

MINUTES of MEETING of the MIDLOTHIAN COUNCIL CABINET held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 13 November 2012 at 11.10am.

Present:- Councillors Constable (Convener), Beattie, Bryant, Johnstone and Thompson.

Religious Representative Present:- Mrs M Harkness

Apologies: Mr V Bourne and Mr P Hayes (Religious Representatives)

1 Declarations of Interest

There were no declarations of interest.

2 Minutes – (a) 2 October 2012

The Minutes of Meeting of 2 October 2012 were submitted and approved as a correct record, subject to the decision recorded in paragraph 3 thereof (Proposal to Review the Denominational Primary School Estate) being amended to read:-

“To continue consideration of the report to allow it to form part of a wider review of the school estate”.

(b) 30 October 2012

The Minutes of Meeting of 30 October 2012 were submitted and approved as a correct record.

3 Update on Implementation of Modernisation in Day Services

There was submitted report dated 2 October 2012 by the Acting Director, Communities and Wellbeing, advising the Committee of the improvements achieved through service redesign of the day service provision for adults with learning disabilities following a reconfiguration of services in October 2011 and the positive feedback from regulators and service users.

The report explained that day services were reconfigured in October 2011, moving from a two-centre model to a model of one centre and one community-based team, with new, specific roles for each. The Care Inspectorate, had inspected both new services and had graded them as improved from the previous services; the changes to services had been received very positively by the vast majority of service users; and where the changes had not been as well-received, work had been done to identify and resolve the issues. It was intended that work around improving the quality and value of services would continue, aligned to the development of a new local learning disability strategy.

Decision/

Decision

- (a) To note the changes that had taken place through the programme of day service modernisation;
- (b) To note the very positive feedback from external regulators and service users in relation to the changes; and
- (c) To note the intention to continue developing day services to deliver best outcomes for service users and ensure quality and value in provision for adults with learning disabilities.

4 Strategic Development Plan for Edinburgh and South East Scotland (SESplan) Update

There was submitted report, dated 22 October 2012, by the Head of Planning and Development, presenting the Minutes of the Meeting of 29 June 2012 of the Strategic Development Planning Authority for Edinburgh and South East Scotland (SESplan) Joint Committee; advising on matters arising from that Minute; and updating the Cabinet on progress towards approval by Scottish Ministers of the proposed Strategic Development Plan.

The report advised that, in respect of the proposed Strategic Development Plan, the Directorate for Planning and Environmental Appeals (DPEA) had appointed two Reporters to conduct an Examination into the representations received which remained unresolved and to produce a report with any proposed modifications to the proposed Plan. The target date for the production of this report was June 2013.

The report also advised that as part of the plan preparation process, a Habitats Regulations Appraisal of the Proposed Plan had been undertaken, the purpose of which was to establish if the Proposed Plan could result in 'likely significant effects' for sites which form part of the Natura 2000 network (European Sites). None of the European Sites within Midlothian (Fala Flow and Gladhouse Reservoir Special Protection Areas and Peeswit Moss Special Area of Conservation) were affected by the proposed Plan. However the Council was now required to ratify the Record of this Appraisal.

Decision

- (a) To note the Minutes of 29 June 2012 of the Edinburgh and South East Scotland Strategic Development Planning (SESplan) Joint Committee and matters arising;
- (b) To note the arrangements and timetable for the Examination of the proposed Strategic Development Plan for Edinburgh and South East Scotland; and
- (c) To ratify the Record of Habitats Regulations Appraisal, including Appropriate Assessment, for the proposed Strategic Development Plan.

(Action: Head of Planning and Development)

5 National Planning Framework 3

There was submitted report, dated 26 October 2012, by the Head of Planning and Development, advising the Cabinet about the work begun by the Scottish Government in preparation for its third National Planning Framework (NPF3): the consultation arrangements; the timetable for preparation; and the call for potential developments of national significance which should be included.

The report outlined the timetable to be followed in the preparation of NPF3 which was expected to be finalised by June 2014 and advised that the Scottish Government had distributed information packs to all Community Councils in Scotland in addition to elected Members and which would be supplemented by a series of public event “drop – in” sessions.

In respect of potential national developments in Midlothian , the report suggested that projects to (i) provide infrastructure to further develop the Bush Estate Centre of Scientific excellence; (ii) provide improvements to the A720 Edinburgh City Bypass; and (iii) under the auspices of the Central Scotland Green Network be submitted.

Decision

- (a) To note the current stage of preparation being undertaken by Scottish Government in its preparation of National Planning Framework 3; and
- (b) To submit to Scottish Government information to support the inclusion of (i) infrastructure to further develop the Bush Estate Centre of Scientific Excellence; (ii) improvements to the A720 Edinburgh City Bypass; and (iii) projects under the auspices of the Central Scotland Green Network as national developments in NPF3.

(Action: Head of Planning and Development)

6 Inclusive Outdoor Equipped Play Areas

There was submitted report, dated 12 October 2012, by the Director, Corporate Resources, advising that following a survey of local authorities in June 2012, by the Scottish Governments Equal Opportunities Committee on *Inclusive Play* accessible by disabled children, Committee had requested further information on Midlothian Council’s approach to the issue. The report therefore proposed that the provision of bespoke inclusive play equipment be prioritised at town centre parks where there was suitable nearby parking and appropriate path access to the play facility and that at town centre parks where there was not sufficiently good disabled access to the play facility, that improved access be prioritised over new equipment.

The report further proposed that priority for the inclusion of play facilities for disabled people be given to:-

Bonnyrigg, King George V Park
Loanhead, King George V Park
Newtongrange, Welfare Park
Gorebridge, Vogrie Country Park.

Dalkeith Kings Park
Mayfield, Mayfield Park
Penicuik, Penicuik Park

The remaining non-town centre play areas, which included all other Council owned play areas would continue to provide for all ages and abilities and opportunities to improve provision for disabled users would be identified through park quality assessments with actions prioritised accordingly and implemented as budgets allowed.

Decision

To adopt the policy of prioritising town centre parks as the key sites for locating Inclusive Play and to continue to improve access to play facilities through park quality assessments.

(Action: Head of Commercial Operations)

7 New Social Housing – Progress Report – Phase 1 & Phase 2

There was submitted report, dated 25 October 2012, by the Director, Corporate Resources, providing an overview of proposed next steps for Phase 2 of the Social Housing Programme and updating the Cabinet on progress with Phase 1. The report explained that at this stage it was not recommended that a Building Contractor be appointed for any Phase 2 construction work due to OJEU restrictions with the existing contractor framework. There were also benefits in developing new detailed tender submissions for cost appraisal purposes.

The report therefore proposed to develop parallel working of:-

- (a) Preparation of the detailed procurement relating to the award of a construction main contractor or contractors, dependant upon further analysis of which would best suit the Council requirements to deliver and control development; and
- (b) Preparation of design and detailed tender information for selected sites as a basis of providing detailed information which would be used for the overall contractor procurement and also promoting the potential for earlier start(s) on site.

It was intended to adopt the following process and procedures:-

- Appointment, via a mini-tender, of external consultants to progress the design, site layouts, house types, costs and consents etc. for three Initial sites;
- The initial sites for development would be: Site 9 - Craigiefield Crescent, Penicuik; Site 18 - Eastfield Drive, Penicuik; and Site 42 - Jackson Street, Penicuik subject to the list being adjusted should there be any incumbant restrictions which impacted on the effectiveness of a site for development. The outcome of this work would be added to the Main Contractor Tender information along with the other requirements of the Council;

- Site Investigations and relevant surveys would initially be procured relating to these initial sites and would be used to inform the basis for costs relating to design, remediation and risks;
- Further Site Investigations and Surveys would also be procured on an ongoing basis to suit the programme for the remaining sites which would also be used, as available, to form part of the Main Contractor Tender information along with the other requirements of the Council;
- Development of the wider Main Contractor procurement options and Tender information along with the other requirements of the Council would be progressed; and .
- Procedures would be discussed with Head of Planning and Development with a view to optimising the timescales and procedures of obtaining consents which would benefit from early preparation of the design relating to the initial sites and also the development of House and Flat Types.

The anticipated timescales for the programme were as follows:-

Consultants Tender - November 2012
 Consultants Appointment - Start December 2012
 Conclude Design Stage for the Initial Sites - June 2013
 Planning and Building Warrant Approvals (Initial Sites) - Subject to Progress
 Develop Wider Main Contract Procurement Information - November to June 2013
 Main Contract Tender Period - July to August 2013
 Tender Evaluation and Award - September 2013
 Earliest potential Construction Start on Site - September 2013.

In respect of those sites from within phase 2 but which had design team and contractor appointments made under the Phase 1 Terms of Contract the report advised that:-

Site 2 Woodburn Road, Dalkeith – Housing and Home for Young Persons - Work had commenced in September 2012 with an anticipated completion date of September 2013; and

Site 37 (Eastfield Drive, Penicuik) – Housing, Home for Young Persons and Extra Care Housing - Work commenced on site in March 2012 for ground remediation works and in April 2012 for the main contract, with an anticipated completion date of January 2014.

In respect of Phase 1, the Project had now entered in to the defects period following the completion of the construction stage with a total of 864 homes built. The programme was predicted to cost £108,407,497 with the current budget set at £108,683,517.

Decision

- (a) To approve the process to appoint an external Consultant for Phase 2 as outlined in the report;

- (b) To approve the anticipated timeframes as detailed in the report;
- (c) To approve the undertaking of site investigative works and surveys in respect of those sites at Craigiebiel Crescent, Penicuik; Eastfield Drive, Penicuik; and Jackson Street, Penicuik ;
- (d) To authorise officials to adjust the list of preferred sites should there be any restrictions which impact the effectiveness of any of the initial sites for development;
- (e) To note the progress at Woodburn Road, Dalkeith and Eastfield Drive, Penicuik sites;
- (f) That officials explore all avenues to ensure that as many Midlothian people were employed in the programme as was possible ; and
- (g) That officials seek to ensure that local sub – contractors were paid timeously by the appointed main contractors.

(Action; Head of Property and Facilities Management).

The meeting terminated at 11.45 am.