



MINUTES OF THE MEETING OF EAST LoTHIAN COUNCIL

TUESDAY 25 JUNE 2024
VIA HYBRID MEETING FACILITY

Committee Members Present:

Provost J McMillan (Convener)	Councillor N Hampshire
Councillor S Akhtar	Councillor C McFarlane
Councillor E Allan	Councillor C McGinn
Councillor R Bennett	Councillor G McGuire
Councillor L Bruce	Councillor S McIntosh
Councillor D Collins	Councillor K McLeod
Councillor F Dugdale	Councillor L-A Menzies
Councillor J Findlay	Councillor B Ritchie
Councillor A Forrest	Councillor T Trotter
Councillor N Gilbert	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 N McDowell, Head of Education
Ms W McGuire, Head of Housing
Mr R Montgomery, Head of Development
Mr T Reid, Head of Infrastructure
Ms C Rodgers, Head of Communities
Ms E Barclay, Democratic Services Assistant
Mr S Cooper, Team Manager – Communications
Mr K Dingwall, Service Manager – Planning
Ms P Gray, Communications Adviser
Mr C Grilli, Service Manager – Governance
Mr G Marsden, Project Manager – Growth and Sustainability
Mr R MacDonald, Surveyor – Property Asset Review
Mr M Nelson, Team Manager – Property Asset Review
Mr P Vestri, Service Manager – Policy, Improvement and Partnerships

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

Councillor C Cassini

Councillor L Jardine

Declarations of Interest:

Item 2: For the purposes of transparency, Councillor Menzies advised that as a Board Member of EnjoyLeisure, she would be declaring an interest in this item, but that she would remain in the meeting.

Item 10: Councillor Forrest advised that he had an interest in this item and would leave the meeting.

The Provost advised that the meeting was being held as a hybrid meeting, 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 six months from the date of the meeting.

The clerk recorded the attendance of Members by roll call.

Prior to the commencement of business, the Provost announced that this meeting would be the last Council meeting for Paolo Vestri, Service Manager for Policy, Performance and Organisational Development, who was retiring from the Council. The Provost commended Mr Vestri for his contribution to the work of the Council and for his assistance to Elected Members. On behalf of the Council, he wished Mr Vestri well in his retirement. Councillor Hampshire also paid tribute to Mr Vestri, commenting that he had produced many important policies and plans which the Council had implemented, highlighting in particular the Poverty Plan, which had made a real difference to communities.

1. MINUTES FOR APPROVAL

The minutes of the following meeting were approved, subject to the changes outlined below:
East Lothian Council, 23 April 2024

Item 11 (Statutory Review of Polling Districts, etc.) – the votes of Councillors Bruce, Collins, Findlay and McGuire should be recorded as 'against' rather than 'abstentions'.

Item 16 (Applications for Common Good Funding) – the votes of Councillors Bruce and Jardine should be recorded as 'abstentions' rather than 'against'.

2. FINANCIAL REVIEW 2023/24

A report was submitted by the Executive Director for Council Resources providing an update on the draft financial position for the year ending 31 March 2024.

The Head of Finance, Ellie Dunnet, presented the report. She stressed that the figures within the report remained subject to audit and should therefore be treated as provisional at this stage. She highlighted the key aspects of the report, including: the closing position on the General Services Revenue account showed an overspend of £12.3m, including the Integration Joint Board (IJB) overspend of £3.1m and the planned use of reserves; the overspends had been partially offset by underspends in other services and additional Scottish Government

funding; it was expected that the IJB overspend would be contained within IJB reserves; the Council was being asked to approve a contribution of £0.75m to the IJB to support the move from analogue to digital services; and it was proposed that unspent Scottish Future Trusts (SFT) funding earmarked for use at Wallyford Learning Campus should be set aside for future use. Ms Dunnet also advised Members of fiscal flexibilities from 2023/24, with £14m to be earmarked for transformation. On capital spending, the gross spend was £51.1m, which was below the budget set. She highlighted the underspend at Wallyford Learning Campus, proposing that this unspent funding be used for the delivery of sports pitches at North Berwick High School. Concluding her presentation, Ms Dunnet advised that the Council continued to face financial challenges, with significant recurring pressures and that control measures would remain in place and kept under review. She confirmed that the Council would meet the statutory deadline for submission of the draft accounts to the external auditor.

Councillor Dugdale asked if the overspend in Children's Services was due to demands on that service. Ms Dunnet confirmed that this service faced external demand-led pressures, including the need to provide external placements. She acknowledged that it was a challenge to keep spending within budget when services were demand-led.

On the recommendation to transfer £230,000 from the Wallyford Learning Campus capital budget underspend to support the delivery of pitches at North Berwick High School, Councillor Menzies sought reassurance that this funding would not be required at Wallyford Learning Campus in the near future. Ms Dunnet confirmed that there was sufficient surplus to allow for these funds to support the delivery of the pitches in North Berwick.

Councillor Forrest asked if earmarked reserves would be in place for all new schools being built. Ms Dunnet made reference to the 5-year budget plan and the revenue costs associated with the new schools. At this time the only earmarked funding available was the SFT funding for the Wallyford Learning Campus, which would be drawn upon as required. She undertook to check the position regarding the new schools at Old Craighall, Whitecraig and Blindwells, but noted that if funding was available she would recommend that it be treated in the same way as the funding for Wallyford.

On the IJB, Councillor Akhtar asked if more detail could be provided as to the impact on the entire health and social care system had the overspend of £3.12m on care home placements and care at home services not been spent on those services. She also asked if a strategy to deal with population growth would be coming forward. Ms Dunnet advised that Health and Social Care colleagues would need to respond to the first question. On growth, she assured Members that the challenges facing East Lothian continued to be raised at every opportunity and that the recent report from the Scottish Government task force had been focused on depopulation rather than growth.

Councillor Hampshire spoke of the financial pressures faced by all Council services during 2023/24. He recognised the need to reduce overspends and operating costs whilst working to protect services during a period of growth in East Lothian. He thanked staff for their efforts during this challenging time.

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

Decision

The Council agreed:

- i. to note the draft revenue and capital out-turn positions, that these are provisional and remain subject to audit;

- ii. to approve the creation of earmarked reserves for service concessions and Scottish Futures Trust funds for the Wallyford Learning Campus;
- iii. to provide a letter of guarantee to support the going concern assumption for EnjoyLeisure and Brunton Theatre Trust;
- iv. to approve the transfer of £230,000 from the Wallyford Learning Campus capital budget underspend to support the delivery of pitches at North Berwick High School;
- v. to approve an additional contribution of £750,000 to the IJB to fund the Analogue to Digital capital project (£100,000 for costs incurred during 2023/24 and a commitment to fund the remaining implementation costs up to £750,000);
- vi. to approve the updated budget mitigation measures set out in Section 3.30 of the report, noting that these would remain under review through the quarterly monitoring process; and
- vii. to note that the fiscal flexibilities for service concessions have now been applied in line with the decision by the Council in February 2024.

3. PROPERTY ASSET STRATEGY AND MANAGEMENT PLAN 2024-2028

A report was submitted by the Executive Director for Place, seeking approval for the proposed Property Asset Strategy and Management Plan 2024-28.

The Head of Infrastructure, Tom Reid, presented the report, highlighting the property asset principles used to guide the Strategy and Management Plan. He advised that condition surveys were being carried out on Council-owned properties and warned that backlog maintenance costs over the next five years could be as high as £75m. With reference to the Management Plan, he noted that engagement would take place with staff, Members and communities.

Councillor Hampshire requested that the report be shared with Community Councils, Area Partnerships and other relevant organisations. Mr Reid assured him that it would be lodged as part of the Council governance and would therefore be publicly available and shared widely, as would other relevant information.

Councillor McIntosh questioned the absence of an Integrated Impact Assessment (IIA). She also asked for further information on the transfer of buildings to communities and on the cost of decarbonising the Council's assets. Mr Reid indicated that IIAs would be produced in due course, related to assets that are declared surplus and any impact future choices on use or disposal would have. On community transfers, he explained that solutions and development plans would be established for each asset, whether for community asset transfer or disposal. As regards decarbonisation, he indicated that the cost could be somewhere between £850m and as high as £1bn – this demonstrated the scale of the challenge, which he noted was a challenge for all Scottish local authorities. However, he assured her that there was a great deal of work going on in this area, including looking at the use of renewables. He noted that the figures given were based upon gross internal area (GIA).

Councillors Dugdale and Akhtar asked about the possibility of sharing spaces with other organisations, such as NHS Lothian and third sector groups. Mr Reid advised that the Council was taking a multi-agency approach to this matter, and that the Council would be working with a variety of partners and community groups. He added that a detailed consultation would take place with partner organisations. He also made reference to recent partnership working on

assets, such as the transfer of Fisherrow Community Centre and the restoration of North Berwick Harbour.

In response to a question from Councillor Menzies, Mr Reid pointed out that his team were working on mapping all assets, including community, privately held and volunteer-run assets, and that these would be included in the consultation. This would allow officers to consider where assets could be rationalised.

Opening the debate, Councillor Hampshire noted that this exercise was a substantial task given the large number of assets owned by the Council, as well as the costs involved. He stressed the importance of involving communities in the project.

Councillor McIntosh echoed those comments. On the decarbonising of assets, she cautioned against overestimating the costs involved so as not to deter people, suggesting that there were many ways of achieving net zero, including introducing district heating schemes and attracting private investment.

Councillor McGinn welcomed the proposed community engagement. He suggested that a flexible approach would be required for each area of East Lothian, depending on the levels of expertise within the various third sector organisations.

Councillor Forrest thanked officers for their work done in relation to Common Good assets and community asset transfers, which allowed buildings to be kept open and used by community groups.

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

Decision

The Council agreed to approve the Property Asset Strategy and Management Plan 2024-28.

4. PROPOSED ARTICLE 4 DIRECTION FOR EAST LOTHIAN CONSERVATION AREAS

A report was submitted by the Executive Director for Place seeking approval for a new Article 4 Direction for East Lothian's Conservation Areas.

The Chief Planning Officer, Keith Dingwall, presented the report, providing information on the relevant legislation associated with permitted development rights, in particular those associated with conservation areas. He explained that in East Lothian, there were two Article 4 Directions, dating from 1978 and 1981 that applied in defined areas within designated conservation areas. He made reference to a recent review of permitted development rights carried out by the Scottish Government, and changes made as a result of that review, with one such change relating to the replacement of existing windows in conservation areas (as set out in Sections 3.8-3.11). This change could mean that windows made from modern materials could potentially replace traditional timber windows on elevations visible from public places without the need for planning permission. He was of the view that in many cases such replacements would not enhance or preserve the character or appearance of conservation areas and would be contrary to the Council's policy on replacement windows. He recommended the approval of a new Article 4 Direction which would replace the two existing Directions and would bring under the planning control the ten specific classes of development outlined in Section 3.16 of the report, which includes replacement windows. He noted that a public consultation on this matter had been carried out, with four of the five responses received

being generally supportive of this proposal. Mr Dingwall advised that, if approved, the new Article 4 Direction would require to be submitted to Scottish Ministers for approval.

Councillor Bruce questioned how officers had considered balancing planning needs with the environmental benefits that the Scottish Government was seeking to achieve. Mr Dingwall explained that the environmental impact of planning decisions had to be weighed up against the Planning Authority's duty to ensure that the character of conservation areas was preserved or enhanced; however he believed that Class 7A would have a harmful impact on the character and appearance of conservation areas, noting that he had taken advice from the Council's Climate Change Officer on the proposed removal of Class 7A from this Article 4 Direction. He had also had discussions with Scottish Government planners on this matter, who had indicated that they were prepared to consider the proposal.

Councillor Trotter observed that the response rate to the public consultation had been very low. Mr Dingwall assured him that the consultation had featured on the Council's Consultation Hub, and that Community Councils and other community groups had been consulted.

Councillor Menzies asked about the appeals process for people who are refused planning permission to use modern materials in replacement windows. Mr Dingwall pointed out that, if approved by Scottish Ministers, planning permission would be required for replacement windows; if refused, they could appeal, and it would then be the Local Review Body or Department of Planning and Environmental Appeals which would determine the application. He assured her that the proposal was in line with legislation.

In response to a question from Councillor Findlay, Mr Dingwall advised that he had considered looking at conservation areas on an individual basis, but that it was felt that imposing the Direction on all conservation areas was justifiable.

Councillor Hampshire asserted that it was important to have controls within conservation areas in order to preserve and enhance them. He was supportive of the proposed measures.

Councillor McIntosh endorsed Councillor Hampshire's comments, remarking that there was a misunderstanding among the public that uPVC windows were better for the environment when in actual fact timber windows had the same thermal properties but were more environmentally friendly.

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

Decision

The Council agreed:

- i. to approve a new Article 4 Direction for East Lothian's Conservation Areas, which would replace the existing Article 4 Directions; and
- ii. that the proposed Article 4 Direction be submitted to Scottish Ministers for approval, in accordance with the requirements of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

5. JOINT INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE AT RISK OF HARM IN EAST LOTHIAN COMMUNITY PLANNING PARTNERSHIP

A report was submitted by the Executive Director for Education and Children's Services reporting on the outcomes of the Joint Inspection of Services for Children and Young People at Risk of Harm in East Lothian Community Planning Partnership.

The Head of Children's Services, Lindsey Byrne, presented the report. She advised that the inspection had taken place over a six-month period and was carried out by the Care Inspectorate, Health Care Improvement Scotland, HM Inspectorate of Constabulary Scotland and Education Scotland. She set out the process followed during the inspection, noting that the inspectors met with c. 130 staff members as well as thirty-nine children and fifty-five parents. She highlighted the key strengths and areas of improvement identified (as set out in Sections 3.5 and 3.6 of the report) and reported that East Lothian had achieved the Grade of Very Good. She commented that the staff were delighted with the findings, and she commended the hard work of all those involved in the support and protection of children and young people in East Lothian.

Councillor McIntosh asked why the waiting list for Children and Adolescent Mental Health Services (CAMHS) in East Lothian was shorter than in other areas. She also asked about the process should an applicant turn 18 while they are still on the waiting list. Ms Byrne explained that the waiting list in East Lothian was shorter due to the joint working arrangements which provided a single point of access; not all areas work in this way. She further advised of the strong collaboration between CAMHS and other support workers within the Council, although this did not cover all the services provided by CAMHS, for example clinical treatment. She added that when an applicant turns 18, they would require adult services, but that the Council and NHS Lothian worked together on the transition arrangements.

Councillor McFarlane welcomed the report and the positive collaboration between services, which had improved outcomes for young people and carers.

Councillor Dugdale paid tribute to all those involved in the inspection, particularly as it took place during a challenging period. She highlighted the key strengths set out in the report, including leadership, strategic approach, the development of projects and the single point of access. She commended the dedication and professionalism of staff working in this area and for their support of children and young people with complex needs.

Councillor Ritchie also welcomed the report and looked forward to further improvements being implemented. She also highlighted the benefits of having a single point of access. She thanked Council staff and partners for their hard work.

Echoing comments already made, Councillor McGinn thanked in particular the young people who had contributed to the inspection. He also paid tribute to third sector organisations for their work with children and young people.

Councillor Akhtar requested that a communication be issued to all those involved in the inspection to thank them for their work.

Decision

The Council agreed:

- i. to note the contents of the Inspection Report (as set out in Appendix 1 to the report), including the evaluation of very good (major strengths) for the evaluation of the impact on children and young people;

- ii. to note that inspectors have confidence in the Partnership's multi-agency approaches to support and protect children at risk of harm;
- iii. to note that the Care Inspectorate and its scrutiny partners are confident that the partnership in East Lothian has capacity to make changes in the areas which require improvement; and
- iv. to congratulate and thank staff from across the East Lothian Partnership on a positive inspection and on the key strengths identified by the inspection team

6. RESPONSE TO BOUNDARY COMMISSION REVIEW

A report was submitted by the Executive Director of Council Resources seeking ratification of an alternative proposal for constituency alignment, submitted to the Boundary Commission for Scotland (known as Boundaries Scotland).

The Service Manager for Governance, Carlo Grilli, presented the report. He highlighted an error in the report at Section 3.3, the last sentence of which should read: 'It instructed the Leader of the Council to further develop and put forward representation agreed in the meeting on behalf of the Council to Boundaries Scotland.' Mr Grilli reported that Councillor Hampshire had since written to Boundaries Scotland as regards the Council's position, as instructed, and that he had also submitted an alternative proposal, which, due to the deadline, could not be brought before Council prior to being submitted. He therefore proposed that the alternative proposal be ratified by Council, following which he would confirm the Council's position with Boundaries Scotland.

Councillor McIntosh observed that the alternative proposal would have an impact on Craigentiny and Duddingston and asked if there had been any consultation with those communities.

Councillor Hampshire informed the Council that he had not had time to consult with those communities due to the timescales for submission. He reminded Members that the Council had not been in favour of the Boundaries Scotland proposal and that it was of the view that Tranent should remain within East Lothian. He had looked at various options; however, the options involving Midlothian and Scottish Borders would not have worked. Therefore, the only option that may be acceptable to Boundaries Scotland involved putting Musselburgh, Whitecraig and Wallyford into East Edinburgh, along with Duddingston. He mentioned that his letter had highlighted the community links between Musselburgh, Whitecraig and Wallyford as well as links between East Edinburgh and Musselburgh. He pointed out that he had shared the alternative proposal with group leaders – the SNP had indicated support, but the Conservatives were not supportive; this was made clear in the letter to Boundaries Scotland. He had also indicated to group leaders that the alternative proposal would then be brought to Council for ratification, and that the Council's position would be submitted to Boundaries Scotland afterwards.

In response to questions and concerns raised by Councillor Bruce as to who had been involved in preparing the alternative proposal and what exactly had been submitted to Boundaries Scotland, Councillor Hampshire advised that MSPs from different political parties had been involved (through Martin Whitfield MSP), but he was unable to name those involved. He emphasised that the Council's aim was to retain Tranent within East Lothian, and that the only way to make that possible would be to alter boundaries within Edinburgh. Mr Grilli clarified that the details of the original motion agreed by Council had been submitted to Boundaries Scotland alongside the alternative proposal, but it was clear that the alternative proposal would be subject to ratification by the Council. He confirmed that Councillor Hampshire had followed the direction of the Council, and so there was no breach of Standing Orders.

Councillor Menzies also raised concerns about the submission. She asked if Councillor Hampshire had been requested to submit an alternative proposal. Mr Grilli confirmed that the original motion was the direction of the Council, but that the alternative proposal was also submitted to Boundaries Scotland as it had support from the majority of Members, albeit it would still be subject to ratification by the Council.

Councillor Menzies commented that she had supported the alternative proposal with the caveat that all local politicians would be consulted, including those in other local authority areas. Councillor Hampshire reiterated that he had not had direct discussions with other politicians [other than Martin Whitfield MSP]. He stressed that the alternative proposal had been drawn up with the purpose of retaining Tranent in East Lothian, which was the Council's view, and that he was seeking to achieve this direction. He remarked that it was for others to object to or support what he had proposed.

Councillor Menzies voiced her objection to the alternative proposal being submitted without discussions with politicians in other areas taking place. She stressed that she wanted to retain Tranent, and other areas within her ward, in East Lothian; however, she had concerns that the alternative proposal would create problems for other areas and so she could not support it.

In response to a question from Councillor Ritchie, Mr Grilli explained that Boundaries Scotland would consider the Council's response and determine if representations were significant enough to justify a further consultation. However, he was unsure if, due to the timescales, further consultations could be accommodated prior to the boundaries being finalised.

At the request of Councillor Trotter, the Provost adjourned the meeting to allow for political groups to discuss this matter further.

On reconvening, Mr Grilli set out the process to be followed by Boundaries Scotland, noting that local ties and elector numbers would be taken into account when redrawing boundaries. He indicated that East Lothian was too large to be one constituency, and that it was too small to be split into two [without impacting other areas], in order to be compliant with Boundaries Scotland's parameters. Due to the timescales, he advised that it would not be possible to continue this report to a future date.

Opening the debate, Councillor Trotter stated that, while his desire was to retain Tranent, Wallyford and Whitecraig within East Lothian, the SNP Group could not support the submission of the alternative proposal on the basis that other affected areas had not been consulted on it.

Councillor Bruce expressed his concern at the way in which this matter had been handled, noting that the Conservative Group had put forward suggestions at an earlier stage that had not been taken forward. He claimed that Councillor Hampshire, in conjunction with Martin Whitfield MSP, had acted against the direction of the original motion, and that the alternative proposal did not best represent the interests of those living in Musselburgh, Wallyford and Whitecraig, due to the lack of community links. He was of the view that those areas were being 'sacrificed' to protect Tranent, and that other options could have been considered, such as creating three constituencies covering East Lothian and Midlothian, which would not encroach on Edinburgh at all, and which would also accommodate future growth in East Lothian.

Whilst admitting to not having strong feelings on this matter, Councillor McIntosh felt uncomfortable approving the alternative proposal without other areas being consulted beforehand. She stated that she would abstain.

Councillor Menzies remarked that the original proposal and constituency name change put forward by Boundaries Scotland were 'ridiculous'. However, she felt unable to support the alternative proposal due to the lack of consultation with the other areas affected. She would therefore abstain.

Councillor Forrest remarked that the proposal would result in similar boundaries as those in place 30 years ago. He voiced his disappointment at Members abstaining on this matter, especially those representing Musselburgh. He was supportive of the alternative proposal, noting that Councillor Hampshire had done his best to find a solution within a tight timeline.

Speaking in support of the alternative proposal, Councillor Dugdale disagreed with the view that the Council was imposing a decision on other areas, asserting that the Council was simply putting forward a proposal to Boundaries Scotland. On the implication that Members had not had an opportunity to comment on the alternative proposal, she argued that it had been circulated to Members for their views in advance of it being submitted. She was supportive of Councillor Hampshire's actions.

Councillor Akhtar echoed these comments, adding that voting against ratifying the alternative proposal would effectively mean that the Council would be withdrawing its submission and losing the opportunity to keep Tranent in East Lothian.

Councillor Menzies asked for clarification on what would happen should the Council vote against ratifying the alternative proposal. Mr Grilli confirmed that the alternative proposal would be withdrawn, but not the submission in respect of the original motion.

Councillor Hampshire concluded the debate by stressing that the alternative proposal had been drawn up as a result of community representation, namely that the residents of Tranent were not supportive of the proposal to move the town out of the East Lothian constituency. He explained that following approval of the original motion, it had become clear that the Council's preferred boundaries would have an impact on the Scottish Borders area, and that it was unlikely that Boundaries Scotland would accept it. He argued that the alternative proposal would not have a significant impact on the people of East Edinburgh as they would still be within the City of Edinburgh Council boundary, and he felt that his proposal would allow Tranent to remain in East Lothian. He noted that for openness and transparency, he had shared his alternative proposal with other political groups, and that the SNP and Councillor McLeod were supportive, the Conservative Group opposed it, and Councillor McIntosh did not provide a view – this position was made clear in his letter to Boundaries Scotland. He pointed out that it was now for Boundaries Scotland to determine if the alternative proposal would be workable. He called on Members to support it, in order that Tranent could remain part of the East Lothian constituency.

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

For (11):	Councillors Akhtar, Bennett, Dugdale, Forrest, Hampshire, McFarlane, McGinn, McLeod, McMillan, Ritchie, Yorkston
Against (4):	Councillors Bruce, Collins, Findlay, McGuire
Abstentions (5):	Councillors Allan, Gilbert, McIntosh, Menzies, Trotter

Decision

The Council agreed:

- i. to note the Boundary Commission for Scotland consultation on the proposed new Scottish Parliamentary Constituencies is ongoing and the representation to this stage; and

- ii. to ratify the alternative proposal for constituency alignment that was submitted to the Boundary Commission as detailed in Section 3.6 and Appendix 1 to the report, noting that this could not be approved in advance as a consequence of the timing of the consultation period.

7. SUMMER RECESS ARRANGEMENTS 2024

A report was submitted by the Executive Director for Council resources advising Members of the arrangements for dealing with Council business during the summer recess 2024.

The Clerk presented the report, advising that Standing Order 15.6 would be invoked at the close of this meeting, which set out the arrangements for dealing with urgent business of the Council during the summer recess. She highlighted the timelines for submission of summer recess business.

In response to a question from Councillor Bruce, the Clerk confirmed that to rescind any decision taken in accordance with Standing Order 15.6 within six months of the decision being taken would require a two-thirds majority.

Decision

The Council agreed:

- i. to note the application of the recess business arrangements, in accordance with Standing Order 15.6, outlined at Section 3.1 of the report; and
- ii. to note that a summary of business carried out during the recess period would be brought to the Council meeting of 27 August 2024, and that copies of all reports approved during the recess period would be lodged in the Members' Library.

8. SUBMISSIONS TO THE MEMBERS' LIBRARY SERVICE, 8 APRIL – 9 JUNE 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 April 2024.

Decision

The Council agreed to note the reports submitted to the Members' Library Service between 8 April and 9 June 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.

Cockenzie Link Road

A private report submitted by the Executive Director for Place seeking to increase the capital budget for the proposed Cockenzie Link Road was approved.

Application Common Good Funding

An application for funding from the Musselburgh Common Good Committee was approved, with Musselburgh Athletic Football Club being granted £17,542.46 to resurface the access lane leading from Market Street to the Olivebank Arena in Musselburgh.