

**MINUTES of MEETING of the MIDLOTHIAN COUNCIL GENERAL PURPOSES COMMITTEE** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday, 13 November 2012 at 2.00pm.

**Present:-** Councillors Russell (Chair), Baxter, Bennett, Bryant, Coventry, Johnstone, Milligan, Montgomery, Muirhead, Pottinger, Rosie, Thompson, de Vink and Wallace.

**Apologies for Absence:-** Councillors Beattie, Boyes, Constable and Imrie.

**1 Order of Business**

The Meeting agreed that the order of business be adjusted to facilitate consideration of the Application for and procedure relating to the consideration of a Licence as a House in Multiple Occupation (HMO).

**2 Declarations of Interest**

There were no declarations of interest.

**3 Minutes**

On a motion by Councillor Rosie, seconded by Councillor Pottinger, the Minutes of Meeting of 2 October 2012 were approved as a correct record.

**4 Gourlaw Sub Committee**

There were submitted Minutes of Meeting of the Gourlaw Sub Committee of 11 October 2012, as shown in **Appendix I**.

**Decision**

To adopt the relative recommendations, subject to the approval of the Coaling Company.

**5 (a) Housing (Scotland) Act 2006 – HMO Licensing**

There was submitted report, dated 25 October 2012, by the Director, Corporate Resources, concerning the procedure for disposing of applications for licences for HMOs, in terms of the Housing (Scotland) Act 2006.

Appended to the report were the standard conditions of licensing.

## **Decision**

To note the report.

### **(b) Application for HMO Licence – 54 Main Street, Gorebridge**

#### **Sederunt**

At the outset, Councillor Muirhead advised that he had discussed this matter with a constituent and some objectors but had not expressed a view and confirmed his intention to participate in the Hearing.

Councillor Johnstone advised similarly.

There was submitted report, dated 10 October 2012, by the Director, Corporate Resources, concerning an application by Ms Elaine Collins, 9 Cleuch Avenue, North Middleton for an HMO licence in respect of 54 Main Street Gorebridge to accommodate a maximum of four persons.

In his report, the Director, confirmed, *inter alia*:-

- (i) that Objections had been received from Mrs F Stewart, Mrs S Walker, Mr P and Mrs J Bunyan, Mr J Young, Mr R Emmerton and Ms D Harcus and Mr J Heron, all Main Street; Mr A Pacey, for Gorebridge Community Development Trust and Community Council, 160 Barleyknowe Road; and Main Street Neighbourhood Watch, 58 Main Street, all Gorebridge;
- (ii) the responses from the Officers who had been consulted;
- (iii) that, on 21 August 2012, the Committee had noted that applications could be refused if there was overprovision in a locality in which an HMO was situated; and it was for local authorities to determine the “locality” in this respect;
- (iv) the location of HMOs in Gorebridge; and
- (v) that other properties in the vicinity which were occupied on a rental basis which were not HMOs, had no bearing on this issue.

Appended to the report were:-

- (1) a map showing the proposed and other HMOs in Gorebridge;
- (2) copies of the letters of objection and a summary thereof; and
- (3) reports by the Environmental Health Officer and the Head of Housing and Community Safety.

The Committee heard:-

- (a) Mrs Walker, Mr Emmerton and Mrs Stewart during which each addressed the terms of their objections relating to fear of crime, overprovision, concerns for public order and safety, etc; and as regards concerns by the last mentioned, relating to the display of the Site Notice; and having received confirmation that the notice had been removed by persons unknown and re-posted from 5 October 2012 to 5 November 2012, accepted that the combined effect of this met the requirements;
- (b) statements on behalf of the Services and Divisions involved in the consultation, in general confirming that the applicant was a fit and proper person to be the holder of a licence and the premises were suitable for occupation as an HMO; and further advice from the Head of Housing and Community Safety that as regards the concerns that there may be overprovision of HMOs, he did not consider this to be the case; and there was a high demand for such accommodation in Gorebridge and Midlothian, generally, which was expected to grow following the introduction of the reform of welfare benefits and the potential development of Housing Policy in the future in this respect; and
- (c) the Applicant and her Agent, during which the latter explained the care that was taken to ensure adherence to the conditions of tenancy; remarked on the representations that had been made; and confirmed that the Applicant intended to consider at some stage in the future, the introduction of out-of-hours contact / cover for her licensed properties.

(In relation to the concept of overprovision, the Committee had previously noted, as described at paragraph (iii) above, that, in considering whether to refuse to grant an HMO licence on this basis, the local authority must have regard to whether there was an existing HMO licence in effect in respect of the living accommodation; and the views (if known) of the applicant, and if applicable, any occupant of the living accommodation; and otherwise, it was for the local authority to determine the localities within its area; and in considering whether there was or would be overprovision for the purposes in any locality, the local authority must have regard to the number and capacity of licensed HMOs in the locality, and the need for housing accommodation in the locality and the extent to which HMO accommodation was required to meet that need.)

After discussion, Councillor Bennett, seconded by Councillor Muirhead, moved that consideration of the grant of the application be deferred pending a report back on the provision of an out-of-hours service at the location and introduction of other measures designed to secure implementation of sound property management procedures.

As an amendment, Councillor Wallace, seconded by Councillor Bryant, moved that the application be refused as the premises were not suitable for occupation as an HMO.

The motion was carried by nine votes to four.

### **Decision**

- (i) to defer consideration of the grant of the application pending a report back on the provision of an out-of-hours service and introduction of other measures designed to secure implementation of sound property management procedures; and
- (ii) following a statement by Councillor Milligan, to seek guidance as regards the concept of overprovision.

The Chair thanked the Objectors and Officers for attending.

### **Sederunt**

Councillor de Vink withdrew during consideration of this Item (3.40pm).

Councillor Muirhead withdrew at this point (3.44pm).

(Action – Head of Customer Services)

### **(c) Risk Based Inspections and Fees**

The Committee noted that a joint report by the Director, Corporate Resources and Acting Director, Communities and Wellbeing on risk based inspections and fees had been withdrawn.

(Action – Heads of Customer Services and Housing and Community Safety)

## **6 Civic Government (Scotland) Act 1982**

### **(a) Procedure for Disposing of Applications**

There was submitted report, dated 30 October 2012, by the Director, Corporate Resources, concerning the procedure for disposing of applications for licences, in terms of the Civic Government (Scotland) Act 1982.

### **Decision**

To note the report.

### **(b) Taxis (and Private Hire Cars fitted with Taxi Meters) – Review of Fare Tariff**

With reference to paragraph 4(c) of the Minutes of 21 August 2012, there was submitted report, dated 29 October 2012, by the Director, Corporate Services, confirming that public notice of the proposal, that the Taxi (and Private Hire Cars fitted with Taxi meters) Fare Tariff be retained at the existing level, had been given in The Advertiser on 6 September 2012, giving a month for the receipt of any representations; and advising that no representations had been received.

Appended to the report was a copy of the Fare Tariff as shown at **Appendix II.**

### **Decision**

- (i) To approve the adoption of the Fare Tariff; and
- (ii) To approve the implementation date of 3 December 2012.

(Action – Head of Customer Services)

### **(c) Free to Enter Public Entertainment**

With reference to paragraph 4(d) of the Minutes of 6 March 2012, there was submitted report, dated 29 October 2012, by the Director, Corporate Resources, concerning the licensing of Free to Enter Public Entertainments.

In his report the Director confirmed, *inter alia*, that consideration had been given to the content of the current resolution concerning the adoption of the power to licence various categories of activities in 1983; and measures taken by other local authorities.

Appended to the report were lists of the categories that were currently covered by the existing resolution; and those licensed elsewhere.

### **Decision**

To recommend the Council to approve the amendment of the existing resolution as follows:-

“That the Council resolve and do hereby resolve to vary the terms of the resolution passed by The Midlothian District Council on 16 June 1983 to licence Disco dancing establishments; Premises with mechanical rides or simulators intended for entertainment or amusement; Concert Halls; Open air concerts or other events involving the erection of temporary stages; Open air concerts or other events where in excess of 100 persons are present; Clay pigeon shooting; Paintball; Sports or activities involving the transportation or propulsion of persons whether by mechanical or other means including gravity; Any exhibition to which the Hypnotism Act 1952 applies; Any activity involving inflatable structures; Any activity involving shooting; Archery; Indoor play areas for children; Wrestling; Cage fighting; Mechanical bowling alleys; and Premises used for laser displays or laser games”.

(Action – Head of Customer Services)

**(d) Taxis and Private Hire Cars – Revised Best Practice**

With reference to paragraph 5(d) of the Minutes of 5 June 2012, there was submitted report, dated 29 October 2012, by the Director, Corporate Resources, confirming that:-

- (i) the revised Best Practice Guidance had been issued and copies given to the Midlothian Taxi Owners' and the Private Hire Car Associations for their comments but, as yet, none have been received;
- (ii) the Chief Constable had been consulted and his views were reflected in the report;
- (iii) as indicated previously, the guidance was still heavily reliant on guidance issued in England and Wales by the Department for Transport and placed strong emphasis on market forces rather than the prevention of crime and preservation of public order and public safety;
- (iv) a number of policy areas had been touched on which had been further examined;
- (v) a number of issues had been raised which would require consideration as they impacted on the Draft Conditions of Licensing which had been agreed prior to the issue of the Revised Best Practice Guidance; and
- (vi) there was an expectation that the Trade would be consulted about the level of fees.

Appended to the report was a summary of the aspects which required further consideration.

**Decision**

- (1) To consider introducing quarterly meetings with the Trade to discuss issues of interest including enforcement;
- (2) To await the UK Government's decision as regards implementation of Accessibility and the Equality Act; and to note that measures had already been put in place to secure the position as regards the duty to carry Guide, Hearing and assistance dogs; and exemptions from the need to assist wheelchair passengers;
- (3) In respect of vehicles:-
  - (i) in relation to Vehicle specification, to await guidance from the Cab Inspector as regards the suitability of three-door vehicles with tail gate for use as Private Hire Cars and the intention to have no fixed list of vehicles; and, in respect of vehicle testing, to note the intention to carry out emissions testing on an ad hoc basis and more frequently than the full vehicle test;

- (ii) to note that an exercise had been carried out in Midlothian in 2012, as regards Vehicle testing and the notion that local authorities should consider providing more than one testing centre for their area and it had been concluded that, meantime at least, the existing joint arrangement involving the City of Edinburgh Council and West Lothian Council and the Police was accepted as the best possible solution for Midlothian;
- (iii) to note that the results of a pilot project in Edinburgh in respect of the installation of CCTV in taxis and private hire cars were awaited; compliance with the Information Commissioner's Office code of practice was required; and a more recent attempt to secure the installation of front facing CCTVs was receiving attention;
- (iv) to note that no roof-top signs were permitted on Private Hire Cars so as to ensure that they were not confused with Taxis; and Private Hire Cars continued to be available for hire by prior booking only;
- (v) to await a report back on the relationship between licensing conditions and any local environmental policies e.g. fuel;
- (vi) to make representations that the loophole, whereby vehicles employed under contract for more than 24 hours were exempt from licensing, be closed so as to ensure that the exemption was not abused;
- (vii) to seek advice from the Vehicle and Operator Services Agency (VOSA) in respect of the licensing of stretch limousines and other special events vehicles; and
- (viii) to await the results of the impending survey of the demand for the services of taxis;
- (4) To note that Taxi Fares had been reviewed;
- (5) To note that (a) some difficulty had been experienced in relation to the licensing of Hire Car Booking Offices where licence holders operated via mobile telephones; (b) Mandatory conditions were applied; and (c) consultations about any discretionary conditions that may be applied, had not concluded; and to support representation that the definition be altered to cover all types of booking i.e. including those taken by mobile phone;
- (6) Drivers:-

- (i) in respect of the Duration of licenses, (1) to note that whilst the previous Best Practice Guidance appeared to favour three year licences, licensing authorities were now advised to “consider carefully whether the length of time between renewal provided an appropriate level of scrutiny, there being a balance to be struck between a policy which was not an undue burden on drivers and licensing authorities alike and one which provided reassurance to the travelling public”; (2) to support the introduction of licences for one, two and three years depending on the wishes of the licence-holder (and to extend this to Taxis and Private Hire Cars (and other one year licences issued under the Civic Government (Scotland) Act 1982); and (3) to approve the implementation of a phased programme to introduce the link to medical fitness of drivers and the need for drivers to present as medically fit at five yearly intervals after 45 years of age;
- (ii) in relation to criminal record checks, to note that the need for an alteration to policy in relation to the background of applicants from other EU and non-EU countries via a certificate of good conduct, authenticated by the relevant embassy, would be further examined and a report back made;
- (iii) To continue the *status quo* as regards age of drivers;
- (iv) To note that there had been a shift in the criteria relating to the application of medical standards which provided for people who had insulin-dependent diabetes being subjected to a risk assessment regarding the likelihood of loss of consciousness at the wheel which more or less brought into line current practice in Midlothian;
- (v) To note that an applicant for a taxi or private hire car driver's licence had to have held a VOSA issued driving licence for the twelve month period immediately prior to the date of their application, applicable to first applications and renewals, to ensure that an applicant had recent driving experience prior to applying for a licence; and
- (vi) To note that (a) training in relation to Driving proficiency was appropriate and that further consultation was necessary; and (b) given the changing role of Private Hire Cars, there may be a need for topographical tests to be given to Private Hire Car Drivers as well as Taxi Drivers;
- (7) To promote the involvement of Taxis and Private Hire Cars in the provision of Flexible transport services by drawing the possibilities to the attention of the taxi and private hire car trade e.g. as Taxibuses, Private Hire Car local bus services and Shared Taxis/Private Hire Cars;



- (8) (a) To note that Local Authorities were encouraged to introduce clear complaints procedures; and currently, complaints were referred to the Police for investigation; and Hire Car and Booking Offices licence holders ought to have their own procedures in this respect etc; and (b) to await a report on suitable procedures e.g. involving a Members' Call In option; and
- (9) To endeavour to involve the Trade in Local Transport Strategies.

(Action – Head of Customer Services)

### **(e) Late Hours Catering**

With reference to paragraph 4(e) of the Minutes of 21 August 2012, there was submitted report, dated 29 October 2012, by the Director, Corporate Resources, confirming that:-

- (i) consultation had taken place and no shops had been identified which were considered to present a threat to public order or public safety;
- (ii) in 1998, the Council had agreed to alter the terms of the 1983 resolution in relation to the licensing of Late Hours Catering Establishments etc to exclude premises for which the principal business was not that of late hours catering; and
- (iii) the effect of any amendment to the resolution would not take effect for nine months if the terms of the resolution were extended; or one month, if not.

### **Decision**

To recommend the Council to approve the following resolution

“That the Council resolve and do hereby resolve to vary the terms of the resolution passed by the Midlothian District Council in February 1998 to add the words “subject to the exclusion of supermarkets, petrol filling stations, and similar premises where the principal business is not that of serving meals or refreshment” operating during the period between 11.00 pm and 5.00am”.

## **7 Equality and Human Rights – Equality Outcomes and Mainstreaming as it affects Licensing**

There was submitted report, dated 2 November 2012, by the Director, Corporate Resources, confirming that :-

- (a) the Equality and Human Rights Commission expected Licensing Committees to (i) meet all of their statutory duties in relation to Equality Outcomes and Mainstreaming and would be ingathering and examining the equality outcomes which each listed body had to publish by 30th April 2013; (ii) have identifiable outcomes published by that date; and (iii) have a mainstreaming report published by that date;

- (b) (i) the content in relation to Licensing was likely to address methods of approach that could improve the quality of life of persons in the nine protected characteristics, namely age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation; (ii) the outcomes ought to be achievable, manageable and capable of being monitored at intervals of two years; and (iii) measurement of progress would be through the Council's performance management system covalent;
- (c) practices would include existing good practice relating to equality of opportunity and ensuring that there was no discrimination, etc;
- (d) in relation to mainstreaming, provision would have to be made by the Head of Service for impact assessments to be carried out, ultimately with and for the approval of the Committee, as to how the duty was being carried out;
- (e) (i) the Council was consulting stakeholders about the general aspects of the formulation of the Policy through the Community Planning Partnership and amongst neighbouring local authorities; and (ii) it was envisaged that one Policy document would encapsulate four strands of activity, namely Council, Education and the licensing activities exercised by the General Purposes Committee and the Licensing Board;
- (f) consultation had taken place with those Organisations and Officers who were involved in providing guidance in relation to the licensing of Civic Government, etc activities and no comments had been received; and
- (g) consultation had not taken place with licence-holders; and it had been suggested that their involvement be secured through attendance at Stakeholder Forum meetings.

### **Decision**

To approve the consultative arrangements on the basis that a report be submitted direct to Council in February 2013, leading to implementation by 30 April 2013.

(Action – Head of Customer Services)

## **8 Common Good Funds, Trusts, Bequests and Mining Community Funds – (a) 2011 / 2012**

There was submitted report, dated 2 November 2012, by the Director, Corporate Resources, providing a summary of the financial position, as at 31 March 2012, of the Common Good Funds, Trusts, Bequests and Mining Community Funds vested in the Council.

Appended to the Report were statements describing the purposes of the Bequests; and income and expenditure and revenue statements in respect of each of the Common Good Funds, Trusts, Bequests and Mining Community Funds.

### **Decision**

To note the report.

### **(b) Gourlaw Opencast**

With reference to paragraph 18 of the Minutes of the Audit Committee of 18 September 2012, there was submitted report, dated 2 November 2012, by the Director, Corporate Resources, confirming the approach taken to the requests for funding from the Newbigging/Shewington Fund, described at Item 4 above.

### **Decision**

To approve the measures taken as the basis of the future approach to requests for funding.

(Action – Director, Corporate Resources)

## **9 Public Holidays**

With reference to paragraph 6 of the Minutes of 6 April 2010, there was submitted report, dated 29 October 2012, by the Director, Corporate Resources, concerning Public Holidays in 2013 and onwards.

Appended to the report was a Schedule listing the respective dates and occasions.

### **Decision**

To approve the public holiday dates and note the statutory public holiday/festival dates for 2013 to 2017, as shown in **Appendix III** hereto.

(Action – Head of Customer Services)

## **10 Exclusion of Members of the Public**

In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 12 and 14 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973:-

### **Decision**

- (a) Ainslie, Chisholm and Fraser Hogg Bequests - To approve disbursements from the Ainslie, Chisholm and Fraser Hogg Bequests;

- (b) Street Trader's Licence – Consideration of Application - (i) To note the action in agreeing that an application for Renewal of a Street Trader's Licence be considered afresh; and (ii) To grant the application; and
- (c) Private Hire Car Driver's Licence - Consideration of Application - To grant the application subject to a warning to the Applicant about his future conduct.

The Meeting terminated at 4.40pm.

## **APPENDIX I**

**(relative to paragraph 4)**

**MINUTES of MEETING of the GOURLAW SUB-COMMITTEE** held in the Committee Room, Midlothian House, Buccleuch Street, Dalkeith on Wednesday 11 October 2012 at 10.00am.

**Present:-** Councillors Russell (Chair), Baxter, Constable, Imrie and Thompson.

**Apology for Absence:-** Councillor Coventry.

### **1 Order of Business**

The Sub Committee noted that the Chair had ruled as urgent, reports by the Director, Corporate Resources concerning the terms of reference of the Sub Committee; and letter, dated 7 October 2012, from 14<sup>th</sup> Bonnyrigg Scouts as described at Item Nos 3(a) and 5(a) below.

### **2 Declaration of Interest**

With reference to Items 5(a) and (c) below, Councillor Baxter intimated that he had been involved in a personal capacity with the applicants; and sought advice as to whether that affected his ability to participate in the discussion about these items.

Following receipt of guidance by the Clerk during which it was noted that there was no direct or pecuniary interest, Councillor Baxter indicated that he would take part in the proceedings. The Director, on behalf of the Monitoring Officer agreed that this was appropriate.

### **3 Minutes of Meeting**

On the motion of Councillor Thompson, seconded by Councillor Russell, the Sub-Committee approved the Minutes of Meeting of 24 November 2010.

With reference to paragraph 3(b) thereof, the Sub Committee noted that the request referred to lighting at Dalhousie Chesters, a project that had been completed.

### **4 (a) Membership and Terms of Reference**

There was submitted report, dated 5 October 2012, by the Director, Corporate Resources, concerning the terms of reference of (i) the Gourlaw Sub Committee, as reported to the General Purposes Committee on 5 June 2012; and (ii) the Agreement with the Coaling Company, as regards disbursements.

### **Decision**

- (i) To note the report; and
- (ii) To note supplementary report by the Clerk as regards the disbursement of funds, in response to questions from Councillor Imrie as regards the use of Funds for Council Projects; and Councillors Baxter and Thompson, in relation to the nature of support and the area covered, i.e., for the benefit of the environment in the vicinity of the Opencast and the haul route to the Trunk Road.

(Action – Director, Corporate Resources)

### **(b) Financial Update**

There was submitted report, dated 3 October 2012, by the Head of Finance and Human Resources, providing an up-date on the financial position in relation to the Fund.

Appended to the report was a statement showing commitments and the remaining balance.

With reference to paragraph 14 of the Minutes of the Audit Committee of 18 September 2012, the Director confirmed the intention to submit up-dated reports to the Sub Committee on a quarterly basis, including any monitoring that may be considered appropriate.

### **Decision**

To note the report.

## **5 Requests for Disbursements**

### **(a) 14<sup>th</sup> Midlothian Scout Group**

There were submitted (i) reports, dated 2 and 10 October 2012, by the Director, Corporate Resources, concerning a request for financial assistance by 14<sup>th</sup> Midlothian (Bonnyrigg) Scout Group towards the cost of upgrading and improvement works at the Scout Group Hall, 13 Eldindean Road, Bonnyrigg, comprising the installation of central heating and hot water facilities, together with the provision of wheelchair access and disabled toilet facilities; and (ii) letter, dated 7 October 2012, from the Group confirming that wet room facilities had been excluded at this stage and providing revised costings.

### **Decision**

To recommend that the request be granted i.e. on the basis of the revised costings in the amount of £15,484, in view of the benefit as regards (1) supporting healthy, caring and diverse communities where local needs are met by providing suitable infrastructure for the efficient and effective delivery of services to meet the full range of community

needs; and (2) improving Opportunities for People in Midlothian by promoting social and financial inclusion in Midlothian.

**(b) Rosewell Park Open Space Improvements**

There was submitted report, dated 24 September 2012, by the Director, Corporate Resources, concerning a request for financial assistance on behalf of Rosewell and District Community Council and the Rosewell Development Trust towards the cost of improvements to the amenity of Rosewell Park, by upgrading play facilities, improving the entrances and undertaking soft landscaping works to enhance the general amenity and the accessibility of the park to make it more attractive to all users.

**Decision**

- (i) To note, inter alia, that match funding from Waste Recycling Environmental Limited (WREN) had committed £30,000 to the project; and
- (ii) Following receipt of clarification as regards the extent of “seed” funding, to recommend that the request be granted in the amount of £30,000, with a view to (1) supporting healthy, caring and diverse communities where local needs were met by strengthening services for children and young people; and providing suitable infrastructure for the efficient and effective delivery of services to meet the full range of community needs; (2) maintaining Midlothian as a safe place to live, work and visit by working with communities to reduce anti-social behaviour and offending and promote positive social development and working with partners to protect vulnerable people; and (3) improving opportunities for People in Midlothian by promoting social and financial inclusion in Midlothian and regenerating and improving Midlothian’s town and village centres.

**(c) Whitehill Welfare Football Club**

There was submitted report, dated 24 September 2012, by the Director, Corporate Resources, concerning a request for financial assistance by Rosewell and District Community Council, on behalf of Whitehill Welfare Football Club, towards the cost of the replacement of perimeter fencing, installation of Gates, upgrading the terracing and repair of broken concrete at Ferguson Park, Rosewell.

**Decision**

To recommend that the request be granted in the amount of £35,873, with a view to (1) supporting healthy, caring and diverse communities where local needs are met by strengthening services for children and young people; and providing suitable infrastructure for the efficient and effective delivery of services to meet the full range of community needs; and (2) delivering Responsive, Efficient and Effective Services to the People of Midlothian by ensuring equality of opportunity as an employer and service provider; and supporting the Council in its corporate improvement agenda, ensuring Best Value and achieving sustainable development.

**(d) Wheeled Sports Facility in King George V Park, Bonnyrigg**

There was submitted report, dated 24 September 2012, by the Director, Corporate Resources, concerning a request for financial assistance by the Land Services Manager, Midlothian Council, towards the cost of developing a wheeled sports facility in King George V Park, Bonnyrigg at an estimated cost of £165,000; and in respect of which it was intended to make a bid for funding to SportScotland for £80,000.

**Decision**

- (i) To note, *inter alia*, that Waste Recycling Environmental Limited (WREN) had committed match funding of £45,000 for the project; and
- (ii) To recommend that the request be granted in the amount of £40,000, subject to the bid to SportScotland being successful, with a view to (1) supporting healthy, caring and diverse communities where local needs were met by maintaining Midlothian as a safe place to live, work and visit by working with communities to reduce anti-social behaviour and offending and promote positive social development and working with partners to protect vulnerable people; and (2) improving Opportunities for People in Midlothian by promoting social and financial inclusion in Midlothian and regenerating and improving Midlothian's town and village centres.

**(e) Bonnyrigg After School Club**

With reference to paragraph 3(1) of the Minutes of 31 March 2010 (concerning the allocation of £2,000, towards the cost of providing garden features, barbeque, etc at the Community Hall, Hopefield Park), there was submitted report, dated 2 October 2012, by the Director, Corporate Resources, confirming that the final cost of the project had amounted to £1,900.52 and the Bonnyrigg After School Club had requested financial assistance towards the cost of seeds, plant pots, etc, in respect of the balance.

**Decision**

- (i) To note the report; and
- (ii) To recommend that the request be granted, in the amount of £99.48.

(Action – (a) – (e) - Director, Corporate Resources)

The meeting terminated at 11.19am.



**APPENDIX II****(relative to paragraph 5(b))****CIVIC GOVERNMENT (SCOTLAND) ACT 1982****FARE TARIFF  
WITH EFFECT FROM 3 DECEMBER 2012****Taxi and Private Hire Car Fares**

For 1 or 2 passengers	Tariff 1	Tariff 2	Tariff 3	Tariff 4
For the initial hire not exceeding 339m For the initial period of waiting time of 60 seconds For a combination of time and distance	£2.20	£2.70	£3.80	£4.00
For each additional 168.3m For each additional 30 seconds of waiting time For a combination of additional time and distance	£0.20	£0.20	£0.35	£0.35

<b>Monday to Friday</b>	
Tariff 1 – Monday – Friday 6am – 6pm	Tariff 2 – 6pm to 6am and, at weekends, from 6am on Saturday to 6am Monday

<b>Christmas and New Year – Between 6pm on 24 December and 6am on 27 December and 6pm on 31 December and 6am on 3 January</b>	
Tariff 3 – Monday – Friday 6am – 6pm	Tariff 4 – 6pm to 6am and, at weekends, from 6am on Saturday to 6am on Monday

Only 2 children under 12 years will be reckoned as one passenger. No extra fare will be charged for one child under 5 years. Each passenger must be properly seated.
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<b>Extra Payments</b>	
When more than 2 passengers - £0.20 each Cleaning Fee – Travel Sickness - £20.00 Credit/Debit card payments - £1.00	Pre-bookings – Call Out Charge - £0.60 Cancellation Fee - £2.00

**APPENDIX III****PUBLIC HOLIDAYS 2013-2017  
(relative to paragraph 9)****2013**

Tuesday	1 January	New Year's Day
Wednesday	2 January	Public Holiday
Friday	29 March	Good Friday
Monday	1 April	Easter Monday
Monday	15 April	Spring Holiday: Public Holiday
Monday	6 May	May Day: Public Holiday
Monday	20 May	Victoria Day: Public Holiday
Monday	16 September	Autumn Holiday: Public Holiday
Friday	30 November	St Andrew's Day
Wednesday	25 December	Christmas Day
Thursday	26 December	Boxing Day

**2014**

Wednesday	1 January	New Year's Day
Thursday	2 January	Public Holiday
Monday	14 April	Spring Holiday: Public Holiday
Friday	18 April	Good Friday
Monday	21 April	Easter Monday
Monday	5 May	May Day: Public Holiday
Monday	19 May	Victoria Day: Public Holiday
Monday	15 September	Autumn Holiday: Public Holiday
Saturday*	30 November	St Andrew's Day
Thursday	25 December	Christmas Day
Friday	26 December	Boxing Day
* Monday	3 December	

**2015**

Thursday	1 January	New Year's Day
Friday	2 January	Public Holiday
Friday	3 April	Good Friday
Monday	6 April	Easter Monday
Monday	20 April	Spring Holiday: Public Holiday
Monday	4 May	May Day: Public Holiday
Monday	18 May	Victoria Day: Public Holiday
Monday	21 September	Autumn Holiday: Public Holiday
Wednesday	30 November	St Andrew's Day
Friday	25 December	Boxing Day
Monday	28 December	Public Holiday

## 2016

Friday	1 January	New Year's Day
Monday	4 January	Public Holiday
Friday	25 March	Good Friday
Monday	28 March	Easter Monday
Monday	18 April	Spring Holiday: Public Holiday
Monday	2 May	May Day: Public Holiday
Monday	23 May	Victoria Day: Public Holiday
Monday	19 September	Autumn Holiday: Public Holiday
Thursday	30 November	St Andrew's Day
(Sunday	25 December	Christmas Day)
Monday	26 December	Boxing Day

## 2017

Monday	2 January	New Year Public Holiday
Tuesday	3 January	Public Holiday
Monday	10 April	Spring Holiday: Public Holiday
Friday	14 April	Good Friday
Monday	17 April	Easter Monday
Monday	1 May	May Day: Public Holiday
Monday	22 May	Victoria Day: Public Holiday
Monday	18 September	Autumn Holiday: Public Holiday
Thursday	30 November	St Andrew's Day
Monday	25 December	Christmas Day
Tuesday	26 December	Boxing Day