the Council to challenge this position.

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

Decision

The Council agreed:

- i. to note the messages set out within the Deputy First Minister's letter of 7 March 2024 and estimated implications for the Council, as set out in Section 3.3 of the report;
- ii. that any additional unringfenced funding would be used as set out in Section 3.9 of the report;
- iii. to note that the mitigation measure to pause non-committed capital expenditure ceased to be in place from 1 April 2024, following the adoption of the updated capital programme for 2024/25 onwards by the Council on 20 February 2024;
- iv. that all other mitigation measures would remain in place until the provisional outturn for 2023/24 is considered by Council, in June 2024;
- v. to note that the statutory audit of the 2022/23 accounts for the Council and group accounts had now concluded, with an unqualified audit opinion being issued on 20 March 2024; and
- vi. to approve the indicative timetable for setting the budget for 2025/26 onwards, outlined in Section 3.19 of the report.

4. COMMON GOOD BUDGETS 2024/25

A report was submitted by the Executive Director for Council Resources providing an update on Common Good Funds and seeking approval of the proposed budgets for 2024/25.

The Head of Finance, Ellie Dunnet, presented the report, drawing Members' attention to the budgets for each Common Good Fund, as set out in Appendices 2a-d of the report, and highlighting in particular the proposal to recharge maintenance costs for Common Good assets in Musselburgh. She noted that there may be a need to revise these budgets following the outcome of the Common Good Review.

In response to a question from Councillor Bruce regarding the situation with the Brunton Hall, Ms Dunnet confirmed that the building was a Common Good asset and that the fund would need to support any remedial work. Tom Reid, Head of Infrastructure, provided an update on the situation, advising that the Engineering Team were continuing their work with external contractors and that he hoped to submit a report to the Council Management Team on the issue in the coming weeks; this report would be shared more widely in due course.

Councillor Bruce expressed concern about approving a grants budget without knowing the outcome of the Common Good asset review and the potential costs associated with the Brunton Hall. Ms Dunnet referred to Section 3.7 of the report which outlined the risks to the Common Good funds. However, she explained that there was an ongoing flow of Common Good applications, and it was felt appropriate that some funding was made available for grant awards. She assured Councillor Bruce that she would report to Council if it was felt that making provision for grants was no longer appropriate.

Councillor Forrest asked for further information regarding using Common Good funding for the upkeep of amenities in Musselburgh. Ms Dunnet advised that Common Good assets in Musselburgh were currently being maintained through the Amenities Services budget, and it was felt reasonable that the Common Good fund should contribute to these costs going forward.

Councillor Findlay asked what happens to income generated from Common Good assets, in particular if it is retained within the relevant Common Good fund; he provided the Quality Street car park in North Berwick as an example. Ms Dunnet advised that this would need to be considered in conjunction with the parking review and she undertook to provide a detailed response on this matter.

Councillor Cassini asked if Common Good assets could be managed by a third party and whether the funds could be transferred for this purpose. Ms Dunnet explained that the financial investments were already managed by an external fund manager. Mr Reid also noted that as part of the asset review, Common Good assets could be leased, but the longer-term disposal of assets may require a court order. Morag Ferguson, the Head of Corporate Support, pointed out that there were different categories of Common Good asset, but that there was no reason why the management of assets could not be sub-contracted to a third party; however, this would likely incur a cost and it would be difficult to demonstrate Best Value for the funds in that situation.

Councillor Forrest thanked officers for their work on the Common Good funds and paid particular tribute to Wendy Gillie in Estates and Chris Gray at the Old Course in Musselburgh for their work.

Councillor Bruce reiterated his comment that Common Good funding should be used primarily for the maintenance of assets and, as the situation with the Brunton Hall and other assets remained uncertain and it was unclear if there would be a surplus in the funds, he was concerned about continuing with grant funding at this time. He moved that this item of business be continued pending the outcome of the Common Good asset review.

Councillor Findlay seconded this proposal.

Taking account of Councillor Bruce's comments, Councillor Jardine was of the view that it should be for the Members involved in the various Common Good Committees to determine what should be funded and she was concerned that by agreeing to continue the item would mean that none of the Committees would be able to consider grant applications.

Councillor Forrest indicated that continuing with grant awards would not make much difference to the situation at the Brunton Hall.

Councillor Bruce advised that he would be withdrawing his proposal to continue the report to a future meeting.

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

For (15): Councillors Akhtar, Allan, Bennett, Cassini, Dugdale, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McIntosh, McMillan, Menzies, Ritchie, Yorkston

Against (0)

Abstentions (4): Councillors Bruce, Collins, Findlay, McGuire

Decision

The Council agreed:

- i. to note the ongoing financial challenges relating to the current economic climate and the risks that this presents to the Common Good Funds;
- ii. to approve the 2024/25 grants budgets for Dunbar, Haddington, Musselburgh and North Berwick, as set out in Appendices 2a-2d, noting the context for future budget development;
- iii. to approve the grounds maintenance budgets within Musselburgh Common Good as set out in Section 3.10 of the report, from the financial year 2024/25 onwards; and
- iv. to note that a review of property maintenance requirements was ongoing, and that updates to the proposed budgets would be brought back to Council in June 2024 if the review presents a requirement for a material change to these budgets.

5. NON-RESIDENTIAL CHARGING: SOCIAL CARE

A report was submitted by the Director of Health and Social Care informing the Council of the current position on the Non-Residential Charging Policy for Social Care, and seeking agreement of changes to this policy for 2024-25.

The General Manager for Planning and Performance, Laura Kerr, presented the report, drawing particular attention to the protection measures in place (as set out in Section 3.10 of the report). She assured Members that processes were in place to ensure that applicants for services were not at risk of financial hardship, and that service users and advocacy representatives were involved in the working group overseeing this policy. She also highlighted the CoSLA guidance associated with the charging for services, confirming that the proposed policy was aligned to this guidance and to the practices of other local authorities.

Councillor Akhtar asked if any community alarms had been returned due to the cost, and she also sought more information on the national policy for the removal of non-residential charges. Ms Kerr referred to the appeals process associated with charging, noting that two appeals had been upheld and three not upheld. She asserted that the process was accessible and robust, and that a social worker and advocacy worker supported appellants; the financial inclusion team would also work with people to ensure that they were in receipt of benefits to which they were entitled. She did not have a record of alarms being returned due to unaffordability. As regards the plans for the removal of non-residential charges, Ms Kerr indicated that this would not progress any further during the current parliament.

In response to questions from Councillor Dugdale, Ms Kerr explained that the costs associated with community alarms covered the full cost of providing the service and that she was unable to say if charges would decrease if the cost of the alarms decrease in future. She confirmed that all returned equipment was recycled, with the exception of bed sensors. She advised that an impact assessment had been carried out in relation to this report, noting that it had not been possible to engage with all service users; this was reflected in the impact assessment.

Councillor Bruce asked how the policy would be reviewed. Ms Kerr pointed out that the changes to the financial processes had been made to achieve maximum income for the Integration Joint Board, but that increasing the rates would not significantly increase income because most service users were already paying the maximum charge. Now that the national policy for the removal of non-residential charges would not be progressing in the foreseeable future, she added that charges would be updated on an annual basis going forward.

Councillor Akhtar pointed out that the Health and Social Care Partnership was in a difficult position, as the situation regarding the removal of charges was unclear. She highlighted the additional costs of moving from analogue to digital community alarms, which would result in an increase in cost for those using the alarms. However, she stressed that support could be provided for those who need it.

Councillor Menzies spoke in support of the removal of charges, noting that further funding from the UK Government would be required to achieve this.

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

Decision

The Council agreed:

- i. to note the contents of the report
- ii. to approve
 - a. the inclusion of ILF charges within the current financial assessment process
 - b. the recommendation to increase the first taper from 60% to 65% from April 2024, with a further 5% increase in the following three years to 75% from 1 April 2027
 - c. the phased the removal of the second taper within the current financial assessment process
 - d. the removal of the £50 board and lodgings disregard applied to people who live with family and/or friends who have no formal rental charge or tenancy responsibilities
 - e. the recommendation to remove subsidy for frozen meals and complete removal of the hiring costs of freezers and microwaves
 - f. the recommendation to reduce the subsidy for community alarms from 33% to 0% over a 3-year period from 1 April 2024
 - g. yearly uplifts of financial assessments to ensure charges are increased in line with benefits uplifts and increasing income
 - h. a 10% increase in charge for care at home, and transport, and 6% increase for resource centre and transport to and from resource centres
- iii. to note that any increase to charges requires a one-month notice period to the payer and that charges to each individual will be limited by the income protection measures outlined in Section 3.10 of the report

6. CORPORATE RISK REGISTER

A report was submitted by the Chief Executive presenting the up-to-date Corporate Risk Register to the Council.

The Team Manager for Emergency Planning, Scott Kennedy, presented the report, advising that the Council currently had 6 Very High risks, 7 High risks, 6 Medium risks, and 1 Low risk, and that a number of services remained in Business Continuity measures: Facilities; Estates; Housing; and Sport, Countryside and Leisure (Forestry). He advised Members of the monitoring arrangements for the Corporate Risk Register.

Councillor Hampshire welcomed the update, especially that there were no new risks on the Register. He thanked staff for their efforts to mitigate risks but warned that it would be difficult to find new mitigation measures to reduce risk. His comments were echoed by Councillor

Jardine, who added that the Risk Register allowed the Council to look forward and consider what could be achieved.

Councillor Akhtar made reference to CR10: Impact of the National Care Service, noting that the budget for the work on this was £30m every year for the next 10 years. She stressed the need to ensure that resources were directed appropriately.

The Provost concluded the debate by recalling the debate on change, particularly as regards digital transformation, noting that change would bring risk; however, he was reassured by the comments made by Mr Boyd earlier in the meeting on the Council's control measures.

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 required;
- ii. The relevant risks had been identified;
- 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. While corporate risks would 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.

7. EAST LOTHIAN PLAY SUFFICIENCY ASSESSMENT

A report was submitted by the Executive Director for Place seeking approval of the East Lothian Play Sufficiency Assessment (PSA).

The Team Manager for Strategy, Policy & Development (Amenity Services), Jennifer Lothian, presented the report. She advised that the PSA was a requirement of the Planning (Scotland) Act 2019, and that it would inform the new Local Development Plan (LDP). She informed Members that the PSA had been carried out by Play Scotland, and involved assessing all 121 Council-owned or managed formal public outdoor play spaces, with a particular focus on inclusion and accessibility. The assessment had included engagement with children and young people, including those with disabilities, and families. She noted that East Lothian was the first council to carry out such an assessment. She drew attention to the process and the key findings of the assessment (as set out in Sections 3.12-3.19 of the report), and also to the recommendations (as set out in Sections 3.20-3.21 of the report). She noted that although the Council provided an excellent quantity and good range of risky play opportunities, and that outdoor play facilities were generally attractive, there were some areas for improvement, such as facilities for older children, and the need for more accessible, sensory and natural play opportunities.

Councillor McFarlane asked if the installation of pump tracks would be supported by the Council. Dr Lothian confirmed that the Council had allocated capital funding to establish pump tracks in the main towns, and that these were subject to planning permission.

Highlighting the importance of outdoor play facilities, Councillor McIntosh asked how facilities would be made inclusive/accessible for disabled people, older children and girls. Dr Lothian referred to the work done in conjunction with Play Scotland and East Lothian Play Association (ELPA), which had informed the report, covering aspects such as surfaces, types of equipment, the range of equipment, etc.; however, she recognised there was a need for more sensory and interactive play facilities. She referred Members to the 'Make Space for Girls' website, which had proved to be a valuable resource during the development of the PSA. Dr Lothian also noted that officers would be looking to improve the range of nature-based play facilities on offer.

Councillor Ritchie asked for further information on accessibility. Dr Lothian advised that as a result of the work undertaken with ELPA and additional support needs (ASN) groups, the specifications for new play areas had been amended to increase accessibility, including facilities such as basket swings, wheelchair accessible roundabouts and sensory play panels. She further advised that some communities were currently being consulted on the future of their play areas, and that it was important to listen to the views of children and young people.

On the consultation process, Dr Lothian indicated that a wide range of people and groups had been consulted, assisted by Play Scotland, ELPA and Can Do – primary and secondary school children, disabled children and their families, young women and girls, and families with children aged 0-4 had all been consulted; in addition, there had been a wider consultation online and through the Library Service, as well as with community councils, to which 291 responses had been received.

Councillor Menzies asked about safety in play areas and also about intergenerational play facilities. Dr Lothian pointed out that a large proportion of East Lothian's play spaces were in open areas, and that family members were often present to supervise children. She noted that seating areas were provided in many play spaces, and that some had outdoor gym play equipment suitable for older children and adults. She added that consideration had to be given to parents and care-givers who had disabilities to make these areas more accessible to them – this would need to be considered alongside the financial resources available.

Councillor Cassini suggested that better use of open spaces could be considered, e.g. by removing 'no ball-game' signs, and also that it would be useful to have public toilets situated close to play areas. Dr Lothian accepted that some spaces could be made more welcoming and that this aspect could be taken forward with community groups. Regarding toilet facilities, this had been raised by Play Scotland during the development of the PSA. She advised that toilets were generally available at some of the large 'destination' parks, but that it would not be possible or necessary to provide such facilities in every play space.

Councillor Dugdale asked if pop-up play facilities had been considered during the PSA process, noting that ELPA had trialled this over previous holiday periods. Dr Lothian indicated her support for such events, noting that the Council would support them wherever possible. She added that there were no specific locations planned for pop-up events at this time, and that proposals would be assessed on a case-by-case basis.

Councillor Menzies stressed that it is a right for children to be able to play, and welcomed the news that East Lothian was the first local authority to undertake a full assessment of accessible and inclusive play provision. She appreciated that providing such play facilities would come at a cost, but noted that some may be covered by way of Section 75 Agreements. Without such play areas, she believed that there would be an increase in poor mental health and anti-social behaviour, as well as missed education opportunities.

Speaking in support of Councillor Menzies's comments, Councillor Hampshire highlighted the importance of providing suitable facilities for young people aged 12 to 17 in particular. He believed that creating new communities also required the creation of facilities within those

communities for children and young people. He looked forward to seeing the plans develop further.

Councillor Ritchie praised the Council for its existing play facilities. She welcomed the work to take this matter forward and for the engagement with the third sector and other organisations.

Concluding the debate, Councillor Dugdale emphasised the importance of play for children and young people's development and wellbeing. She commended Dr Lothian on the work that had gone into the report, and the consultation that had taken place with young people and with ELPA and Can Do. She accepted that providing such facilities would come at a cost and hoped that additional funding would be provided by the Scottish Government to meet the needs of children and young people.

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

Decision

The Council agreed:

- i. to approve the East Lothian Play Sufficiency Assessment; and
- ii. to note that the Play Sufficiency Assessment would inform the Evidence Report for the next East Lothian Local Development Plan.

8. PROPOSED EAST LOTHIAN LOCAL ECONOMY STRATEGY

A report was submitted by the Executive Director for Place seeking approval of the Local Economy Strategy 2024-34.

Sederunt: Councillor Collins left the meeting.

The Service Manager for Economic Development, Jamie Baker, presented the report on the Strategy, which had been developed with the support of Stantec UK. It took account of the local context, organisational capacity, local priorities, community wealth, economic and business sustainability and climate change. He noted that a key theme of the Strategy was community wealth building (CWB), reminding Members that the Council had approved the Community Wealth Building Charter in February 2024.

Responding to a series of questions from Councillor Findlay, Mr Baker advised that the operational delivery plan could be progressed soon after approval of the Strategy and that he would be happy to provide an annual report on its progress. On employment, Mr Baker explained that there were only a few large employers in East Lothian, and that there would be a focus on businesses with growth potential, e.g. the Innovation Hub at Queen Margaret University, Cockenzie and Blindwells, as well as creating high quality employment opportunities, remarking that there was a disparity in the average earnings of those employed in East Lothian versus those employed in Edinburgh. As regards tourism, Mr Baker indicated that it was too early to assess the impact of the short-term licensing legislation, adding that it was important to ensure that the right types of properties were available as short-term let accommodation, especially as hotel accommodation in East Lothian was limited. He also advised that golf featured in the tourism section of the strategy as well as the business section.

Councillor Jardine asked if there would be opportunities to develop different types of tourist accommodation. Mr Baker accepted that, in order to attract visitors to stay for longer periods

in East Lothian, suitable accommodation was required; visitors tended to prefer short-term let accommodation as it was more flexible than hotel accommodation. He welcomed ideas for holiday accommodation, e.g. on farms and campsites, purpose built, etc. As regards workforce accommodation, he indicated that this was a complex area and that providing accommodation for short-term events had to be considered alongside the need for tourist accommodation.

Councillor Gilbert asked about the Council's obligations in relation to providing businesses with space around East Lothian's towns, and if the compulsory purchase of land was an option. Mr Baker confirmed that the Council did have the power to do that, and that there were potential sites for development, but that it would come at a cost and the process was not straightforward. He added that there were other potential routes, such as compulsory sale, whereby landowners could be compelled to put the land on the market, or community right to buy.

Councillor Menzies requested further information on direct recruitment. Mr Baker advised that there would be a focus on areas with recruitment challenges, suggesting that additional training or better pay could be offered, in addition to guaranteed interviews for certain groups and offering modern apprenticeships. The Council would work in partnership with Anchor Institutions to target those who need more support.

Councillor McIntosh raised the issue of transport, asserting that the Council should be encouraging modes of transport other than the car. Mr Baker commented that the volume of journeys was an indicator of activity, not economic value. He recognised that there were issues with public transport connectivity, and that there was a need to address this, alongside increasing local employment opportunities. These issues would feature in the next Local Development Plan. On demand-responsive transport, he noted that this was being trialled at present. As regards renewable energy, Mr Baker indicated that partners were keen to be involved in developing the idea of heat networks, and that gas engineers were transitioning to installing heat pumps. He added that a variety of opportunities were being explored to reach net zero, but that this was a complex and fast-moving area of work and that a pragmatic approach was needed.

Councillor Findlay welcomed the report and looked forward to seeing the delivery plan in due course.

Councillor Jardine congratulated Mr Baker and his team on developing the Strategy. She highlighted the importance of the inclusion of community wealth building, and referenced the socio-economic review to demonstrate how critical this Strategy is. She looked forward to scrutinising the progress of the Strategy [at the Policy & Performance Review Committee].

The Provost, as Economic Development spokesperson, commented on the value of grants given to local businesses.

Councillor McIntosh remarked that growth was not always a good thing. She welcomed the focus on prosperity and providing access to jobs to meet skills. However, she felt that existing businesses should be focusing more on sustainability rather than growth. She declared that she would abstain on the basis that more could be done to fully embed prosperity rather than profit. The Provost indicated that this may be a question of language used in the report as opposed to outcomes and results.

Councillor Hampshire emphasised the need to create opportunities within East Lothian to allow people to work close to where they live. He believed that the Strategy would make East Lothian an attractive place for investment. On the future of Torness Power Station (due to close in 2028), he believed that the power station could continue to operate through the installation of modular reactors. He also mentioned the need to find appropriate ways to store

energy, suggesting that electricity could be converted to hydrogen, and that the quarry at Dunbar would be an ideal location for hydrogen storage tanks. He added that Scottish Gas was currently trialling hydrogen heating in Fife, which, if effective, could contribute to achieving net zero. He noted that the Strategy would evolve to meet the requirements of national government but was a solid foundation to building the economy in East Lothian.

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

For (17): Councillors Akhtar, Allan, Bennett, Bruce, Cassini, Dugdale, Findlay, Forrest, Gilbert, Hampshire, Jardine, McFarlane, McGuire, McMillan, Menzies, Ritchie, Yorkston

Against (0):

Abstentions (1): Councillor McIntosh

Decision

The Council agreed:

- i. to approve: the Proposed Local Economy Strategy 2024-34; the vision, goals and objectives; and the action areas outlined
- ii. to note that progress would be reported annually, and that the Strategy would be subject to a mid-term review in 2028/29;
- iii. to note that a 'public facing' version of the Strategy would be published with a focus on of readability/accessibility, including additional diagrams and infographics in place of text, relevant case examples highlighting progress made under the 2012-22 Strategy, as well as photography.

9. CLIMATE CHANGE STRATEGY UPDATE

A report was submitted by the Executive Director for Place providing the fourth annual update on the progress of delivering the actions and commitments in East Lothian's Climate Change Strategy 2020-25.

Sederunt: Councillor McGinn returned to the meeting.

The Sustainability and Climate Change Officer, Cheyne Hamm, presented the report, drawing attention to a number of key projects and achievements (as set out at Sections 3.9-3.18 of the report). He made reference to the recent Scottish Government announcement on climate change targets, noting that he was still assessing the implications of this, but adding that the net zero target of 2045 remained in place. He advised that the Council's approach would be aligned to that of the Scottish Government, and that a new Climate Change Strategy for the period 2025-30 would be developed over the coming year.

Councillor Forrest asked for an update on progress as regards Council properties. Mr Hamm pointed out that the Council was looking to supply homes with a net zero heat source alongside other energy efficiency measures.

In response to a series of questions from Councillor McIntosh, Mr Hamm indicated that, as a public body, the Council has a duty to help communities adapt to climate change and reduce their emissions. This would be included within the next Climate Change Strategy. He added that he was working with a number of community groups with an interest in this subject, and that he anticipated that there would be a discussion on climate change at the next East Lothian Partnership meeting, with the aim of larger organisations working together to reduce

emissions. He also informed Members that many Council services were adopting an 'efficiency first' approach due to the Council's financial situation and this approach would be encouraged to all teams across the organisation. On the recent Scottish Government announcement and its impact on the Council's new Climate Change Strategy, Mr Hamm noted that clear outcomes from the Scottish Government were required so that the Council's Strategy could be aligned accordingly, as well as a direction on the Council's responsibilities, and those of region-wide public bodies.

Tom Reid, Head of Infrastructure, explained that officers were involved in campaigning for investment in order that the Council could progress in a variety of areas, including the conversion to sustainable fuels for the Council's vehicle fleet. He stressed that ringfenced funding was required to achieve such aims, adding that even new school buildings were not operating at net zero due to insufficient funding.

Councillor Hampshire highlighted the increase in household recycling since 2019/20, an area in which the Council had invested heavily. He asked what measures were being taken to encourage households to recycle more. Mr Reid stated that the most recent figures suggested that c. 53% of waste was now being recycled, but that these figures were a year behind and it would be some months before the figures for the new system were available. He believed that the new 3-weekly general waste collection would encourage people to recycle more, adding that the Council was one of only a few providing a food waste collection service. He also noted that the Council's recycling service was sustainable, with less than 3% contamination.

On the heating of buildings, Councillor Hampshire noted that the Council's current Local Heat and Energy Efficiency Strategy (LHEES) was not compatible with the current Scottish Government guidance, and he requested that a review of this strategy was required in order to make it as flexible as possible. Mr Hamm indicated that heat networks was the preferred option currently, as this made best use of existing heat; other options included biomass or waste heat from hydrogen fuel production. He noted that a balance would have to be struck between energy efficient upgrades and decarbonising the heat sources themselves, and that the options had to be affordable, available and secure. Ray Montgomery, Head of Development, pointed out that discussions with the Scottish Government were ongoing as to whether the Council's current strategy was compliant with their guidance; he anticipated that the finalised strategy would be presented to Council later in the year. He added that the Council may not be eligible for additional funding for feasibility studies should it pursue its previous strategy.

Councillor Hampshire sought to put forward an amendment to the effect that there would be an additional recommendation seeking agreement to bring forward a finalised Local Heat and Energy Efficiency Strategy in compliance with the Scottish Government's guidance, and that the strategy would provide the Council with a flexible approach going forward as regards technology and methodology. He noted that the wording of the amendment was identical to the wording of the amendment he had submitted in relation to Councillor McIntosh and Jardine's motion, which had now been withdrawn from the agenda.

Sederunt: Councillor Collins returned to the meeting.

A number of Members voiced their objection to this late amendment being proposed. The Monitoring Officer, Morag Ferguson, advised that it was for the Provost to determine whether or not to accept it. Following a short debate on the matter, the Provost declared that he would not accept the proposed amendment on the grounds that officers had confirmed that the finalised Local Heat and Energy Efficiency Strategy would be presented to Council for consideration after the summer recess, and that it would cover the points raised by Councillor Hampshire in relation to flexibility, risk, compliance and funding.

Councillor Dugdale questioned how the Council's annual emissions were measured, especially with so many staff working from home. She also asked about emissions from the Council's fleet and the funding required to achieve net zero for those vehicles. Mr Hamm advised that this issue was currently under consideration, with a pilot project underway covering commuting emissions and home-working emissions. On the Council's fleet, he noted that there were some logistical challenges to overcome; for example, the Council's insurance would only cover 25% of the fleet being electric vehicles. Mr Reid provided some examples of the costs of electric vehicles, which were significantly more expensive than those requiring traditional fuel. Mr Hamm added that he was working in partnership with other councils to provide an estimation of the costs associated with adapting to climate change, and also of the costs associated with not adapting to climate change.

Councillor Findlay asked if any action was being taken in relation to storm outflows into coastal waterways. Mr Hamm was unaware of work being to address this, but offered to discuss this further with the Council's Biodiversity Officer.

Councillor Gilbert asked about the Council's policy for dealing with buildings that could not be decarbonised. Mr Reid assured him that this was being considered as part of the ongoing asset review and place-based approach. Any buildings unsuitable or unaffordable to maintain may be declared as surplus and eligible for community asset transfer or disposal for development purposes.

Sederunt: Councillor Gilbert left the meeting.

Councillor Collins asked if consideration had been given to planting herbal leys on verges and open ground in order to capture more carbon and promote biodiversity. Mr Hamm indicated that the Council's Amenity Services officers were looking at using an appropriate mix of seeds where there was an opportunity in order to expand nature networks. Mr Reid cautioned that sight lines at verges and management of those spaces had to be taken into account. He offered to discuss this further with Councillor Collins.

Councillor McIntosh welcomed the report, particularly that the Council was progressing with its emissions reduction. She confirmed that the Scottish Greens were still focused on achieving net zero by 2045, despite falling short on the target to reduce emissions by 75% by the end of the current decade. She stressed that councils had a key role to play, and that the Council would have to be ambitious and engage more with residents, businesses, community groups and investors. On the decarbonisation of buildings, she accepted that the cost of this could not be met by the public sector alone, and that private sector investment, community involvement and innovation were all key to achieving this. She also spoke of the need to find ways of transporting heat.

Councillor Hampshire expressed his disappointment that his proposed amendment had not been accepted. He argued that any new heating strategy would have to be affordable, both in its delivery and by householders. He recognised that achieving net zero by 2045 would be challenging and would only be achieved through additional investment.

Councillor Dugdale noted the key achievements outlined in the report and welcomed the partnership working with other councils. She also mentioned the commitment of young people to tackling climate change.

The Provost concluded the debate by reiterating the Council's ambitions but noted that it also had to be realistic as to what could be achieved.

Decision

The Council agreed:

- i. to note the progress made in decarbonising the Council's services and operations and contributing to a low carbon East Lothian; and
- ii. to note the key projects and achievements, and the key risks, as set out in the report, delivered by members of the Climate Change Planning and Monitoring Group.

10. APPOINTMENT OF CHIEF PLANNING OFFICER

A report was submitted by the Executive Director for Council Resources advising of the requirement for the Council to appoint a Chief Planning Officer, seeking approval of the appointment of Keith Dingwall as the Council's Chief Planning Officer, and seeking approval of the consequential changes to the Scheme of Delegation.

The Head of Corporate Support, Morag Ferguson, presented the report, advising that from April 2024 each local authority was required to appoint a Chief Planning Officer. She proposed that Keith Dingwall, Service Manager for Planning, was considered to have the relevant skills and experience to be appointed to this role.

Councillor Hampshire welcomed the appointment of Mr Dingwall to this statutory role, commenting that he would provide an excellent planning service for the Council.

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

Decision

The Council agreed:

- i. to note the requirement of the Council to appoint a Chief Planning Officer, in accordance with the Town and Country Planning (Scotland) Act 1997 (as amended);
- ii. to approve the appointment of Keith Dingwall to the statutory post of Chief Planning Officer; and
- iii. to approve the changes to the Scheme of Delegation to take account of the establishment of the role of Chief Planning Officer.

11. STATUTORY REVIEW OF POLLING DISTRICTS AND PLACES/AMENDMENT TO THE POLLING PLACE SCHEME

A report was submitted by the Executive Director for Council Resources informing Members of the outcome of the statutory review of polling districts and places and seeking approval for the consequential changes to take effect after the next UK General Election. The report also sought approval to relocate a polling place from Trevelyan Hall, Pencaitland to Pencaitland Bowling Club with immediate effect, and to relocate a polling place from Fenton Barns (portacabin) to Dirleton Church Hall with immediate effect.

The Head of Corporate Support, Morag Ferguson, presented the report, drawing Members' attention to the proposed changes resulting from the statutory review, and the representations received in response to the proposals. She set out efforts that would be made to assist those affected by the changes.

Councillor Akhtar requested that the new arrangements for Pencaitland should be monitored. Mrs Ferguson assured her that there would be opportunities to undertake further reviews of polling places and suggested that the new arrangements be reviewed following the next UK General Election.

Councillor Findlay asked if Gullane Area Community Council had been consulted on the proposals for Fenton Barns. Mrs Ferguson confirmed that all community councils had been consulted on the proposals and that there had been no representation made by Gullane Area Community Council.

Councillor Menzies highlighted the importance of defending people's right to vote, but she accepted that some of the county's polling places were not suitable. In response to a suggestion to combine polling places, using Tranent as an example, she demonstrated that the size of the electorate would make this unfeasible and may put people off voting.

Councillor McGuire spoke against the proposed closure of some rural polling places, due mainly to poor public transport links. He felt that forcing people to drive further afield to vote would cause safety issues and lead to an increase in car journeys. He also suspected that there would be a lower turnout. On that basis, he advised that he would not be supporting the proposed changes.

The Provost commented that the safety of polling place staff also had to be considered. Whilst recognising the potential transport issues, he welcomed the proposed solutions, suggesting that people would combine their journey to the polling place with other errands or would share transport.

Councillor Jardine observed that many people in her area had opted for postal votes and suggested that postal voting should be promoted to enable those affected to participate.

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

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

Against (0)

Abstentions (4): Councillors Bruce, Collins, Findlay, McGuire

Decision

The Council agreed:

- i. to note the representations received during the recent consultation on the statutory review of polling districts and places, as detailed in Appendix 1 to the report, together with the Returning Officer's comments;
- ii. to approve the amended polling scheme for Lothian East constituency, as detailed in Appendix 2, noting that changes as a consequence of this review would not take effect until after the next UK Parliamentary Election;
- iii. to note that polling districts and polling place will continue to be reviewed on an ongoing basis and that the next statutory review of polling districts and polling places will be required to be carried out by the end of January 2030 and on a 5-yearly basis thereafter;
- iv. that, with immediate effect, to move electors from Fenton Barns (polling district EL4D) to Dirleton Church Hall (polling district EL4C), as set out in Section 3.4 of the report; and

- v. that, with immediate effect, to move the polling place in polling district EL5J from Trevelyan Hall, Pencaitland to Pencaitland Bowling Club, as set out in Section 3.5 of the report.

12. SCHEDULE OF MEETINGS 2024/25

A report was submitted by the Executive Director for Council Resources, seeking approval of the Schedule of Meetings for the Council, committees and other forums for 2024/25.

The Clerk presented the report, advising that the 2024/25 Schedule of Meetings would largely follow the pattern of the current year's schedule, with c. 120 meetings to take place. She noted that the schedule was subject to change, and that any changes would be communicated to Members and officers as soon as practicable.

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

Decision

The Council agreed:

- i. to approve the proposed Schedule of Meetings for 2024/25; and
- ii. to note that the schedule is subject to change, and that any changes will be communicated to Members and officers as soon as practicable.

13. EMERGENCY NOTICE OF MOTION: OPPOSITION TO THE PROPOSED SCOTTISH PARLIAMENTARY CONSTITUENCY BOUNDARY CHANGES

An emergency motion was submitted by Councillors Dugdale and Forrest:

Context

- The Council notes the publication of the revised proposals for changes to the Scottish Parliamentary Constituency boundaries, which include moving Tranent and Elphinstone into a new Edinburgh Eastern, Musselburgh & Tranent constituency, and renaming the East Lothian constituency Lothian Eastern.
- The Council believes that these proposals would break historic community links in East Lothian, create further uncertainty in relation to issues such as MSP responsibility for school catchment areas and health provision, and undermine East Lothian's status and cohesion as a distinct area at a Scottish Parliament level.

Motion

Council therefore calls for:

- The Council to reject the Boundary Commissions proposals and mandates the Council Leader to write to the Boundary Commission urging it to reconsider the removal of Tranent and Elphinstone from the existing East Lothian constituency.
- The Council to reject the proposals to split the current Midlothian North and Musselburgh constituency and add Musselburgh to a new Edinburgh Eastern

Constituency where there are no historical links and very few existing community links. The Council requests that Edinburgh Eastern should remain within the city boundary and the constituency links between Musselburgh and Midlothian North should be retained.

- The Council to request that the Boundary Commission reconsider the abolition of the East Lothian constituency name.
- The Council to agree to support the community efforts to oppose the proposals in Musselburgh, Tranent and Elphinstone and back the retention of the East Lothian constituency along with a Midlothian North and Musselburgh based on the current boundaries that are within East and Midlothian boundaries.

Councillor Dugdale presented the motion, commenting that local people were shocked and disappointed with the proposals to move Tranent, Elphinstone and Musselburgh out of East Lothian. She argued that the proposals did not take community ties into account and that the title of East Lothian should not be changed. She called on Members to oppose the proposed changes to the boundaries.

Councillor Forrest seconded the motion.

The Provost advised that an amendment to the motion had been submitted by the Conservative Group, which sought to replace the wording of the motion with the following wording:

The Council notes the publication of the revised proposals for changes to the Scottish Parliamentary Constituency boundaries, which include moving Tranent and Elphinstone into a new Edinburgh Eastern, Musselburgh and Tranent constituency, and renaming the East Lothian constituency Lothian Eastern.

Council therefore calls for:

- A short-term working group to be formed with its first meeting within the next two weeks, of Group Leaders or nominated substitutes to consider alternative boundary formations; and
- Following that, mandates the Council's Chief Executive to write to the Boundary Commission on behalf of the Council with the unanimous verdict of that group.

Moving the amendment, Councillor Bruce remarked that the proposed constituency title of 'Lothian Eastern' did not make sense. He was concerned that the motion simply opposed the changes and that Boundaries Scotland would not respond to it, and he felt that reaching a consensus on an alternative proposal would be the best approach.

Councillor Findlay seconded the amendment.

Whilst having some sympathy with Councillor Bruce's amendment seeking a collaborative approach, Councillor Jardine was of the view that the timescales for this were not realistic and that Boundaries Scotland should devise a solution that takes account of the views of the affected communities.

Councillor Hampshire urged the Council to challenge the proposals. He believed that moving areas of East Lothian into Edinburgh did not take account of community cohesion and ties, and he argued that by retaining Tranent and Elphinstone in East Lothian and having Musselburgh in Midlothian North would still work as regards the electorate numbers. The proposals would also mean that MSPs would be working across a number of local authority areas, and that this was not appropriate. He offered to draft a response to Boundaries Scotland and share it with Group Leaders in order to seek to achieve cross-party agreement on this issue.

Councillor McGinn was concerned that the proposals would split communities and their historical links, and that no thought had been given to the impact on those communities. He believed that Tranent and Elphinstone were integral parts of East Lothian and should remain so, noting that this view had been shared at the recent Community Council meeting. He called on the Council to oppose the plans.

Councillor Menzies shared Councillor McGinn's concerns, adding that changes in the boundaries would also affect schools. She saw no reason to remove historical community ties, which would impact on the identity of East Lothian, and which would be further diluted by changing the constituency name to Lothian Eastern. She was concerned that without that identity fewer people would vote.

Having been invited to sum up, Councillor Dugdale indicated that she had nothing further to add to her previous comments.

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

For (4): Councillors Bruce, Collins, Findlay, McGuire
Against (14): Councillors Akhtar, Allan, Bennett, Cassini, Dugdale, Forrest, Hampshire, Jardine, McFarlane, McGinn, McMillan, Menzies, Ritchie, Yorkston

Abstentions (0):

The amendment fell.

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

Decision

The Council agreed:

- i. to reject the Boundaries Scotland's proposals and mandate the Council Leader to write to Boundaries Scotland urging it to reconsider the removal of Tranent and Elphinstone from the existing East Lothian constituency.
- ii. to reject the proposals to split the current Midlothian North and Musselburgh constituency and add Musselburgh to a new Edinburgh Eastern Constituency where there are no historical links and very few existing community links.
- iii. to request that Edinburgh Eastern should remain within the city boundary and the constituency links between Musselburgh and Midlothian North should be retained.
- iv. to request that Boundaries Scotland reconsider the abolition of the East Lothian constituency name; and
- v. to support the community efforts to oppose the proposals in Musselburgh, Tranent and Elphinstone and back the retention of the East Lothian constituency along with a Midlothian North and Musselburgh based on the current boundaries that are within East and Midlothian boundaries.

14. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 12 FEBRUARY TO 7 APRIL 2024

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 February 2023.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 12 February and 7 April 2024, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Council unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 of Schedule 7A to the Local Government (Scotland) Act 1973.

Ross High School RAAC Remediation

A private report submitted by the Executive Director for Place concerned with the remediation of RAAC at Ross High School was approved.

Applications for Funding to Musselburgh Common Good Committee

Two applications for funding from the Musselburgh Common Good Committee were approved, with EnjoyLeisure being granted £25,478.78 for a new accessible pool pod, and the Honest Toun Association being granted £14,956.49 for the Musselburgh Festival's Family Fun Day.