

# Minute of Meeting



## Midlothian Council

Date	Time	Venue
26 September 2017	11am	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Provost Montgomery	Depute Provost Russell
Councillor Milligan – Council Leader	Councillor Muirhead – Depute Council Leader
Councillor Alexander	Councillor Baird
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Imrie	Councillor Johnstone
Councillor Lay-Douglas	Councillor McCall
Councillor Munro	Councillor Parry
Councillor Smail	Councillor Winchester

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

Mr V. Bourne	

### In attendance:


**Note – Prior to the commencement of the meeting, the Provost asked the Council to recognise Eibhlin McHugh, Joint Director, Health and Social Care and Rev. Ruth Halley, Religious Representative for the Church of Scotland. Eibhlin McHugh will retire from the Council during October 2017 and the Rev. Ruth Halley has taken up an opportunity to preach in the Stirling Presbytery. The Provost paid tribute to both Eibhlin McHugh and the Rev. Ruth Halley and on behalf of Council thanked them both for their valuable contribution. This was followed by a round of applause for both.**

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## **1. Apologies**

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1.1 The Rev. Ruth Halley extended her apologies for this meeting.

## **2. Order of Business**

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2.1 The order of business was confirmed by the Clerk as that which was outlined in the agenda that had been circulated with the following amendments:

- The Provost agreed that item 8.5 – Learning Estate Strategy would be heard as urgent business due to the publication time of the report.
- The Provost agreed that item 9.4 – Seminar Note - Learning Estate Strategy would be heard as urgent business due to the publication time of the report.

## **3. Declarations of interest**

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3.1 The Provost requested that any Elected Member who had to declare an interest in a particular item to do so as the item arose.

## **4. Deputations**

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4.1 It was noted that no deputations had been received for consideration at this meeting.

## **5. Minutes of Previous Meetings**

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5.1 The minutes of the meeting of Midlothian Council which took place on 29 August 2017 were submitted for approval. The Council approved the minute as a correct record so moved by Councillor Milligan and seconded by Councillor Munro.

5.2 The following minutes were previously circulated to Members and the following responses were noted:

<b>Meeting</b>	<b>Date of Meeting</b>	<b>Council response</b>
Cabinet	13 June 2017	Noted
Special Cabinet	12 July 2017	Noted
Planning Committee	6 June 2017	Noted

General Purposes Committee	6 June 2017	Noted
Local Review Body	13 June 2017	Noted
Performance, Review and Scrutiny Committee	20 June 2017	Noted
Police and Fire and Rescue Board	30 May 2017	Noted
Midlothian Integration Joint Board	15 June 2017	Noted
Special Midlothian Integration Joint Board	12 July 2017	Noted

## 6. Questions to the Leader of the Council

6.1 No questions were submitted for consideration by the Council Leader.

## 7. Notices of Motions

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.1</b>	<b>Royal Highland Fusiliers</b>	<b>Councillor Winchester</b>	<b>Councillor Lay-Douglas</b>

### Motion:

*Midlothian Council sends it best wishes to the Royal Highland Fusiliers 2<sup>nd</sup> battalion Royal Regiment of Scotland based at Glencorse Barracks in Penicuik, for their forthcoming deployment to Cyprus, Iraq and South Sudan and a safe return home for all personnel. We extend our wishes to the families left behind and offer our support whenever possible.*

### Summary of discussion

Prior to the commencement of the debate, an amendment moved by Councillor Montgomery and seconded by Councillor Imrie was tabled. The amendment read,

*In addition Council reaffirms its support for the retention of Glencorse Barracks, which is an integral part of the Penicuik community. The MOD proposal to close the base in 2032 would be a serious loss to the town both socially and economically.*

The Council then heard from Councillor Winchester who moved the original motion and the Council then heard from Councillor Lay-Douglas who seconded the original motion.

Following this the Council heard from the Provost who formally moved the amendment to the motion and from Councillor Imrie who seconded the amendment.

Following a brief debate which included a request from Councillor Parry to write to the local MP to re-iterate the importance of retaining a barracks at Glencorse, the Council voted on the motion and the amendment to the motion.

Four Councillors voted in favour of the motion moved by Councillor Winchester and fourteen Councillors voted in favour of the motion as amended by Councillor Montgomery which therefore became the decision of the Council

#### Decision

The Council agreed to accept the motion as amended and to write to the local MP in relation to the proposed closure of Glencorse Barracks.

#### Action

Democratic Services

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Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.2</b>	<b>Operational Policing in Midlothian</b>	<b>Councillor Lay-Douglas</b>	<b>Councillor Munro</b>

#### Motion:

*Midlothian Council sends thanks to Chief Inspector Kenneth Simpson for his recent invitation to Councillors to experience operational Policing in Midlothian on the 15<sup>th</sup> and 16<sup>th</sup> September.*

*This gave us the opportunity to recognize modern day policing, policing processes and how resources v demand are handled.*

*We attended the Police Area Control Room at Bilston to gain understanding of the 'call journey' with the public, had an opportunity to engage with officers on duty and had a tour of the custody facility at Dalkeith.*

*We would like to acknowledge the commitment and hard work in all areas of Policing and extend our sincere thanks and appreciation to all those who gave their time to us.*

#### Summary of discussion

The Council heard from Councillor Lay-Douglas who moved the motion and spoke of the positive experience Councillors had during this shadow opportunity.

Councillor Munro was heard in formal support of the motion and echoed Councillor Lay-Douglas's comments in relation to the experience.

Following a further endorsement of the experience from Councillor Curran who gave his support to the motion, the Council resolved to approve the motion.

**Decision**

The Council agreed to approve the motion.

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Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.3</b>	<b>Paperless Meetings</b>	<b>Councillor Baird</b>	<b>Councillor Alexander</b>

**Motion:**

*Midlothian Council commits to paperless Council and Committee meetings by the end of 2017, where electronic equipment is used exclusively and where copies of meeting papers are printed only when absolutely necessary.*

*The cost of printing these meeting papers for Councillors in Midlothian is estimated to be in the region of £20,000 per annum from resources including paper, printer equipment and staff time. A strict policy against the unnecessary expense would be of great benefit to Midlothian Council.*

**Summary of discussion**

The Council heard from Councillor Baird who moved the motion following which Councillor Alexander was heard formally seconding the motion.

Councillor Muirhead was then heard in opposition of the motion stating that he supported the principle but aired his concerns in relation to risk regarding Members having the information they need to support the decision making process.

Councillor Winchester was heard in support of the motion stating that the motion included a provision for papers copies if necessary.

Councillor Curran was then heard in agreement of the principle of paperless meetings and suggested that this should form part of a wider paperless strategy for the Council. Councillor Curran concluded that he was uncomfortable with the timeline stated in the motion and therefore would not be supporting the motion.

Following further contributions from Councillors Cassidy, Milligan and Johnstone, Councillor Baird summed up.

The Council then proceeded to the vote whereby seven Councillors voted against the motion and eleven Councillors voted in favour and therefore the motion was carried.

**Decision**

The Council agreed to the motion.

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## 8. Reports

Agenda No.	Report Title	Presented by:
<b>8.1</b>	<b>Schedule of Meeting Dates 2018</b>	<b>Director, Resources</b>

### Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a report which sought approval from the Council in relation to a schedule of meeting dates for Council, Cabinet and Committee meetings for 2018.

Councillor Parry requested that if any dates on the schedule needed to be changed or additional meetings are required that these changes are carried out in consultation with all the Group Leaders.

Following this the Council agreed to accept the recommendations as laid out in the report.

### Decision

The Council agreed to:

- (a) Approve the schedule of meeting dates for 2018 as shown within appendix 1 of the report.

### Action

Democratic Services

Report No.	Report Title	Presented by:
<b>8.2</b>	<b>Financial Strategy 2018-19 to 2021-22</b>	<b>Head of Finance and Integrated Service Support</b>

### Outline of report and summary of discussion

The Council heard from the Head of Finance and Integrated Service Support who presented a report which provided the Council with an update on the Financial Strategy encompassing the years 2018/19 to 2021/22 and included:

- An update on future years Scottish Government Grant;
- Updated budget projections for 2018/19 to 2021/22;
- A sensitivity analysis reflecting the potential impact of different pay and grant settlement scenarios years;
- An update on the arrangements for the delegation of resources to the Midlothian Integration Joint Board;
- An overview of the Change Programme aimed at addressing the projected budget shortfalls;
- An update on Reserves.

The Council heard from the Council Leader who expressed his concern in relation to the current financial position and the projections for the future. Further the Council Leader confirmed that he has arranged to meet with the Finance Minister on 2 October 2017 to put forward Midlothian's case as one of

the fastest growing local authorities in Scotland. Following on from this Councillor Milligan also confirmed he has spoken to the MSP for Midlothian who had agreed to make representation of Midlothian's case to the Scottish Government. In conclusion the Council Leader endorsed the recommendations contained in the report and confirmed he would be happy to take forward any other suggestions from Members to ensure inclusivity.

The Council then heard from Councillor Parry who expressed her concerns in relation to the recommendations set out in the report. In conclusion Councillor Parry moved that an urgent meeting be set up with the Group Leaders and once set up, recommendations (e), (f), (g) and (h) contained within the report are delegated to this meeting to agree on the timetable for meetings, publication and public consultation.

Councillor Smaill was then heard in confirming his position that the Council should work together to move forward with the financial position and further requested information from the Head of Finance and Integrated Service Support in relation to the recommendations made by the Council's external auditors. The Head of Finance and Integrated Service Support confirmed that the recommendations from the external auditor would come before the Audit Committee prior to presentation to the full Council.

Following further contributions from Councillor Smaill and Councillor Hackett, the Council heard from Councillor Milligan who summed up.

The Council then resolved to vote in relation to the motions presented to them. Six Councillors voted in favour of Councillor Parry's amendment to the recommendations contained within the report which was seconded by Councillor Johnstone and twelve Councillors voted in favour of the recommendations as set out in the report which therefore became the decision of the Council.

#### Decision

The Council agreed to:

- a) Note the position in respect of the Scottish Government Grant Settlement as set out in section 2;
- b) Note the current projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 and endorse the key assumptions on which the budget projections are based;
- c) Note the continuing uncertainties and the potential impact as outlined in the differing scenarios as set out in section 6;
- d) Note the ongoing work to support the development the Midlothian Integrated Joint Board's own Financial Plans;
- e) Note that there continues to be engagement with the recognised Trade Unions on the Council's financial position and service challenges;
- f) Note the impact of the proposed Change Programme and projected future years Council Tax increases and the impact on the Financial Strategy as set out in table 9;

- g) Agree to call a special meeting of the Business Transformation Steering Group on 2 October 2017 and a special meeting of Midlothian Council on 10 October 2017 to consider the detailed Change Programme and remit to the Director Resources to finalise arrangements for these;
- h) Note the governance arrangements and timetable set out in section 9, which incorporate the special meeting of Midlothian Council;
- i) Note that after incorporating the emerging Change Programme the indications are that there would still be a budget gap of £0.543 million for 2018/19 rising to £8.312 million by 2021/21, though these are heavily dependent on the assumptions detailed in the report;
- j) Agree to operate a Voluntary Severance Early Retirement scheme in the autumn of 2017 in accordance with the existing VSER Policy framework and delegate the detailed arrangements for this to The Chief Executive in consultation with The Leader of The Council.
- k) Note the severity of the financial challenge and also the risks as set out in section 12.2.
- l) Otherwise note the contents of the report.

#### Action

Head of Finance and Integrated Service Support/ Democratic Services

Report No.	Report Title	Presented by:
<b>8.3</b>	<b>Severe Weather 2017-18</b>	<b>Head of Commercial Operations</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Commercial Operations who presented a report which provided an update for members regarding the winter plan. In addition, the report detailed the resources available to Road Services, to deal with the impacts of severe weather occurring in 2017/18. Further the report highlighted the changes compared with the service provided during the 2016 /17 winter period.

Councillor Hackett queried the situation in relation to budget overspend or underspend and the Head of Commercial Operations confirmed that there was no additional provision for an overspend within the budget and if this situation arose a decision would be required by Councillors following recommendations by Officers.

#### Decision

The Council agreed:

- a) Note the implementation of a resilient network in accordance with



the recommendations from the Code of Practice; Well managed Highway Infrastructure;

- b) Note the changes to service delivery to align with the available budget;
- c) Adopt and publish the Winter Service Policy and Operational Plan for the 2017/18 winter season.

#### Action

Head of Commercial Operations

Report No.	Report Title	Presented by:
<b>8.4</b>	<b>Public Conveniences</b>	<b>Director, Resources</b>

#### Outline of report and summary of discussion

The Director, Resources presented a report which presented options to Council regarding proposals on how to reduce the annual budget for public conveniences by a minimum of £40,000 as approved by Council on 20 December 2016.

Councillor Milligan moved that option 2 as set out in the report (i.e. to retain the five public conveniences across the county with reduced staffing) was approved with the amendment that further reports were brought to Council in relation to automated facilities.

Councillor Russell was then heard in support of option 2 whilst exploring alternative options.

Councillor Parry was heard in support of the comments made by Councillors Milligan and Russell.

The Council then heard from Councillor Winchester who moved that option 4 was approved by the Council. This was seconded by Councillor Smaill.

The Director, Resources confirmed that he would provide Council with a further report in the first quarter of the next calendar year.

Following this Council voted in relation to the options that had been moved. Five Councillors voted in favour of option 4 and thirteen Councillors voted in favour of option 2 with further reports to be brought back in relation to automated facilities.

#### Decision

The Council agreed to:

- a) Note the options as set out in report;
- b) Option 2 as set out in the report, i.e. to keep the five public conveniences open with reduced staffing levels; and

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| c) Receive further reports in relation to the option of automated facilities. |
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Report No.	Report Title	Presented by:
8.5	Learning Estate Strategy	Head of Education

#### Outline of report and summary of discussion

The Council heard from the Head of Education who presented a report which presented the Learning Estate Strategy and at this point sought approval from the Council in relation to the short term strategy through to 2023.

The report was welcomed by the Depute Council Leader who confirmed his view that this iterative process was a positive way forward and has the ability to respond to changes within Midlothian communities. Further Councillor Muirhead confirmed that further work was required in relation to the financial plan that would support the strategy and confirmed his belief that it was important to have the strategy in place in the first instance. In conclusion Councillor Muirhead welcomed the impact the proposals would have for the Gorebridge communities.

The Council then heard from the Council Leader who was heard in amplification of the report and further spoke of the positive benefits to the Bonnyrigg area in relation to the proposed strategy. Further, Councillor Milligan emphasised the importance that the staff, parents and pupils were involved in the developing this strategy.

The Provost then confirmed that his apologies had been submitted in relation to the seminar in respect of the Learning Estate Strategy which took place on 21 September 2017.

Mr Bourne was then heard in support of the proposal that there should be a consultation in relation to the strategy for the denominational sector.

Following this the Council resolved to agree to the recommendations contained within the report.

#### Decision

The Council agreed to:

- a) Acknowledges the essential requirement and benefits of preparing a long term strategy for the learning estate in Midlothian;
- b) Agree the short term strategy through to 2023 outlined in the 17 actions set out in section 2.4 of the report in order to meet essential learning estate requirements over that period;
- c) Ask officers to undertake further work on the financial implications of the short term strategy so that these can be considered as part of the

Council's Capital Strategy and General Service Capital Plan report expected to be presented to Council in November 2017; and

- d) Notes the indicative strategy for the medium and longer terms, which will be the subject of review and regular reporting to Council.

#### Action

Head of Education

Report No.	Report Title	Presented by:
<b>8.6</b>	<b>Midlothian Local Development Plan – Report of Examination</b>	<b>Head of Communities and Economy</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Communities and Economy who presented a report which advised Members of the recommended modifications to the Proposed Midlothian Local Development Plan (MLDP) following receipt of the Report of Examination and outlines the next steps towards adopting the plan.

Councillor Imrie was heard in support of the recommendations contained within the report and in doing so spoke of the challenge to the infrastructure within Midlothian in adopting these proposals – specifically in relation to General Practice provision and also in relation to physically getting people around Midlothian and suggested that there should be a strategy to support this area.

Councillor Hardie was heard in support of Councillor Imrie's comments and further highlighted that to support the infrastructure within Midlothian the development of a rail link to Penicuik should continue to be included.

Councillor Montgomery was then heard in support of Councillor Hardie's comments in respect of the rail link to Penicuik.

The Head of Communities and Economy confirmed the basis for the exclusion of the rail link to Penicuik within the MLDP and confirmed that despite this further development of the proposals in relation to such a rail link could still take place.

Following further contributions from Councillors Hackett, Parry and Milligan the Council resolved to approve the recommendations contained within the report and further would hear further reports in relation to a feasibility study of a rail link to Penicuik.

#### Decision

The Council agreed to:

- a) Approve the proposed modifications to the plan as indicated in appendix 1 to this report;

- b) Require the Head of Communities and Economy to make the necessary arrangements to:
- i. publish a notice of the Council's intention to adopt the Proposed Plan;
  - ii. make the list of proposed modifications and copies of the Proposed Plan available to inspect at the planning office, in all public libraries and on the internet; and
  - iii. notify interested parties who made representations to the Proposed Plan prior to the Examination advising the Proposed Plan has been published in the form the Council intends to adopt it and where and when it can be viewed.
- c) Require the submission of the following documents to Scottish Ministers in accordance with statutory requirements:
- i. a list of the modifications made following the receipt of the Examination Report;
  - ii. a statement setting out any recommended modifications that the authority has not made and the explanation for this;
  - iii. the Proposed Plan the Council wishes to adopt;
  - iv. the Report of Examination;
  - v. the advert of intention to adopt the plan; and vi. any environmental assessment carried out into the Proposed Plan as modified;
- d) require the preparation of a further report to Council in due course to confirm the Ministers' direction in respect of adopting the plan and the procedure to constitute the Proposed Plan as the adopted Midlothian Local Development Plan; and
- e) Further reports being brought forward in relation to a feasibility study in respect of a rail link to Penicuik.

<b>Action</b>
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Head of Communities and Economy
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Report No.	Report Title	Presented by:
8.7	Participation Measure Update	Head of Education

<b>Outline of report and summary of discussion</b>
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<p>The Council heard from the Head of Education who presented a report which informed Council that 93.6% of young adults aged 16 to 19 years have secured and sustained a positive destination. This is the highest recorded figure that Midlothian has ever achieved and is 4.9% higher than the previous year.</p>
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<p>Following positive remarks in relation to the attainment results contained within the report from Councillors Muirhead, Baird, Parry and Hackett the Council resolved to agree the recommendations contained within the report.</p>
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<b>Decision</b>
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The Council agreed to:

- a) Congratulate our young adults on positively securing their future;
- b) Thank staff, partners and the third sector for their continued hard work and commitment; ensuring that young people continue to maintain their positive destinations; and
- c) Note the positive trend over time and the impact on positive destinations which has had life changing impacts for Midlothian's Young Adults

Report No.	Report Title	Presented by:
<b>8.8</b>	<b>Update on the Implementation of Self Directed Support in Midlothian</b>	<b>Head of Adult Services</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Adult Services who presented a report which provided Members with an update on the progress made with implementation of Self Directed Support (SDS) in Midlothian.

Following this the Council resolved to agree to the recommendations contained within the report.

#### Decision

The Council agreed to:

- a) Note the progress with regards to the implementation of SDS across both Adult and Children's Services; and
- b) Note the progress against Audit Scotland's report on SDS

Report No.	Report Title	Presented by:
<b>8.9</b>	<b>Recovery Hub – Mental Health and Substance Misuse</b>	<b>Head of Adult Services</b>

#### Outline of report and summary of discussion

The Council heard from the Head of Adult Services who presented a report which explained the benefits to be gained from establishing a Recovery Hub as a centre for the delivery of mental health and substance misuse services in Midlothian. Further, the report sought Council approval of the capital and revenue expenditure required to establish such a Hub.

Whilst supporting the recommendations contained within the report, the Council Leader requested that further information be brought forward in relation to the Recovery Café and further what further progress can be made in relation to the

integration of the Council and NHS IT systems. To this end the Council Leader specifically requested that a further report be brought to Council in relation to the operation of the Recovery Café to which the Head of Adult Services agreed.

Councillors Johnstone and Winchester were then heard in support of the recommendations contained within the report.

#### Decision

The Council agreed to:

- a) Approve in principle the development of a Recovery Hub;
- b) Agree to the use of Dalkeith Social Work Centre as a Recovery Hub;
- c) Agree to allocate £847,500 in the General Services Capital Plan in 2018-19 for the refurbishment works and IT infrastructure associated with the Recovery Hub;
- d) Note the revenue implications of this project which will need to be built into future years' revenue budgets;
- e) Note the resulting moves of voluntary organisations to more appropriate accommodation;
- f) Note that the Orchard Centre will become surplus to operational requirements and mandate the Director of Resources to dispose of the building; and
- g) Receiving a further report in relation to the operation of the Recovery Café.

#### Action

Head of Adult Services

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## 9. Exclusion of Members of the Public

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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:-

9.1 – Energy Projects Update – report by Head of Property and Facilities Management – Approved

9.2 – Independent Non Voting Member of the Audit Committee - report by Chief Executive – Approved

9.3– Note of Seminar held on 12 September 2017 regarding the  
Midlothian Local Development Plan – Approved.

9.4 - Note of Seminar held on 21 September 2017 regarding the Learning Estate  
Strategy – Approved.