

Minute of Meeting

Cabinet
Tuesday, 28 November 2023
Item No: 4.1



Cabinet

Date	Time	Venue
Tuesday 24 October 2023	11.00 am	Council Chambers and Hybrid

Present:

Councillor Parry (Chair)	Councillor Alexander
Councillor Cassidy	Councillor McManus
Councillor Scott	

Religious Representatives:

Ms Elizabeth Morton	
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In attendance:

Councillor Pottinger (virtual)
Councillor Virgo (virtual)
Councillor Winchester (virtual)
Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director Children, Young People & Partnerships
Nick Clater, Head of Adult Services
Derek Oliver, Chief Officer Place
Saty Kaur, Chief Officer Corporate Solutions
Michelle Strong, Education Chief Operating Officer
Gary Leadbetter, Democratic Services Officer
Hannah Forbes, Assistant Democratic Services Officer

1 Welcome, Introductions and Apologies

Councillor Parry welcomed those in attendance to the meeting of Cabinet.

Apologies were then noted on behalf Anne-Theresa Lawrie, Religious Representative.

2 Order of Business

The Order of Business was as detailed within 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 the Cabinet held on the 5 September 2023 was submitted and approved as a correct record.

4.2 The Action Log of Cabinet was submitted and noted.

5. Reports

Agenda No.	Report Title	Presented by:
5.1	Inspection of Midlothian Community Access Team	Head of Adult Services
Outline of report and summary of discussion		
<p>Nick Clater, Head of Adult Services, presented the report. The report advises of 1. The outcome of the inspection of Midlothian Community Access Team and 2. The actions that are being progressed a result of the inspection.</p> <p>Cabinet is requested to note the outcome of the inspection of Midlothian Community Access Team by the Care Inspectorate.</p> <p>Councillor Parry, the Chair, thanked Mr Clater for the report and opened it up to questions from the Members.</p> <p>Cabinet commended the Midlothian Community Access Team. Councillor McManus noted a desire to visit and engage with them.</p>		
Decision		
<p>The Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.</p>		
Action		
<p>Democratic Services</p>		

Agenda No.	Report Title	Presented by:
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5.2	Inspection of St Andrews RC Primary School and Nursery Class	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>Michelle Strong, Chief Operating Officer Education, presented the report. The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of 19 September 2023.</p> <p>Cabinet is asked to:</p> <ul style="list-style-type: none"> (i) Note the content of the inspection report. (ii) Pass this report to the Performance, Review and Scrutiny Committee for its consideration (iii) Congratulate the pupils, parents and staff connected with St Andrew's Primary School and Nursery class on the key strengths highlighted in the report. <p>Councillor Parry, the Chair, thanked Ms Strong for the report and opened it up to questions from the Members.</p> <p>Cabinet commended St Andrews RC Primary School and Nursery Class.</p>		
Decision		
The Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee		
Action		
Democratic Services		

Agenda No.	Report Title	Presented by:
5.3	Inspection of Saltersgate School	Education Chief Operating Officer
Outline of report and summary of discussion		
<p>Michelle Strong, Chief Operating Officer Education, presented the report. The report outlines the outcome of the above inspection as carried out by Education Scotland which was communicated in their report of 26 September 2023.</p> <p>Cabinet is asked to:</p> <ul style="list-style-type: none"> (i) Note the content of the inspection report. (ii) Pass this report to the Performance, Review and Scrutiny Committee for its consideration (iii) Congratulate the pupils, parents and staff connected with St Andrew's Primary School and Nursery class on the key strengths highlighted in the report. <p>Councillor Parry, the Chair, thanked Ms Strong for the report and opened it up to questions from the Members.</p> <p>Cabinet commended the report and gave their congratulations.</p>		

Decision

The Cabinet noted the content of the report and progress made and agreed to forward the report to the Performance Review and Scrutiny Committee.

Action

Democratic Services

Agenda No.	Report Title	Presented by:
5.4	Midlothian Policy on Positive Approaches to Attendance	Education Chief Operating Officer

Outline of report and summary of discussion

Michelle Strong, Chief Operating Officer Education, presented the report. The report provides Cabinet with the context which informed the revised version of the attendance policy.

Midlothian's attendance strategy and policy aims to develop and strengthen a whole-system partnership approach that enables children to realise their right to an education and leads to increased and sustained attendance and engagement in education for all children and young people.

The refreshed policy maps out a staged approach to promoting and protecting attendance and a consistent approach to tracking and monitoring.

Cabinet is requested to note and approve the revised policy 'Positive Approaches to Attendance' that details the council strategic approach and the procedures that schools and settings must follow to protect and promote attendance.

Councillor Parry, the Chair, thanked Ms Strong for the report and opened it up to questions from the Members.

Councillor Scott commended the report. Councillor Scott noted the importance of closing the attendance gap which can help tackle poverty. Councillor Scott spoke to the cost-of-living crisis that is affecting families across Midlothian, particularly families with a low household income. Councillor Scott further highlighted the effects and lasting impact of Covid-19 on the education of young people.

The Chair spoke to conversations that happen in school and in the background, over and above letters being sent to parents, that happening in school when attendance does drop.

Councillor Scott moved the report. Councillor Cassidy seconded.

Decision

The Cabinet noted the content of the report and approved the revised policy.

Action

Education Chief Operating Officer

Agenda No.	Report Title	Presented by:
5.5	Religious Observance Policy	Executive Director

		Children, Young People and Partnerships
Outline of report and summary of discussion		
<p>Executive Director Children, Young People and Partnerships, Fiona Robertson, presented the report. Following a review of the council's Religious Observance Policy and the available guidance, it is proposed to replace it with two new policies:</p> <ul style="list-style-type: none"> • Religious Observance in Schools (Part I) • Religious and Moral Education in Non-Denominational Schools and Religious Education in Roman Catholic Schools (Part II) <p>This report seeks Cabinet approval to introduce two separate policies: Religious Observance in Schools; Religious and Moral Education in Non-Denominational Schools and Religious Education in Roman Catholic Schools, replacing the policy on Religious Observance in Schools.</p> <p>Councillor Parry, the Chair, thanked Ms Robertson for the report and opened it up to questions from the Members.</p>		
Decision		
The Cabinet noted the content of the report and approved the recommendation.		
Action		
Executive Director Children, Young People and Partnerships		

Agenda No.	Report Title	Presented by:
5.6	Midlothian Council Statutory Report to Scottish Ministers on Public Bodies Climate Change Duties 2022/23	Chief Officer Place
Outline of report and summary of discussion		
<p>Chief Officer Place, Derek Oliver, presented the report. The purpose of this report is to inform Cabinet of the Council's statement of compliance with its statutory climate change reporting duties for 2022/23, a copy of which is available in the CMIS Member's Library, and to recommend its submission to Scottish Government by the due date of 30 November 2023.</p> <p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> approves the Council's Report on Compliance with the Public Bodies Climate Change Duties for 2022/23; and agrees to the submission of the report to Scottish Ministers by 30th November 2023. <p>Councillor Parry, the Chair, thanked Mr Oliver for the report and opened it up to questions from the Members.</p> <p>Councillor Cassidy commended the report. They then spoke to using local businesses in Midlothian to reduce the carbon footprint, highlighting that a building currently being built within Dalkeith does not seem to have used local businesses for supplies. Councillor Cassidy stated that local businesses should be prioritised,</p>		

whilst recognising fair tendering processes. Mr Oliver noted that this is in being worked on in terms of advancing community wealth building and a local procurement strategy, explaining reports will be brought on this. Mr Oliver explained that, in terms of large construction projects, they do go through tendering processes for best value and sub-contractors, etc. may be appointed by the contractor. Mr Oliver further explained a percentage score is allocated to climate change in respect of the tendering process.

Councillor Alexander noted that there is quite a long way to go in achieving net-zero targets. Councillor Alexander highlighted that the Council is doing well in the way in which it builds houses, noting the addition of cycle sheds with a need to further explore how these methods of transportation are improved. Councillor Alexander also noted that there is a need in relation to Planning to explore how citizens are allowed to retrofit their homes, and ensure we are more energy efficient and more energy conscious when allowing people to put new windows into their home, and in respect of allowing solar panels. This will ensure we go forward in climate emergency strategy.

Councillor Cassidy moved the report. Councillor Alexander seconded.

The Chair asked that the Scottish Government is written to, to highlight what Midlothian Council is doing in relation to climate change.

Councillor McKenzie queried what the role of the new officers will be. Mr Oliver noted that the fixed-term climate change officer's primary function is to research and bring forward papers & recommendations for elected members, which will coincide with the development of the Climate Action Plan that is being brought forward.

Councillor Cassidy stated that we need to insist that companies keep money in the local economy, highlighting previous instances where money has not been kept local.

Decision

The Cabinet noted the content of the report and approved the recommendations. Council to write to Scottish Government to highlight what Midlothian Council is doing in relation to climate change.

Action

Chief Officer Place

Agenda No.	Report Title	Presented by:
5.7	Croft Street, Penicuik Introduction of All Day Waiting Restrictions	Chief Officer Place

Outline of report and summary of discussion

Chief Officer Place, Derek Oliver, presented the report. This report describes the significant pressure from local residents to introduce measures to improve vehicular access for larger vehicles through Croft Street, Penicuik.

The report lays out a Council draft order proposing the prohibition and restriction on waiting, loading and unloading by way of introduction of double yellow lines on

certain designations part of the carriageway at Croft Street, Penicuik.

It is recommended that Cabinet:

- i. Note the significant pressure from local residents to introduce measures to improve access through Croft Street, Penicuik;
- ii. Note that some objections were received regarding the location of double yellow lines outside certain properties which may impact on some parking spaces;
- iii. Approves on balance the introduction of the relevant traffic and legal orders to bring into effect the prescribed double yellow line scheme in Croft Street, Penicuik shown on the amended drawing at paragraph 3.10 in the report.

Councillor Parry, the Chair, thanked Mr Oliver for the report and opened it up to questions from the Members.

Councillor McManus noted that this issue has been ongoing for quite some time and it is right that action is taken.

Councillor McManus moved the report. Councillor Alexander seconded.

Decision

The Cabinet noted the content of the report and approved the recommendations.

Action

Chief Officer Place

Agenda No.	Report Title	Presented by:
5.8	Lothian Street, Bonnyrigg Introduction of All Day Waiting Restrictions	Chief Officer Place

Outline of report and summary of discussion

Chief Officer Place, Derek Oliver, presented the report. This report describes the challenges for movement of buses and other large vehicles along Lothian Street Bonnyrigg and the safety of pedestrians crossing the road due to restricted vision caused by parked cars at various pinch points along the route.

The report notes an informal public consultation took place in November 2022 with local residents of Lothian Street, Bonnyrigg. It also reports on the output from the formal public consultation of a proposal informed by the earlier local consultation and discussions with local elected members. The proposal laid out a Council draft order (appendix B2) for further prohibition and restriction on waiting, loading and unloading by way of extension of double yellow lines on certain designated parts of the carriageway at Lothian Street, Bonnyrigg.

It is recommended that Cabinet:

- i. Note the challenges for movement of buses and other large vehicles along Lothian Street, Bonnyrigg and the safety of pedestrians crossing the road

due to parked cars;

- ii. Note that significant objections were received to the formal public consultation proposing to extend double yellow lines on Lothian Street, Bonnyrigg;
- iii. Approves on the grounds of pedestrian road safety and traffic flow improvement the introduction of the relevant traffic and legal orders to bring into effect the proposed double yellow line scheme in Lothian Street, Bonnyrigg shown on the drawing at paragraph 3.9 and the draft order at appendix B2.

Councillor Parry, the Chair, thanked Mr Oliver for the report and opened it up to questions from the Members.

Councillor Alexander spoke to the difficulties on this road and the importance of ensuring buses are able to use this road with ease. Councillor Alexander also spoke to the safety issues on the road.

Councillor Alexander moved the report. Councillor McManus seconded.

Councillor McKenzie queried whether the measures are to be reviewed after a set period of time, or whether other hard engineering is being considered. Mr Oliver noted that there was a speed survey being undertaken and further highlighted that this is an iterative process.

Decision

The Cabinet noted the content of the report and approved the recommendations.

Action

Chief Officer Place

6 Private Reports

No Items for discussion

7 Date of the Next Meeting

The date of the next meeting was noted as Tuesday, 28 November 2023 at 11 am.

The meeting terminated at 11:45am.