

# Minute of Meeting



## Midlothian Council

Date	Time	Venue
13 December 2022	11.00 am	Council Chambers, Midlothian House

### Present:

Provost McCall (Chair)	Depute Provost McManus
Councillor Parry – Council Leader	Councillor Cassidy – Depute Council Leader
Councillor Alexander	Councillor Bowen
Councillor Curran	Councillor Drummond
Councillor McEwan	Councillor McKenzie
Councillor Milligan	Councillor Pottinger
Councillor Russell	Councillor Scott
Councillor Smail	Councillor Virgo
Councillor Winchester	Councillor Imrie

### In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Morag Barrow, Joint Director Health and Social Care	Fiona Robertson, Executive Director Children, Young People and Partnerships
Alan Turpie, Monitoring Officer	David Gladwin, Acting Chief Finance Officer (Section 95 Officer)
Joan Tranent, Chief Officer Children's Services, Partnerships and Communities	Fiona Clandillon – Head of Development
Derek Oliver – Chief Officer Place	William Venters – Principal Solicitor
Sinead Urquhart – Executive Business Manager	

Ross Neill, Democratic Services Team Leader (Minutes)
Andrew Henderson, Democratic Services Officer

### Religious Representatives:

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## 1. Welcome and Apology for Absence

The Provost welcomed everyone to the meeting advising that this meeting was a public meeting and being webcast live.

Apologies were made for Mrs Lawrie and Mrs Morton, Religious Representatives.

## 2. Order of Business

The Provost confirmed the Order of Business was as per the agenda circulated.

## 3. Declarations of interest

None

## 4. Deputations

None received.

## 5. Minutes of Previous Meetings

Report No.	Report Title	Report by:
5.1	Minute of Council 15 November 2022	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
<p>Councillor Milligan queried the validity of the minute, in particular item 8.1, he further requested it be updated with a Verbatim Account of the debate.</p> <p>Mr Anderson acknowledged Councillor Milligan, referring to standing orders he reminded members that the minute is not verbatim but there are occasions in the past where elements have been recorded in that way and agreed that item 8.1 would be updated on this occasion to a verbatim account.</p> <p>Councillor Smail referred to Page 9 - Capital Funding - was there any progress? And would this focus on borrowing?</p> <p>Mr Gladwin clarified that it was what Midlothian can afford to fund. A report will be presented to Council next year. This report would also discuss the funding gap.</p> <p>Minute as Amended moved by Councillor Milligan Seconded by Councillor Parry</p>		
<b>Decision</b>		
Item 8.1 to be updated		
<b>Action</b>		

8.1 to be updated to Verbatim in the minute – Democratic Services

Report No.	Report Title	Report by:
5.2	Minute Volume Index	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
No Concerns raised		
<b>Decision</b>		
Approved – All to Note		
<b>Action</b>		
None		

Report No.	Report Title	Report by:
5.3	Private Minute Volume Index	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
No concerns raised		
<b>Decision</b>		
Approved – All to Note		
<b>Action</b>		
None		

Report No.	Report Title	Report by:
5.4	Action Log- Council 13.12.2022	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
<p>Councillor Imrie asked that reason for slippage be more clearly noted in the log, he felt that it was pointless setting dates if they were constantly being deferred.</p> <p>Mr Anderson acknowledged that some actions were on-going, often the slippage incurred was due to external issues that Officers had no control over.</p>		
<b>Decision</b>		
All to Note		
<b>Action</b>		
Greater Detail added to notes when an Action is slipping or being deferred		

## 6. Questions to the Leader of the Council

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None

## 7. Notices of Motion

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Report No.	Report Title	Report by:
7.1	Gorebridge Gala Day	Proposed by Councillor Kelly Drummond  Seconded by Councillor Russell Imrie
<b>Outline of Report and Summary of Discussion</b>		
<p>Midlothian council congratulates Gorebridge Gala day as it gears up to its centenary celebration in June 2023, and agrees to support the communities great milestone celebrations in the same way it supported other local gala's celebrating their centenary.</p> <p>Gala days bring communities together sharing in the history of their village and attract all within the county to share in joyous festivities.</p> <p>Midlothian council would like to thank and congratulate all past and present members of Gorebridge gala day committee for their dedication and hard work to ensure the success and longevity of this wonderful community event.</p> <p>Therefore this council agrees:</p> <p>To fund the gala to the amount of £10,000 and agrees to help with any additional resources available to make the centenary celebrations of Gorebridge Gala Day a landmark occasion.</p> <p>Councillor Drummond introduced the motion noting that Gorebridge was approaching 100 years of celebration the first being held in 1923.</p> <p>Councillor Imrie highlighted that gala days and the celebration surrounding them are the lifeblood that binds communities together adding that fund raising for these events is a 365 day process, it takes time and dedication by those involved.</p> <p>Other Members congratulated Gorebridge on its Centenary celebrations.</p> <p>The Motion to support Gorebridge Gala Day was passed unanimously</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
Midlothian Council to Financially Support the Gala Day		

Report No.	Report Title	Report by:
7.2	Industrial Disablement Benefit	Proposed by Councillor Willie McEwan

		Seconded by Councillor Kelly Drummond
<b>Outline of Report and Summary of Discussion</b>		
<p>Midlothian Council notes that research has shown that footballers are three and a half times more likely to die of Neurodegenerative diseases and have a five –fold risk of developing Alzheimer’s. Midlothian Council recognises the importance for sports governing bodies to take action to protect those currently involved in the game.</p> <p>The game welcomes the campaign by PFA Scotland and GMB and other organisations on this issue and believes that a neurodegenerative condition should be classified as an industrial injury. Midlothian council agrees and will write to the Minister for Social Security and Local Government urging that they take the necessary steps now to ensure footballers and other sports persons in Scotland who have neurodegenerative conditions can access the Industrial Disablement Benefit or its equivalent when this is Devolved to Scotland.</p> <p>Councillor McEwan spoke to the motion noting the latest research and requested that Midlothian Council write to the various bodies and the Scottish Government to allow more individuals affected by this condition access to the benefit.</p> <p>Councillor Drummond echoed her colleague’s comments.</p> <p>Councillor Parry wholeheartedly agreed with the motion and added that the letter should sent also to the UK minister responsible.</p> <p>Councillor McEwan accepted the addition</p> <p>Motion passed unanimously</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
Midlothian Council to write to Scot Government and the UKG minister responsible for access to the Benefit		

Report No.	Report Title	Report by:
7.3	Penicuik Athletic Youth Football Club	Proposed by Councillor Debbi McCall  Seconded by Councillor Connor McManus
<b>Outline of Report and Summary of Discussion</b>		
<p>Midlothian Council congratulates Penicuik Athletic Youth Football Club under 16 girls on their magnificent achievement on the league and cup double; notes that the team are currently unbeaten in the South East Joelle Murray League and have won the league for the second year in a row; understands that the team won the Scottish Cup winning against Giffnock 3-1 on 20 November 2022; believes that the team are a fantastic example to younger girls in the game; recognises the hard work of the coaches who volunteer a substantial amount of their time and wishes them all well for their future endeavours.</p>		

Councillor McCall spoke to the motion expressing her passion for the football team and the players as role models for other girls and youth women.

Councillor McManus echoed the sentiments adding that it was important to support local sports teams in the community

Councillor Parry added her support and noted that the 1<sup>st</sup> Minister Ms Sturgeon had recently written to the team congratulating them.

Motion Passed Unanimously

**Decision**

Agreed

**Action**

Midlothian Council to acknowledge the Teams achievement

Report No.	Report Title	Report by:
7.4	Danderhall Guerrilla Gardeners	Proposed by Councillor Colin Cassidy  Seconded by Councillor Stephen Curran

**Outline of Report and Summary of Discussion**

Midlothian Council congratulates Danderhall & District Guerrilla Gardeners on their recent Keep Scotland Tidy award-winning entry.

Of the 48 entrants, the Gardeners won the judges' discretionary award for Best in Scotland and were presented with the David Welch Memorial Trophy for the Child Miner Memorial site at The Wisp, Danderhall.

Additionally, they were also awarded the Silver Medal for their wider efforts in the community, including their school programme.

Council agrees that the Chief Executive write to Danderhall & District Guerrilla Gardeners, passing on our congratulations and expressing our gratitude for their ongoing volunteering efforts in the community.

Councillor Cassidy spoke to the motion highlighting the great work done by the members of this group and many other groups like it across Midlothian. The work uncovered a Colliery Railway and the rich history surrounding it. The group have won the David Welsh Memorial Trophy for their work

Councillor Curran quoted one of the Judges who had said that they had rarely seen such passion for any previous projects.

Other Members expressed their support noting that it wasn't just for Danderhall, all Midlothian residents should attempt to visit the completed project.

Motion Passed unanimously

**Decision**

Agreed

## Action

Midlothian Council to officially write and congratulate the work of the Group

## 8. Reports

Report No.	Report Title	Report by:
8.1	Medium Term Financial Strategy – 2023-24 to 2027-28 Report	Acting Chief Financial Officer

### Outline of Report and Summary of Discussion

The purpose of this report is to provide Council with latest projections of future year budget gaps in advance of completing base budget work for 2023/24 and to outline a timetable through to setting Council Tax and a balanced budget for 2023/24 on Tuesday 21st February 2023.

The projected budget gap for 2023/24 is £12.982 million rising to £25.052 million by 2027/28.

Council last considered an update on its Medium Term Financial Strategy on 4th October 2022 where operational savings of £1.227m in 2023/24 rising to £1.912m in 2027/28 were noted alongside the following:

- Adoption of a range of additional transformation focused activity;
- Continuation of BTSG considering measures to support delivery of a balanced budget before any policy measures are presented to Council; and
- A very challenging financial outlook for this term of Council.

### Recommendations –

- a) Note that the work of The Business Transformation Steering Group (BTSG) will continue to consider savings measures necessary to support delivery of a balanced budget for 2023/24 before any policy measures are presented to Council;
- b) Note that the financial outlook remains challenging for this term of Council
- c) Note the recommendation of the external Auditor that, “as a matter of urgency, officers and elected members need to work together to develop and agree the medium-term financial strategy and progress the Council’s transformation plans”.
- d) Note the timetable for the draft Scottish Government budget and associated grant settlement for Councils;
- e) Note the update in respect of fiscal flexibilities;
- f) Note that the projected budget gap for 2023/24 is £12.982 million rising to a projected £25.052 million by 2027/28 and that officer work is well underway to prepare a draft base budget for 2023/24 which will bring more certainty than existing projections;
- g) Due to timescales, and the magnitude of the financial challenge to set a 2023/24 budget, Council is recommended to hold a Special meeting of Council prior to the next scheduled February Council meeting
- h) Otherwise, note the remainder of the report.

Mr Gladwin spoke to the report highlighting key background details including that this report follows on from 4<sup>th</sup> October 2022 report, he noted that Members are expected to meet in February 2023 to agree a balanced budget, he quoted the current projected budget gap of £12.95 million and its likelihood to increase by an additional £900k. Finally he reminded Members the Scottish Government draft budget was to be announced early next week. A briefing would be held in the new year. A special Council in January may also be beneficial.

Councillor Parry agreed that a Special Council in January would help and added that these were unprecedented times with raised cost of living and high fuel prices.

Councillor Parry Moved to accept the report.

There were some political comments amongst members concerning UKG and Scottish government policy and commitments.

Councillor Milligan asked that when the final proposals are delivered they dig down to ascertain a clear pictures of what savings can be made to inform Members before they make a decision.

Mr Gladwin acknowledge Councillor Milligan's request

Dr Vickers responding to queries noted that one of the recommendations was a January Special Council so that members could go through the report line by line.

Councillor Cassidy Seconded the report

#### Decision

All to Note

#### Action

Special Council in January

Report No.	Report Title	Report by:
8.2	Treasury Management Mid-Year Review Report 2022-23	Acting Chief Financial Officer

#### Outline of Report and Summary of Discussion

The purpose of this report is to inform Council of the Treasury Management activity undertaken during the first half of 2022/23 and the forecast activity for the second half of 2022/23 in accordance with the Treasury Management and Annual Investment Strategy approved in February 2022. It also provides an update to the Treasury and Prudential Indicators for 2022/23.

Council should note that in accordance with the Prudential Code, a draft of the report was considered by Audit Committee on 6 December, with the report approved by Audit Committee as presented.

#### Recommendations –

- a) Note the report and the treasury activity undertaken in the period to 30 September 2022, as outlined in Section 5;
- b) Note the actual and forecast activity during the second-half of the year as outlined in Section 6;
- c) Note the technical revisions to the Prudential Indicators in Section 7 of this report.
- d) Note that the Audit Committee have reviewed the Council's Treasury Management Practices, a copy of which is placed in the Member's Library, and that a session will be set up with Audit Committee Members to undertake a self-assessment in line with the toolkit published by CIPFA and attached as appendix 6.



Mr Gladwin initially apologised for the confusion over papers issued and that were subsequently updated after conclusion of the Audit Committee. He spoke to the paper noting key points and the recommendations within the report.

He asked the Members to note the actions and approve the Audit Committee actions

Councillor Parry moved the report, adding that there were concerns about the short & medium term financial strategy. She asked for reassurance that background work to re-capitalise projects was affordable?

Mr Gladwin acknowledged that Midlothian needed an affordable Capital plan, borrowing must match capital funds.

Councillor Cassidy Seconded the report

#### Decision

All to Note

#### Action

None

Report No.	Report Title	Report by:
8.3	Annual Procurement Report 2021-22 Report	Monitoring Officer
<b>Outline of Report and Summary of Discussion</b>		
<p>The Annual Procurement Report on regulated procurements during 2021/22 has been prepared and is being presented to Council for noting prior to being published on the Council's website.</p> <p>Recommendations –</p> <p>The Council is asked to note the Annual Procurement Report on regulated procurements during 2021/22.</p> <p>Mr Turpie spoke to the report noting key areas for consideration including the Council's statutory duty to report annually.</p> <p>Members requested that in future consideration was given to the layout as the current format was difficult to read.</p> <p>Report passed unanimously</p>		
<b>Decision</b>		

All to Note

**Action**

None

Report No.	Report Title	Report by:
8.4	Standing Orders Working Group Report	Monitoring Officer

**Outline of Report and Summary of Discussion**

The purpose of this report is to update Members of the outcome of the Leaders Group discussion on webcasting of meetings, to seek approval of the draft terms of reference for the Standing Orders Working Group and to agree the membership of the Group.

**Recommendations –**

- I. approve the Terms of Reference of the Standing Orders Working Group, as set out in Appendix B;
- II. appoint the members of the Standing Orders Working Group;
- III. approve the proposed interim changes to the Police and Fire Rescue Board (as set out at 3.6) whilst the review of Standing Orders is undertaken; and
- IV. Note the outcome of the meeting of the Leaders Group on 29 November 2022, as set out at 3.8.

Mr Turpie addressed the members noting the proposals and recommendations with the background to the report.

1. Remit of the group to change currently in Draft
2. Membership to be agreed - 2 SNP – 2 LAB – 1 CON

**Councillor Parry – SNP**  
**Councillor McKenzie – SNP**  
**Councillor Curran – LAB**  
**Councillor Drummond – LAB**  
**Councillor – Small – CON**

3. Remit of the Police, Fire Rescue board to change and to reflect wider Midlothian environmental work, this requires 10 members to agree.

**Member voted Unanimously to the changes**

4. Webcasting Meetings – Public part of meetings would continue to be webcast

**Decision**

Standing Orders Working Group Membership Agreed

Remit of Midlothian Police, Fire & Rescue Board approved

**Action**

None

Report No.	Report Title	Report by:
8.5	Learning Estate Strategy Update Report	Executive Director, Children, Young People & Partnerships
<b>Outline of Report and Summary of Discussion</b>		
<p>To provide an update to Council on the 2017-2047 Midlothian Learning Estate Strategy and ask Council to agree the prioritisation of projects as outlined within the report.</p> <p>Recommendations –</p> <p>The Council is recommended to note the content of this update report and the progress made towards the delivery of the Midlothian Council Learning Estate Strategy 2017-2047; and</p> <ul style="list-style-type: none"> <li>a) Agree the prioritisation of Learning Estate projects through to 2027/28 as outlined in Section 5 of this report in order to meet essential learning estate requirements over that period which will be the subject of review and regular reporting to Council, also to;</li> <li>b) Ask officers to undertake further work on the financial implications of the prioritised projects so that these can be considered as part of the Council's Capital Strategy and General Service Capital Plan report to be presented to Council, and;</li> <li>c) Ask officers to develop further the Learning Estate Additional Support Needs (ASN) Strategy as outlined in Section 6 of this report and bring a report back to Council for further consideration.</li> </ul> <p>Ms Robertson apologised that there were two appendix No.2's, the latter was the most up to date. She went onto present the report noting the detail and drawing attention to the recommendations.</p> <p>Councillor Scott welcomed the report stressing that Midlothian must give children the best chances and opportunities to flourish.</p> <p>Councillor Virgo added his support as did Councillor Drummond</p> <p>Councillor Scott moved the report Councillor Virgo Seconded</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
None		

Report No.	Report Title	Report by:
8.6	Council House Building Programme - Progress Update December 2022 Report	Head of Development
<b>Outline of Report and Summary of Discussion</b>		
<p>To update the Council on the status of the overall housing programme on approved sites and proposed new sites for the Council building programme and other initiatives for the target delivery.</p>		

## Recommendations –

- a) Note the content of this report and the progress made on Phases 2 to 4.
- b) Note the sites now underway to complete Phase 3 and Phase 4, projected handover programme and progress related to Open Market Purchases.
- c) Note the potential Phase 5 sites currently under consideration should funding for those sites be made available.
- d) Note the projected costs/budget expenditure appended to this report
- e) Note the inability to Progress Phase 5 projects without further funding approved

Ms Clandillon presented the paper noting key areas of the report noting the significant progress and all the reports updates before inviting questions.

Councillor McKenzie Moved the Paper and noted that in December 2021 a pilot build was to be started. There is no funding at present can we get commitment that when funding is available this work will start?

Ms Clandillon Confirmed that when funding becomes available this project will be included in a further update in phase 5.

Mr Anderson added that Phase 5 work depends on the Rent Setting Strategy outcomes, currently in consultation with tenants and stakeholders, a paper would be presented to Council in 2023.

Councillor Curran stated that this was so important could it be pushed to get as much response feedback as soon as possible.

Responding to Member questions Ms Clandillon acknowledged that as this Passive house development was the first of its type and design in Midlothian, lots of lessons had been learned by all participants. These new insights and ways to overcome problems should begin to see costs reduce for future passivhaus builds. All phase 5 funding would be reassessed in a future update report. Once the first tenants are in situ the energy efficiency can be accurately accessed.

Seconded by Councillor Curran

### Decision

Agreed – All to Note

### Action

None

Report No.	Report Title	Report by:
8.7	Midlothian Council Speed Limits Review Report	Chief Officer Place
Outline of Report and Summary of Discussion		
The purpose of this report is to inform Council of the public consultation on speed limits to improve road safety and request the production of an action plan to approve implementation of appropriate speed limits across Midlothian, its towns and settlements.		

## Recommendations –

- Notes the attached Midlothian Speed Policy Consultation Summary Report; and
- Requests the Chief Officer – Place to report further to Council in early 2023 with an Action Plan to implement the appropriate schemes.

Mr Oliver spoke to the report which was universally welcomed by Members. The high level of public engagement to the consultation was noted by all. He then invited questions.

Members thank Mr Oliver for the report, some also noted the wide variation in speeds throughout Midlothian.

Councillor Bowen moved the paper  
Councillor Alexander seconded

## Decision

Agreed

## Action

None

Report No.	Report Title	Report by:
8.8	Tenants Satisfaction Survey Outcomes Report	Chief Officer Place

## Outline of Report and Summary of Discussion

As part of Midlothian Council's Tenant Participation and Customer Engagement Strategy, Midlothian Council undertakes periodic surveys to determine the level of tenant satisfaction with Housing Services provided by the Council. Midlothian Council's Housing Services carried out a face-to-face tenant satisfaction survey during September 2022.

All Registered Social Landlords in Scotland need to ask tenants some specific questions of services the results of which are reported on an annual basis as part of the Annual Return on the Social Housing Charter. This enables comparison between Registered Social Landlords on a range of indicators of performance. In addition to this, further questions were asked which were judged to be useful in finding out more about our tenants and their priorities.

Council Officers consulted the Midlothian Tenants Panel and tenants groups to consider their views about the questions being asked in the Survey prior to the final questions being agreed.

## Recommendations –

Provide an update on the outcomes of the Tenants Satisfaction Survey completed during 2022.

Mr Oliver spoke to the report highlighting the positives noted within and future updates in 2023.

Councillor McKenzie Proposed to move the Report

Responding to questions Mr Oliver reassured members that outstanding repairs, in particular gutter clearing was well underway. And the window replacement programme were up to 100 units per week. He also reiterated that staff were fully trained in dealing with customers in a polite courteous way and incidents to the contrary would be investigated thoroughly.

Councillor Cassidy Seconded the Report

**Decision**

Agreed- All to Note

**Action**

None

Provost called for a 10 minute recess 12.35pm  
Meeting resumed at 12.50pm

Report No.	Report Title	Report by:
8.9	Edinburgh and South East Scotland City Region Deal 2022 Report	Executive Director Place

**Outline of Report and Summary of Discussion**

This report summarises the key findings on the appended City Region Deal Annual Report as approved by the City Region Deal Joint Committee on 2 September 2022.

Chair of the ESESCR Deal will rotate from Midlothian Council at the end of 2022 to Scottish Borders Council in 2023, and West Lothian Council will assume the vice chair.

Recommendations –

Council is recommended to note the fourth Annual Report of the Edinburgh and South East Scotland City Region Deal.

Mr Anderson spoke to the report noting that the transition of the chair to Scottish Borders had now been completed.

Councillor Imrie expressed his full support of the work the Members and officers and partners conduct on the City deal , he note the many benefits its brings to Midlothian and the surrounding areas. He concluding by thanking everyone involved.

Other Members concurred and added their congratulations

**Decision**

All to Note

**Action**

None

Report No.	Report Title	Report by:
8.10	Community Asset Transfer Committee Membership Report	Executive Director Place
<b>Outline of Report and Summary of Discussion</b>		
<p>Council agreed at its meeting of 24 May 2022 that the appointment of members to the Community Asset Transfer Committee, the Community Asset Transfer Review Committee and the substitutes for both, be appointed by lot. This process has taken place and the appointments for all are listed below.</p> <p>Recommendations –</p> <p>Council is asked to note the outcome of the allocation by lot to the Community Asset Transfer Committee and the Community Asset Transfer Review Committee, as detailed below.</p> <p>Mr Anderson presented the paper and noted the appointments -</p> <p><b>Community Asset Transfer Committee –</b></p> <p>Councillor Connor McManus, Councillor Dianne Alexander, Councillor Colin Cassidy, Councillor Kelly Parry, Councillor Stuart McKenzie, Councillor Ellen Scott</p> <p><b>Community Asset Transfer Review Committee –</b></p> <p>Councillor Willie McEwan, Councillor Derek Milligan, Councillor Stephen Curran, Councillor Pauline Winchester, Councillor Bryan Pottinger, Councillor Kelly Drummond</p> <p><b>Substitutes</b></p> <p>Councillor Debbi McCall, Councillor David Virgo, Councillor Margot Russell, Councillor Russell Imrie, Councillor Peter Smaill, Councillor Douglas Bowen</p> <p>Councillor Parry Moved the Report Councillor Alexander seconded</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
None		

Report No.	Report Title	Report by:
8.11	National Discussion Consultation Report	Executive Director Children, Young People and Partnerships
<b>Outline of Report and Summary of Discussion</b>		
<p>This report advises members of the National Discussion consultation which was co-convened by the Scottish Government and COSLA on 21 September 2022 and</p>		

how key stakeholders within Midlothian have been supported to engage in the National Discussion and inform Midlothian Council's response.

Recommendations –

Council is requested to delegate authority to the Children, Young People and Partnerships Cross-party Group of members to sign off Midlothian Council's response to the National Discussion consultation prior to submission to the Scottish Government.

Ms Robertson invited the Monitoring Officer to clarify Standing order 19.2

Mr Turpie explained the detail of standing order 19.2 and the context in which it was now being invoked. A report detailing the decision taken under 19.2 would be submitted in accordance with standing orders and the scheme of delegation at the next council.

Ms Robertson spoke to the paper noting the tight timescale and the recommendation noted above.

Members expressed their congratulations concerning the report

Councillor Parry moved the report and the delegated authority  
Councillor Virgo seconded

#### Decision

Agreed – All to Note

#### Action

None

Report No.	Report Title	Report by:
8.12	Best Value Focus from the Accounts Commission Report by	Chief Executive

#### Outline of Report and Summary of Discussion

To provide Council with an update on the assessment and reporting focus for Best Value moving forward and to ensure awareness of the revision to the statutory guidance for Best Value published in 2020.

Recommendations –

- I. note the changes introduced by the Accounts Commission for Best Value reporting including:
  - a) planned thematic audit work across all councils using the revised Best Value themes and
  - b) the introduction of short reports (Section 102 reports) for each council over a four-year period, to be presented to the Accounts Commission by the Controller of Audit.
- II. Consider recommending an Elected Members briefing on Best Value be held early next year.

Dr Vickers presented the report noting the changes being introduced adding that due to Midlothian not being in the first tranche, this would allow officers the



opportunity to conduct a feedback exercise with the Local Authorities who will be the first to use the new reporting system.

Councillor Parry moved the report

Councillor Cassidy seconded

#### Decision

Agreed

#### Action

None

Report No.	Report Title	Report by:
8.13	Hybrid Meetings of Council and its Committees Report	Executive Director Place

#### Outline of Report and Summary of Discussion

Following on from prior reports in this matter to the Council meetings on Tuesday 14 December 2021, Tuesday 24 May 2022 and Tuesday 27 September 2022, this report outlines the options and associated costs for implementing hybrid meetings of Council and its Committees.

Recommendations –

Council is recommended to consider the four options presented in the report at paragraphs 3.10 and 3.11 and direct officers to implement their preferred option.

Mr Anderson noted that due to the age of the equipment an upgrade is required.

Options presented are –

1. Hybrid
2. In person
3. In person & Webcasting
4. Revert to MS Teams no costs

Councillor Parry recommended Option 1 be accepted noting within the report Option 1A had slightly lower costs

Councillor Milligan noted the financial situation. He quoted the low viewing figures therefore felt he could not accept these proposals that cost anything therefore the preferred option was Option 2, in person.

Councillor Virgo felt that this ongoing debate needed to be brought to a conclusion and therefore advocated option 1A.

Provost called a Vote –

Option 1A –  
10 for  
7 Against  
1 Abstention

Option 1A was passed

**Decision**

Option 1A

**Action**

None

Report No.	Report Title	Report by:
8.14	Scottish Government Education Appeal Committee Consultation Report	Executive Director Children, Young People and Partnerships
<b>Outline of Report and Summary of Discussion</b>		
<p>This report advises members of the Education Appeal Committees consultation which was launched by the Scottish Government 15th November 2022 and plans in place to engage with key stakeholders to inform the Council's response.</p> <p>Recommendations –</p> <p>Council is requested to delegate authority to the Children, Young People and Partnerships Cross-party Group of members to sign off Midlothian Council's response to the Transfer of the functions of education appeal committees to the Scottish Tribunals consultation prior to submission to the Scottish Government by 6 February 2023 .</p> <p>Ms Robertson spoke to the report highlighting the key areas before taking questions.</p> <p>Councillor Parry moved the Report Councillor Cassidy seconded</p>		
<b>Decision</b>		
Agreed		
<b>Action</b>		
None		

Public section of the Meeting concluded at 1.21pm

**Date of Next Meeting**

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The Next meeting will be held on Tuesday 21 February 2022 at 11 am