

MINUTES of MEETING of the MIDLOTHIAN COUNCIL CABINET held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 6 March 2012 at 11.00am.

Present:- Councillors Milligan (Convener), Boyes (Depute Convener) Aitchison, Bennett, Chalmers, Imrie and Muirhead.

Religious Representatives Present:- Mr P Hayes, Mr V Bourne and Mrs M Harkness.

1 Declarations of Interest

No declarations of interest were intimated.

2 Minutes

The minutes of meetings of 7 and 21 February 2012 were submitted and approved as correct records.

3 Report of Seminar of the Cabinet of 22 February 2012

The Report of the Seminar of the Cabinet (on Education Attainment) of 22 February 2012, as shown in **Appendix i** hereto was submitted and approved as a correct record.

4 Edinburgh Science Triangle Phase 4

There was submitted report, dated 7 February 2012, by the Director, Corporate Resources, providing details on the operation of the Edinburgh Science Triangle (EST) phase 4 project initiative by The City of Edinburgh Council (CEC) and seeking approval for the Council's funding commitment of £6,000 to the project in financial year 2012/13.

The report highlighted that until 31 December 2011, Midlothian Council had undertaken the project governance for EST phase 3, which effectively ended on this date. The governance function included the financial management of EST phase 3. Whilst the funding arrangements for phase 3 ended on 31 December 2011, the Council would require to be involved in the formal financial closure of the project by 16 April 2012. Staff in the Council's Economic Development Section (EDS) led on this work in close liaison with Divisional colleagues, and EST partners.

The report advised that it was proposed that EST phase 4 focus on the undernoted workstreams:

Marketing and Investment

- Promote the Science Parks.
- Promote the profile of Edinburgh and the Lothians as a location for inward investment.
- Provide relevant research and evaluation to support the investment case.

Supporting Growth

- Provide business growth, commercialisation and start-up support.
- Support internationalisation.
- Support further physical development and investment funding to existing science parks.

Nurturing Talent and Innovation

- Provide and support networking opportunities.
- Encourage cross science park and cross company collaborations.
- Link academic and commercial communities.
- Encourage innovation as a tool for growth.

The Council currently provided £6,000 per annum core funding support to the EST project plus considerable project governance 'in kind' support.

Continuation of the Council's £6,000 contribution for financial year 2012/13 was sought for the EST phase 4 which could be met from existing Divisional resources.

Decision

- (a) To note that The City of Edinburgh Council had undertaken the project management of Edinburgh Science Triangle phase 4 with effect from 1 January 2012;
- (b) To agree that the Council make a financial contribution from within existing allocated budgets of £6,000 to the Edinburgh Science Triangle phase 4 in financial year 2012/13; and
- (c) That regular progress reports be submitted to Cabinet.

(Action: Head of Planning and Development)

5 Midlothian Local Plan Supplementary Planning Guidance on Affordable Housing and Developer Contributions

There was submitted report, dated 21 February 2012, by the Head of Planning and Development, advising on the responses to the public consultation on the draft Supplementary Planning Guidance (SPG) on Affordable Housing and Developer Contributions and seeking approval of revised guidance, contained within appendices to the report, that took into account responses from the consultation.

The report advised that the consultation was initially undertaken from 29 August until 24 October 2011. The period was extended to allow a Members' Seminar, in conjunction with Homes for Scotland on 29 November 2011 to take place. Subsequently, a follow-up meeting at officer level with Homes for Scotland was arranged in January 2012 to discuss some of the issues raised in the Seminar before finalising the SPG.

Decision

- (a) To note the representations received in response to the public consultation on the draft SPG on Affordable Housing and Developer Contributions, and the proposed responses to the representations as summarised in an appendix to the report;
- (b) To agree to adopt the revised SPG on Affordable Housing and the SPG on Developer Contributions as provided in further appendices to the report; and
- (c) To instruct the Director, Corporate Resources, to update/clarify the information relating to Developer Contributions in the Rosewell area.

(Action: Head of Planning and Development)

6 Scottish Government Enterprise Area Designation – Biocampus Site in Midlothian

There was submitted report, dated 17 February 2012, by the Director, Corporate Resources, providing details on the recent designation, by the Scottish Government (SG), of the Biocampus site in Midlothian as, part of a life sciences Enterprise Area (EA).

The report advised that on 17 January 2012, the SG announced that four EAs would be created in Scotland with an emphasis on some of the country's most dynamic industries with the greatest potential to create new employment opportunities, stimulate private investment and boost economic growth.

The four Enterprise Areas in Scotland were:

- Life Sciences EA;
- Low Carbon/Renewables North EA;
- Low Carbon/Renewables East EA; and
- General Manufacturing and Growth Sectors EA.

The Life Sciences EA covered a selection of sites in the following localities:

- Irvine (North Ayrshire);
- Forres (Moray);
- Inverness Campus (Highland);
- Bioquarter (Edinburgh); and
- Biocampus (Midlothian).

The Biocampus site in Midlothian was located in the Midlothian campus of the Edinburgh Science Triangle area to the west of the A701, just north of the Gowkley Moss roundabout. Covering a total area of approximately 5.39 hectares, the Biocampus was owned by Scottish Enterprise (SE).

Decision

- (a) To welcome the designation of the Biocampus site as part of a life sciences related Enterprise Area;
- (b) That the Council's economic development and planning services ensure appropriate arrangements were put in place to respond to interest from investors in the new Enterprise Area;
- (c) To Instruct the Director, Corporate Resources to liaise as necessary through appropriate channels with City of Edinburgh Council and Scottish Enterprise in regard to the linkages between the Biocampus and the Edinburgh Bioquarter; and
- (d) That a further progress report be submitted in due course as further information from the Scottish Government was received.

(Action: Head of Planning and Development)

7 Development Plan Scheme for Midlothian No. 4

There was submitted report, dated 17 February 2012, by the Head of Planning and Development, seeking approval for the Development Plan Scheme for Midlothian No. 4 (DPSM 4) which was required to be published by 31 March 2012 to satisfy the requirements of the legislation.

The report advised that preparation of a development plan scheme was a statutory requirement for each planning authority. It was a document setting out the authority's programme for preparing, reviewing and consulting on the Strategic Development Plan and the Local Development Plan for its area.

Each Development Plan Scheme (DPS) was to incorporate a participation statement and was to be updated at least annually. After adopting a DPS, the planning authority was required to publish it, including electronically, place it on deposit in public libraries and send it to Scottish Ministers. Consultation on the DPS was not required and it did not require the approval of Scottish Ministers.

Decision

- (a) To approve the Development Plan Scheme for Midlothian No.4;
- (b) That in the event that the SESplan Development Plan Scheme No. 4 was amended by the SESplan Joint Committee at its meeting on 5 March 2012, to remit the Director, Corporate Resources to make

requisite modifications to DPSM 4 in consultation with the Cabinet Spokesperson for Strategic Services; and

- (c) Agree to publish the DPSM 4 and submit it to Scottish Ministers on or before 31 March 2012.

(Action: Head of Planning and Development)

8 Scotland's Climate Change Declaration: Annual Statement to Convention of Scottish Local Authorities

There was submitted report, dated 27 February 2012, by the Director, Corporate Resources, seeking approval of the second periodic statement to CoSLA on climate change action being undertaken by the Council, which was appended to the report.

Decision

- (a) To agree the submission of the completed template appended to the report as the Council's next return to CoSLA under Scotland's Climate Change Declaration; and
- (b) To refer the report to the Performance Review and Scrutiny Committee for its information.

(Action: Director, Corporate Resources and Legal and Secretariat Manager)

9 Jarnac Court, Dalkeith Improvement Works

There was submitted report, dated 1 February 2012, by the Director, Corporate Resources, advising of implications for the Street Traders Market arising from the improvement works in Jarnac Court, Dalkeith.

The report highlighted that the Cabinet at its meeting on 1 November 2011, agreed to remove the cobbled surface within Jarnac Court and to replace it with the same kind of paving slabs which were a feature of the newly refurbished High Street. This work commenced on 23 January 2012 and was scheduled to be completed by the end of March 2012. The licence-holder had requested that he be permitted to resume the use of Jarnac Court after the works were completed. He had offered to protect the surface by boards on which the stalls could be stacked. In the interim, the General Purposes Committee at its special meeting on 19 January 2012, approved an application for a temporary market operator's licence for Eskdail Court, White Hart Street and Komarom Court until 3 March 2012.

The report therefore suggested three options open to the Council.

- (a) To continue with the operation of the market at the relocation site in Eskdail Court, White Hart Street and Komarom Court;
- (b) To allow the market to return to Jarnac Court following the refurbishment works in the spring; and
- (c) To not allow the market to operate at all in Dalkeith.

Decision

To agree option (a) as detailed above.

(Action: Director, Corporate Resources)

10 Self-Directed Support

There was submitted report dated 21 February 2012, by the Acting Director, Communities and Wellbeing, advising how Midlothian Council sought to deliver transformation in social care, through adopting self-directed support as its mainstream approach.

The report advised that in 2010, the Scottish Government published a new National Strategy, describing a fundamental shift from how services were currently designed and delivered to one where the mainstream approach was that of self-directed support (i.e. people having informed choice and control over the services they use).

The report also advised that in March 2012, the Scottish Government would bring legislation to the Scottish Parliament which built on this Strategy, placing new duties on local authorities to transform how services were currently organised. This transformation would see informed choice and control over services sitting with the people who use those services, rather than with the local authority.

Further detail on the impending legislation; the current position in Midlothian and intended next steps were contained in an appendix to the report.

Decision

- (a) To note the success of Midlothian Council in developing more personalised social care services;
- (b) To note the implications of impending legislation;
- (c) To note the intention to transform social care to a model where self-directed support was the mainstream approach, building on previous success and in line with statutory duties; and
- (d) To note the intention to provide a further report in autumn 2012, describing plans for implementation of the legislation.

(Action: Acting Director, Communities and Wellbeing)

11 Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Cabinet 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 9 and 11 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

- (a) Minutes of Meeting of Midlothian Negotiating Committee for Teachers of 2 November 2011 – Noted and Recommendations approved;
- (b) Shawfair Development Area: Update – Agreed that a Seminar for all elected Members be held on this matter;
- (c) New Gorebridge and Bilston Primary Schools – Approved recommendations;
- (d) Sale of Land at Greenlaw Mains, Penicuik – Approved recommendations; and
- (e) Developer Contributions and Related Matters Forming part of a Section 75 Legal Planning Agreement: Proposed Development at Whitehill House, Rosewell – Approved recommendations.

The meeting terminated at 11.25am.

**ADDENDUM to MINUTES of the MEETING of the MIDLOTHIAN COUNCIL
CABINET** held on Tuesday 6 March 2012 at 11.00 am (relative to paragraph 11).

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Appendix i

Report of SEMINAR of the MIDLOTHIAN COUNCIL CABINET held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Wednesday 22 February 2012 at 11.00 am.

Present:- Councillors Milligan (Convener), L Beattie, Brown, Constable, Imrie, Montgomery, Muirhead, Russell and Wilson.

Religious Representatives Present: Mr V Bourne, and Mr P Hayes.

Apologies for Absence:- Councillor Aitchison, C Beattie, Bennett, Boyes, Chalmers, Moffat, Statham, Thacker and Thompson.

1 Declarations of Interest

There were no declarations of interest.

2 Education Attainment

Mr MacKay, Director, Education and Children's Services introduced the presentation on Education Attainment and invited Mr Taylor, Head of Education to address the meeting.

Mr Taylor, supported by Ms Dawe, Quality Improvement Manager, Ms Nicola McDowell, Head Teacher, Bonnyrigg Primary School and Mr Mark Edie, Head Teacher, Penicuik High School were then heard providing a detailed presentation on Education Attainment including:-

- The Scottish Context
- Outcomes for the most and least deprived areas
- Standardised assessments in reading and maths trends between Primary 4 and 7
- What action was being undertaken centrally
- What Primary and Secondary Schools were doing to track and raise attainment

- S4, S5 and S6 attainment overview
- School leaver destinations
- HMIE inspections
- Key issues/way forward

There followed a question and answer session during which the following points were noted:-

- The encouraging improvement in reading levels from Primary 4 to 7 over the past 4 years, which had been achieved through adopting good practice, a high level of support and consistent assessments.
- That progress was being made within Secondary schools with regard to Curriculum for Excellence
- The need to achieve consistency of attainment levels across Midlothian
- The need to involve Parent Council's in the aims and ambitions of schools
- The need to identify and share good practice throughout all schools and noted that Head Teachers visited other schools in order to achieve this.
- That 50% of the school estate had been replaced with modern, well equipped establishments
- The need to ensure that school leavers were able to gain employment and the benefit of apprenticeships.

Mr MacKay thanked all present for their participation in the Seminar and stressed that attainment levels would continue to be monitored and assessed in the future.

The meeting terminated at 12.55 pm.

