

Minute of Meeting



Midlothian Council

Date	Time	Venue
11 May 2021	11.00 am	MS Teams

Present:

Provost Smaill (Chair)	Depute Provost Russell
Councillor Milligan – Council Leader	Councillor Muirhead – Depute Council Leader
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Imrie	Councillor Johnstone
Councillor Lay-Douglas	Councillor McCall
Councillor McKenzie	Councillor Munro
Councillor Parry	Councillor Wallace
Councillor Winchester	

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director Children, Young People and Partnerships	Gary Fairley, Chief Officer Corporate Solutions
Alison White, Chief Social Work Officer	Derek Oliver, Chief Officer Place
Alan Turpie, Monitoring Officer	Verona MacDonald, Democratic Services Team Leader

1. Welcome and Apologies for Absence

The Provost welcomed everyone to the meeting and made specific mention of Councillor McKenzie who was attending his first meeting of the Council since being elected. Intimation of an apology for absence was made on behalf of Councillor Alexander. It was further noted that apologies had also been received from Mr Bourne and Mrs Morton, Religious Representatives to the Cabinet.

2. Order of Business

The Provost confirmed the order of business was as per the agenda circulated. He advised that, in terms of Standing Orders, he had accepted a late Motion from Councillor Cassidy due to there being an urgency to consider its terms. He advised the Motion would become Item 7.1.

3. Declarations of interest

Councillor Curran indicated his intention to declare an interest at Item 8.7.

4. Deputations

None received.

5. Minutes of Previous Meetings

5.1 The Minute of meeting of Midlothian Council of 23 March was unanimously approved and the Provost was authorised to sign as a true record of the meetings.

5.2 The following Minutes were previously circulated to Members for approval, noting, information and consideration of any recommendations contained therein:

Meeting	Date of Meeting
Performance, Review and Scrutiny Committee	22 September 2020
Special Local Review Body	23 November 2020
General Purposes Committee	24 November 2020
Local Review Body	30 November 2020
Performance, Review and Scrutiny Committee	9 December 2020
Special Local Review Body	14 December 2020
Planning Committee	12 January 2021
Business Transformation Steering Group	8 February 2021
Midlothian Integration Joint Board	11 February 2021
Special Midlothian Integration Joint Board	11 March 2021
Elected Members Seminar – Local Housing Strategy	22 April 2021

6. Questions to the Leader of the Council

None

7. Notice of Motion

In light of the Provost's decision (Item 1 above), the following emergency Motion was considered –

“In light of the recent Covid pandemic, parking fees in Dalkeith were put on hold. This has proven to be very helpful in supporting local business and residents alike. The re-introduction of fees has had an immediate negative effect which can be seen throughout the community as a whole. In light of this we have cross party agreement in re-instating the deferment of payments until 31 December 2021 with a view to reviewing all Midlothian Council town centre car parks”.

Councillor Cassidy moved the emergency Motion which was seconded by Councillor Curran. With no Member being otherwise minded the Motion was unanimously approved.

8. Reports

Report No.	Report Title	
8.1	Result of By-Election – Letter dated 26 March 2021	
Decision		
The Council noted the terms of letter dated 26 March 2021, circulated with the agenda, confirming the result of the Midlothian East By-Election.		
Action		
Chief Executive; Executive Directors and Chief Officers		

Report No.	Report Title	Report by:
8.2	Declaration of Acceptance of Office	Chief Executive
Outline of report and summary of discussion		
The report advised that, following his election at the By-Election to fill the casual vacancy which had arisen in Electoral Ward 5 – Midlothian East, Councillor Stuart McKenzie had made a formal Declaration of Acceptance of Office.		
Decision		
The Council noted the terms of the report.		
Action		
Chief Executive; Executive Director Place		

Report No.	Report Title	Report by:
8.3	Committee and Licensing Board Appointments	Executive Director Place
<p>The Executive Director Place spoke to the terms of the report regarding current Committee vacancies resulting from the resignation of Councillor Kenneth Baird and resultant election of Councillor Stuart McKenzie – Ward 5 Midlothian East following a By-Election on 25 March 2021.</p> <p>Councillor Parry, seconded by Councillor Cassidy, moved that Councillor McKenzie be appointed to the vacancies on the Local Review Body, Petitions Committee and Licensing Board and Councillor McCall be appointed to the Appeals Committee. No other nominations were received for the vacant positions.</p>		
Decision		
<p>The Council unanimously agreed the following appointments:-</p> <p>(a) Local Review Body, Petitions Committee and Licensing Board – Councillor McKenzie;</p> <p>(b) Appeals Committee – Councillor McCall</p> <p>Council further agreed any Elected Member who is not already a member of the Licensing Board but who is interested in sitting on the Board, should be invited to undertake the relevant training required.</p>		
Action		
Executive Director Place		

Report No.	Report Title	Report by:
8.4	Midlothian Integration Joint Board – Appointment of Vice Chair	Joint Director Health and Social Care
Outline of report and summary of discussion		
The Council heard from the Executive Director Place who spoke to a report which requested the nomination of one of the 4 Elected Members who presently serve as voting members on the Midlothian Integration Joint Board as Vice-Chair for the period until the next scheduled local government elections in May 2022.		
Decision		
The Council unanimously agreed to appoint Councillor Milligan as Vice-Chair to the Midlothian Integration Joint Board for the period up to the next scheduled local government elections in May 2022.		
Joint Director Health and Social Care		

Report No.	Report Title	Report by:
8.5	Older People's Champion	Executive Director Place
Outline of report and summary of discussion		
The Executive Director Place spoke to the terms of a report which invited consideration to establish the role of Older People's Champion.		
The Council unanimously agreed to establish the role of Older People's Champion and appointed Councillor Russell to the position.		
Action		
Executive Director Place		

Report No.	Report Title	Report by:
8.6	A Public Holiday to mark The Queen's Platinum Jubilee in 2022	Executive Director Place
Outline of report and summary of discussion		
The Executive Director Place spoke to the terms of a report which invited consideration to grant an additional day's leave as a public holiday and/or designate an existing annual leave day as a public holiday in respect of the leave arrangements for the Council's Local Government workforce to mirror the Platinum Jubilee Bank holiday arrangements. In respect of staff on teaching terms and conditions the arrangements will be covered by the determination of school term dates. He noted the UK will celebrate Her Majesty The Queen's 70th anniversary as monarch in June 2022 which is the first time any British monarch has reached this historic milestone. The commemorations are being arranged jointly with The Royal Household and the UK Government's Department for Digital, Culture, Media and Sport.		
Decision		
The Council unanimously agreed to grant an additional day as a public holiday for the local government workforce group to match the planned change by the UK Government which will introduce an additional bank holiday on Friday 3 June 2022 with the existing UK May bank holiday weekend in 2022 moved to Thursday 2 June thus providing a 4 day weekend to celebrate Her Majesty The Queen's Platinum Jubilee.		

Action
Executive Director Place

Sederunt: Councillor Curran, in relation to his business interest in the taxi/private hire trade, declared an interest in the following item and left the meeting

Report No.	Report Title	Report by:
8.7	Civic Licensing Possible Extension	Executive Director Place
Outline of report and summary of discussion		
<p>The Executive Director Place spoke to the terms of a report which advised of the effect of extending civic government licences, which have not expired, by one year and to request that the Council determines how it wishes to proceed.</p> <p>The Legal Services Manager advised that in terms of Section 12 of the Civic Government legislation, full recovery of the costs of administering a licensing scheme had to be achieved. Mr Anderson advised the Council understood resultant costs of providing the one year extension would be met from Covid funding. The Chief Officer Corporate Solutions further addressed the issue and advised the income the Council would usually enjoy from applications for renewal of civic government licences would not be achieved and whereas the Council would not be reimbursed the financial impact will be mitigated as a result of Covid funding. He further advised that it was too early in the current financial year to know whether the level of funding would be sufficient.</p> <p>Councillor Hackett enquired as to the position regarding local gala day committees paying licensing fees.</p>		
Decision		
<p>The Council unanimously agreed to allow existing holders of licences granted in terms of the civic government legislation to apply for a one year extension at a zero rated fee and delegated the process of determining the framework including consideration of the query made by Councillor Hackett to the Provost in consultation with the Legal Services Manager.</p>		
Action		
Provost; Legal Services Manager		

Sederunt: Councillor Curran returned to the meeting at 11.27 am

Report No.	Report Title	Report by:
8.8	Elected Members Seminar – Building Rationalisation	Executive Director Place
Outline of report and summary of discussion		
<p>The Executive Director Place spoke to the terms of a report advising of a recommendation from a meeting of the Business Transformation Steering Group held on 26 April 2021 to hold an Elected Members Seminar to consider a housing led regeneration opportunity in reducing the number of buildings which are no longer suitable or required and maximise the value of surplus properties through the appropriate disposal of assets.</p>		
Decision		
<p>The Council unanimously agreed to hold an Elected Members Seminar with a report thereon coming before the June Council meeting.</p>		
Action		
Executive Director Place		

Report No.	Report Title	Report by:
8.9	Local Housing Strategy 2021 – 2026	Executive Director Place
Outline of report and summary of discussion		
<p>The Council heard from the Executive Director Place who spoke to the terms of a report which provided the finalised Local Housing Strategy 2021 – 2026.</p> <p>Councillor Wallace noted the numbers on the waiting list have remained at a high level and suggested the Scottish Ministers be asked to reduce rents in the private housing sector by way of imposing a rent freeze. Mr Anderson advised the limited turnover of housing stock was a contributory factor. He further advised he intended reporting to Council separately and in the future regarding rent pressure zones and the consequences which are complex.</p> <p>Councillor Parry noted the placing of persons in private rented accommodation can lead to debt issues and that the use of shared properties can often be expensive in terms of the cost of the modifications required and asked how many properties had been let in this way. Mr Anderson advised he was aware of the affordability issue regarding private rented accommodation but this was included in the assessment carried out. He undertook to provide Councillor Parry with the information requested regarding shared properties.</p> <p>Councillor Johnstone noted there was no mention of caravan parks in the Strategy and enquired about a Care for Repair service. In response Mr Anderson confirmed caravan or mobile home parks are managed by Environmental Health. He also advised a Care for Repair service had been looked at in the past and could be considered again when evaluating different options.</p> <p>The Council Leader, Councillor Milligan noted the current housing allocation system is imposed by the Scottish Government and on a needs basis. He did not know what else the Council could do within the confines of the system.</p> <p>The Provost suggested consideration be given to higher incentives to release houses including a comparison with other local authorities. Mr Anderson advised incentives had been increased for the release of larger properties but that this could again be looked at.</p> <p>Thereafter, Councillor Curran moved the terms of the report and suggested a report come before a future meeting regarding rent pressure zones, Care for Repair and incentives. No Member was otherwise minded.</p>		
Decision		
The Council unanimously approved the Local Housing Strategy 2021 – 2026 and agreed that a report come before a future meeting for consideration regarding rent pressure zones, Care for Repair and incentives.		
Action		
Executive Director Place		

Report No.	Report Title	Report by:
8.10	Council House Building Programme Update April 2021	Executive Director Place
Outline of report and summary of discussion		
The Executive Director Place spoke to the terms of a report which provided an update on the status of the overall housing programme on approved sites and		

proposed new sites for the building programme and other initiatives for the target delivery. The Provost noted the Audit Committee intended analysing the cost of building a new house and asked for an indicative figure. Mr Anderson advised on average the cost excluding land was between £125k and £150k.

Decision

The Council unanimously noted the:-

- (a) content of the report and the progress made on Phases 2 to 4;
- (b) new sites proposed to complete Phase 3 and Phase 4;
- (c) proposals to acquire houses from private developers and;
- (d) projected costs/budget expenditure appended to the report

Action

Executive Director Place

Report No.	Report Title	Report by:
8.11	Rapid Rehousing Transition Plan – Homeless Prevention Fund	Executive Director Place
Outline of report and summary of discussion		
<p>The Executive Director Place spoke to the terms of a report which outlined proposals to pilot a Homeless Prevention Fund as part of the Rapid Rehousing Transition Plan with the objective of enabling households to remain in their current accommodation or, where this is not possible, to secure alternative settled accommodation without the need to access temporary accommodation.</p> <p>The Provost and Councillor Curran suggested a mid-term progress report after 12 months would be welcome. Mr Anderson confirmed it was his intention to provide a progress report and a final outcome report.</p>		
Decision		
<p>The Council unanimously approved:-</p> <ul style="list-style-type: none"> (a) the development of a Homeless Prevention Fund and Procedure and; (b) allocated £30,000 for the pilot project from the Homelessness budget with a mid-term progress report after 12 months and a final outcome report 		
Action		
Executive Director Place		

Report No.	Report Title	Report by:
8.12	Accelerated Roads Capital Programme – Residential Streets	Executive Director Place
Outline of report and summary of discussion		
<p>The Chief Officer Place spoke to the terms of a report which outlined current performance and sought approval for additional capital expenditure in order to accelerate resurfacing of the unclassified road and associated footway infrastructure, targeting residential estates.</p> <p>Councillor Hardie in welcoming the report advised that residents across the district would be pleased.</p> <p>Councillor Parry and the Provost requested Ward members and Community Councils be notified in advance of the proposed programme of works. Councillor Russell suggested additional communication to residents would be beneficial.</p>		

Councillor Muirhead in welcoming the report and planned works, expressed frustration in relation to newly surfaced roads being dug up. In response, Mr Oliver advised with the exception of any emergency repairs, Roads can work with the utility companies to ensure this does not happen.

Decision

The Council unanimously approved:-

- (a) additional capital expenditure of £5 million over the next 2 financial years to deliver an accelerated resurfacing programme for the unclassified roads network in residential streets and;
- (b) an additional £2.5 million per annum be added to the General Services Capital Plan - Road Asset Management Plan/Footway and Footpath Asset Management Plan, for financial years 2021-2022 and 2022-2023.

Action

Executive Director Place

Report No.	Report Title	Report by:
8.13	UK Levelling Up Fund	Executive Director Place
Outline of report and summary of discussion		
<p>The Executive Director Place spoke to the terms of a report which informed of the Levelling Up Fund, announced at the UK Government's 2020 Spending Review to focus on capital investment in local infrastructure aimed at having a visible, tangible impact on people and places, and support economic recovery. In doing so, it will also create opportunity across the country, prioritising bids that invest in regeneration and growth in places in need and areas of low productivity and connectivity. The report noted officers were drafting and collating projects and initiatives to be considered for inclusion in a bid.</p> <p>Councillor Parry expressed concern regarding the priority levels being set by the UK Government without COSLA or Scottish Government consultation.</p> <p>Councillor Imrie suggested the Council should be seeking a meeting with officials from the Scotland Office. He advised the Fund would prioritise area of deprivation and any bids should include information as to how it would make a difference to deprivation.</p> <p>Councillor Hardie advised a railway link to Penicuik had been looked at a number of year ago and wondered why it was not being considered for a funding bid. In response, Mr Anderson advised the first round of bids had to evidence infrastructure, however this could be explored for the second round of bids. Councillor Wallace referred to a survey undertaken some time ago by Heriot Watt University and suggested that residents of Penicuik would not use a railway if the site of the station was on a single track road. He advised that Fund was a power grab by the UK Government to retain money in Westminster. In response, Councillor Hackett welcomed the funding and stated the Scottish Government had cut funding to local authorities by 7%.</p> <p>Councillor Hardie, seconded by Councillor Winchester, moved approval of the terms of the report and with no other Member being otherwise minded, this became the unanimous decision of the Council.</p>		
Decision		
The Council agreed to:-		

(a) submit eligible grant submissions to benefit Midlothian from the newly announced UK Levelling Up Fund and; (b) to authorise officers to prepare a funding bid for each of the 2 relevant categories in the first round of funding.
Action
Executive Director Place

Report No.	Report Title	Report by:
8.14	Learning Estate Strategy Statutory Consultations	Executive Director Children, Young People and Partnerships
Outline of report and summary of discussion		
The Executive Director Children, Young People and Partnerships spoke to the terms of a report which provided an update on the timeline of school projects included in the learning estate strategy and highlights those projects which require statutory consultation to be undertaken as a result of change of location and/or the redistribution of catchment areas and requested delegated authority to undertake the statutory consultations required for the implementation of the Learning Estate Strategy with the exception of projects involving potential school closures.		
Decision		
The Council unanimously noted the terms of the report and approved the request to delegate authority to undertake the statutory consultations required for the implementation of the Learning Estate Strategy with the exception of projects involving potential school closures.		
Action		
Executive Director Place		

The meeting then moved to private consideration of the following report:-

9.1 Replacement of Head of Adult Services – Report by Joint Director Health and Social Care

The meeting concluded at 1 pm.