

# Midlothian Council Minute Volume



**Presented to the Meeting  
of Midlothian Council  
on Tuesday, 12 November 2019**

## **1 Minutes of Meetings submitted for Approval**

---

|  |         |
|--|---------|
| Midlothian Council 1 October 2019          | 3 - 12  |
| Special Midlothian Council 22 October 2019 | 13 - 14 |

## **2 Minutes of Meetings submitted for Consideration**

---

### **Approved Minutes for Noting, Information and Consideration of any recommendations contained therein**

|  |         |
|--|---------|
| Audit Committee 24 June 2019                             | 15 - 20 |
| General Purposes Committee 27 August 2019                | 21 - 24 |
| Planning Committee 27 August 2019                        | 25 - 32 |
| General Purposes Sub-Committee 3 September 2019          | 33 - 34 |
| Local Review Body 10 September 2019                      | 35 - 42 |
| Business Transformation Steering Group 16 September 2019 |         |
| Appointments Committee 4 October 2019                    |         |
| Appointments Committee 15 October 2019                   |         |
| Appointments Committee 17 October 2019                   |         |
| Appointments Committee 22 October 2019                   |         |
| Appointments Committee 28 October 2019                   |         |

## **3 Minutes of Meetings submitted for Information**

---

### **Approved Minutes of Outside Organisations to which Council appoints representatives**

|  |         |
|--|---------|
| Midlothian Integration Joint Board 22 August 2019            | 43 - 50 |
| Special Midlothian Integration Joint Board 12 September 2019 | 51 - 60 |

### **Short Life Working Group**

|   |  |
|---|--|
| Cross Cutting Service Review - Sport and Leisure 3 April 2019 |  |
|---|--|

# Minute of Meeting



## Midlothian Council

| Date           | Time | Venue  |
|----------------|------|--|
| 1 October 2019 | 11am | Council Chambers, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

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

### In attendance:

|   |  |
|---|--|
| Dr Grace Vickers, Chief Executive   | Kevin Anderson, Acting Director, Resources               |
| Morag Barrow, Joint Director, Health and Social Care  | Mary Smith, Director, Education, Communities and Economy |
| Gary Fairley, Head of Finance and Integrated Service Support                                    | Alan Turpie, Monitoring Officer                          |
| Mike Broadway, Democratic Services Officer  | Verona MacDonald, Democratic Services Team Leader        |
| Joan Tranent, Head of Children's Services and Interim Head of Education (for Item No. 8.3 only) | Mr Stephen Reid, EY (for Item No. 8.7 only)              |
| Chris Lawson, Risk Manager (for Item No. 8.5 only)  |  |

### Religious Representatives (Non-voting observers for Education Business):

|              |               |
|--------------|---------------|
| Mr V. Bourne | Mrs E. Morton |
|--------------|---------------|

## 1. Apologies for Absence

---

The Clerk intimated apologies on behalf of Councillors Baird and Wallace.

## 2. Order of Business

---

The order of business was confirmed as per the agenda circulated.

## 3. Declarations of interest

---

None intimated.

## 4. Deputations

---

None received.

## 5. Minutes of Previous Meetings

---

5.1 The Minutes of meetings of Midlothian Council which took place on 20 August and 10 September 2019 were submitted. The Provost advised consideration of the Private Addendums to each Minute would be continued to the private business on the agenda. As arising from the substantive part of the Minute of 20 August 2019, the Provost, with regard to Item 8.1 – Best Value Assurance Report (Pages 6 – 8 of the Minute) sought confirmation from the SNP Group of Councillors they now accepted the Strategy and Best Value Improvement Action Plan. On behalf of the SNP Group, Councillor Johnstone confirmed they did.

Thereafter, the Public parts of both Minutes were 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  |
|--|------------------|
| Petitions Committee                        | 19 March 2019    |
| Local Review Body                          | 16 April 2019    |
| General Purposes Committee                 | 14 May 2019      |
| Police and Fire and Rescue Board           | 3 June 2019      |
| Performance, Review and Scrutiny Committee | 11 June 2019     |
| Planning Committee                         | 18 June 2019     |
| Community Asset Transfer Committee         | 19 June 2019     |
| Special Cabinet                            | 25 June 2019     |
| Business Transformation Steering Group     | 5 August 2019    |
| Business Transformation Steering Group     | 19 August 2019   |
| Business Transformation Steering Group     | 2 September 2019 |
| Midlothian Integration Joint Board         | 13 June 2019     |

## 6. Question to the Leader of the Council

None received.

## 7. Notices of Motions

| Motion No.  | Motion Title   | Proposed by:               | Seconded by:              |
|---|--|----------------------------|---------------------------|
| <b>7.1</b>  | <b>Replacement of Members on Outside Organisations</b> | <b>Councillor Muirhead</b> | <b>Councillor Hackett</b> |
| <b>Motion:</b>  |  |                            |                           |
| <p>The Motion was in the following terms:-</p> <p><i>“Midlothian Council Labour Group moves as follows:</i></p> <p><i>Edinburgh and South East of Scotland City Region Deal Joint Committee – replace Councillor Milligan with Councillor Imrie;</i></p> <p><i>COSLA Health and Social Care Board – replace Councillor Milligan with Councillor Russell”</i></p>  |  |                            |                           |
| <b>Summary of discussion</b>  |  |                            |                           |
| <p>Councillor Muirhead spoke to the terms of the Motion which was seconded by Councillor Hackett. Councillor Johnstone sought clarification as to whether Councillor Russell could represent the Council on the COSLA Health and Social Care Board given the decision taken by the Standards Commission which had consequences in relation to her now not being able to be a replacement member on the Integration Joint Board. The Monitoring Officer responded and advised the role was not related to the Integration Joint Board and therefore not complicated by the issue which had arisen.</p> |  |                            |                           |
| <b>Decision</b>   |  |                            |                           |
| <p>The Motion was unanimously approved.</p>   |  |                            |                           |
| <b>Action</b>   |  |                            |                           |
| <p>Director, Resources</p>  |  |                            |                           |

| Motion No.   | Motion Title              | Proposed by:                | Seconded by:            |
|--|---------------------------|-----------------------------|-------------------------|
| <b>7.2</b>   | <b>Glasgow University</b> | <b>Councillor Alexander</b> | <b>Councillor Parry</b> |
| <b>Motion:</b>   |                           |                             |                         |
| <p>The Motion was in the following terms:-</p> <p><i>“Midlothian Council congratulates Glasgow University my Alma Mater in making the “bold, moral and historic” first step in what is thought to be the first attempt by a British university to set-up a programme of restorative justice.</i></p> <p><i>Glasgow University discovered last year it had benefitted financially from the transatlantic slave trade by between £16.7m and £198m in today’s money. The pledge is to raise £20m for a joint centre for development research in the West Indies.</i></p> <p><i>The final ceremony for the signing of this agreement took place on the 23<sup>rd</sup> of August, the International Day for the Remembrance of the Slave Trade and its Abolition commemorating the uprising in Santiago Domingo (today Haiti and</i></p> |                           |                             |                         |

*the Dominican Republic) that was the beginning, and would play a crucial role in the abolition of the transatlantic slave trade”.*

#### Summary of discussion

Councillor Alexander spoke to the terms of the Motion. In seconding the Motion, Councillor Parry noted Anti-Slavery day is later in the month and COSLA intended publishing a guidance document on modern day slavery. She requested that, when published, the document be circulated to Members.

#### Decision

The Motion was unanimously approved.

#### Action

Director, Resources

## 8. Reports

| Agenda No.   | Report Title                                 | Presented by:   |
|--|--|---|
| <b>8.1</b>   | <b>Medium Term Financial Strategy Update</b> | <b>Head of Finance and Integrated Service Support</b> |
| <p>The Council heard from the Head of Finance and Integrated Service Support who spoke to the terms of a report which provided an update on the Strategy and specifically progress with recommendations since the last report on 25 June 2019. He further provided an update following a meeting of the Business Transformation Steering Group (BTSG) the previous day and highlighted the amended supporting template which had been published prior to the Council meeting on the committee management system (CMIS). With regard to the recommendations contained in the report, he suggested, in light of the recommendations arising from BTSG, it would be appropriate to amend recommendation (d) as follows:-</p> <p>(d) to reaffirm delegation to the cross party BTSG the next phase of development of the medium term financial strategy, namely, to identify measures to address the remaining budget gaps to 2021-22 and 2022-23 and in doing so Council is asked to recommend that further proposals from BTSG are reported back after the Scottish Government grant settlement is published.</p> <p>He advised that BTSG had agreed the focus for the Council should be on concentrating on implementing the agreed proposals. He further advised it would be prudent to continue to base the central planning assumption on a cut in the general grant settlement.</p> <p>Thereafter, questions were put by Members. The Provost in reference to Page 7 of the report enquired as to why it indicated a 3% Council Tax increase whereas elsewhere in the report suggested an increase of 4.79%. He further asked whether if the report was approved, did it commit the Council now to make an increase in Council Tax. In response, Mr Fairley advised Council Tax would be set in February 2020. Mr Fairley highlighted that the reference on Page 7 of the report was to demonstrate the impact of variances from the agreed planning assumptions. In respect of Council Tax the central assumption being that Government would continue to apply a cap on increases of 4.79% with the sensitivity analysis detailing the impact of a shift in the cap back to 3%.</p> |  |   |

| Decision   |
|--|
| <p>The Council unanimously agreed to:-</p> <ul style="list-style-type: none"> <li>(a) note the work undertaken by the Business Transformation Steering Group between 25 June and 16 September 2019;</li> <li>(b) move the in principle decisions as shown in Appendix 1 to the report to full approval in order to enable officers to commence implementation;</li> <li>(c) the remaining in principle decisions as detailed in Appendix 2 be subject to further consultation with communities;</li> <li>(d) reaffirm delegation to the cross party BTSG the next phase of development of the medium term financial strategy, namely, to identify measures to address the remaining budget gaps to 2021-22 and 2022-23 and recommended further proposals from BTSG are reported back after the Scottish Government grant settlement is published and;</li> <li>(e) otherwise note the update report</li> </ul> |
| Action   |
| BTSG; Chief Executive; Directors and Heads of Services   |

| Report No.   | Report Title                | Presented by:                     |
|--|-----------------------------|-----------------------------------|
| <b>8.2</b>   | <b>Penicuik A701 School</b> | <b>Acting Director, Resources</b> |
| Outline of report and summary of discussion  |                             |                                   |
| <p>The Council heard from the Acting Director, Resources who spoke to the terms of a report which notified of the success in obtaining commitment from the Scottish Government to contribute funding support for a replacement school for Beeslack at the A701 site. He advised the report sought governance to establish a project team to develop the proposals further to allow the details of the design, cost and programme to be put in place.</p> <p>The Provost noted that, from the information within the report, it appeared the Scottish Government would be contributing up to £5m more towards the project. Mr Fairley advised over the summer Scottish Futures Trust officials had shared the funding model and officers were currently evaluating the A701 project against this. Mr Fairley indicated that the funding approach adopted for this round of projects would see the Scottish Government funding being the equivalent of up to 50% of the capital cost of the project in terms of underwriting borrowing. However work was continuing in terms of working through the funding model.</p> <p>Councillor Parry enquired why the report referred to the school as Penicuik A701. In response, Mr Anderson advised this had been the title of the working model for officers. Councillor Hardie expressed concern about moving the school from within a community to an area outwith and queried whether it was the right fit for parents in Midlothian. He suggested there was sufficient space in the current Beeslack grounds to build the new school there.</p> <p>The Director, Education, Communities and Economy advised a pre-consultation meeting had taken place and the community and parents were aware of the need for new facilities in the Penicuik and Loanhead areas. She further advised post the October break there will be further consultation with the communities including information sessions in Penicuik and Loanhead which parents can attend. She noted there would also be a formal consultation undertaken when appropriate.</p> |                             |                                   |

Councillor Muirhead commented that the Council had been successful in securing the funding because other projects had delivered on time and had demonstrated innovation with the centres of excellence and the Deputy First Minister had seen this at first hand when he visited. He advised central to the project is the link with the university and the positioning of the school next to it will be of an advantage to pupils. He advised the Scottish Government would providing funding support of up to 50% but the Council had to find the remainder and key to this was the potential capital receipt for the current Beeslack site. He commented the school would be a fantastic opportunity for pupils not only those in the Penicuik and Loanhead areas because being a centre of excellence it had the potential to benefit pupils across Midlothian.

Thereafter, Councillor Muirhead, seconded by Councillor Milligan, moved approval of the report. On a vote being taken by way of a show of hands, 15 votes were cast in favour of the recommendations contained in the report.

#### Decision

The Council:-

- (a) noted the Scottish Government's commitment to fund the Beeslack A701 school project;
- (b) noted the content of the funding application letter and the strategic objectives contained therein;
- (c) noted the emerging funding model from the Scottish Government and the further work required to ascertain the financial implications for the Council and that a further report setting out the detail of the new funding model and its implications will be brought to Council as soon as they become clear and;
- (d) approved an initial capital expenditure budget for the development of the project in the General Services Capital Plan of £0.500m in 2019-20.

#### Action

Director, Resources

| Report No.  | Report Title  | Presented by:  |
|---|---|--|
| 8.3   | <b>Update on the Midlothian Early Action Partnership (MEAP) and the 100 Day Challenge</b> | <b>Head of Children's Services and Interim Head of Education</b> |
| <b>Outline of report and summary of discussion</b>  |   |  |
| The Council heard from the Head of Children's Services and Interim Head of Education who spoke to the terms of a report which provided an update on the Midlothian Early Action Partnership's (MEAP) '100 Day Challenge'.   |   |  |
| <b>Decision</b>   |   |  |
| The Council noted:-   |   |  |
| <ul style="list-style-type: none"> <li>(a) the commitment and willingness of people across services to work together to make the shift to early action and system change, so people have better lives and;</li> <li>(b) further progress will be presented by way of an update early in the new year</li> </ul> |   |  |
| <b>Action</b>   |   |  |
| Head of Children's Services   |   |  |



| Report No.   | Report Title  | Presented by:                    |
|--|---|----------------------------------|
| <b>8.4</b>   | <b>Publication of the Local Authority's Spending of over £500</b> | <b>Acting Director, Resource</b> |
| <b>Outline of report and summary of discussion</b>   |   |                                  |
| <p>The Council heard from the Acting Director, Resources who spoke to the terms of a report which provided an update on the request for publication online of the local authority's spending of over £500.</p> <p>Councillor Hardie in welcoming the publishing of the information advised Midlothian was the first Council in Scotland to do this so was leading the way in terms of transparency whereby the public can see what money is being spent on and raise any concerns they have.</p> |   |                                  |
| <b>Decision</b>  |   |                                  |
| The Council noted the implementation of the online publication of the local authority's spending of over £500  |   |                                  |
| <b>Action</b>  |   |                                  |
| Director, Resources  |   |                                  |

| Report No.  | Report Title                                  | Presented by:       |
|---|---|---------------------|
| <b>8.5</b>  | <b>UK exit from the European Union Update</b> | <b>Risk Manager</b> |
| <b>Outline of report and summary of discussion</b>  |   |                     |
| <p>The Council heard from the Risk Manager who spoke to the terms of a report which highlighted the current national position in preparation for a no deal exit from the European Union and the steps the Council need to progress.</p> <p>Councillor Hackett sought clarification as to the difference between contingency for this event and other civil emergencies. Mr Lawson advised typical civil emergency planning related to short lived events whereas the advice relating to a no deal exit from the EU was to plan for 3 months which may be extended to 6 months and the Council needed to determine how they will deal with this.</p> <p>Councillor Parry, seconded by Councillor Johnstone, moved an amendment to the terms of the recommendations contained in the report, copies of which were circulated, as follows:-</p> <p>"agree that Midlothian Council condemns the Prime Minister's use of pejorative and inflammatory language in relation to Brexit within and outwith the UK parliament, believing that this widens the divisions in our society and encourages hate speech, verbal abuse and the threat of physical violence; and that Council agrees that the Council Leader writes to the Prime Minister in these terms".</p> <p>The Provost sought advice as to whether it was competent to add an addendum to the recommendations of the report. The Monitoring Officer advised given the amendment was relevant to the terms of the report, it was.</p> <p>On a vote being taken by way of a show of hands with regard to the recommendations contained in the report together with Councillor Parry's amendment, 11 were cast in favour and 4 against.</p> |   |                     |
| <b>Decision</b>   |   |                     |
| The Council :-  |   |                     |

- (a) noted the content of the report, subject to the outcome of the Government's on-going negotiations and the requirement on the Prime Minister to request an extension if no deal is in place by 19 October 2019;
- (b) note preparation, actions and scenario planning is being progressed based on available information and;
- (c) Agreed that Midlothian Council condemns the Prime Minister's use of pejorative and inflammatory language in relation to Brexit within and outwith the UK Parliament, believing this widens the divisions in our society and encourages hate speech, verbal abuse and the threat of physical violence; and that the Council Leader write to the Prime Minister in these terms

#### Action

Council Leader; Chief Executive; Directors; Heads of Service

| Report No.   | Report Title                                     | Presented by:                                       |
|--|--|---|
| 8.6  | <b>Town Centre Capital Fund 2019/20 Projects</b> | <b>Director, Education, Communities and Economy</b> |
| <b>Outline of report and summary of discussion</b>   |  |   |
| <p>The Council heard from the Director, Education, Communities and Economy who spoke to the terms of a report which provided detail on the recommended projects seeking funding from Midlothian's £910k allocation from the Scottish Government's Town Centre Capital Fund. She drew attention to a small error at Section 8 whereby it should read Council not Cabinet.</p> <p>Councillor Cassidy referred to known difficulties relating to land at Hardengreen and Newtongrange and enquired what would happen to the funding should these projects not proceed. In response, the Director confirmed funding for any projects which subsequently did not proceed would go towards the Penicuik Town Hall project.</p> <p>Councillor Muirhead asked if contact would be made with the unsuccessful bidders with a view to providing them with advice as to why they had been unsuccessful. The Director confirmed this would happen.</p> <p>Councillor Johnstone enquired whether a pavement would form part of the Newtongrange project. The Director advised she did not believe one was part of the project but would check this and let Councillor Johnstone know.</p> |  |   |
| <b>Decision</b>  |  |   |
| <p>The Council unanimously agreed:-</p> <ul style="list-style-type: none"> <li>(a) the recommended projects for funding approval;</li> <li>(b) the suggested process for project governance and reporting and;</li> <li>(c) a project update report would be presented to the spring 2020 meeting</li> </ul>   |  |   |
| <b>Action</b>  |  |   |
| Director, Education, Communities and Economy   |  |   |

| Report No.  | Report Title   | Presented by:                    |
|---|--|----------------------------------|
| 8.7   | <b>Annual Audit Report to Members and the Controller of Audit for year ended 31 March 2019 – Report by External Auditors, EY</b> | <b>Stephen Reid, Partner, EY</b> |
| <b>Outline of report and summary of discussion</b>  |  |                                  |
| Mr Stephen Reid from the Council's External Auditors, EY, presented the annual report for year ended 31 March 2019. He advised the report had been presented and discussed at a recent meeting of the Audit Committee.  |  |                                  |
| The Council Leader, Councillor Milligan, broadly welcomed the terms of the report and advised it was prudent to allow the new management structure to take place and await the budget settlement announcement. He further commented he was disappointed that with regard to some aspects the Council was still rated red as he felt it did not recognise all the hard work undertaken by staff but understood this was because of economic uncertainty and that every other Council in Scotland is in the same position |  |                                  |
| The Provost thanked Mr Reid for his presentation and the work undertaken by EY on behalf of the Council.  |  |                                  |
| <b>Decision</b>   |  |                                  |
| The Council noted the terms of the report   |  |                                  |
| <b>Action</b>   |  |                                  |
| Chief Executive, Directors, Heads of Service  |  |                                  |

## 9 Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Council agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

5. Private Addendums to Minutes of Midlothian Council of 20 August and 10 September 2019 (continued from earlier in the meeting)

9.1 Mayfield Town Centre Regeneration – Update on Community Lead Project – Report by Director, Education, Communities and Economy

9.2 Millerhill Low Carbon District Heating Project: Procurement Update – Report by Head of Property and Facilities Management

The meeting concluded at 12.12 pm.



# Minute of Meeting



## Special Meeting of Midlothian Council

| Date            | Time     | Venue  |
|-----------------|----------|--|
| 22 October 2019 | 11.30 am | Council Chambers, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

|                                      |   |
|--------------------------------------|---|
| Provost Smail                        | Depute Provost Russell                      |
| Councillor Milligan – Council Leader | Councillor Muirhead – Depute Council Leader |
| Councillor Alexander                 | Councillor Baird                            |
| Councillor Cassidy                   | Councillor Curran                           |
| Councillor Hardie                    | Councillor Imrie                            |
| Councillor Johnstone                 | Councillor Lay-Douglas                      |
| Councillor Munro                     | Councillor Parry                            |
| Councillor Wallace                   |   |

### In attendance:

|                                 |   |
|---------------------------------|---|
| Grace Vickers, Chief Executive  |   |
| Alan Turpie, Monitoring Officer | Verona MacDonald, Democratic Services Team Leader |

## **1. Apologies**

---

Apologies for absence were intimated by the Clerk on behalf of Councillors Hackett, McCall and Winchester.

## **2. Order of Business**

---

The order of business was confirmed by the Provost to be as per the agenda circulated.

## **3. Declarations of interest**

---

No declarations of interest were made.

## **4. Minute of Previous Meeting**

---

None

## **5. Reports**

---

### **Exclusion of Members of the Public**

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 1 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

#### **5.1 Appointment of Executive Directors – Report by Chief Executive**

The meeting concluded at 11.40 am

# Minute of Meeting



## Audit Committee

| Date                 | Time     | Venue  |
|----------------------|----------|--|
| Tuesday 24 June 2019 | 11.00 am | Council Chambers, Midlothian House, Dalkeith, EH22 1DN |

### Present:

|                                    |
|------------------------------------|
| Mike Ramsay (Independent Chair)    |
| Councillor Hardie                  |
| Councillor Milligan                |
| Councillor Muirhead                |
| Councillor Parry                   |
| Councillor Smaill                  |
| Councillor Cassidy (Substitute)    |
| Peter de Vink (Independent Member) |

### In attendance:

|                |  |
|----------------|--|
| Grace Vickers  | Chief Executive                                |
| Mary Smith     | Director Education, Communities and Economy    |
| Kevin Anderson | Acting Director Resources                      |
| Alison White   | Head of Adult Health and Social Care           |
| Gary Fairley   | Head of Finance and Integrated Service Support |
| Alan Turpie    | Legal Services Manager/Monitoring Officer      |
| Grace Scanlin  | External Auditor, Ernst and Young              |
| Jill Stacey    | Chief Internal Auditor                         |
| Elaine Greaves | Principal Auditor                              |
| Janet Ritchie  | Democratic Services Officer                    |

## **1. Welcome and Apologies**

---

The Chair, Mike Ramsay welcomed everyone to the meeting, following which there was a round of introductions.

Apologies were received from Councillor Baird. It was noted that Councillor Cassidy was substituting for Councillor Baird.

## **2. Order of Business**

---

The order of business was confirmed as outlined in the agenda.

## **3. Declarations of interest**

---

No declarations of interest were received.

## **4. Minutes of Previous Meetings**

---

4.1 The minute of the meeting of 28 May 2019 was submitted and approved as a correct record having been proposed by Councillor Hardie and seconded by Councillor Cassidy.

4.2 The Action log was submitted and the following agreed:

- 1) 'Annual Governance Statement 2017/18 (2018/19 Areas for Improvement)' - To note that the Annual Governance Statement 2018/19 was included with the Unaudited Accounts which is item 5.2 on this Agenda and this action is now complete.
- 2) 'Briefing – Informal Audit Committee Session' - To note this action is now complete.
- 3) 'Delivering Excellence – Governance Arrangements' – The Chief Internal Auditor advised that as yet there was no specific date attached to this action but the change in transformation governance arrangements would be covered in the programme of work as part of their Internal Audit Annual Plan and would be reported back to the Audit Committee in due course.
- 4) 'Risk Register – Lothian Buses Pension Fund – To note that a further report would be presented to the Audit Committee in September 2019.

The Director of Education, Communities and Economy raised an action with regards to Item 5.1 'Final Internal Audit Report Follow-up Review of Developer Contributions' and confirmed that a Training Session on Developer's Contributions for Members of the Planning Committee would be arranged after the summer recess.



## 5. Public Reports

| Report No.  | Report Title                              | Submitted by:                                  |
|---|---|--|
| 5.1   | Annual Treasury Management Report 2018/19 | Head of Finance and Integrated Service Support |
| <b>Outline of report and summary of discussion</b>  |   |  |
| <p>The purpose of this report was to inform Members of the Treasury Management activity undertaken in 2018/19 and the year-end position.</p> <p>The Head of Finance and Integrated Service Support advised the Committee that a training session with the external Treasury Advisors would be arranged for Members of the Audit Committee and all Elected Members on Treasury Management in the Autumn prior to the Audit meeting in January 2020.</p> <p>Thereafter he presented this report highlighting the main sections within the report and in response to a comment from the Chair confirmed that he would review the discrepancy in figures with regards to Appendix 2 to this report and the Unaudited Accounts and amend as appropriate.</p> |   |  |
| <b>Decision</b>   |   |  |
| The Audit Committee noted the Treasury Management Annual Report for 2018/19 and recommended that the report is submitted to Council for approval.   |   |  |
| <b>Action</b>   |   |  |
| The Head of Finance and Integrated Service Support  |   |  |

| Report No.   | Report Title                           | Submitted by:                                  |
|--|--|--|
| 5.2  | Unaudited Financial Statements 2018/19 | Head of Finance and Integrated Service Support |
| <b>Outline of report and summary of discussion</b>   |  |  |
| <p>The purpose of this report was to enable Audit Committee to consider and comment on the unaudited accounts for 2018/19. A separate presentation was provided to the committee prior to consideration of this report and the accounts.</p> <p>The Local Authority Accounts (Scotland) Regulations 2014 sets out the requirements in respect of preparation, submission and scrutiny of unaudited accounts and the requirements for the Audit Committee to consider the unaudited accounts by 31 August 2019.</p> <p>The External Auditors, EY will begin the substantive phase of the audit of the accounts during July with a clearance meeting to be arranged during late August 2019. The aim was to complete the audit and for EY to be provided with draft audited accounts by early September 2019. Thereafter the audited accounts are scheduled to be presented to Audit Committee on 24 September 2019 together with EY Annual Audit Report.</p> <p>The report outlines the requirements for completion, approval and signing of the accounts as set out in the Local Authority Accounts (Scotland) Regulations 2014.</p> |  |  |

The Head of Finance and Integrated Service Support presented this report to the Committee highlighting the main sections within the report and the requirements for the Audit Committee to consider the unaudited accounts by 31 August 2019. He expressed his thanks to the Finance team and colleagues across the Council in supporting the completion of these Accounts.

The Head of Finance and Integrated Service Support responded to questions and comments raised by Members of the committee which included a question raised by Councillor Smaill regarding the number of immaterial write offs approved by Cabinet during the year. Members the Cabinet also commented that they had also raised concerns regarding this and explained that Midlothian Council non-domestic rates were collected by Edinburgh Council and after meeting with them were confident that they had done all they could in pursuing it. Also raised by several members of the committee was the outturn underspend and some of internal and external influences which contributed to this.

The Chief Internal Auditor referred to item 1 of the action log and advised the Committee that the draft Annual Governance Statement previously had been a separate document but was now included as a section in the unaudited Accounts and highlighted the importance of this assurance document.

Thereafter the Chief Executive highlighted the main sections within the assurance statement and some of the significant changes which not only provided year end assurances but also provided detailed assurances throughout the year.

#### Decision

In accordance with The Local Authority Accounts (Scotland) Regulations 2014, set out in section 2 of the report, the Audit Committee considered and commented on the unaudited accounts for 2018/19.

| Report No. | Report Title                          | Submitted by:            |
|------------|---------------------------------------|--------------------------|
| 5.3        | Audit Committee Annual Report 2018/19 | Chair of Audit Committee |

#### Outline of presentation and summary of discussion

The purpose of this report was to provide Members with the Audit Committee Annual Report 2018/19 and the annual self-assessments of the Committee against best practice.

The Independent Chair of the Audit Committee presented this report advising the committee that Appendix 1 was The Audit Committee Annual Report 2018/19 for consideration and was designed to provide assurance to full Council and to identify areas of improvement which were designed to enhance the Audit Committee's effectiveness as a scrutiny body.

He also advised that Appendix 2 and 3 were the outcomes of the self-assessments carried out with the Good Practice Principles Checklist and the Evaluation of Effectiveness toolkit.

The Chair then provided the Committee with a brief summary of the contents of the Audit Committee Annual Report 2018/19 highlighting some of the work carried out by the Audit Committee and the Committee's role in the scrutiny process of internal controls and governance. He also highlighted the Assurance Statement to the Council and the recommendation to Council to amend the Terms of Reference for the Audit Committee for the coming year.

#### Decision

The Audit Committee approved the Audit Committee Annual Report 2018/19 (Appendix 1) and its self-assessments using the CIPFA Audit Committees Guidance (Appendices 2 and 3), and agreed that the Audit Committee Annual Report 2018/19 should be presented to the Council.

#### Action

Chair/Chief Internal Auditor

### Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Audit Committee agreed that the public be excluded from the meeting during discussion of the undernoted items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraph 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

### 6. Private Reports

| Report No.  | Report Title   | Submitted by:   |
|---|--|-----------------|
| 6.1   | Chief Executive's Update including Independent Consultant's Report | Chief Executive |
| <b>Decision</b>   |  |                 |
| <p>The Audit Committee noted:</p> <ul style="list-style-type: none"> <li>• The report provided by the Independent Consultant</li> <li>• The actions taken by the Council</li> <li>• The responsiveness and ongoing actions being taken forward by the Acting Director, Resources</li> <li>• The responsiveness and ongoing work being undertaken by Internal Audit as part of the annual Audit Plan</li> <li>• The Legal Services Manager would provide a report to the Audit Committee with regards to 'Where does a Councillor go if they lose faith in Senior Officers'.</li> <li>• That Members of the Committee would shred this confidential document immediately following the meeting.</li> </ul> |  |                 |

### 7. Date of Next Meeting

The next meeting will be held on 24 September 2019 at 10 am

The meeting terminated at 12.30 pm



# Minute of Meeting



## General Purposes Committee

| Date           | Time     | Venue   |
|----------------|----------|---|
| 27 August 2019 | 10.00 am | Council Chamber, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

|                          |  |
|--------------------------|--|
| Councillor Munro (Chair) | Councillor Alexander (from Item No. 6 onwards) |
| Councillor Cassidy       | Councillor Curran                              |
| Councillor Hackett       | Councillor Imrie                               |
| Councillor Lay-Douglas   | Councillor Milligan                            |
| Councillor Muirhead      | Councillor McCall                              |
| Councillor Parry         | Councillor Russell                             |
| Councillor Wallace       | Councillor Winchester                          |

### In attendance:

|   |   |
|---|---|
| Alan Turpie, Legal Services Manager                             | Verona MacDonald, Democratic Services Team Leader |
| Inspector E. Smith, Police Scotland                             | Inspector J. Morrison, Police Scotland            |
| Andy King, Senior Trading Standards Officer, Midlothian Council |   |

## **1. Apologies**

---

Apologies for absence were received for Councillors Hardie, Johnstone and Smaill.

In the absence of the substantive Committee Chair, Councillor Smaill, the Democratic Services Team Leader invited nominations for the position of Chair for the meeting. Councillor Munro was nominated by Councillor Lay-Douglas, seconded by Councillor Winchester. There were no other nominations and Councillor Munro assumed the role of Chair for the meeting.

## **2. Order of Business**

---

The order of business was as set out on the Agenda together with an additional item raised under Item 5.

## **3. Declarations of interest**

---

Councillor Curran indicated he would be declaring an interest in the applications on the agenda relating to private hire and taxis on the basis of his business interests in the taxi trade.

## **4. Minute of Meeting**

---

Following a Motion by Councillor Hackett, seconded by Councillor Cassidy, the Minute of Meeting of 14 May 2019 was unanimously approved. Thereafter, the Chair was authorised to sign it as a correct record of the meeting.

## **5. Public Reports**

---

The Legal Services Manager, with the authority of the Chair, requested that an urgent matter, not included in the agenda circulated, be considered by the Committee on the basis that it related to an event being held prior to the next scheduled meeting of the Committee. The Committee unanimously agreed to consider the matter. The Legal Services Manager explained that an application for a temporary public entertainment licence which would normally be delegated to the Director, Resources to grant had attracted an objection. He suggested that the application be considered by a sub-Committee consisting of the 3 Ward Members who would determine the application by way of written submissions. He further advised that one of the Ward Members may not be able to sit on the sub-Committee because of their involvement with the application and on that basis the Committee should elect a substitute Member. Councillor Parry advised that she was declaring an interest in the application which related to an event proposed in her Ward and was therefore unable to sit on the sub-Committee. Councillor Muirhead moved that the application be considered at a Special Meeting of the Committee, his Motion was seconded by Councillor Curran. As an amendment, Councillor McCall, seconded by Councillor Cassidy moved that the sub-Committee be created for the purpose outlined by Mr Turpie and on a vote being taken by way of a show of hands, 5 votes were cast for the motion and 6 for the amendment which therefore became the decision of the Committee. It was further unanimously agreed that the sub-Committee consist of the 2 Ward

Members, namely, Councillors Imrie and Winchester together with Councillor McCall as a substitute for Councillor Parry.

**Sederunt:** Councillor Curran having previously declared an interest, left the meeting and returned at 11.27 am. Councillor Alexander entered the meeting and remained until its conclusion.

### **Exclusion of Members of the Public**

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 6 and 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

- 6.1 Application for a Private Hire Car Driver Licence – G. Black
- 6.2 Application for a Private Hire Car Driver Licence – J. Kay
- 6.3 Application for a Private Hire Car Driver Licence – R. Lambert
- 6.4 Application for a Taxi Driver Licence – G. McCabe
- 6.5 Application for a Private Hire Car Driver Licence – A. Stirling
- 6.6 Application for a Second Hand Car Dealer Licence – N. Younas

The meeting terminated at 11.56 am





# Minute of Meeting



## Planning Committee

| Date           | Time    | Venue  |
|----------------|---------|--|
| 27 August 2019 | 1.00 pm | Council Chambers, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

|                          |                       |
|--------------------------|-----------------------|
| Councillor Imrie (Chair) | Councillor Alexander  |
| Councillor Curran        | Councillor Hackett    |
| Councillor Lay-Douglas   | Councillor McCall     |
| Councillor Milligan      | Councillor Muirhead   |
| Councillor Parry         | Councillor Russell    |
| Councillor Wallace       | Councillor Winchester |

### In Attendance:

|  |  |
|--|--|
| Mary Smith, Director, Education, Communities and Economy | Peter Arnsdorf, Planning Manager           |
| Alan Turpie, Legal Services Manager                      | Janet Ritchie, Democratic Services Officer |

## 1. Apologies

---

Apologies for absence were intimated on behalf of Councillors Cassidy, Hardie, Johnstone, Munro and Smaill.

## 2. Order of Business

---

The Order of business was as set out in the Agenda

## 3. Declarations of interest

---

No declarations of interest were submitted.

## 4. Minutes of Previous Meetings

---

The Minute of Meeting of 18 June 2019 was submitted and approved as a correct record subject to an amendment to the apologies.

Councillor Hackett and Councillor Russell advised the Committee that they did not put in apologies for the meeting of 18 June 2019 they were suspended from attending following a decision by the Standards Commission.

## 5. Reports

---

| Agenda No   | Report Title                     | Presented by:  |
|---|----------------------------------|----------------|
| 5.1   | The Planning (Scotland) Act 2019 | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>  |                                  |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating the Committee with regard to the reforms to the Planning System resulting from the Planning (Scotland) Act 2019.</p> <p>The Planning Manager highlighted the main sections contained within the report and advised the Committee of the main changes proposed by the 2019 Act as outlined in the report. Thereafter he responded to a question regarding the interim guidance on transitional arrangements which will be published in the coming weeks.</p> |                                  |                |
| <b>Decision</b>   |                                  |                |
| <p>The Committee noted:</p> <ul style="list-style-type: none"><li>• The contents of the report</li><li>• To receive further reports on changes to the Planning System when secondary legislation/regulations are published by the Scottish Government.</li></ul>  |                                  |                |
| <b>Action</b>   |                                  |                |
| Planning Manager  |                                  |                |

| Agenda No  | Report Title   | Presented by:  |
|--|--|----------------|
| 5.2  | Major Applications: Applications currently being assessed and other Developments at Pre-Application Consultation Stage | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>   |  |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating the Committee with regard to 'major' planning applications, formal pre-application consultations by prospective applicants, and the expected programme of applications due for reporting to the Committee.</p> <p>The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants was outlined in Appendices A and B attached to this report.</p> |  |                |
| <b>Decision</b>  |  |                |
| The Committee noted the major planning application proposals which are likely to be considered by the Committee in 2019 and the updates for each of the applications.  |  |                |

| Agenda No  | Report Title  | Presented by:  |
|--|---|----------------|
| 5.3  | Supplementary Guidance: Housing Development in the Countryside and Green Belt | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>   |   |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating the Committee on the adoption of the Housing Development in the Countryside and Green Belt Supplementary Guidance. At its meeting of 14 May 2019 the Committee agreed to adopt the Housing Development in the Countryside Supplementary Guidance following a formal consultation process.</p> <p>The adopted version of the Housing Development in the Countryside and Green Belt Supplementary Guidance document is now available on the Council website.</p> |   |                |
| <b>Decision</b>  |   |                |
| The Committee noted the contents of the report.  |   |                |

| Agenda No   | Report Title   | Presented by:  |
|---|--|----------------|
| 5.4   | Gorebridge Conservation Area Character Appraisal And Management Plan | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>  |  |                |
| A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy, the purpose of this report was to seek agreement to undertake a formal consultation on the draft 'Conversation Area Character Appraisal and Management Plan' for the Gorebridge Conversation Area. |  |                |

The Planning Manager highlighted the main sections contained within the report and advised the Committee that a condition of the funding received from Historic Environment Scotland was the preparation and adoption by the Council of a Conservation Area Appraisal and Management Plan which is attached as appendix A to the report.

#### Decision

The Committee:

- Approved the draft Gorebridge Conservation Area Character Appraisal and Management Plan for consultation;
- Would consider a further report following the proposed consultation;
- Authorised the Planning Manager to make any necessary minor editing and design changes to the CAAMP prior to publication.

#### Action

Planning Manager

| Agenda No  | Report Title   | Presented by:  |
|--|--|----------------|
| 5.5  | Proposed Amendment to the Proposed Uses at Site E26, Whitehill Mains, Whitehill Road, Millerhill (19/00489/PAC). | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>   |  |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising the Committee of a pre-application consultation regarding a proposal to expand the range of uses at site E26, Whitehill Mains, Whitehill Road, Millerhill, Shawfair. The land comprises economic site E26 in the Midlothian Local Development Plan 2017 (MLDP), allocated for class 4 (office/business) and class 5 (general industry) uses. The site was originally allocated in the now superseded 2003 Shawfair Local Plan.</p> <p>The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration. The Planning Manager provided a brief summary of the report.</p> |  |                |
| <b>Decision</b>  |  |                |
| <p>The Committee noted:</p> <ul style="list-style-type: none"> <li>• The provisional planning position set out in this report.</li> <li>• That any comments made by Members will form part of the minute of the Committee meeting.</li> <li>• That the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.</li> </ul>   |  |                |
| <b>Action</b>  |  |                |
| Planning Manager   |  |                |

| Agenda No   | Report Title   | Presented by:  |
|---|--|----------------|
| 5.6   | Proposed Erection of Primary School at the Former Site of the Newbattle Community High School, Easthouses Road, Easthouses (19/00445/PAC). | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>  |  |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising the Committee of a pre-application consultation regarding the erection of a primary school at the site of the former Newbattle Community High School, Easthouses Road, Easthouses. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration.</p> <p>The Planning Manager provided a brief summary of the report and confirmed that the comments highlighted by Members with regards to the change of use from High School to Primary School and the consideration of road safety would be taken on board.</p> |  |                |
| <b>Decision</b>   |  |                |
| <p>The Committee noted:</p> <ul style="list-style-type: none"> <li>• The provisional planning position set out in this report.</li> <li>• That any comments made by Members will form part of the minute of the Committee meeting.</li> <li>• That the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.</li> </ul>  |  |                |
| <b>Action</b>   |  |                |
| Planning Manager  |  |                |

| Agenda No  | Report Title  | Presented by:  |
|--|---|----------------|
| 5.7  | Application for Planning Permission in Principle for the Erection of a Community Facility incorporating Secondary and Primary School, Early Learning Provision and Family Learning, Library, Leisure Facilities, Healthcare and Class 4 Business Facilities at the Former Site of Monktonhall Colliery, Monktonhall Colliery Road, Newton, Danderhall (19/00112/PPP). | Peter Arnsdorf |
| <b>Outline of report and summary of discussion</b>   |   |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy summarising an application for planning permission as detailed above.</p> |   |                |

The Planning Manager highlighted the main sections contained within the report and there followed comments and questions from the Elected Members with regards to road safety, flood risks and the mine workings in this area. It was also noted the comments with regards to the history of this area and this being the last working mine in Midlothian and the Planning Manager advised this would all be taken into consideration.

The Chair highlighted that this was another positive development for Midlothian and the ideal opportunity to put good practice into place with regards to facilities for both children and adults, cycle/foot path connections and good transport links.

#### Decision

The Committee agreed to grant the planning permission for the following reasons

*The site is located within the settlement boundary of Shawfair and as such there is a presumption in favour of an appropriate education, community and business uses in support of the town centre and the wider objectives of the new settlement. The proposed development is compatible with the policies of the Edinburgh and South East Scotland Strategic Development Plan 2013 and the Midlothian Local Development Plan 2017 and does not undermine the overall objectives of the approved Shawfair Masterplan and the approved Shawfair Design Guide (and the associated addendums). The presumption for the development is not outweighed by any other material considerations.*

Subject to the conditions as detailed within the report.

#### Action

Planning Manager

| Agenda No   | Report Title   | Presented by:  |
|---|--|----------------|
| 5.8   | Section 42 Application to Amend Conditions 4 and 5 (to Clarify Phasing Submissions) Imposed on a Grant of Planning Permission 15/00113/PPP for the Demolition of Existing Dwellinghouse, Erection of Hotel and Residential Development, Formation of Access Roads, Car Parking and Associated Works at Land at Calderstones, Biggar Road, Hillend, Damhead (18/00628/S42). | Peter Arnsdorf |
| Outline of report and summary of discussion   |  |                |
| <p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising that at its meeting on 25 August 2015 the Committee granted planning permission for the demolition of existing dwellinghouse, erection of hotel and residential development, formation of access roads, car parking and associated works at land at Calderstones, Biggar Road and Hillend. This section 42 application seeks to amend the wording of two of the conditions, one relating to hard and soft landscaping and the second relates to the siting and design of buildings.</p> |  |                |

The application is accompanied by an environmental impact assessment report. There have been no representations and there have been consultation responses from Scottish Environment Protection Agency, Scottish Natural Heritage, Historic Environment Scotland, Transport Scotland, the Council's Policy and Road Safety Manager and Fairmilehead Community Council.

The Planning Manager highlighted the amendments as detailed within the report and advised the Committee the recommendation was to grant planning permission subject to conditions.

#### Decision

The Committee agreed to grant the planning permission for the following reasons

*The proposed development for a hotel/tourist accommodation accords with policy VIS2 of the Midlothian Local Development Plan 2017; as such there is a presumption in favour of the proposed development. This presumption in favour of the development is not outweighed by other policies in the development plan or other material considerations. The proposed amendments to conditions 4 and 5 are considered not to undermine this policy position or have a detrimental impact.*

Subject to the conditions as detailed within the report.

#### Action

Planning Manager

## 6. Private Reports

---

No private business was discussed.

## 7. Date of Next Meeting

---

The next meeting will be held on Tuesday 8 October 2019.

The meeting terminated at 1.30 pm





# Minute of Meeting



## Sub-Committee of the General Purposes Committee

| Date             | Time    | Venue  |
|------------------|---------|--|
| 3 September 2019 | 1.30 pm | Committee Room, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

|                   |                       |
|-------------------|-----------------------|
| Councillor McCall | Councillor Winchester |
|-------------------|-----------------------|

### In attendance:

|                                      |   |
|--------------------------------------|---|
| William Venters, Principal Solicitor | Verona MacDonald, Democratic Services Team Leader |
|--------------------------------------|---|

### 1. Apology and Introduction

---

None intimated. It was agreed Councillor McCall would chair the meeting.

### 2. Order of Business

---

The order of business was as set out on the Agenda

### 3. Declarations of interest

---

None intimated.

### 4. Minute of Meeting

---

None.

## 5. Public Reports

---

None.

### **Exclusion of Members of the Public**

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3 and 6 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

- 6.1 Application for a Temporary Public Entertainment Licence – W. Newsome

The meeting terminated at 1.42 pm

# Minute of Meeting



## Local Review Body

| Date                      | Time   | Venue  |
|---------------------------|--------|--|
| Tuesday 10 September 2019 | 1.00pm | Council Chambers, Midlothian House, Buccleuch Street, Dalkeith |

### Present:

|                             |                      |
|-----------------------------|----------------------|
| Councillor Milligan (Chair) | Councillor Alexander |
| Councillor Cassidy          | Councillor Muirhead  |
| Councillor Munro            | Councillor Smail     |

## **1 Apologies**

---

Apologies for absence were received from Councillors Imrie, Curran and Lay-Douglas.

In the absence of the Chair, Councillor Milligan was appointed as Chair for this meeting nominated by Councillor Cassidy, seconded by Councillor Alexander.

## **2 Order of Business**

---

The order of business was confirmed as outlined in the agenda that had been previously circulated.

## **3 Declarations of interest**

---

Councillor Smaill advised that with regards to Agenda Item 5.4 – Notice of Review Request - Middleton Limeworks, Gorebridge (18/00756/DPP), at his surgery he had been approached by a neighbouring resident regarding this and although he had not given an opinion there had been no officer present therefore he would leave the meeting during consideration of this Review Request.

Councillor Cassidy declared an interest in Agenda Item 5.2 – Note of Review Request - Land at Wester Cowden Farm, Wester Cowden, Dalkeith (18/00759/S42) on the grounds that his daughter was a neighbour of the adjoining property and due to this fact he would leave meeting during consideration of this Review Request.

Councillor Muirhead declared that with regards to Agenda Item 5.4 – Notice of Review Request - Middleton Limeworks, Gorebridge (18/00756/DPP) he had been approached by a constituent some time ago, before the application had been put forward. He advised that as he had not given an opinion on this and he did not believe this would interfere in his being able to come to an objective decision on this Review Request therefore he would still take part in this discussion.

## **4 Minutes of Previous Meetings**

---

The Minutes of Meeting of 16 April 2019 was submitted and approved as a correct record.

## **5 Reports**

---

| Agenda No | Report Title   | Presented by:   |
|-----------|--|-----------------|
| 5.1       | Decision Notice – 70 Lothian Street, Bonnyrigg [18/00654/DPP]. | Joyce Learmonth |

**Outline of report and summary of discussion**

With reference to Agenda No 5.5 of the Minutes of 16 April 2019, there was submitted a copy of the Local Review Body decision notice, to dismiss the review request and uphold the decision to refuse planning permission (18/00654/DPP) to change the use from retail (Class 1) to hot food take away (sui generis) and installation of flue at 70 Lothian Street, Bonnyrigg.

**Decision**

To note the LRB decision notice.

**Eligibility to Participate in Debate**

In considering the following item of business, all the LRB Members present had attended the site visit and so participated in the review process.

With reference to Section 3 above and Councillor Cassidy declaring an interest in the following Item he left the meeting before the discussion took place.

| Agenda No | Report Title  | Presented by:   |
|-----------|---|-----------------|
| 5.2       | Notice of Review Considered for the First Time - Land at Wester Cowden Farm, Wester Cowden, Dalkeith (18/00759/S42) | Joyce Learmonth |

**Outline of report and summary of discussion**

There was submitted a report dated 3 September 2019 by the Director Education, Communities and Economy regarding the above application, seeking to review the decision of the Planning Authority on 16 April 2019 to refuse planning permission to amend Condition 1 of the application (16/00359/PPP) to remove the restriction on the number of residential units. Appended to the report was the Notice of Review Form and supporting statement, a copy of the case officer's report and a copy of the decision notice.

The Local Review Body had made an accompanied visit to the site on Tuesday 10 September 2019.

In accordance with the procedures for the Local Review Body, the Planning Advisor gave a brief overview of the review Hearing procedures and outlined the background to the case.

Thereafter, oral representations were received firstly from the applicant agent, Mr Robin Holder, Holder Planning. Then from Mrs Robertson, on behalf of her husband and residents and Mr Watt, Vice Chair of Dalkeith & District Community Council (representations against the application) and finally Mhairi-Anne Cowie, the local authority Planning Officer.

The Committee then gave careful consideration to the merits of the case based on all the information provided both in writing and in person at the Hearing. In particular, consideration was given to the issues with Education provision and the increase in traffic movements.

#### Decision

To dismiss the review request and uphold the decision to refuse planning permission for the reasons outlined in the 'Refusal of Planning Permission' (18/00759/S42) dated 16/4/2019 and appended to the report.

#### Action

Planning Manager

Councillor Cassidy re-joined the meeting

| Agenda No  | Report Title  | Presented by:   |
|--|---|-----------------|
| 5.3  | Notice of Review Considered for the First Time – Land at 1A Kirkhill Terrace, Gorebridge (19/00336/DPP) | Joyce Learmonth |
| <b>Outline of report and summary of discussion</b>   |   |                 |
| <p>There was submitted a report dated 3 September 2019 by the Director Education, Communities and Economy regarding the above application, seeking to review the decision of the Planning Authority on 27 May 2019 to refuse planning permission for the erection of an industrial building at land at 1A Kirkhill Terrace, Gorebridge. Appended to the report was the Notice of Review Form and supporting statement, a copy of the case officer's report and a copy of the decision notice.</p> <p>The Local Review Body had made an accompanied visit to the site on Tuesday 10 September 2019.</p> <p>The Planning Advisor gave a brief overview of the background to the case and the Committee gave careful consideration to the merits of the case based on all the written information provided. In particular consideration was given to the impact of an industrial unit in this area.</p> |   |                 |
| <b>Decision</b>  |   |                 |
| To dismiss the review request and uphold the decision to refuse planning permission for the reasons outlined in the 'Refusal of Planning Permission' (19/00336/DPP) dated 27/5/2019 and appended to the report.  |   |                 |
| <b>Action</b>  |   |                 |
| Planning Manager   |   |                 |

With reference to Section 3 above and Councillor Smaill advising that he would not take part in consideration of the following Item he left the meeting before the discussion took place.

| Agenda No   | Report Title  | Presented by:    |
|---|---|------------------|
| 5.4   | Notice of Review Considered for the First Time – Middleton Limeworks, Gorebridge (18/00756/DPP) | Duncan Robertson |
| <b>Outline of report and summary of discussion</b>  |   |                  |
| <p>There was submitted a report dated 3 September 2019 by the Director Education, Communities and Economy regarding the above application, seeking to review the decision of the Planning Authority on 28 May 2019 to refuse planning permission for the change of the use of the former Llimeworks to HGV Depot and Road Surfacing and Transport Contractors Depot at Middleton Limeworks, Gorebridge. Appended to the report was the Notice of Review Form and supporting statement, a copy of the case officer's report and a copy of the decision notice</p> <p>The Local Review Body had made an accompanied visit to the site on Tuesday 10 September 2019.</p> <p>The Planning Advisor gave a brief overview of the background to the case and the Committee gave careful consideration to the merits of the case based on all the written information provided. In particular consideration was given to the impact this would have on the Countryside.</p> |   |                  |
| <b>Decision</b>   |   |                  |
| To dismiss the review request and uphold the decision to refuse planning permission for the reasons outlined in the 'Refusal of Planning Permission' (18/00756/DPP) dated 27/5/2019 and appended to the report.   |   |                  |
| <b>Action</b>   |   |                  |
| Planning Manager  |   |                  |

Councillor Smaill re-joined the meeting.

| Agenda No   | Report Title  | Presented by:   |
|---|---|-----------------|
| 5.5   | Notice of Review Considered for the First Time – 26 Mavisbank, Loanhead [18/00654/DPP]. | Joyce Learmonth |
| <b>Outline of report and summary of discussion</b>  |   |                 |
| There was submitted a report dated 3 September 2019 by the Director Education, Communities and Economy regarding the above application, seeking to review the decision of the Planning Authority on 3 April 2019 to refuse planning permission for erection of fencing (retrospective) at 26 Mavisbank, Loanhead. |   |                 |

Appended to the report was the Notice of Review Form and supporting statement, a copy of the case officer's report and a copy of the decision notice.

The Local Review Body had made an accompanied visit to the site on Tuesday 10 September 2019.

The Planning Advisor gave a brief overview of the background to the case and the Committee gave careful consideration to the merits of the case based on all the written information provided. The Committee discussed the position of the fence and the height specifically as it was at the front of the property and it could set a precedent for similar fences along the street frontage. The fact that the fence was painted black was also deliberated.

Councillor Muirhead, seconded by Councillor Milligan moved to dismiss the review request and to uphold the decision to refuse planning permission for the reasons detailed in the case officer's report.

As an amendment Councillor Smaill, seconded by Councillor Munro moved to uphold the review request and grant planning permission.

On a vote being taken 3 Members voted for the amendment and 3 for the motion. There being an equality of votes, the Chair used his casting vote for the motion which accordingly became the decision of the Committee.

#### Decision

To dismiss the review request and uphold the decision to refuse planning permission for the reasons outlined in the 'Refusal of Planning Permission' (19/00159/DPP) dated 03/04/2019 and appended to the report.

#### Action

Planning Manager

| Agenda No   | Report Title  | Presented by:   |
|---|---|-----------------|
| 5.4   | Notice of Review Considered for the First Time – 17 Tipperwell Way, Penicuik (19/00326/DPP) | Joyce Learmonth |
| Outline of report and summary of discussion   |   |                 |
| <p>There was submitted a report dated 3 September 2019 by the Director Education, Communities and Economy regarding the above application, seeking to review the decision of the Planning Authority on 27 May 2019 to grant planning permission subject to two conditions. The applicant is requesting that Condition 2 is removed from the grant of planning permission, which states <i>'Notwithstanding the plan hereby approved, the replacement windows proposed on the front elevation are hereby not approved'</i>.</p> <p>Appended to the report was the Notice of Review Form and supporting statement, a copy of the case officer's report and a copy of the decision notice.</p> |   |                 |



The Local Review Body had made an accompanied visit to the site on Tuesday 10 September 2019.

The Planning Advisor gave a brief overview of the background to the case and the Committee gave careful consideration to the merits of the case based on all the written information provided.

#### **Decision**

To dismiss the review request and uphold the decision to grant planning permission subject to the two conditions outlined in the 'Planning Permission' (19/00326/DPP) dated 27/5/2019 and appended to the report.

#### **Action**

Planning Manager

The meeting terminated at 2.00 pm.



# Minute of Meeting



## Midlothian Integration Joint Board

| Date                    | Time   | Venue   |
|-------------------------|--------|---|
| Thursday 22 August 2019 | 2.00pm | The Recovery Hub, Number 11, St Andrew St, Dalkeith EH22 1AL. |

### Present (voting members):

|  |                            |
|--|----------------------------|
| Cllr Jim Muirhead  | Carolyn Hirst (Vice Chair) |
| Cllr Stephen Curran (substitute for Cllr Derek Milligan) | Tricia Donald              |

### Present (non-voting members):

|  |   |
|--|---|
| Allister Short (Chief Officer)           | Claire Flanagan (Chief Finance Officer) |
| Alison White (Chief Social Work Officer) | Hamish Reid (GP/Clinical Director)      |
| Caroline Myles (Chief Nurse)             | Keith Chapman (User/Carer)              |
| Pam Russell (User/Carer)                 | Ewan Aitken (Third Sector)              |

### In attendance:

|  |   |
|--|---|
| Morag Barrow (Head of Primary Care and Older Peoples Services) | Jamie Megaw (Strategic Programme Manager) |
| Mairi Simpson (Integration Manager)                            | Mike Broadway (Clerk)                     |
| Kaye Skey (Clinical Service Development Manager)               |   |

### Apologies:

|                                   |  |
|-----------------------------------|--|
| Cllr Catherine Johnstone (Chair)  | Cllr Derek Milligan                          |
| Cllr Pauline Winchester           | Angus McCann                                 |
| Alex Joyce                        | Fiona Huffer (Head of Dietetics)             |
| Nik Hirani (Medical Practitioner) | Wanda Fairgrieve (Staff side representative) |

# Midlothian Integration Joint Board

Thursday 22 August 2019

## 1. Order of Business

---

The order of business was confirmed as outlined in the agenda that had been previously circulated.

In the absence of a quorum at the commencement of the meeting it was agreed to proceed with the presentation on the Wellbeing Service, which was taken out with the formal Board meeting, and thereafter to adjust the remaining agenda business as required.

## 2. Welcome and introductions

---

The Chief Officer, Allister Short, welcomed everyone to this Meeting of the Midlothian Integration Joint Board and advised that Councillor Catherine Johnstone had been nominated by Midlothian Council as Chair of the Midlothian Integration Joint Board, whilst Carolyn Hirst had been nominated by NHS Lothian as Vice Chair.

The Board endorsed the nominations of both Midlothian Council and NHS Lothian for the positions of Chair and Vice Chair respectively.

In the absence of Councillor Johnstone, Carolyn Hirst as Vice Chair assumed the Chair for the remainder of the meeting, following which there was a round of introductions.

## 3. Declarations of interest

---

No declarations of interest were received.

## 4. Minutes of Previous Meetings

---

4.1 The Minutes of Meeting of the Midlothian Integration Joint Board held on 13 June 2019 were submitted and approved as a correct record.

4.2 A Rolling Action Log – August 2019 was submitted.

Thereafter, the Board, having received updates on the various action points detailed therein, agreed to close off completed actions with the exception of the following:-

- (a) those actions whose expected completion date had not yet passed;
- (b) to note that the expected completion date for the Royal Edinburgh Hospital would be updated in line with the revised plans; and
- (c) a report on the review of the Strategic Planning Group would be included as part of the October Board agenda.

**(Action: Chief Officer/Chief Finance Officer/Clerk)**

# Midlothian Integration Joint Board

Thursday 22 August 2019

## 5. Public Reports

| Report No.  | Report Title                              | Presented by: |
|---|---|---------------|
| 5.9   | Adult Psychological Therapies Improvement | Alison White  |
| <b>Executive Summary of Report</b>  |   |               |
| <p>The purpose of this paper was to describe the current pressures experienced by Adult Psychological Therapies across Lothian and specifically in Midlothian and to seek approval for proposed additional investment which would improve performance against the waiting times standard.</p> <p>The report explained that the standard for Psychological Therapies was for at least 90% of patients to start treatment within 18 weeks of referral. Lothian had experienced challenges meeting the waiting times standard for Adult Psychological Therapies for a number of years and the general teams had experienced the greatest challenge meeting the standard.</p> <p>Child and Adolescent Mental Health Services (CAMHS) had experienced similar challenges, which was why in June 2019 NHS Lothian took the decision to invest a further £3 million in CAMHS, with a view to making this recurrent. The totality of this funding would not be spent by CAMHS in the 2019/2020 financial year; therefore NHS Lothian was proposing to invest a £1.5 million of this under spend on Adult Psychological Therapies on a non-recurring basis.</p> <p>As well as non-recurrent investment to the effect of £1.5 million, there was a need for recurring funding to sustain an improved position against the standard. For Midlothian, this was to the effect of £80,000 in 2020/2021 and £120,000 recurrently from 2021/2022.</p> |   |               |
| <b>Summary of discussion</b>  |   |               |
| <p>The Board, having heard from Alison White, Chief Social Work Officer and Head of Adult and Social Care, welcomed the proposals and acknowledged the importance of delivering changes that ensured people got the right support at the right time by the right service.</p> <p>In response to concerns regarding the potential financial implications, Claire Flanagan, Chief Finance Officer, sought to reassure Members by explaining the financial position, with Alison expanding further on the operational related impacts.</p>   |   |               |
| <b>Decision</b>   |   |               |
| <p><b>The Board, after further discussion and questions to Officers, agreed:</b></p> <ul style="list-style-type: none"> <li>• To support NHS Lothian's decision to divert under spend of additional CAMHS investment to the effect of £1.5 million to Adult Psychological Therapies; and</li> <li>• To note the requirement for recurrent expenditure of £80,000 in 2020/2021 and £120,000 from 2021/2022 to be made available in order to sustain an improved position against the standard</li> </ul>   |   |               |
| <b>Action</b>   |   |               |
| Chief Finance Officer/Chief Officer   |   |               |

# Midlothian Integration Joint Board

Thursday 22 August 2019

| Report No. | Report Title   | Presented by:  |
|------------|--|----------------|
| 5.2        | Chief Office of the Midlothian Integration Joint Board | Allister Short |

## Executive Summary of Report

The purpose of this report was to confirm the resignation of Allister Short from his role as the Chief Officer of the Midlothian Integrated Joint Board and as a result of this agree to the recruitment process for the position of Chief Officer of the Midlothian Integrated Joint Board.

## Summary of discussion

Having heard from the outgoing Chief Officer, the Board paid tribute to Allister for his considerable efforts in taking the Midlothian IJB forward and wished him well in his new position as Chief Officer/Joint Director for West Lothian.

The Board also gave consideration to the proposed recruitment process with particular emphasis being given to a desire to see the new Chief Officer continue to develop the collaborative approach with the Voluntary Sector and also the support given to user/carers.

## Decision

**The Board, after further discussion, agreed to:-**

- **Note the resignation of Allister Short from his role as Chief Officer of the Midlothian Integrated Joint Board with effect from 29 September 2019;**
- **Agree the recruitment process for the position of Chief Officer of the Midlothian Integration Joint Board; and**
- **Approve the recruitment of a Chief Officer for the Midlothian Integration Joint Board.**

## Action

Chief Officer

| Report No. | Report Title                   | Presented by: |
|------------|--------------------------------|---------------|
| 5.4        | IJB Improvement Goals Progress | Jamie Megaw   |

## Executive Summary of Report

With reference to paragraph 5.4 of the Minutes of 14 February 2019, there was submitted a report updating the Board on performance and improvement towards achieving the Local Improvement Goals set by the MIJB based on the indicators recommended by the Ministerial Strategic Group for Health and Community Care.

# Midlothian Integration Joint Board

Thursday 22 August 2019

## Summary of discussion

The Board having heard from Jamie Megaw, Strategic Programme Manager, who responded to Members' questions and comments, considering the current progress against the local improvement goals. The possibility of providing information in such a way so that the impact of preventative measures and actions targeted toward these improvement goals could be better gauged was discussed. It being acknowledged that an improved narrative might also assist to better demonstrate and understand the linkage. There were also issues of individuals who were repeat/constant presenters and how they were accounted for and how the effects that demographic changes were having could be best represented.

## Decision

**After further discussion, the Board:-**

- **Noted the current performance across the improvement goals.**
- **Noted that issues raised during discussion would be picked up as part of future reports.**
- **Agreed to look at ways to develop existing indicators along the lines discussed.**

## Action

Chief Officer/Strategic Programme Manager

| Report No. | Report Title                      | Presented by: |
|------------|-----------------------------------|---------------|
| 5.5        | Annual Performance Report 2018/19 | Mairi Simpson |

## Executive Summary of Report

With reference to paragraph 5.10 of the Minutes of 13 June 2019, there was submitted a report presenting the Board with the Midlothian Annual Performance Report 2018/19.

The report advised that the Annual Performance Report provided information on the health and wellbeing of the people of Midlothian. It also described local health and care services, the financial performance of the Partnership and the quality of health and care services delivered during 2018-19.

## Summary of discussion

Having heard from Integration Manager, Mairi Simpson who responded to Members' questions and comments, the Board in considering the Annual Performance Report discussed the issue of localities and how best to address the needs of areas of recognised deprivation, it being acknowledged that these were issues that would perhaps require to be revisited as time progressed.

## Decision

**After further discussion, the Board agreed to approve the content of the Annual Performance Report.**

# Midlothian Integration Joint Board

Thursday 22 August 2019

| Action        |
|---------------|
| Chief Officer |

| Report No. | Report Title                  | Presented by:  |
|------------|-------------------------------|----------------|
| 5.4        | NHS Lothian Escalation Report | Allister Short |

## Executive Summary of Report

The purpose of this report was to update the Board on the decision by the Director-General Health and Social Care and Chief Executive of NHS Scotland ('the DG') that had concluded, on the advice of the Health and Social Care Management Board, that NHS Lothian had now been placed at level 3 of the NHS Board Performance Escalation Framework.

The report sets out the proposed approach within NHS Lothian and Midlothian to support the delivery of recovery plans.

## Summary of discussion

The Board, heard from Allister Short, Chief Officer, who in responding to Members questions and comments, explained that whilst some of the areas noted for improvement were outwith the scope of the Midlothian IJB, the Board did still have a key role to play in ensuring that performance issues relating to delayed discharge, unscheduled care, mental health and learning disabilities were addressed. There was also a need to ensure that the approaches being taken reflected the overall direction of travel towards new models of care and service delivery as set out the Midlothian Strategic Commissioning Plan. Given the nature and importance of these developments, ongoing updates on progress against delivery of the recovery plans would be reported to future MIJB meetings.

## Decision

**The Board, after further discussion:**

- **Noted the placing of the Board at level 3 of the NHS Board Performance Escalation Framework;**
- **Noted and supported the whole-system collaborative approach involving NHS Lothian and the 4 Integration Joint Boards, with support from the Council areas, to develop and implement a recovery plan; and**
- **Agreed to receive future updates on progress being made on the delivery of the recovery plans.**

| Action        |
|---------------|
| Chief Officer |



# Midlothian Integration Joint Board

Thursday 22 August 2019

## Sederunt

---

At this point in the proceedings, Councillor Curran required to leave the meeting, due to a prior engagement, which meant that the meeting was no longer quorate. The Board considered how best to proceed, before agreeing to continue consideration of the remaining items of business –

- 5.6    Unscheduled Care in Hospital
- 5.7    Transformation/Savings Programme Update
- 5.8    Update on New Monies
- 5.10   Chief Officer Report
- 5.11   Proposed Meeting Schedule for 2020 and 2021

- to the Special Meeting of the Board which was due to be held on Thursday 12 September 2019.

## 6. Date of next meeting

---

The next meetings of the Midlothian Integration Joint Board would be held on:

- Thursday 12 September 2019\*    2pm    Special Midlothian Integration Joint Board/ Development Workshop
- Thursday 10 October 2019       2pm    Midlothian Integration Joint Board

(**NB** – \* the venue for the October meeting would be Midlothian Community Hospital, 70 Eskbank Rd, Bonnyrigg. Detailed arrangements would be given nearer the time.)

**(Action: All Members to Note)**

The meeting terminated at 3.40 pm.



# Minute of Special Meeting



## Midlothian Integration Joint Board

| Date                       | Time | Venue  |
|----------------------------|------|--|
| Thursday 12 September 2019 | 2pm  | Midlothian Community Hospital, 70 Eskbank Rd, Bonnyrigg EH22 3ND |

### Present (voting members):

|                                  |  |
|----------------------------------|--|
| Cllr Catherine Johnstone (Chair) | Carolyn Hirst (Vice Chair)             |
| Cllr Derek Milligan              | Tricia Donald                          |
| Cllr Jim Muirhead                | Alex Joyce                             |
| Cllr Pauline Winchester          | Mike Ash (substitute for Angus McCann) |

### Present (non-voting members):

|                                |                                |
|--------------------------------|--------------------------------|
| Allister Short (Chief Officer) | Claire Flannagan (NHS Lothian) |
| Caroline Myles (Chief Nurse)   | Keith Chapman (User/Carer)     |

### In attendance:

|  |                                    |
|--|------------------------------------|
| Morag Barrow (Head of Primary Care and Older Peoples Services) | Gordon Aitken, Democratic Services |
|--|------------------------------------|

### Apologies:

|                                   |                                    |
|-----------------------------------|------------------------------------|
| Angus McCann                      | Pam Russell (User/Carer)           |
| Nik Hirani (Medical Practitioner) | Hamish Reid (GP/Clinical Director) |
| Ewan Aitken (Third Sector)        |                                    |

# Midlothian Integration Joint Board

Thursday 12 September 2019

## 1. Welcome and introductions

The Chair, Councillor Johnstone welcomed everyone to the meeting of the Midlothian Integration Joint Board.

## 2. Order of Business

The Clerk advised that the Chair had agreed that Item No 5.1 “Appointment of Chief Officer of the Midlothian Integrated Joint Board”, which had been included as a Private Item would now be considered as the first item of business to be held in public.

## 3. Declarations of interest

No declarations of interest were received.

## 4. Public Reports

| Report No.  | Report Title  | Presented by: |
|---|---|---------------|
| 5.1   | Appointment of Chief Officer of the Midlothian Integrated Joint Board | Gordon Aitken |
| <b>Executive Summary of Report</b>  |   |               |
| <p>The purpose of the report was to advise the Board of the shortlisting and interview of candidates for the post of Joint Director, Health and Social Care/Chief Officer of the Midlothian Integrated Joint Board and invite the Board to ratify the appointment of the recruitment panel’s preferred candidate as Chief Officer.</p> <p>The report advised that 9 applications had been received and following review by the recruitment panel 4 candidates were invited for interview on 29 August 2019.</p> <p>The shortlisted candidates were interviewed by an agreed recruitment panel comprising:</p> <ul style="list-style-type: none"> <li>• Cllr Catherine Johnstone, MIJB Chair</li> <li>• Cllr Derek Milligan, Council Leader/Convener of the Cabinet/MIJB Member</li> <li>• Cllr Pauline Winchester, MIJB Member</li> <li>• Alex Joyce, Employee Director, NHS Lothian/MIJB Member</li> <li>• Mike Ash, Non-Executive Director, NHS Lothian</li> <li>• Tim Davison, Chief Executive, NHS Lothian</li> <li>• Grace Vickers, Chief Executive, Midlothian Council</li> </ul> <p>Following deliberation, the unanimous view of the recruitment panel was to recommend to the Council and NHS Lothian that the post of Joint Director, Health and Social Care/Chief Officer of the Midlothian Integrated Joint Board be offered to Morag Barrow on the agreed conditions of service and subject to satisfactory completion of pre-employment checks.</p> |   |               |

# Midlothian Integration Joint Board

Thursday 12 September 2019

The Clerk advised that at their meeting on 10 September 2019, Midlothian Council had agreed to endorse the appointment of Morag Barrow.

The Chair on behalf of the Board congratulated Morag on her appointment as Joint Director, Health and Social Care.

## Decision

The Board agreed to:

- Note the outcome of the recruitment process for the post of Joint Director, Health and Social Care/Chief Officer for the Midlothian Integration Joint Board; and
- Ratify the appointment of Morag Barrow to the position of Chief Officer of the Midlothian Integration Joint Board.

| Report No.  | Report Title  | Presented by:   |
|---|---|-----------------|
| 4.1   | 2018/19 Integration Joint Board Annual Accounts – Final Schedules | Claire Flanagan |
| <b>Executive Summary of Report</b>  |   |                 |
| <p>As a statutory body, the IJB is required to produce a set of annual accounts at the end of its financial year (31 March). These accounts are then reviewed by the IJB's external auditors who report their opinion of the IJB's annual accounts to the IJB's Audit and Risk Committee. The Independent auditors have given the accounts an 'unqualified' opinion which means that they meet the requirements of the regulations and give a fair and true view of the IJB's financial position in 2018/19. The accounts are required to be signed off by 30 September and signed by the Chair of the IJB, the Chief Officer of the IJB, the Chief Finance Officer of the IJB and the Independent Auditor.</p> <p>The Independent Auditor reported his view to the meeting of the IJB's Audit and Risk committee on 5th September 2019. The IJB's Audit and Risk committee was satisfied with the report of the Independent Auditor and recommends that the Annual Accounts are approved by the IJB.</p> |   |                 |
| <b>Summary of discussion</b>  |   |                 |
| <p>The Chief Finance Officer presented the Annual Accounts to the Board highlighting the Background of the Integration Joint Board (IJB) and details of the Annual Accounts presented. As a body governed by section 110 of the Local Government Scotland Act (1973) and the appropriate regulations and subsequent Acts, the IJB must prepare a set of Annual Accounts and these accounts have been audited by the IJB's Auditors – EY.</p> <p>The Midlothian Integration Joint Board Annual Accounts were presented to the Midlothian Integration Joint Board Audit and Risk Committee on 5 September 2019.</p>   |   |                 |

# Midlothian Integration Joint Board

Thursday 12 September 2019

There followed a general discussion on the annual Accounts during which both Allister Short and Clare Flannagan provided clarity on the issue of the £2.9 million underspend against budget in 2018/19.

## Decision

The Board agreed to:

- Note the report of the Independent Auditor
- Approve the Midlothian Integration Joint Board's Annual Accounts for 2018/19.

| Report No.  | Report Title   | Presented by:  |
|---|--|----------------|
| 4.2   | Finance Update – Quarter 1 2019/20<br>& Update on new monies | Clare Flanagan |
| <b>Executive Summary of Report</b>  |  |                |
| <p>The report advised that both the IJBs partners (Midlothian Council and NHS Lothian) had undertaken quarter one financial reviews and used that to project a forecast outturn position. Midlothian Council presented their review at the Council meeting of 20 August 2019. NHS Lothian had yet to formally report their review but had provided an indicative position to the IJB.</p> <p>These forecasts projected that the health 'arm' of the IJB would be underspent and the social care 'arm' of the IJB would be overspent. The report also advised of the new monies received by the partnership and how these would be utilised.</p> |  |                |
| <b>Summary of discussion</b>  |  |                |
| <p>The Chief Finance Officer presented the Financial Strategy to the Board highlighting that the Financial Strategy would support the IJB's Annual Financial Plans and it showed how best to utilise its resources available to deliver the outcomes outlined in the Strategic Plan. In particular she highlighted that the government had allocated a number of new monies in order for the IJB to implement a number of policy objectives; these included the Scottish living wage, Frank's law and implementation of the Carers Act. There followed a general discussion on the content of the report.</p>                                   |  |                |
| <b>Decision</b>   |  |                |
| <p>The Board agreed to:</p> <ul style="list-style-type: none"> <li>• Note the position as detailed within the report</li> <li>• Note the requirement to work with the partner organisations to develop additional financial recovery actions to bring the IJB back into financial balance for 2019/20</li> <li>• Note the use of the new monies</li> </ul>  |  |                |

# Midlothian Integration Joint Board

Thursday 12 September 2019

| Report No. | Report Title                            | Presented by:   |
|------------|---|-----------------|
| 4.3        | Transformation/Savings Programme Update | Claire Flanagan |

## Executive Summary of Reports

The purpose of this report was to update the Board on the progress being made on the agreed transformation programme previously approved by the IJB. The report provided a note of progress in meeting the allocated savings target for 2019/20 and achieving financial balance this year.

The report provided a summary of the progress on the transformation and savings programmes of work developed to help deliver against the allocated savings target for 2019/20 and mitigate any financial pressures supporting the IJB to achieve financial balance in 2019/20.

## Summary of discussion

The report advised that during the last financial year, the financial outlook projected for 2019/20 looked like the IJB would be unlikely to break even and therefore through the Realistic Care Realistic Medicines transformation work a number of initiatives were being developed.

The transformation / savings programmes were detailed within the table below with their corresponding financial value and lead officer:

| Realistic Care Realistic Medicine Transformation Projects  | 2019/20      | Lead  |
|--|--------------|-------|
|  | £m           |       |
| Redesign of homecare and care at home services             | 0.400        | MB    |
| Reduction in Prescribing costs through quality improvement | 0.617        | MB    |
| Mental Health pathway redesign                             | 0.070        | AW    |
| Complex care nursing review                                | 0.005        | LS    |
| Learning Disabilities service review                       | 0.100        | AW    |
| Impact of increased charges                                | 0.306        | AW/MB |
| Service user income  | 0.100        | MB    |
| Transport review   | 0.050        | AW    |
| Reduction in acute hospital occupied beds days             | 0.540        | MB    |
|  | <b>2.188</b> |       |

Clare Flanagan and Allister Short were both heard in amplification of the report after which there was a general discussion on this matter.

## Decision

The Board agreed to:

- Note the progress on the transformation and savings work

# Midlothian Integration Joint Board

Thursday 12 September 2019

| Report No.  | Report Title                  | Presented by: |
|---|-------------------------------|---------------|
| 4.4   | Unscheduled Care in Hospitals | Morag Barrow  |
| <b>Executive Summary of Report</b>  |                               |               |
| <p>The purpose of this report was to explain the purpose and proposed development of a draft plan by Midlothian HSCP for the delivery of hospital unscheduled care services.</p> <p>The report explained that this marked the start of a process to bring more focussed attention to the IJB's role in ensuring the delivery of high quality and sustainable care and treatment in Acute Hospitals. There was evidence of increased joint working between community and acute services and a range of new services had been introduced in Midlothian designed to reduce, or at least maintain at current levels, the use of acute hospital services. Despite these developments NHSL hospitals remain under very significant pressure and the objective of shifting the 'balance of care' was not reflected in the continuing reliance of the Midlothian population upon Accident and Emergency services often leading to unplanned admissions to hospital.</p> |                               |               |
| <b>Summary of discussion</b>  |                               |               |
| <p>The Board heard from Morag Barrow who explained that the paper attached to the report was a working document and sought both to explain how the current arrangements worked in practice and to begin to identify how, by working closely with acute service colleagues, we could bring about the level of change envisaged by the legislation introduced for integration. The paper focussed upon the RIE as Midlothian's District General Hospital; further work was required in relation to the arrangements for patients who received unscheduled care in the Western General Hospital.</p>   |                               |               |
| <b>Decision</b>   |                               |               |
| <p>After discussion, the Board agreed:</p> <ul style="list-style-type: none"> <li>To endorse the steps being taken to adopt a more active approach to planning Midlothian's use of Unscheduled Hospital Care services</li> <li>Consider how best to involve the IJB Board, the Council, Community Planning Partners and the wider public in developing this approach</li> <li>To share the report with neighbouring IJB Chief Officers with a view to considering the scope for collaboration in this area of work.</li> </ul>  |                               |               |

---

| Report No.  | Report Title         | Presented by:  |
|---|----------------------|----------------|
| 4.5   | Chief Officer Report | Allister Short |
| <b>Executive Summary of Report</b>  |                      |                |
| <p>This report provided a summary of the key service pressures and service developments which had occurred during the previous month in health and social care, highlighting in particular a number of key activities, as well as looking ahead at future developments.</p> |                      |                |



# Midlothian Integration Joint Board

Thursday 12 September 2019

## Summary of discussion

The Board heard from Allister Short (Chief Officer), who highlighted in particular the following –

- At the IJB meeting in June it was agreed that recruitment to the Independent Member of the Midlothian IJB Audit & Risk Committee should be carried out and through an open recruitment process. Further to this, as agreed in March, the IJB had remitted the Audit & Risk Committee with the monitoring of the implementation of the subsequent action plan in relation to the MSG self assessment on the progress of integration and a discussion on this was due to take place at the September meeting of the Midlothian IJB Audit and Risk Committee. The current independent member had kindly agreed to input to this at the September meeting, given her knowledge and experience she would be a key contributor, therefore the recruitment process would progress and conclude later in the year.
- Scottish Government were introducing the Housing First model (Rapid Rehousing Transition Plan) to address homelessness through intensive support to enable people to maintain and sustain their tenancy. A workshop event had been held earlier this year to help develop the model in Midlothian. It had now been confirmed that Scottish Government had awarded Midlothian Council funding of £141,000 for 2019/20 in order to implement the Housing First and rent deposit scheme. Although this was less than what was requested, the funding was welcomed and work was now underway to begin implementing the programme in Midlothian, recognising the clear links between housing and health.
- At the Council meeting on 25 June, the 3-year Council Medium Term Financial Strategy had been discussed, recognising the significant financial challenges facing the Council over the coming years. The Strategy set out keep areas for delivering services more efficiently and effectively, whilst also continuing to meet the needs of local communities.

In noting the financial pressures, the Strategy included the proposal to reduce the allocation to the Midlothian IJB by £0.500m in 2020/21. This would potentially create significant pressures on the IJBs ability to deliver the Strategic Commissioning Plan and whilst in previous years the IJB had been able to achieve a balanced budget, this reduction in the budget would impact on delivering financial balance.

This reduction was not yet a formal offer to the IJB for consideration and the IJB had agreed to work closely with the Finance team in Midlothian Council to explore ways in which these costs could be mitigated prior to the formal offer being made for the 2020/21 allocation. An update on progress would be provided to a future IJB meeting.

- A recent motion to Midlothian Council noted the need to support care experienced young people access and sustain involvement in further and higher education. It also recognised the financial challenges that many care experienced young people face, particularly in relation to paying rent and other housing costs.

# Midlothian Integration Joint Board

Thursday 12 September 2019

As part of a joint commitment to care experienced young people with the IJB, it was agreed Midlothian Council works with the Integration Joint Board to provide financial support for care experienced students who are our tenants and in receipt of the Care Experienced Bursary. The next stage is to evolve policy in line with this commitment and to ensure that young people are able to access this support without penalty to any other support they are receiving.

- In line with the commitment for ongoing engagement with trade unions and professional bodies, the IJB had sought to ensure representation on the Board of the key bodies across health and social care. Previously, the representative from the Council's Health and Social Care Joint Consultative Group was Aileen Currie however due to workload commitments it had been proposed that James Hill replaced Aileen on the Board. This had been discussed with the Chair of the IJB and we are both supportive of this change and would also wish to record our thanks to Aileen for all hard work and commitment to the IJB.
- The report acknowledged that would be the final report from Allister Short as Chief Officer of Midlothian IJB and he therefore recorded his thanks and appreciation to all Board members and to colleagues that he had worked with for their continued support, guidance, wisdom and challenge. He believed that the work of the IJB was making a positive and sustained impact on the health and wellbeing of the people and communities of Midlothian and it had been a privilege to play a part in that work.

There followed a general discussion on the content of this report during which the Board formally recorded their appreciation of all the work undertaken by Allister in his role as Chief Officer.

## Decision

After discussion and questions to the Chief Officer, the Board:-

- Noted the issues and updates raised in the report.
- Record an expression of thanks and appreciation to Allister Short for his contributions to the work of the Midlothian IJB in his role as Chief Officer.

## Action

Chief Officer

| Report No.  | Report Title                                | Presented by:  |
|---|---|----------------|
| 4.6   | Proposed Meeting Schedule for 2020 and 2021 | Allister Short |
| Executive Summary of Report   |   |                |
| The purpose of this report was to set the dates for the Board and Development Workshops for the Midlothian Integration Joint Board and for the meetings of the Audit & Risk Committee, for 2020 and 2021 as prescribed by Midlothian Integration Joint Board Standing Orders 5.2. |   |                |

# Midlothian Integration Joint Board

Thursday 12 September 2019

## Summary of discussion

Having heard from the Chief Officer, the Board considered the proposed dates for 2020 and 2021, it being noted that –

- Board meetings will continue to follow the established bi-monthly pattern of Feb/April/June – Aug/Oct/Dec.
- Development Workshops will be held during the intervening months of Jan/March/May – Sept/Nov.
- The March/Sept Development Workshops dates will double up with Special Board meetings to approve the budget/directions and annual accounts respectively.
- With the exception of the Aug Board meeting, all the meetings fall on the 2<sup>nd</sup> Thursday of the month

The Audit and Risk Committee will continue to meet quarterly – March/June/Sept/Dec - on the first Thursday of the month so it can feed into the Board meeting the follow week as/when required.

## Decision

The Board agreed to:

- Approved the schedule of meetings of the Midlothian Integration Joint Board;
- Approved the schedule of meetings of the Midlothian Integration Joint Board Audit and Risk Committee;
- Approved the schedule of Development Workshops for the Midlothian Integration Joint Board;
- Approved the schedule of Joint Special Midlothian Integration Joint Board/Development Workshops; and
- Noted the approach for service visits for the Midlothian Integration Joint Board, all as outlined in the report.

## Action

All Board Members to note

## 6. Date of next meeting

The next meeting of the Midlothian Integration Joint Board would be held on:

Thursday 11 October at 2 pm at Conference Room, Melville Housing,  
The Corn Exchange, 200 High Street, Dalkeith, EH22 1AZ

