

# Minute of Meeting



## Midlothian Council

Date	Time	Venue
7 February 2017	2pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Provost Wallace	Depute Provost Coventry
Councillor Johnstone – Leader of the Council	Councillor Constable – Depute Leader of the Council
Councillor Baxter	Councillor Beattie
Councillor Bennett	Councillor Bryant
Councillor de Vink	Councillor Imrie
Councillor Milligan	Councillor Montgomery
Councillor Muirhead	Councillor Parry
Councillor Pottinger	Councillor Rosie
Councillor Russell	Councillor Young

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

Mr V. Bourne	Rev. R. Halley
Mrs M. Harkness	

### In attendance:


## **1. Apologies**

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- 1.1 It was noted that no apologies had been received.

## **2. Order of Business**

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- 2.1 The order of business was confirmed as outlined in the agenda that had been circulated with the following amendments:
- A replacement paper in relation to item 8.3 – Financial Strategy had been circulated to Members on Friday 3 February 2017.
  - The Provost had agreed that item 8.13 be accepted as an item of urgent business due to the late publication 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 on 20 December 2016 were then submitted for approval.
- 5.2 Councillor Muirhead expressed concern in relation to the public accessibility of minutes and audio recordings of the Council and its Committees prior to January 2016 which the Chief Executive agreed to review. Following this Councillor de Vink asked the minute be updated to reflect the exchange between himself and the Provost at the meeting of the 20 December 2016; to change the minute convention of noting 'sederunt' within the minute to be replaced with 'interval' and to include his speech in relation to his budget proposals during the meeting of 20 December 2016. Councillor Montgomery then asked for the minute of item 8.9 of the meeting of 20 December to include the concerns he had raised during the discussion of this item to be noted. Councillor Milligan then asked the Head of Finance and Integrated Service Support to confirm the situation in relation to the decision that the Council made in respect of Christmas lights which the Head of Finance and Integrated Service Support duly provided. Councillor Beattie was then heard suggesting that it might be useful for Councillors to receive guidance in relation to what is contained within the minute which the Monitoring Officer provided. In conclusion the Provost confirmed that a wider ranging review of the Council's Standing Orders was required.

5.3 Subject to these amendments, the Council approved the minute as a correct record so moved by Councillor Johnstone and seconded by Councillor Constable.

5.4 The minutes of the Cabinet meeting of 22 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Cabinet meeting of 22 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Planning Committee meeting of 30 August 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Local Review Body meeting of 29 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Performance Review and Scrutiny Committee meeting of 29 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Performance Review and Scrutiny Committee meeting of 30 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Special Performance Review and Scrutiny Committee meeting of 30 November 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Performance Review and Scrutiny Sub Committee meeting of 2 May 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Audit Committee of 20 September 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Petitions Committee of 27 September 2016 were presented to the Council for noting and consideration of any recommendations therein.

The minutes of the Seminar of 13 December 2016 were presented to the Council for noting and consideration of any recommendations therein.

## **6. Questions to the Leader of the Council**

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6.1 It was noted that no questions had been submitted to the Leader for consideration.

## 7. Notices of Motions

**Note – Prior to the discussion of item 7.1 the Provost made a personal statement and indicated his intention to hand the Chair to the Depute Provost and leave the Chamber. Following a request from Councillor de Vink the Monitoring Officer provided guidance to the Provost in relation to whether he should remain or leave the Chamber. Following this the Provost handed the Chair to the Depute Provost and retired from the Chamber.**

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.1</b>	<b>Councillor Wallace</b>	<b>Councillor de Vink</b>	<b>Councillor Muirhead</b>

### Motion:

Prior to the motion being introduced the Depute Provost asked Councillor de Vink to confirm his intention in relation to the motion given that the Provost had apologised at the meeting of the Council on 20 December 2016 and further had issued a personal statement in the Chamber prior to this item being discussed.

Councillor de Vink confirmed that he wished for the motion to proceed:

*The Council has noted the behaviour of Provost Joe Wallace at the 20 December 2016 meeting of Midlothian Council and agrees that his actions, particularly given that the meeting is broadcast live, brings Midlothian Council into grave disrepute.*

*Provost Wallace failed to chair the proceedings impartially with no bias to any party or individual. He displayed the most dishonourable behaviour incongruous to the office of Provost of Midlothian Council. The Provost became angry where he should have remained calm and collected and failed to remain in charge of proceedings at this meeting. He threatened an elected representative with removal from the chamber. He subsequently stated following a cooling down interval that in the heat of battle he had used the wrong language and withdrew certain words. The Council meetings are not a battle ground and instead of a well meant apology, there was a withdrawal of wording stating the he knew no other word to use for tittle tattle.*

*Having reviewed the webcast of the proceedings this Council considers that Councillor Wallace, as Provost of Midlothian, not only let himself down with a performance that unacceptable as the impartial chair of the December Council meeting. More importantly he brought the reputation of his office in to opprobrium by his inappropriate handling of the meeting and greatly damaged the office of Provost by his conduct.*

*As this is not the first time that Cllr Wallace has let himself down with his comments in the Chamber this Council request that the Provost learns from his many mistakes and chairs the subsequent two meetings in an impeccable manner.*

### Summary of discussion

Councillor de Vink then spoke to the motion confirming his reasons for bringing the motion to the Council.

Councillor Muirhead then spoke in favour of the motion and outlined his reasons for doing so.

Councillor Beattie was then heard suggesting that the Council have no further discussion in relation to the matter.

Councillor Baxter was then heard in support of the motion and spoke of his reasons for doing so.

The Council then heard from Councillors Parry and Coventry in relation to the matter in hand following which Councillor Constable was heard in support of Councillor Beattie's motion that there was no further discussion in relation to the matter.

Following this, the Council voted on the motion. Seven Councillors voted against the motion and ten Councillors voted in favour of the motion which then became the decision of the Council.

#### Decision

The Council agreed that the Provost should learn from his many mistakes and chair the subsequent two meetings in an impeccable manner.

#### Action

Provost

**Note – The Provost was invited back into the Chamber and assumed the position of Chair.**

Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.2</b>	<b>Carers in Midlothian</b>	<b>Councillor Coventry</b>	<b>Councillor Wallace</b>

#### Motion:

*People of all ages are carers in Midlothian who care for spouses and family members. Carers play a vital role in ensuring that the vulnerable and sick members of our community are treated with love, care and respect, often in difficult and challenging situations.*

*Furthermore Midlothian Council recognises the selfless dedication of Janet Malcolm from Penicuik who recently came second in a national contest to find the carer of the year organised by the Edinburgh Headway Group. This recognition reflects the courage of all Midlothian carers who through their dedication carry out a vital role in our society helping to care for family members and friends.*

#### Summary of discussion

The Council heard from Councillor Coventry who presented the motion which highlighted the role of carers in Midlothian.

Following this the Councillor Wallace was heard in support of the motion.

**Decision**

The Council agreed to accept the motion

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**Note – Prior to the commencement of the debate of item 7.3 Councillor Johnstone made a statement and then retired from the Chamber for the duration of the debate.**

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Motion No.	Motion Title	Proposed by:	Seconded by:
<b>7.3</b>	<b>Councillor Johnstone</b>	<b>Councillor Montgomery</b>	<b>Councillor Pottinger</b>

**Motion:**

Prior to the commencement of the motion, the Provost invited the Monitoring Officer to confirm the requirements for handling this motion. The Monitoring Officer confirmed that should the motion be passed by the Council it would be ineffective in relation to removing Councillor Johnstone from her position as Leader of the Council.

*At the Council meeting on 20 December 2016 Councillor Johnstone stated that as Leader of Midlothian Council she had met Derek Mackay MSP, Cabinet Secretary for Finance and the Constitution, to discuss the Scottish Government proposal to raise the Council Tax in higher bands with the Scottish Government retaining £1.2 million of the £1.7 million raised in Midlothian.*

*Following a Freedom of Information request to the Scottish Government asking*  
*1 the date of the meeting;*  
*2 what was discussed;*  
*3 what was decided; and*  
*4 was a civil servant present with the minister and if so, whom?*

*A reply from the Private office of the Cabinet Secretary for Finance states – ‘The Scottish Government does not have the information you have asked for because no records exist to indicate any such meeting took place between Councillor Catherine Johnstone and Derek Mackay as Cabinet Secretary for Finance and the Constitution.’*

*Clearly, Council Leader Catherine Johnstone’s statement to Midlothian Council has no factual foundation, and she should tender her immediate resignation.*

**Summary of discussion**

The Council heard from Councillor Montgomery who spoke to the motion which included the Councillor reciting the contents of a Freedom of Information response from the Scottish Government.

The Council then heard from Councillor Pottinger who spoke in support of the motion.

Following a lengthy debate in relation to the motion, the Council proceeded to take a vote on the matter.

Nine Councillors voted in favour of the motion and eight Councillors voted against the motion therefore the motion was carried but was ineffective.

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**Note – The Provost invited Council to take a ten minute recess at this point.**

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## 8. Reports

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Agenda No.	Report Title	Presented by:
<b>8.1</b>	<b>Schedule of Meeting Dates Post the Local Government Election</b>	<b>Director, Resources</b>

### Outline of report and summary of discussion

The Council heard from the Director, Resources who presented a paper which sought the approval by Council of a schedule of meeting dates for the incoming Council following the May 2017 elections to cover the period to December 2017.

Councillor Johnstone moved that the recommendations were approved which was seconded by Councillor Constable.

Councillor Milligan sought clarity in relation to the proposed date for the first Council meeting following the Election stating his view that this should be sooner. Councillor Johnstone responded stating her view that the new Council should be given time prior to the first meeting. The Director, Resources confirmed that there were various requirements of Councillors following the Election and confirmed his preference would be the first meeting of the Council to be 23 May 2017.

Subsequently the Council agreed the recommendations.

### Decision

The Council agreed to:

- a) Approve the temporary schedule of meetings dates for the incoming Council based on a six weekly cycle as per Appendix 1 of the report.

### Action

Director, Resources

Report No.	Report Title	Presented by:
<b>8.2</b>	<b>The Edinburgh and South East Scotland City Region Deal</b>	<b>Chief Executive</b>

#### Outline of report and summary of discussion

The Council heard from the Chief Executive who presented a report which provided an update on the progress towards securing from the UK and Scottish Governments a City Deal for the Edinburgh and South East Scotland region.

Councillor Johnstone moved that the recommendations within the report were accepted citing that this was a really important deal for the people of Midlothian.

Councillor Milligan seconded the recommendations and in doing so expressed his hope that the final proposals would offer a better deal for Midlothian.

Councillor Baxter echoed Councillor Milligan's comments stating that he would like to see improvements with the deal.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the continued progress of the City Region Deal since the previous update to Council in June 2016; and
- b) Note the ambition to achieve an agreed Heads of Terms document during spring 2017

Report No.	Report Title	Presented by:
<b>8.3</b>	<b>Financial Strategy 2017-18 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 was a revision of the previously published report dated 31 January 2017 which incorporated the implications of the additional grant funding for 2017/18 announced by Scottish Government on 2 February 2017.

Further the report provided Council with an update on the Financial Strategy encompassing the years 2017/18 to 2021/22. It set out recommendations to enable Council to set Council Tax and to determine a budget for 2017/18.

It also included:-

- An update on Scottish Government Grant;
- Updated budget projections for 2017/18 to 2021/22;
- A sensitivity analysis reflecting the potential impact of different pay and grant settlement scenarios for later years;



- An update on the resources to be provided to the Midlothian Integration Joint Board in 2017/18;
- An update on the strands of the change programme;
- The resultant 2017/18 service budgets;
- An update on reserves.

Councillor Parry moved that the recommendations contained within the report were accepted and confirmed her views in relation to the challenges facing Councils and in supporting the recommendations stated that working collaboratively was key going forward. In moving the recommendations Councillor Parry also stated her view that the proposals in the report offered the best deal for the people of Midlothian. Councillor Johnstone seconded Councillor Parry's motion

Councillor Milligan then spoke of his concerns in relation to the financial position and the decisions that Council needed to make in light of the challenges and further expressed his concern in relation to the position that the new Council Administration would have to deal with.

Councillor Baxter was then heard confirming that a root and branch review of how Midlothian Council operates is required.

Councillor Beattie and Councillor Milligan then engaged in debate in relation to previous discussions concerning shared services with East Lothian.

Councillor de Vink was then heard confirming his view that the financial position requires the Council to change its way of thinking. Councillor de Vink also asked the Head of Finance and Integrated Support for his views in relation to the financial position which he duly provided and also confirmed that the Senior Leadership Group was continuing to work to the transformation programmes required to meet the challenges and produce a balanced plan.

Councillor Muirhead was then heard expressing his concern in relation to the Council reserves. Coupled with this Councillor Muirhead spoke of the situation in relation to primary care provision and the Police.

Councillor Beattie was then heard confirming her view that further transformation was required and in doing so spoke of the transformation within the Council over the past five years and expressed her gratitude to Council staff for supporting the significant changes that they have had to deal with.

Following further contributions from Councillors Bennett, Young, de Vink and Parry the Council then agreed the recommendations in the report.

#### Decision

The Council agreed to:

- In line with the provisions of the Grant Settlement package, set a Band D Council Tax of £1,246 for 2017/18 as set out in appendix 1 of the report;
- Note the updated projected cost of services, key assumptions and resultant budget shortfalls as set out in section 3 of the report;

- iii. Note the continuing uncertainties and the potential impact as outlined in the differing scenarios as set out in section 6 of the report;
- iv. Approve the 2017/18 service budget analysis as set out in appendix 2 of the report, including the utilisation of £3.970 million of reserves.
- v. Approve the allocation of £37.510 million to the Midlothian Integrated Joint Board for 2017/18 in respect of delegated services, noting that the feasibility of part or all of the £1.160 million reduction being applied will be raised with the Chief Officer and Chief Financial Officer of the IJB.
- vi. Note that the Strategic Leadership Group is engaged in developing further options for change so that these can be considered early in the term of the next Council.
- vii. In considering the recommendations also consider the contents of the draft EQIA set out in appendix 3 of the report;
- viii. Otherwise note the contents of the report.

<b>Action</b>
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Head of Finance and Integrated Service Support
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Report No.	Report Title	Presented by:
<b>8.4</b>	<b>Financial Monitoring 2016-17 – General Fund Revenue</b>	<b>Head of Finance and Integrated Service Support</b>

<b>Outline of report and summary of discussion</b>
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<p>The Council heard from the Head of Finance and Integrated Service Support who spoke to a report dated 20 January 2017 which provided the Council with information on performance against revenue budget in 2016/17 and further provided details of the material variances.</p>
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<p>Councillor Parry was heard moving that the recommendations in the report were accepted following which the Council agreed the recommendations.</p>
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<b>Decision</b>
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The Council agreed to:
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| <ul style="list-style-type: none"> <li>a) Note the contents of the report and further consider the financial position in the context of the Financial Strategy for 2017/18 to 2021/22.</li> </ul> |
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Report No.	Report Title	Presented by:
<b>8.5</b>	<b>General Services Capital Plan 2017/18 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 of the General Services Capital Plan incorporating new projects approved since the previous report to Council on 08 November 2016;
- Information on further additions to the Capital Plan for approval;
- Information on the projected performance of the General Services Capital Plan against budget for 2016/17;
- Forecast expenditure and income for the General Services Capital Plan for 2017/18 through to 2021/22;
- An update on the projected balance on the Capital Fund and the projected balance on debt outstanding.

Councillor Parry moved the recommendations were accepted drawing particular attention to the capital projects.

Mr Bourne was then heard in support of the work being done to support the health agenda, specifically in relation to snow sports activities in Midlothian.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- Note the General Services Capital Plan Quarter 3 monitoring position for 2016/17;
- Approve the projects as outlined in Section 2.3 of the report to be added to the General Services Capital Plan;
- Approve the allocated expenditure and funding in the General Services Capital Plan 2016/17 to 2021/22 (as shown in appendices 1 and 2 of the report);
- Note that based on the current forecasts and provisional sums, that the level of debt outstanding is forecast to be £124.000 million at 31 March 2022;

#### Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
8.6	<b>Treasury Management and Investment Strategy 2017-18 and Prudential Indicators</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 to the Council which sought the agreement to the Treasury Management and Annual Investment Strategies for 2017/18 and the Prudential and Treasury indicators contained therein.

Councillor Parry was heard in support of the recommendations.

Councillor de Vink requested clarification in relation to Capita Asset Services which the Head of Finance and Integrated Service Support duly provided.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Approve the Treasury Management and Investment Strategy for the 2017/18 financial year, as detailed in Section 2 of the report;
- b) Approve the list of Permitted Investments outlined in Appendix 1 of the report;
- c) Adopt the Prudential Indicators contained in Appendix 2 of the report;
- d) Approve an adjustment to the Authorised Limit for Borrowing to £384.042 million (as shown in Section 3 of the report) if market conditions indicate that this is prudent;
- e) Note that the policy to repay loans fund advances made before 1 April 2016 will be to continue to use the 'Statutory annuity method';
- f) Approve the policy for the statutory repayment of loans fund advances made from 1 April 2016 to be the 'Statutory annuity method' and that the current annuity rate applied is 3.20%.

#### Action

Head of Finance and Integrated Service Support

Report No.	Report Title	Presented by:
<b>8.7</b>	<b>Housing Revenue Account – Revenue Budget and Capital Plan 2016-17</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 paper dated 16 January 2017 which provided the Council with a summary of expenditure and income to 16 December 2016 for the Capital Plan and a projected outturn for both the Housing Revenue Account (HRA) and Capital Plan for 2016/17.

Councillor Parry was heard in support of the recommendations.

Councillor Milligan was heard expressing his concerns in relation to the provision of Council houses in Midlothian.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the content of the report

Report No.	Report Title	Presented by:
<b>8.8</b>	<b>Danderhall Primary School Feasibility Study</b>	<b>Director, Education, Communities and Economy</b>

#### Outline of report and summary of discussion

The Council heard from the Director Education, Communities and Economy who presented the outcome of the feasibility study into the best value option for Danderhall Primary School and the options for providing additional primary school capacity across the Danderhall and Shawfair area.

The feasibility study considered 4 options for Danderhall primary education provision:

- 1) Extension and refurbishment of existing school building;
- 2) New build replacement school on existing school site;
- 3) New build community school with leisure and lifelong learning facilities; and,
- 4) Retain existing school and provide additional capacity through a primary school in Shawfair.

An amendment to the recommendations was circulated to Members which was moved by Councillor Bennett and seconded by Councillor Russell.

The amendment read:

*'Council agrees to:*

- 1) *Replace Danderhall Primary School at its current location as per option 2*
- 2) *Build a new secondary school hub including community, library space and leisure facilities at Woolmet rather than the preferred site at Shawfair*
- 3) *Authorise officers to carry out a detailed feasibility study and progress the project programme as detailed in section 3.6*
- 4) *Approve the provision of £12.742 million of capital costs within the general services capital plan to progress option 2, as the secondary school site is to be located at Woolmet*
- 5) *Note that £6.491 million is expected to be recovered in the medium-long term from developers as part of the Shawfair Section 75 agreement and that £1,140 million is expected to be realised in capital receipts from the sale of the existing Danderhall Leisure and Danderhall Library sites.'*

Councillor Constable was then heard in support of the recommendations within the report which he felt would keep the options open for the Council.

Councillor Bennett then spoke of information he had received from the community in Danderhall which suggested the preferred site for the new secondary school was at Woolmet.

Councillor Russell was then heard in support of the amendment moved by Councillor Bennett.

Councillor Parry was then heard in support of Councillor Constable's motion that the recommendations in the report were accepted.

Councillor Baxter then asked for clarity in relation to the advantages of agreeing to the recommendations contained in the amendment moved by Councillor Bennett.

Councillor Milligan was then heard providing further rationale in relation to the proposed amendment moved by Councillor Bennett.

Councillor Baxter then suggested that a seminar was in order to provide Councillors with more information prior to making a decision.

Councillor Rosie agreed that the full picture was required before making a final decision.

Councillor Constable was then heard suggesting the addition of a point in the recommendations that the final decision is brought back to Council if Option 3 proves to be possible.

Mr Bourne was then heard airing his concerns at the lack of denominational schooling within the proposals and confirmed that he hoped this would warrant further discussion in the future.

Following further debate, the Council took a vote. Nine Members voted in favour of the amendment moved by Councillor Bennett. Nine Members voted in favour of the recommendations contained within the report as amended by Councillor Constable. The Provost then cast his second vote in favour of the recommendations contained within the report as amended by Councillor Constable which then became the decision of the Council.

**Decision**

The Council agreed to:

- a) Approve Option 3 contained in the report if the town centre site is secured for the Shawfair secondary school;
- b) Approve Option 2 contained in the report if the Shawfair secondary school will be located at Woolmet;
- c) Authorise officers to carry out a detailed feasibility study and to progress the project programme as detailed in section 3.6 of the report;
- d) Approve the inclusion of £15.317 million of Capital Costs within the General Services Capital Plan, to progress school Option 3 within the report and that this should be amended to a provision of £12.742 million of Capital Costs within the General Services Capital Plan, to progress Option 2 within the report, should the town centre site secondary school be located at Woolmet;
- e) Note that £6,491 million is expected to be recovered in the medium-long term from developers as part of the Shawfair Section 75 agreement and that £1.140 million is expected to be realised in capital receipts from the sale of the existing Danderhall Leisure and Danderhall Library sites; and
- f) The final decision coming back to Council for approval.

**Action**

Director, Education, Communities and Economy

**Note – The Provost invited Council to take a ten minute recess at this point.**

Report No.	Report Title	Presented by:
<b>8.9</b>	<b>Midlothian Council Digital Strategies</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 requesting that Midlothian Council consider and approve the Midlothian Council Digital Strategy and the Midlothian Council's Strategy for Digital Learning.

Councillor Constable was then heard in support of the Council approving the recommendations and asked that the second bullet point included Cabinet as well as CMT.

Subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Approve the Midlothian Council Digital Strategy (2016-2021) and

Midlothian Council's Strategy for Digital Learning (May 2016);

- b) Note that further reports will be presented to the Corporate Management Team and Cabinet for any resources requirements arising from the digital transformation programme endorsed by the Digital Strategy Group;
- c) Endorse governance for all new projects that support these strategies to be approved and verified by the Digital Strategy Group; and
- d) Note that the strategies will ensure that all new digital projects must be supported by a strong business case and an identified Digital Leader who will be responsible for overseeing the programme \ project.

**Action**

Head of Finance and Integrated Service Support

Head of Education

Report No.	Report Title	Presented by:
<b>8.10</b>	<b>Digital Centre for Excellence – Newbattle Community High School</b>	<b>Head of Education</b>

**Outline of report and summary of discussion**

The Council heard from the Head of Education who presented a report detailing the proposed development of Newbattle Community High School as a Digital Centre for Excellence. Further the report sought approval to establish Newbattle as the first Centre for Excellence and in doing so noting the funding requirement for the technical infrastructure and staffing necessary to develop the Centre of Excellence.

Councillor Constable moved that the recommendations contained within the report were approved by the Council as this was an exciting development.

Mr Bourne was then heard in support of the report who was followed by Councillor Muirhead who also expressed his support for the centre of excellence model.

Following further contributions from Councillors Coventry, de Vink and Beattie, the Council resolved to approve the recommendations.

**Decision**

The Council agreed to:

- a) Note the nature of the proposal and the rationale for the Centres of Excellence model;
- b) Approve the establishment of a Digital Centre of Excellence at Newbattle;
- c) Approve the appointment of a Centre co-ordinator and the allocation of £56,000 from reserves in 2017/18 to fund the post;
- d) Note that a further report, seeking funding for the mainstream digital



assets for the new school, together with the additional items required for the Centre of Excellence, will be presented to Council in June 2017. This report will also address the funding required for the remainder of the revenue costs required for the school to operate as a Digital Centre of Excellence, reflecting the impact of City Deal funding;

- e) Note the ongoing work of the Council in developing key partnerships with the University of Edinburgh and commercial partners from digital industries;
- f) Note that the current Headteacher of Newbattle will retire in June 2017 but will continue to work one day per week on supporting the development of the Newbattle learning community in preparation for the opening of the Centre; and
- g) Note the proposal to extend the Centres of Excellence model to other Midlothian secondary schools.

#### Action

Head of Education

Report No.	Report Title	Presented by:
8.11	<b>Educational use of the former Hopefield Primary School site</b>	<b>Director, Education, Communities and Economy</b>

#### Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report that aimed to provide Council with an update and recommendation for the use of the new primary school to be built on the former Hopefield Primary School site further to the request from Council at its meeting on 20 December 2016.

Councillor Constable moved the recommendations contained within the report were accepted.

Councillor Milligan was then heard in support of the report and expressed his view that he was keen that the work to progress the programme was moved forward quickly. He further suggested that particular attention needed to be paid to the road layout and parking around the school.

Mr Bourne then spoke of his delight at the outcome of this work and Councillor Baxter was then heard echoing the comments that had already been made.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Revise the May 2016 decision and approve the construction of a joint campus on the former Hopefield Primary School site with one stream as non-denominational and one stream as the replacement St Mary's Roman Catholic Primary School;

- b) Authorise officers to commence formal consultation on the relocation of St Mary's Roman Catholic Primary School; and
- c) Approve the use of the non-denominational stream of the school as additional capacity for Burnbrae Primary School until such time as it is no longer required.

**Action**

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
<b>8.12</b>	<b>Community Empowerment Act Implementation</b>	<b>Director, Education, Communities and Economy</b>

**Outline of report and summary of discussion**

The Council heard from the Director, Education, Communities and Economy who presented a report which sought to update Council on the progress and implementation of the Community Empowerment Act 2015.

Councillor Bryant moved that the recommendations in the report were accepted and further suggested that a seminar was provided for Councillors following the Election in May.

Councillor Baxter requested information in relation to the Register of Buildings and Land which the Head of Property of Facilities Management provided.

Subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Note progress on implementation of the Community Empowerment Act;
- b) Note the proposal to report back on Governance arrangements following the Local Elections as set out in Section 2.2 of the report; and
- c) Seek a further report on procedures for managing participation requests once the statutory guidance is issued, as outlined in Section 2.3 of the report.

**Action**

Director, Education, Communities and Economy

Report No.	Report Title	Presented by:
<b>8.13</b>	<b>Consultation Response UK Green</b>	<b>Director, Education,</b>

	<b>Paper – Work, Health and Disability</b>	<b>Communities and Economy</b>
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#### Outline of report and summary of discussion

The Council heard from the Director, Education, Communities and Economy who presented a report which provided the Council with the background to the UK Government's consultation and further requested that Council note the response submitted by the Community Planning Partnership.

Councillor Bryant moved that the recommendations contained in the report were accepted which was seconded by Councillor Johnstone.

Subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the response submitted by the Community Planning Partnership

Report No.	Report Title	Presented by:
<b>8.14</b>	<b>MAPPA Annual Report 2015-2016</b>	<b>Joint Director, Health and Social Care</b>

#### Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented a report which referred Councillors to the MAPPA Annual Report for 2015-2016, the final report of the national MAPPA Joint Thematic Review which was published in November 2015 and the Lothian and Borders response to the areas of development identified in the Joint Thematic Review report.

Councillor Johnstone moved that the recommendations in the report were accepted and subsequently the Council agreed the recommendations.

#### Decision

The Council agreed to:

- a) Note the content of the report and the background papers to the report.

Report No.	Report Title	Presented by:
<b>8.15</b>	<b>East Lothian and Midlothian Public Protection Committee Biennial Report 2014-16</b>	<b>Joint Director, Health and Social Care</b>

#### Outline of report and summary of discussion

The Council heard from the Joint Director, Health and Social Care who presented

a report which outlined the requirement of the East Lothian and Midlothian Public Protection committee to submit a Biennial Report to Scottish Government on the exercise of the Committee's functions under section 42 of the Adult Support and Protection (Scotland) Act 2007. Further the report reflects the work undertaken of East Lothian and Midlothian Public Protection Committee 2014/16 thereby informing council of its progress in that time.

Councillor Johnstone moved that the recommendations were approved and subsequently the Council agreed the recommendations.

**Decision**

The Council agreed to:

- a) Note the report and the progress made by the East and Midlothian Public Protection Committee during 2014/16.



## **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:-

- (a) Parking in Midlothian – Report by Director, Resources - Approved
- (b) Premises of the former Bonnyrigg Leisure Centre – Bright Sparks – Report by Director, Resources - Approved
- (c) Head Teacher Appointments for Approval by Midlothian Council – presented by Director, Education, Communities and Economy - Approved