

MINUTES of MEETING of the MIDLOTHIAN COUNCIL held in the Council Chambers,
Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 23 June 2015 at 2.00pm.

Present:- Provost Wallace, Depute Provost Coventry, Councillors Baxter, Beattie Bennett, Bryant, Constable, de Vink, Imrie, Johnstone, Milligan, Montgomery, Muirhead, Pottinger, Rosie, Russell, Thompson. and Young; and Mr V Bourne,

Apologies for Absence:- Mrs M Harkness.

1 Order of Business

The Clerk advised that

- (a) "Follow papers" in respect of agenda items Nos.11 (Paradykes and Roslin Primary Schools); 28 (Local Government Pay and Conditions); and 30 (Newbattle High School Centre) had been issued;
- (b) Additional reports in respect of (i) Resignation of Councillor Thompson both as Leader of the Council and from the Council and (ii) Regeneration Capital Grants, which were dealt with as shown in paragraphs 6 and 28 hereof; and
- (c) The Notice of Motion detailed at item No. 6 on the Agenda (Edinburgh College) had been withdrawn by the mover and seconder.

2 Declarations of Interest

Provost Wallace and Councillors Bennett, Montgomery and Russell all declared non-pecuniary interests in agenda item no.29 – Lothian Mineworkers Convalescent Home (paragraph of the Addendum refers). They each indicated that it was their intention to leave the meeting for the duration of this particular item and not to contribute to any discussion thereof. Councillor Thompson likewise declared an interest in agenda item no.7 – Renunciation of Councillors Allowance (paragraph hereof refers) and that it was his intention to leave the meeting for the duration of this particular item and not to contribute to any discussion thereof.

3 Minutes of Council

The Minutes of Meeting of Midlothian Council of 12 May 2015 were submitted and approved as a correct record.

4 Other Meetings

The undernoted Minutes of Meetings were submitted. The Council noted the Minutes and approved the recommendations contained therein: -

Meeting	Date
Cabinet	21 April 2015

Meeting	Date
Planning Committee	21 April 2015
General Purposes Committee	31 March 2015
Performance Review and Scrutiny Committee	11 March 2015
	11 March 2015
Audit Committee	5 May 2015
Midlothian Safer Communities Board	24 February 2015

5 Questions to Leader of the Council

There was submitted report, dated 12 June 2015, by the Director, Resources, advising that the following written question had been received from Councillor Baxter:-

“Edinburgh City Council has a policy to increase its cycling investment as a % of total transport spending (capital and revenue) by 1% a year, from an initial 5% until it reaches 10%. In 15/16 it reaches 8%. Recently too, there was a call from the leaders of Scotland’s national walking and cycling charities for 10% of transport budgets, national and local, to be allocated to active travel. Allocating known percentages provides consistency and certainty, allowing proper forward planning for cycling staff and projects and enabling more success in applications to Sustrans for match funding.

To ask the Council Leader

- What percentage of Midlothian’s Transport budget (Revenue and Capital) is currently allocated to cycling, using a comparable basis to that used to provide the figures for Edinburgh,
- What output or impact performance measures is the council using to determine the success of its investment in cycling?
- What measures the council intends to put in place to encourage active and sustainable travel across the county.”

In response, the Leader of the Council tabled a response, which is shown in **Appendix I** hereto.

Decision

To note the terms of both the question and response thereto.

6 Election of Leader of the Council and Resignation of Councillor Owen Thompson

There was submitted report, dated 22 June 2015, by the Chief Executive, incorporating a letter dated 22 June 2015, from Councillor Owen Thompson, intimating his resignation (a) as Leader of the Council with immediate effect; and (b) from the Council with effect from 1 July 2015. The report therefore invited the Council to elect a new Council Leader; and to consider the arrangements for filling the casual vacancy.

In amplification of his letter of resignation, the Council heard from Councillor Thompson, who thereafter moved, seconded by Councillor Constable, that Councillor Johnstone be elected as Leader of the Council.

In response, the Council heard from Councillor Muirhead, who thereafter moved, seconded by Councillor Imrie, that Councillor Milligan be elected as Leader of the Council.

On a vote being taken, seven members voted for Councillor Milligan and nine for Councillor Johnstone, who was therefore elected as Leader of the Council.

The Council thereafter noted that (i) the date of the by-election resulting from Councillor Thompson's resignation from the Council would be fixed by the Returning Officer and that this would require to be held by no later than 1 October 2015; and (ii) the casual vacancies occasioned by Councillor Thompson's resignation would require to be addressed in due course.

(Action: Chief Executive/ Director, Resources).

Sederunt

Councillor Thompson left the meeting at this stage (2.20 pm).

7 Renunciation of Councillor Allowance

There was submitted report, dated 8 June 2015, by the Director, Resources, seeking approval of the decision of Councillor Owen Thompson to forego his Members' Allowance following his election to the UK Parliament. Councillor Thompson had requested that his member allowance now be used for the benefit of the Midlothian West Ward. The report confirmed that that it was permissible to vire the Members allowance to an appropriate revenue account.

Decision

To approve the utilisation of Councillor Owen Thompson's members' allowance for the benefit of the Midlothian West Ward.

(Action: Director, Resources)

Sederunt

Councillor Thompson rejoined and Councillor Montgomery left the meeting at this stage (2.22pm)

8 Single Midlothian Plan 2015-16

With reference to paragraph 9 of the Minutes of Meeting of 12 May 2015, there was (a) resubmitted report, dated 10 March 2015, by the Chief Executive, seeking Council's endorsement of the Single Midlothian Plan, and its adoption as the strategic plan for Midlothian Council; and (b) report of a Council seminar on this subject held on 9 June 2015. A summary of the Single Midlothian Plan was incorporated into the Chief Executive's report.

Decision

To approve and endorse the Single Midlothian Plan 2015-16.

(Action: Chief Executive)

9 Delivering Excellence

There was submitted report, dated 12 June 2015, by the Chief Executive proposing the adoption of "Delivering Excellence" as a framework to secure service and financial sustainability in a challenging financial environment for the public sector. The report explained that such a framework would help ensure that limited resources were focussed on achieving the agreed priorities of the Council and its Community Planning Partners. The report provided detailed information on the "Delivering Excellence" Framework; the incorporation of the existing Transformation programme; Governance and Timelines; and Community Engagement.

Decision

- (a) To note that an updated Financial Strategy and revenue budget projections would be reported to Council after the Summer 2015 recess;
- (b) To adopt the Delivering Excellence framework as detailed in the report;
- (c) To endorse the overarching timeline and governance arrangements detailed in the report; and
- (d) To note the proposed engagement and consultation aspects of the framework as detailed in the report and that more detailed proposals in this respect would be developed and brought forward after the Summer 2015 recess.

(Action: Chief Executive/ Head of Finance and Integrated Service Support)

10 Community Management of Assets Policy

There was submitted report, dated 3 June 2015, by the Head of Property and Facilities Management, proposing a new policy on the management arrangement for dealing with the transfer of assets to community groups at all levels, from short term lets to full asset transfer. The report incorporated a copy of the proposed policy. The report explained that Community Management of Assets could take place through either a management agreement; a licence to occupy; a short lease or tenancy agreement; a long lease; or a property transfer. The proposed policy had two distinct routes for determining the most appropriate form of agreement and these were detailed in the report.

Decision

- (a) To adopt the Community Management of Asset policy, and to authorise the Corporate Management Team to amend this as necessary in the event that the Community Empowerment Act required this in the future; and
- (b) That the Director, Resources establish a cross Directorate team to agree a schedule of assets which could be considered for Community Management and that this schedule be published before the end of October 2015 and thereafter maintained on a regular basis; and
- (c) That any property or asset be placed on the register referred to at (b) above as soon as it was deemed surplus to requirements.

(Action: Head of Property and Facilities Management).

11 Paradykes and Roslin Primary Schools – Update report

With reference to paragraph of the Minutes of 12 August 2014, There was submitted report, dated 15 June 2015, by the Head of Property and Facilities Management, on progress to date with the Paradykes and Roslin Primary School projects particularly in respect of the expected Scottish Futures Fund (SFT) funding position and forecast construction costs; the ongoing consultation process; the proposed procurement strategy; and the outcome of negotiations with NHS Lothian.

The report advised, *inter alia*, that :

- the maximum capital which Scottish Government would be prepared to release from the Newbattle Centre project (and therefore provide additional revenue funding support for the Newbattle Centre project) was £9,819,138, subject to compliance with SFT metrics of square metreage space allocation and cost per square metre;
- The consultation in respect of Roslin primary/nursery school indicated that a new school build was preferred and that it would be necessary to provide a 255 pupil school with a 40/40 nursery provision;

- The consultation in respect of Paradykes Primary School , showed that the preferred option was the provision of a combined school and community facility, the preferred elements of which were detailed in the report and that consideration would be given to these through a detailed accommodation schedule review ;
- NHS Lothian had confirmed that they would wish to provide a new health centre as part of the Paradykes replacement project;
- There would be a continued Sure Start provision within the new Paradykes facility;
- Based on the expected school roll over the medium term the new Paradykes Primary school would require to cater for 420 pupils with a 60/60 nursery;
- In the calculation for Scottish Government support a provision had been made for 524m2 for use by Loanhead After School club;
- The current proposals included a provision of a library of 318m2;
- The estimated total costs of the projects was £22.921m, providing a total floor space of 8,446m2.

Decision

- (a) To note the response from SFT on behalf of Scottish Government confirming the funding for Paradykes and Roslin Primary school up to a maximum of £9,819,138;
- (b) To note the school accommodation schedules for: Paradykes Primary School, catering for 420 Pupils and a 60/60 nursery; and for Roslin Primary School, which catering for 255 Pupils and a 40/40 nursery;
- (c) That further reports be submitted, reviewing:-
 - the proposed levels of accommodation;
 - the principles of shared services;
 - the application of the SFT cost and space metrics; and
 - the expected overall cost of these new facilities;
 - the use of Council resources for these new assets;
- (d) To note the progress on the design development;
- (e) To note the intended procurement strategy for the project;
- (f) To note the agreed plans, schedule of accommodation and estimated costs associated with the Medical Practice and that the Director, Resources continue with the design development until such time as full NHS governance was in place;

- (g) To note that the estimated cost of the NHS element of the project was £2.358 million which would need to be fully funded by NHS Lothian, whilst an agreement would need to be reached in respect of the actual allocation of professional fees and other costs ;
- (h) To approve the inclusion of £1.000 million of Capital Costs within the General Services Capital Plan to cover expenditure up to the tender stage of the project; and
- (i) To otherwise note the report.

(Action: Head of Property and Facilities Management).

12 Lasswade Centre Proposed New All Weather Surface Pitch, Consultation Report

There was submitted report, dated 3 June 2015, by the Head of Property and Facilities Management, advising the Council on the outcome of the consultation for a Proposed New All Weather Surface Pitch at the Lasswade Centre and seeking the Council's approval to tender for the procurement of the preferred outcome. The report advised that, taking account of the returns and existing facilities in the area, a new synthetic turf pitch suitable for hockey would best meet the needs of the majority of stakeholders and would attract more people to participate in a wider variety of sport. This surface could also be used for tennis and as a training facility for most sports. The estimated cost of this provision was £623,000.

Decision

- (a) To agree that, based on the consultation returns and the existing facilities within the area, the preferred option was a new sand filled synthetic turf pitch at the Lasswade Centre, suitable for playing hockey;
- (b) That the Director, Resources progress the procurement of the preferred new synthetic turf pitch option at the Lasswade Centre; and
- (c) That the Director, Resources consider future investment into the existing Poltonhall synthetic pitches in order to provide an upgraded cushioned synthetic turf pitch, suitable for playing rugby and football.

(Action: Head of Property and Facilities Management).

13 Midlothian Integration Joint Board – Financial Assurance

There was submitted report, dated 2 June 2015, by the Head of Finance and Integrated Service Support, updating the Council on the work undertaken to date on financial assurance in relation to the delegation of financial resources to the Midlothian Integration Joint Board and on the work plan going forward.

The report reminded the Council that the Integration Board's budget would initially encompass:-

- The Council's Adult and Social Care and Criminal Justice budgets.
- The Midlothian Community Health Partnership's (CHP) core services, including community hospitals, GMS and GP prescribing.
- A share of the Delegated Hosted Services which are managed on a pan-Lothian basis by all CHPs.
- A share of NHS Lothian's delegated Acute Services.

The budget had therefore been set at a level which supported the existing staffing establishment; allowed the service to meet the Council's policy of providing social care services where a service user had a need which was assessed as critical or substantial; and built in an allowance for the anticipated increase in demand for Adult and Social Care services as a result of demographic pressures. The Council's Adult and Social Care budget would, in due course, and no later than 1 April 2016, be delegated to the Midlothian Integration Joint Board along with the NHS elements.

The report also explained that work was ongoing at both a Lothian-wide level, through the Pan Lothian Section 95 Officers' Finance Working Group, and at a local level, to develop governance arrangements in relation to the IJB and a financial control framework, including financial regulations. A due diligence report was scheduled to be submitted to the Midlothian Integration Joint Board in August 2015 and a further report on the various workstreams, including an update on the work being undertaken by NHS Lothian on financial assurance, would be presented to Council in the Autumn of 2015, as part of the ongoing process of financial assurance.

Decision

- (a) To note the work undertaken to date on financial assurance in relation to the delegation of financial resources to the Midlothian Integration Joint Board;
- (b) To note the work plan for the remainder of 2015-16; and
- (c) To receive an update report later in the year.

(Action: Head of Finance and Integrated Service Support).

14 Reducing Reoffending Partnership

There was submitted report, dated 11 May 2015, by the Director, Resources, inviting the Council to consider the recommendations of the Midlothian Safer Communities Board in relation to the Council's discharge of its responsibilities in respect of reducing re-offending, following the disestablishment of Community Justice Authorities (CJA) on 31 March 2017. The Safer Communities Board had recommended, as follows:-

“To recommend to the Council, that the Community Safety Partnership’s functions be expanded to include the reduction of reoffending and that from 10 November 2015 be renamed as the Safer Communities and Shadow Reducing Reoffending Partnership, with the shadow element of this arrangement ceasing on 31 March 2017 when CJAs would be disestablished.”

Decision

To adopt the recommendation of the Midlothian Safer Communities Board.

(Action: Joint Director, Health and Social Care).

15 Partnership Working - Update Report

There was submitted report, dated 5 June 2015, by the Chief Executive, updating the Council on the progress of the joint partnership working activities/initiatives undertaken as part of the partnership working agenda across East Lothian and Midlothian Councils. The report detailed the areas of current joint partnership activity and those areas where there had been increased collaborative activity.

The report also advised that in respect of a pilot partnering approach to delivering Environmental Health and Trading Standards Services, (i) the arrangement for Environment Health ended on the 31 March 2015 and the management arrangements had ended on 31 May 2015, without agreement on future joint working; and(ii) in respect of Trading Standards, the experience of the pilot partnership, the external national context, and the outcome of substantial discussion with the staff in both Councils, indicated that forming a single Trading Standards service could be regarded favourably. Accordingly, work was ongoing to examine issues relating to governance, location, resourcing, and operational working practices with a view to recommending a move to a partnership service within the next six months. Further examination of the Health and Safety function to include Emergency Planning was being considered and a progress report would be submitted later in 2015, whilst both authorities were scheduled to submit reports to their respective Councils in relation to the Roads Collaborative project being led by the Improvement Service.

Decision

To note and approve the current position regarding Partnership Working activities.

16 Regulations for the Delivery of Community Learning and Development

There was submitted report, dated 2 June 2015, by the Director Education Communities and Economy, advising that the Education (Scotland) Act had been amended and now required Councils to ensure adequate and efficient delivery of Community Learning and Development activities in partnership with Community Planning Partners in each area. The report therefore incorporated a strategy and action plan which required to be published by September 2015 to meet this requirement and accordingly sought approval of both the recommended strategy and action plan.

Decision

- (a) To approve the Community Learning and Development Plan; and
- (b) To note the risks and further developments requirements set out in the report.

(Action: Director Education Communities and Economy).

17 School Session Dates for the Academic Year 2016/17

There was submitted report, dated 2 June 2015, by the Director Education Communities and Economy, presenting proposed School Session Dates for the Academic Year 2016/17.

Decision

To approve the School Session dates for 2016/17 as detailed in **Appendix II** hereto.

(Action: Director Education Communities and Economy).

18 Strategic Development Plan for South East Scotland (No. 2): Main Issues Report

There was submitted report, dated 5 June 2015, by the Head of Communities and Economy, advising the Council of the preparation of the Main Issues Report of the Strategic Development Plan for Edinburgh and South East Scotland and seeking the Council's approval of the Report for publication and public consultation. The Main Issues Report had been approved for this purpose by the Strategic Development Planning Authority for Edinburgh and South East Scotland on 29 May 2015.

Decision

- (a) To ratify the decision of the Strategic Development Planning Authority for Edinburgh and South East Scotland to approve the South East Scotland Strategic Development Plan No. 2: Main Issues Report for publication and public consultation along with its associated documents comprising the Monitoring Statement, the Interim Environmental Report, and the Equalities and Human Rights Impact Assessment; and
- (b) That further reports be submitted at the remaining key statutory stages in the preparation of the Strategic Development Plan.

(Action: Head of Communities and Economy).

Sederunt

Councillor de Vink left the meeting during discussion of the foregoing item of business (3.30 pm) and Councillor Thompson left the meeting at this stage (3.35 pm).

19 Footway and Footpath Network Condition

With reference to paragraph of the Minutes of 16 December 2014, there was submitted report, dated 15 June 2015, by the Head of Commercial Operations, bringing to Council's attention the current footpath maintenance backlog in older housing estates which were generally only inspected on an ad hoc basis and have minimal maintenance undertaken on them. The report advised that to address footway maintenance backlog across Midlothian was estimated to cost £12.5M. This estimate related only to public footways maintained by Road Services in terms of the Road (Scotland) Act 1984 and excluded footpaths maintained by housing associations and the Council as Housing Authority via the Housing Revenue Account.

The report detailed all footways and footpaths for repair within older housing estates and advised that the estimated cost of this specific work was £5.772m spread over the years 2015/16 to 2017/18. The report also highlighted that the Housing Revenue Account (HRA) could not be used to fund a footpath improvement programme and the full cost would therefore need to be met through the Council's General Services Capital Plan. Implementation of a programme at this cost would increase the projected revenue budget shortfall in 2017/18 by a further £0.262 million, to £5.207 million.

Decision

- (a) To formally adopt the footways and footpaths detailed in **Appendix III** hereto onto the General Services Account;
- (b) To note the financial implications of full investment to upgrade these footways and footpaths and the impact this would/could have on the opportunities for investment in other capital projects;
- (c) To accordingly approve an investment of £2.0m in upgrading footpaths in recognition of the Council's overall financial position and that a programme of work be prepared, based on this level of investment;
- (d) To note that in approving an investment of £2.0m this would increase the projected revenue budget gap by £0.128 million to £5.073 million in 2017/18;
- (e) To note the intention of the Director Resources to implement an inspection and maintenance regime to ensure public safety;
- (f) To note that an update report would be submitted in 2017/18; and
- (g) That officials investigate the possible use of funding from the HRA to possibly accelerate the overall programme.

(Action: Head of Commercial Operations/Head of Finance and Integrated Service Support).

20 Procurement Strategy 2015 - 2018

There was submitted report, dated 1 June 2015, by the Head of Finance & Integrated Service Support inviting the Council to approve a new Procurement Strategy for the period 2015 – 2018. The revised and updated strategy had been incorporated into the report.

Decision

- (a) To note the continuing engagement with local businesses in both shaping the strategy and in respect of tendering processes related to the Scottish Local Government Capital market;
- (b) To approve the Procurement Strategy 2015–2018, as presented; and
- (c) That officials investigate the possible expansion/enlargement of the Procurement Service on the basis of investment at this stage securing longer term savings.

(Head of Finance and Integrated Service Support).

Adjournment and Re-convention

The meeting adjourned at 4.05 pm and reconvened at 4.18 pm when there were present:-

Provost Wallace, Depute Provost Coventry, Councillors Baxter, Beattie Bennett, Bryant, Constable, Imrie, Johnstone, Milligan, Muirhead, Pottinger, Rosie, and Young, and Mr V Bourne.

21 Financial Statements for the year ended 31 March 2015

There was submitted report, dated 4 June 2015, by the Head of Finance and Integrated Service Support on the Financial Statements for the year ended 31 March 2015. The report provided a brief overview of the main developments in the Council's Financial Statements for 2014/15. The report advised that at 31 March 2015, the General Fund Balance was £21.315 million of which £8.472 million was earmarked for specific purposes leaving a general reserve of £12.843 million; and the Housing Revenue Account Balance was £21.376 million which was an increase of £3.002 million on the position at 31 March 2014.

Decision

To note the report.

22 Financial Monitoring 2014/15 – General Fund Revenue

There was submitted report, dated 1 June 2015, by the Head of Finance and Integrated Service Support providing information on performance against revenue budget in 2014/15 and details of the material variances. The report advised that detailed budget performance figures showed a net underspend of £4.734 million which was 2.47% of the revised budget for the year.

Decision

- (a) To note that the staffing structure at Newbyres Care Home was being reviewed to address (i) the issues of high sickness absence levels and (ii) the increasing cost of meeting the needs of clients with high dependency levels, all with a view to eliminating the overspend at this facility;
- (b) To note that it was anticipated that printing and postage costs would reduce once the programmes for the installation of multi service devices and a Democratic Management System were complete;
- (c) To note the work planned to review the ongoing impact of variances identified in 2014/15 as outlined in the report and that a report on this work would be submitted to the meeting scheduled for 22 September 2015; and
- (d) To otherwise note the report.

(Action: Head of Finance and Integrated Service Support).

23 General Services Capital Plan 2014/15 Final Outturn

There was submitted report, dated 4 June 2015, by the Head of Finance and Integrated Service Support, detailing the final outturn on the General Services Capital Plan for 2014/15. The report advised that actual expenditure in the year was £11.401 million, a net underspend of £0.163 million. The report also explained that the increase in borrowing detailed in the report was attributable to the Newbattle Centre and had increased the overall cap on debt outstanding for the General Services Capital Plan from £114 million to £121.276 million. However, the Council could no longer inject Capital into the Newbattle Centre project in order to comply with the Scottish Government's revised proposals regarding ESA 10. The cap on debt outstanding therefore needed to be rebased to £114 million.

Decision

- (a) To note the General Services Capital Plan outturn position for 2014/15; and
- (b) To approve the revised cap on debt outstanding at £114 million.

(Action: Head of Finance and Integrated Service Support).

24 Housing Revenue Account - Revenue and Capital Final Outturn 2014/15 and Capital Plan 2015/16-2017/18

There was submitted report, by the Head of Finance and Integrated Service Support detailing the final outturn position for 2014/15 for both the Housing Revenue Account (HRA) Capital Plan and the Revenue Account and a revised capital plan for 2015/16 to 2017/18, reflecting the carry forwards from 2014/15. The final outturn for Revenue was an underspend of £0.346 million. The HRA Reserve balance at 31 March 2015 was £21.377 million which would be required to finance existing investment commitments in future years in line with the long term HRA Capital Strategy. The Capital Plan projected outturn for 2014/15 was an underspend of £0.052m.

Decision

To note the report.

25 Annual Treasury Management Report 2014/15

There was submitted report, dated 3 June 2015, by the Head of Finance and Integrated Service Support, advising the Council of the Treasury Management activity undertaken in 2014/15 and the year end position. The report highlighted that :-

- Total new long term borrowing taken in the year amounted to £10 million, sourced 100% from PWLB and thereby taking advantage of historically low PWLB rates;
- The average rate of interest paid on external debt was 3.59% in 2014/15, down from 3.68% in 2013/14;
- The average rate of return on investments was 0.85% in 2014/15, which outperformed the Capita Local Authority benchmarks for the year;
- The internal loans fund rate decreased from 3.46% in 2013/14 to 3.23% in 2014/15, which was expected to be one of the lowest when benchmarked against all mainland Authorities in Scotland;
- Had the internal loans fund rate equated to the Scottish average of 4.52%, this would have generated loan charges in 2014/15 of £18.3m. as opposed to the actual 2014/15 loan charges for General Services and HRA of £15.0m, representing a saving compared to the Scotland average of £3.3m in 2014/15; and
- No debt rescheduling had been undertaken during 2014/15.

Decision

To note the report.

26 Car Parking in Midlothian

There was submitted a Note of a Seminar of the Cabinet held on 26 May 2015, in relation to car parking in Midlothian, as shown in **Appendix IV** hereto.

Decision

- (a) To note that officers were pursuing options to replace the Traffic warden service previously administered by Police Scotland and would report in this respect in due course; and
- (b) To otherwise note the report.

27 Midlothian Council Grants – Transition Fund

There was submitted report, dated 13 March 2015, by the Joint Director Health & Social Care, providing the Council with information on both the decision making process and financial governance in relation to the allocation of grants under the Transition Fund. The report provided detailed information in respect of the purpose of the fund; the criteria which had to be met to permit an application to be submitted; the assessment and scoring of applications; and the resources available to the Fund.

Decision

To note the report.

28 Regeneration Capital Grants Fund

There was submitted report, by the Director, Education Communities and Economy, advising the Council of an opportunity to bid for funding from the Scottish Government's Regeneration Capital Grants Fund (RCGF). The report proposed to seek grant funding to support capital investment in an Arts /Theatre Complex in the Newtongrange area. The indicative cost of the project was £6.5m.

The report drew attention to the Council's previous application for funding for this project to Creative Scotland, which had been rejected. Any application to the RCGF funding required to be submitted by 10 July 2015. The report also advised that since the rejected bid to Creative Scotland, there had been further discussions with the National Mining Museum of Scotland(NMMS) focussing on the Borders Rail Line and the Scottish Government's associated investment fund. There was therefore potential to match any RCGF funding with the Borders Rail fund. The area, and potentially the project could also be eligible for LEADER European funding, subject to the success of the current Tyne Esk LEADER bid, which also offered potential for additional capital funding beyond the RCGF funding. There was also a possibility that the proposal could feature as part of a prospective list of projects for inclusion in the City Deal submission which, in turn, could lever in further funding opportunities.

Decision

- (a) To approve the submission of a bid for funding from the current round of the Scottish Government's Regeneration Capital Grant Fund for the establishment of an Arts and Theatre complex in Newtongrange;
- (b) To engage further, as far as was possible having regard to the short timeframe available for the submission of applications, with the National Mining Museum of Scotland, and local arts community in the preparation of the bid; and

- (c) That the Director, Education, Communities and Economy to progress the financial assurance work detailed in the report and, in the event that the RCGF bid was successful that a further report on the outcome be submitted before a formal commitment to the project was made by Council.

29 Exclusion of Members of the Public

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 items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 6, 9 and 11 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- (a) Review of Local Government Staff Terms and Conditions – To note and approve the recommendations;
- (b) Lothian Mineworkers Convalescent Home Trust – To approve the recommendations on funding; and
- (c) Newbattle Centre Stage Two Project Approval Submission – To note the report and approve the recommendations contained therein.

Sederunt

Provost Wallace and Councillor Bennett left the meeting (5.15 pm) prior to deliberation of the report at 28(b) above, Provost Wallace rejoining the meeting at 5.45 pm.

The meeting terminated at 6.20pm.

APPENDIX I

(relative to paragraph 5)

Response by Leader of the Council

Question to the Leader of the Council

In terms of Standing Order 4.2(viii), the following written question has been received from Councillor Baxter:-

"Edinburgh City Council has a policy to increase its cycling investment as a % of total transport spending (capital and revenue) by 1% a year, from an initial 5% until it reaches 10%. In 15/16 it reaches 8%. Recently too, there was a call from the leaders of Scotland's national walking and cycling charities for 10% of transport budgets, national and local, to be allocated to active travel. Allocating known percentages provides consistency and certainty, allowing proper forward planning for cycling staff and projects and enabling more success in applications to Sustrans for match funding."

To ask the Council Leader

What percentage of Midlothian's Transport budget (Revenue and Capital) is currently allocated to cycling, using a comparable basis to that used to provide the figures for Edinburgh,

Category	Spend	Cycle Estimate	Percentage
Revenue	£ 3,292,000	£ 26,000	
Capital	£ 2,411,000	£ 19,000	
Specific Projects	£ 751,000	£ 751,000	
Total	£6,454,000	£796,000	12.33%

A copy of the Edinburgh Report is enclosed and further work is required to allow a Midlothian Comparison to be made on a like for like basis with Edinburgh.

"What output or impact performance measures is the council using to determine the success of its investment in cycling?"

In accordance with the recent Local Transport Strategy the intervention levels used to measure the success of the strategy are:-

1. Improve, extend and maintain the cycle network.
2. Ensure new developments are accessible by bicycle.
3. Consider safety in design of all new facilities.
4. Improve safety of children cycling to school.
5. Raise awareness and promotion of cycling.
6. Monitor volume of cyclists on cycle paths
7. Increase participation of cycle interest groups.

“What measures the council intends to put in place to encourage active and sustainable travel across the county.”

Building on the work of the previous Transport Strategy, Midlothian Council will introduce its first stand alone Cycling Strategy in 2015. The initial consultation process has been completed and the Strategy will include a framework to develop cycle routes connecting Midlothian’s communities, “cross border” routes, commuting routes to Edinburgh, town cycle networks, cycling road safety, cycleway signing,

Appendix II
(relative to paragraph 17)

DAY SCHOOL SESSION DATES 2016 / 17

TERM 1	Staff Resume	Thursday*	18	August	2016
	Pupils Resume	Monday	22	August	2016
	Autumn Holiday	Friday	16	September	2016
		Monday	19	September	2016
	All Resume	Tuesday	20	September	2016
Mid Term	All Break	Friday	14	October	2016
	All Resume	Monday	24	October	2016
	Term Ends	Friday	23	December	2016
TERM 2	All Resume	Monday	9	January	2017
Mid Term	Pupils Break	Friday	10	February	2017
	Staff Break	Tuesday*	14	February	2017
	All Resume	Monday	20	February	2017
	All Break	Friday	31	March	2017
	<i>Good Friday</i>	<i>14th April</i>			
	<i>Easter Monday</i>	<i>17th April</i>			
TERM 3	All Resume	Tuesday	18	April	2017
	May Day	Monday	1	May	2017
	All Resume	Tuesday	2	May	2017
	Victoria Day	Monday*	22	May	2017
	Pupils Resume	Tuesday	23	May	2017
	Term Ends	Friday	30	June	2017

*** Staff In Service Days:** Thursday 18th & Friday 19th August 2016
Monday 13th & Tuesday 14th February 2017
Monday 22nd May 2017

Appendix III**(relative to paragraph 19)****IDENTIFIED REPAIR/UPGRADE OF NON-ADOPTED AND ADOPTED FOOTWAYS AND FOOTPATHS**

Area / Town	Non adopted £	Length (m)	Adopted £	Length (m)
Auchendinny	0	0	101,000	1,000
Bonnyrigg	580,000	5,500	315,000	3,000
Carrington	0		90,000	800
Cousland	0		85,000	1,200
Dalkeith	105,000	950	415,000	4,250
Danderhall	80,000	700	100,000	2,200
Easthouses	50,000	500	90,000	1,100
Eskbank	0		250,000	2,400
Gorebridge	60,000	600	450,000	5,000
Loanhead	65,000	600	515,000	4,900
Mayfield	395,00	4,000	135,000	1,250
Newtongrange	15,000	150	185,000	1,800
Pathhead	0		285,000	2,750
Penicuik	401,000	4,000	1,005,000	9,500
Total	1,751,000		4,021,000	

Summary	
Non Adopted	£1,751,000
Adopted	<u>£4,021,000</u>
	<u>£5,772,000</u>

- Notes: 1) Non adopted footways relates to back alleys and other access points to a house.
2) Adopted footways generally relates to the main access point to the house.

Appendix IV

(relative to paragraph 26)

NOTE of SEMINAR of Cabinet held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 26 May 2015 at 11.20 am.

Present:- Councillors Beattie, Bryant, Constable, Johnstone, Imrie, Milligan, Pottinger, Rosie, Russell and Young.

1 Chair

In the absence of Councillor Thompson, Councillor Constable was appointed to the Chair.

2 Declarations of Interest

No declarations of interest were intimated.

3 Car Parking in Midlothian

Introduction and Background

The Head of Commercial Operations was heard advising that a report entitled 'Midlothian Council Parking Standards' was presented to Cabinet on 3 March 2015 for consideration. The report set out the standards for parking at all new developments in Midlothian. At the meeting the following was agreed;

- (a) To approve the new Midlothian Council Parking Standards as detailed in the report; and
- (b) To hold a Seminar to which all elected Members be invited on this matter.

The Head of Commercial Operations was heard in amplification of the report and thereafter provided a detailed presentation including:-

Parking Topics such as

- Proposed Parking Standards Residents Parking Survey (Dalkeith)
- Leased car parks (Dalkeith)
- Parking Restrictions / Yellow lines
- Decriminalised Parking / Traffic Warden Service

Options:

- Do nothing (some local authorities are doing this)
- Consideration should be given to parking issues in Dalkeith and Penicuik currently with the skeleton service in place

- Seek agreement from Police Scotland for a longer term agreement to retain a traffic warden
- This may not be possible
- Commission a feasibility study specific to Midlothian – identifying the most cost effective scheme

This would provide profit / loss scenarios such as

Existing parking restrictions

Extending parking restrictions (more yellow lines)

More / less wardens

Adding off street parking charging

Adding on street parking charging

As a very rough estimate – audit of TROs, feasibility and business case could cost £100k-£200k

It was also highlighted that the City of Edinburgh Council had a mature scheme with a variable contract and that Edinburgh were keen to expand and involve neighbouring authorities although this did not negate the legal requirements of auditing traffic regulation orders and presenting business case to the Scottish Government.

4 Questions

Following questions from Members, the following points were particularly noted:-

- (a) That regular meetings were held with Traffic Wardens etc to monitor the situation throughout Midlothian;
- (b) That the issue of appropriate advertising and signage were continually discussed and largely covered by legal statute
- (c) That the possibility of longer free periods for parking could be considered as long as it remained cost neutral;
- (d) That the previous Scottish Government stance on decriminalisation having to be cost neutral had softened and that all options were considered on a case by case basis;
- (e) That the option of arranging a “one day blitz” on illegal parking etc throughout Midlothian by utilising Traffic Warden staff from Edinburgh on a 4 weekly basis for example was worth considering, although it could only be carried out following the introduction of decriminalised parking in Midlothian;
- (f) That in line with most of the views expressed by elected Members, the option of “buying in” to the City of Edinburgh scheme appeared to be the most sensible and cost effective way forward;
- (g) It was confirmed that any income from decriminalised parking would be used to offset the cost of introducing a scheme.

In conclusion, the Chair thanked Mr Moffat for his highly informative presentation and on behalf of the Council requested him to consider any other options and to consider further the option of linking in with the City of Edinburgh Council's scheme and reporting back to Council in due course.

The meeting terminated at 12.22 pm.