

Minute of Meeting

Midlothian Council
Tuesday 21 November 2023
Item No 5.1



Midlothian Council

Date	Time	Venue
10 October 2023	11.00 am	Council Chambers, Midlothian House/Hybrid

Present:

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

In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Morag Barrow, Director of Health & Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB	Fiona Robertson, Executive Director Children, Young People & Partnerships
Alan Turpie, Legal and Governance Manger/Monitoring Officer	David Gladwin, Chief Financial Officer (Section 95 Officer) (Acting)
Derek Oliver, Chief Officer Place	Fiona Clandillon, Head of Development
Joan Tranent, Chief Officer Children's Services, Partnerships and Communities	Myra Forsyth, Continuous Improvement Manager
Saty Kaur, Chief Officer Corporate Solutions (Acting)	Gary Leadbetter, Democratic Services Officer
Lucy Roddie, Democratic Services Officer	

Religious Representatives:

Mrs Anne-Theresa Lawrie	Elizabeth Morton
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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 would be webcast live.

The Provost noted that two previous Chairs of Community Councils had passed. Archie Pacey, former Chair of Gorebridge Community Council and Janet Irvine, former Chair of Bonnyrigg Community Council.

2. Order of Business

As per the Agenda, noting that Item 8.9 had been withdrawn prior to the meeting.

Noted that the Minute of Council 29 August 2023 has the wrong date recorded, and this will be amended.

3. Declarations of interest

Councillor Pottinger declared an interest in Item 8.10.
Councillor Curran declared an interest in Item 8.8.

4. Deputations

None.

5. Minutes of Previous Meetings

Item No.	Report Title	Submitted by:
5.1	Minute of Council 29 August 2023 and Addendum submitted for approval	Executive Director Place
Outline and Summary of Discussion		
<p>The Minute of the meeting of Council on 29 August 2023 and the Addendum were submitted and approved as a correct record, with the date amended.</p> <p>Councillor Milligan noted that, in Item 8.1 of the Minute, they were certain they had requested a report to be brought to Council on the fleet position due to the overspend. Kevin Anderson, Executive Director Place, confirmed that this was an ask. Kevin noted that there is a draft Fleet Management Plan, which is expected to be finalised in the coming weeks, therefore this will come before November or December Council.</p> <p>Councillor Curran stated that there was an inference that their motion had been submitted less than 3 days before the previous Council meeting, asking for confirmation that it had been one full week in advance. Councillor Curran noted</p>		

that this was not for an amendment in the Minute. Alan Turpie, Legal and Governance Manager/Monitoring Officer, provided confirmation.

Councillor Virgo noted that on Item 5.1 it is recorded as “moved by Councillor Parry and seconded by McManus,” asking that the Councillor prefix could be added to the latter.

Councillor Parry moved the Minute, as amended. Councillor Virgo seconded.
Councillor Parry moved the Addendum. Councillor Virgo seconded.

Decision

The Minute and Addendum were approved, with necessary amendments to be made, before it is signed by the Provost.

Action

Provost/Democratic Services

Item No.	Report Title	Submitted by:
5.2	Minute of Special meeting of Midlothian Council 13 September 2023, submitted for Approval	Executive Director Place
Outline and Summary of Discussion		
Councillor Parry moved the Addendum. Councillor Virgo seconded.		
Decision		
The Minute was approved, to be signed by the Provost.		
Action		
Provost/Democratic Services		

Item No.	Report Title	Submitted by:
5.3	Minute Volume Index Midlothian Council 10 October 2023 submitted for approval	Executive Director Place
Outline and Summary of Discussion		

The following minutes were previously circulated to Members and subsequently noted and/or the recommendations contained therein approved:

- Cabinet – 30 May 2023
- General Purposes Committee – 28 March 2023
- Midlothian Integration Joint Board – 13 April 2023
- Planning – 16 May 2023
- Police, Fire and Rescue Board – 15 June 2023
- Midlothian Integration Joint Board – 22 June 2023
- Midlothian Integration Joint Board, Audit and Risk – 28 June 2023

Moved by Councillor Parry. Seconded by Councillor Virgo

Decision

All to note.

Action

Item No.	Report Title	Submitted by:
5.4	Action Log	Executive Director Place
Outline and Summary of Discussion		
<p>Councillor Russell, raising a question in relation to Action 11 – Midlothian House and Dalkeith Town Centre: Briefing/Seminar to be held to further discuss the wider plan for Dalkeith Town Centre, which states to be confirmed, noted that there was a request for a seminar and that they had asked for a date. Councillor Russell requested that assurances were given that this action will be given some priority to discuss in full length at a seminar. Kevin Anderson, Executive Director Place, confirmed that a briefing will be delivered prior to December Council.</p>		
Decision		
<p>Action log updates were all noted. All completed actions to be removed. A briefing on the wider plan for Dalkeith Town Centre to be held before December Council.</p>		
Action		
Democratic Services		

6. Questions to the Leader of the Council

None received

7. Motions

Item No.	Notice of Motion	Submitted by:
7.1	Old Craighall Road	Councillor Curran and Councillor Russell
Outline and Summary of Discussion		
<p>The Notice of Motion was proposed by Councillor Curran and seconded by Councillor Russell.</p> <p>Councillor Curran, in relation to the Motion, raised the following points:</p> <ul style="list-style-type: none">• The road closure has caused significant disruptions for locals and services.• They feel there has been a lack of transparency, as they were not aware of the TTRO process until its publication, noting that when this was published it allowed CALA Homes to continue its work. Councillor Curran explained that it was published two days after they had submitted their urgent motion, which they state has hindered the democratic process. Councillor Curran noted there needed to be scrutiny over the process followed and publication.• The impact the road closure has had on the net-zero ambitions and the lack of information surrounding this.• That dilapidation surveys had not been carried out.• That communities should not have to subsidise developments with road disruptions for an excessive period. <p>Councillor Curran queried whether Dr Grace Vickers, Chief Executive, felt that the publication of the TTRO two days after the Notice of Motion was submitted, was an error. Dr Grace, in response, that Councillor Curran had previously raised this matter, however, that at that stage, they were unable to intervene. Dr Vickers highlighted that due process was followed by the Roads Authority in this matter and would provide more information to Councillor Curran if it would assist.</p> <p>The Provost noted that it was unusual to have a Motion that the mover was not going to vote for and asked Alan Turpie, Legal and Governance Manager/Monitoring Officer, to clarify if it was therefore competent. Alan noted that, whilst Councillor Curran is unable to vote for the Motion, they are still moving it formally and that it is formally seconded by Councillor Russell. Alan explained that there was an amendment moved by Councillor Imrie and seconded by Councillor Milligan, which is competent to hear.</p> <p>Councillor Russell seconded the motion.</p> <p>Councillor Imrie moved an amendment to the motion, namely, to delete the last paragraph and insert the following paragraph: "Therefore agree that a paper be brought back to future full Council with a set of protocols when dealing with road closures around new developments and that this set of protocols are incorporated into any new planning application."</p>		

Councillor Imrie noted that the purpose of the amendment was to allow all aspects of new developments to be taken into consideration, to ensure full and proper consideration is given to the full implications of new developments.

Councillor Milligan seconded the amendment.

Councillor Virgo agreeing that there are disliked disruptions from road works, however highlighted that road closures are a factor of developments. Councillor Virgo noted that they believe there are protocols in place with the Roads Authority which govern how officers allow and plan for road closures. Councillor Virgo queried how far the Council was getting involved in operational activities by consideration of this.

Alan Turpie, in response, noted that in terms of the amendment it concerns only protocols required for TTROs required with planning applications. He explained that it is largely dependent on the wording of the protocol, ensuring it clarifies the difference between strategic and operational. He highlighted that it was their understanding that the amendment only required that the protocols relate to TTROs for large-scale developments.

Councillor Virgo noted that they do not feel comfortable with the amendment.

Councillor Parry noted that they would welcome a report being brought which concerns the timescales asked of contractors to guarantee that their work is completed. Councillor Parry noted that there needs to be consideration of whether this is brought to Council or the Planning Committee.

Councillor Alexander queried whether disruptions to residents could be considered at pre-planning and work done in respect of mitigations to residents as part of the planning process. Councillor Alexander also requested that, in the requested report, mitigations against financial disruptions to the Council with new developments are considered. Councillor Alexander asked that this is also included in planning reports.

Councillor Curran noted that they accepted the amendment to the Motion.

Alan queried whether the movers and seconders of the amendment and motion were content with Councillor Parry's suggestion that the amendment is changed to require that a report be brought back to a future meeting of the Planning Committee. Councillor Imrie, Councillor Milligan, Councillor Curran and Councillor Russell confirmed they were all in agreement.

Decision

The Notice of Motion was moved, amended as follows:

- The last paragraph be deleted and the amendment paragraph, as above, be inserted.
- Request that a report, as described above, is brought to a future Planning Committee.

Action

Executive Director Place

8. Reports

Item No.	Notice of Motion	Submitted by:
8.1	Scotland's Census 2022 – Rounded Population Estimates	Chief Executive
Outline and Summary of Discussion		
<p>Dr Grace Vickers, Chief Executive, presented the report. The purpose of this report is to draw members attention to the recently published Scotland's Census 2022: Rounded Populations Estimates data. This is an initial report designed to draw members attention to this recent publication and notes that further analysis will be undertaken and that a detailed analytical report will be prepared and presented to the Community Planning Partnership (CPP) Board and Council when available. Members are asked to note that further census information will be published by the National Registers of Scotland in spring 2024.</p> <p>Council is recommended to:</p> <ul style="list-style-type: none">(a) Note the publication of the first census outputs in the form of Scotland's Census 2022: Rounded Population Estimates(b) Note the ongoing analysis of this data and that a further report will be presented to the CPP Board and Council including further updates following the publication of additional census data in Spring 2024(c) Write to the UK Government, Scottish Government and Cosla to ask that the 2022 Midlothian Population data be taken into account in respect of allocation for resource, capital and revenue funding and the updating of associated formula. <p>The Provost thanked Dr Vickers for the report and opened it up to questions.</p> <p>Councillor Parry noted both the positive and challenges of growth within Midlothian. Councillor Parry moved the report.</p> <p>Councillor Milligan, in relation to projected growth, queried whether any work has been undertaken to determine where this would have been had Covid-19 not occurred. Dr Vickers explained that further data would be published in Spring 2024 and that the figures presented in the report were indicative. Dr Vickers noted that a further report would be brought back to Council on projected growth.</p> <p>Councillor Milligan seconded the report.</p>		
Decision		
Council moved the report, agreeing to the recommendations as outlined above.		
Action		
Chief Executive		

Report No.	Report Title	Submitted by:
8.2	Medium Term Financial Strategy – 2024/25 to 2028/29	Chief Financial Officer (Section 95 Officer) (Acting)

Outline and Summary of Discussion

David Gladwin, Chief Financial Officer (Section 95 Officer) (Acting), presented the report. The report sets out the outcome of the most recent review of the Council's financial planning assumptions pointing to an increased budget gap of £7.272 million in 2024/25 rising to £34.677 million by 2028/29.

Pressure on budgets across Local Government is severe and as the fastest growing Local Authority in Scotland the position is intensified in Midlothian. Recently published census information showed a 16.1% population growth in Midlothian between 2011 and 2022. This was 3.4% more than the 2nd highest growth figure with sustained growth seen in the Central belt.

There is a significant funding gap that will impact on what services the Council can continue to deliver and how they are delivered. Reprioritisation and redesign is crucial to balancing the MTFs and urgent action is needed.

Council is recommended to:

- a) Note that the Business Transformation Steering Group (BTSG) will continue to consider measures necessary to support delivery of a balanced Medium Term Financial Strategy (MTFS) before any policy measures are presented to Council.
- b) Note that the financial outlook remains challenging for this term of Council and 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*".
- c) Note the update on Scottish Government grant prospects and ongoing pay negotiations for the current financial year.
- d) Note the MTFs planning assumptions set out in the report.
- e) Note that the budget gap for 2024/25, incorporating the planned use of service concession retrospection and a 3% Council Tax increase is projected to be £7.272 million, rising to a projected £34.677 million by 2028/29.
- f) Note the urgent need to finalise savings proposals, many of which will involve extremely difficult choices, to achieve equilibrium between expenditure and income; and
- g) Otherwise note the remainder of the report.

The Provost thanked David Gladwin for the report and opened it up to questions.

Councillor Smaill, drawing attention to debates in February 2023 on the agreed balanced budget, queried whether the Council was on track for achieving these and also whether the workforce was becoming an increasing burden and not becoming more efficient. In response, David Gladwin referred back to a discussion in the Q1 Financial Monitoring, in which it was recognised there were a number of projected overspends and some related to delivery of savings. He noted that work continues around this and Members will be given a detailed update in November, as part of Q2 Financial Monitoring. He explained that it was currently difficult to provide concrete figures on the workforce, although noted that posts were not being filled where it was felt they did not need to be.

Decision

Council noted the report.

Action

Report No.	Report Title	Submitted by:
8.3	Midlothian Strategic Housing Investment Plan 2024/25 – 2028/29	Executive Director Place

Outline and Summary of Discussion

Fiona Clandillon, Head of Development, presented the report. She noted a correction on page 103, explaining that where the report mentions the Newtongrange, St David's, former library site it should read Newtongrange, Church Halls.

The report summarises the key points set out in Midlothian's Strategic Housing Investment Plan (SHIP) 2024/2025-2028/29, which details the priorities for investment in new affordable housing in Midlothian.

The Scottish Government requires all local authorities to prepare a Strategic Housing Investment Plan (SHIP) that identifies the main strategic investment priorities for affordable housing over a five-year period. This important document is required on an annual basis as the Scottish Government requires detail on the Affordable Housing Supply Programme in each regional area towards meeting the national target of supporting the development of 110,000 new affordable homes.

Council is recommended to approve the SHIP 2024/25-2028/29, which will be submitted to the Scottish Government in October 2023 to meet the required dateline, subject to approval by Council.

The Provost thanked Fiona Clandillon for the report and opened it up to questions.

Councillor McKenzie moved the report.

Councillor Scott asked, in respect of Newbyres Crescent, Gorebridge, for clarification on the number of the number of houses built and completed as the numbers are 75 and 150 respectively. Councillor Scott further noted, in relation to Redheugh, Gorebridge Phase 1 and 2, that there seems to be a discrepancy in the

number of houses that should be getting built. In relation to the latter question, Fiona noted that the discrepancy is likely to be that the site is being taking forward in phases and that this only shows initial, not latter, phases. In relation to the former question, Fiona Clandillon noted that the numbers should both read 75.

Councillor Scott seconded the report.

Councillor Smail raised concerns around the ambition of the plan, noting that it was a considerable increase in houses planned for building over the next four years than had been built in the preceding four years. Councillor Smail highlighted that this would have significant financial strain on the housing revenue account and wondered whether these numbers were feasible. Fiona Clandillon noted that, in terms of phasing funding, a budget is available based on the rent setting strategy that was approved by Council, which shaped the strategy and is monitored regularly. David Gladwin, Chief Financial Officer (Section 95 Officer) (Acting), reminded Members of the value of the housing revenue account balance which had been held in anticipation of building houses. He provided assurance that the 20-yr housebuilding revenue model ties together with the detail in the SHIP. Councillor Smail requested a copy of the model.

In relation to people waiting for houses who are unlikely to receive an offer, Councillor Curran stated that support for them should be explored. Councillor Curran also queried whether a report could be brought to Council on parts of Midlothian becoming rent pressures zones. Kevin Anderson, Executive Director Place, confirmed this can be explored and a report be brought forward to November or December Council.

The Provost declared an interest that they are a private landlord.

Councillor Parry noted that it would be useful to include information on addressing the issues with private rent and mid-market rents in the report suggested by Councillor Curran.

Decision

Council:

- approved the SHIP 2024/25-2028/29 and
- agreed to a report being returned looking at rent pressure zones and private rent to November or December Council.

Action

Executive Director Place

Report No.	Report Title	Submitted by:
8.4	Council House Building Programme – Progress Update 2023	Executive Director Place

Outline and Summary of Discussion

Fiona Clandillon, Head of Development, presented the report. The purpose of the report is to update the Council on the status of the overall housing programme, on approved sites and proposed new sites for the Council new build affordable housing programme and other initiatives.

Council is recommended to:

- a) Note the content of this report and the progress made on Phases 2 to 5;
- b) Note the sites now underway to complete Phase 4 and Phase 5, projected handover programme and progress related to Open Market Purchases;
- c) Note the potential Phase 5 sites currently under consideration to progress; and
- d) Note the projected costs/budget expenditure in this report.

She noted that, in Table 6: Midlothian Council Passivhaus Sites of the report, there was an error, and the total figure should read 207 not 191.

The Provost thanked Fiona Clandillon for the report and opened it up to questions.

In relation to a concern raised from Councillor Drummond that the report mentions Newtongrange Library as a development site, Fiona Clandillon noted that this is a mistake and that it should read Newtongrange Church Hall site. Councillor Drummond further queried why, given that there is an ongoing consultation, there is a number of planned houses for Newtongrange, Main Street, former swimming pool. Fiona Clandillon noted that an assumption was made based on the basis that it would be a residential let, recognising that this is an ongoing process and this figure would be updated based on the outcome of the consultation.

Councillor Smail, in respect of page 117, table 7, queried where the additional £350k cost expected refers to as it was not clear. Fiona Clandillon explained that this relates to Conifer Road site and that this would be updated.

Councillor Smail raised a query in relation to housing allocation and the joint waiting list with the register of social landlords. Kevin Anderson, Executive Director Place, explained that there were some discrepancies between allocation policies. He spoke to the ranking profile in relation to the allocation policy of the Council. He stated that the joint waiting list could be reviewed when the housing allocation policy comes up for review.

Councillor Pottinger, in relation to the Newtongrange Church Hall site, questioned whether more information could be provided on offsite modular construction and whether other developments were using modular units. Fiona Clandillon explained that the site has planning permission for 5 homes, but after review based on modular units, it was determined this could be 6 homes if it meets approval.

Councillor McKenzie moved to pause the use of Passivhaus to allow time to better understand the variance in expected and actual cost. Councillor Curran seconded this, noting they would welcome an analysis to see how efficient Passivhaus housing is in relation to energy efficiency in comparison to standard energy efficient housing and whether there was returned value from the additional cost. Kevin Anderson, Executive Director Place, agreed that an analysis can be brought back to Council. He noted, however, that the Bonnyrigg site would need to continue due to the contract commitment and welcomed direction on the Newbattle site if Members were minded to pause. He also referenced current ongoing work around the capital plan prioritisation and stated that consideration of net zero and climate change could be added to this.

Councillor McKenzie noted that current plans should not be paused, just further commitments. Councillor Curran agreed.

Councillor Virgo queried, given the variance in cost, whether something in the rent strategy that reflects additional costs and allows the difference to be recouped. Fiona Clandillon confirmed there was a difference in the rent charge for new builds which reflects the fact that new homes are more expensive to build but cheaper to run. She noted that post-occupancy evaluation will occur to establish the performance of the buildings and spoke to the Passivhaus certification which guarantees that the energy reduction should be hitting 80% of baseline housing. She also explained that the gap between what is passive housing and is not, is not as significant as it may seem. Fiona Clandillon further noted that there are some sites which have increased costs which are an effect of the location and circumstances there.

Councillor Virgo queried who provided the guarantee and what this meant exactly. Fiona Clandillon explained that plans are sent to a Passivhaus certifier, and the components of the design work must be approved by passing a test, therefore certifying that there is a sufficient level of air tightness to the home. The performance of the house is guaranteed through this certification process.

Councillor Curran queried whether the analysis could be provided more quickly. Kevin Anderson noted that there has been no work beyond the three sites listed in the report. He explained that compliance analysis will be available quickly after completion of the Buccleuch House site and there will also, in time, be lived experience of tenants that will be available. Councillor Curran noted that it may be necessary to form a cross-party working group. Kevin Anderson stated this work could be brought to BTSG.

Councillor Smail raised a queried in relation to whether there was an ability to claim on the guarantee. Fiona Clandillon explained that they were not aware of any recourse being available, were the houses not to live up to the guarantee, although they would check this.

Council:

- Noted the report, with the specified amendments.
- Agreed to suspend the use of Passivhaus until analysis is brought back to the Council on the cost variances and its efficiency in comparison to standard energy efficiency housing. It was agreed this would not impact current sites, only further commitments.
- Agreed that net zero and climate change be considered as part of the ongoing work on capital plan prioritisation.

Fiona Clandillon, Head of Development, agreed to check whether there was any recourse on the guarantee.

Action

Executive Director Place

Report No.	Report Title	Submitted by:
8.5	Housing Services Assurance Statement 2023	Executive Director Place

Outline and Summary of Discussion

Kevin Anderson, Executive Director Place, presented the report.

To comply with the Scottish Housing Regulator's (SHR) Regulatory Framework, the Council must approve and submit an AAS each year providing assurance that it is meeting legislative and regulatory standards for social housing in Scotland. This report explains the Regulatory Framework and appends an Assurance Statement for approval by Council. The AAS confirms the Council fully meets the SHR required standard and outcomes. Following Council approval, the AAS will be published on the SHR and Midlothian Council's websites.

Council is recommended to approve the Annual Assurance Statement (AAS) attached at Appendix 1 of the report for submission to the SHR by 31 October 2023.

The Provost thanked Kevin Anderson for the report and opened it up to questions.

Councillor McKenzie moved the report. Councillor Curran seconded.

Decision

Council moved the report, agreeing to the recommendation as outlined above.

Action

Executive Director Place

The Provost adjourned the meeting at 12:36pm for lunch. The meeting reconvened at 13:02pm.

Report No.	Report Title	Submitted by:
8.6	Edinburgh and South East Scotland City Region Deal Annual Report 2022-2023	Executive Director Place
Outline and Summary of Discussion		
<p>Kevin Anderson, Executive Director Place, presented the report. This report summarises the key findings on the appended City Region Deal Annual Report as approved by the City Region Deal Joint Committee on 1 September 2023.</p> <p>Each year, the City Region Deal Programme Management Office is required to produce an annual report to assess how well the City Region Deal is aligning towards the overall vision and inclusive growth outcomes for the city region.</p> <p>Council is recommended to note the Edinburgh and South East Scotland City Region Deal (ESESCRD) Annual Report 2022-2023.</p> <p>The Provost thanked Kevin Anderson for the report and opened it up to questions.</p> <p>Councillor Imrie moved the report. Councillor Parry seconded.</p>		
Decision		
Council noted the report.		
Action		

Report No.	Report Title	Submitted by:
8.7	Edinburgh and South East Scotland City Region Deal – Concordat with SEStran	Executive Director Place
Outline and Summary of Discussion		
<p>Kevin Anderson, Executive Director Place, presented the report. This Concordat demonstrates the commitment between SEStran and ESESCRD to work together in support of further integrating economic development, transport and land use planning and delivery in the Edinburgh and South East Scotland city region.</p> <p>It sets out how both bodies will align their activities to ensure that regional plans can deliver shared outcomes through targeted transport interventions. It also describes how new transport interventions will progress, from strategy to delivery, through the appropriate governance structure(s), depending on the activity.</p> <p>Council is recommended to approve the proposed Concordat between Edinburgh and South East Scotland City Region Deal and SEStran and note that this will also be considered for joint approval by the other five constituent Local Authorities in the Edinburgh and South East Scotland City Region (ESESCR).</p> <p>The Provost thanked Kevin Anderson for the report and opened it up to questions.</p>		

Councillor Imrie moved the report.

Councillor Scott noted concerns about transport issues in Midlothian South, stating that the City Deal is not providing benefits or solutions in relation to these issues. Kevin Anderson responded that the issues raised need to be addressed through the local transport strategy

Councillor Cassidy seconded the report.

Decision

Council moved the report, agreeing to the recommendation as outlined above.

Action

Councillor Curran left the meeting at 13:21pm.

Report No.	Report Title	Submitted by:
8.8	Home to School Transport Consultation	Executive Director Children, Young People and Partnerships

Outline and Summary of Discussion

Fiona Robertson, Executive Director Children, Young People and Partnerships, presented the report. The purpose of this report is to update council on current legislation regarding home to school transport and seek approval to carry out a statutory consultation on a proposal to change Midlothian Council's mainstream home to school transport to be more in line with legislation. The report also seeks council approval to carry out an informal consultation with parents/carers of children attending Saltersgate School and specialist provision on alternative home to school travel options.

Council is requested to:

- Delegate authority to the Executive Director Children, Young People and Partnerships to undertake a statutory consultation on a change to mileage limits for mainstream home to school transport;
- Carry out an informal consultation with parents/carers of pupils attending Saltersgate School and our specialist provisions; and
- Agree that a report on the outcome of the consultation exercises will be brought back to council for consideration and a decision.

Fiona Robertson noted that a report will come back to Council for consideration and final decision in May 2024.

The Provost thanked Fiona for the report and opened it up to questions.

Councillor Scott moved the report.

Councillor Scott provided an assurance that this is not a paper exercise and that the consultation would present invaluable evidence that will be used.

Councillor Cassidy seconded the report.

Councillor McEwan, in reference to the consultation to take place in Penicuik regarding catchment areas for the new Beeslack High School, asked that this be embraced fully. Fiona Robertson noted that cognisance would be taken of any planned consultations for changes in catchment areas.

Decision

Council moved the report, agreeing to the recommendations as outlined above.

Action

Executive Director Children, Young People and Partnerships

Report No.	Report Title	Submitted by:
8.9		
Outline and Summary of Discussion		
This report was withdrawn prior to the meeting.		
Decision		
Action		

Councillor Curran rejoined and Councillor Pottinger left the meeting at 13:26pm.

Report No.	Report Title	Submitted by:
8.10	Standards Commission Decision	Legal and Governance Manager/Monitoring Officer
Outline and Summary of Discussion		
Alan Turpie, Legal and Governance Manager/Monitoring Officer, presented the report.		
In terms of Section 18 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 and Rule 10.9 of the Standards Commission Hearing Rules, the Council requires to consider, within three months, the terms of a written decision issued by the Standards Commission for Scotland.		
It is recommended that the Council considers the decision of the Standards Commission in relation to complaint reference LA/Mi/3803.		

Councillor Smaill moved the report. Councillor Virgo seconded.

Decision

Council considered the report.

Action

Councillor Pottinger rejoined the meeting at 13:29pm.

Public section of the meeting concluded at 13:29pm.

9. Private

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:-

9.1 sportscotland Partnership Agreement - Report by Executive Director Place

9.2 Appointment of Chief Financial Officer & Section 95 Officer and Chief Officer Corporate Solutions – Report by Chief Executive

Date of Next Meeting

The next meeting will be held on Tuesday 21 November at 11:00am.

The meeting concluded at 13:41pm.